

CURRENT INVOICING MECHANISM VIS-À-VIS E-INVOICING

17.1 QUICK REFERENCE TO THE CURRENT INVOICING PROVISIONS

Chapter VII of the GST Act, 2017 deals with the provisions of the Invoicing under GST and the corresponding rules are incorporated under Chapter VI of the GST Rules, 2017 which prescribes the manner, time and format of invoices, debit/credit notes, vouchers, challans, etc. to be issued by the business entity during the course of business as and when needed. A bird eye view of the inter connected section, rules & forms are given below for ease-of-reference:

Section	Description	Rule	Description	Form	Description
31	Tax Invoice	46	Tax Invoice	-	-
		46A	Invoice-cum-Bill of Supply	-	-
		47	Time limit for issuing invoice	-	-
		48	Manner of issuing invoice	-	-
		49	Bill of Supply	-	-
		50	Receipt Voucher	-	-
		51	Refund Voucher	-	-
		52	Payment Voucher	-	-
		53	Revised tax invoice and credit or debit notes	-	-
		54	Tax invoice in special cases	-	-
		55	Transportation of goods without issue of invoice	-	-
		55A	Tax Invoice or bill of supply to accompany transport of goods.	-	-

Section	Description	Rule	Description	Form	Description
31A	Facility of digital payment to recipient	-	-	-	-
32	Prohibition of unauthorized collection of tax	-	-	-	-
33	Amount of tax to be indicated in tax invoice and other documents	35	Value of supply inclusive of integrated tax, Central tax, State tax, Union territory tax	-	-
34	Credit and Debit Notes	53	Revised tax invoice and credit or debit notes	-	-

17.2 TAX INVOICE

Section 31 deals with the Tax Invoice and the various provision related to the Tax Invoice is stipulated in its 7 sub-sections details of which is shown in the tabular manner for ease-of-reference:

Sub-Section	Clause & Proviso	Description	Corresponding Rules, Notifications & Circulars
(1)	a & b	Tax Invoice in respect of taxable goods to be issued before or at the time of (a) removal of goods for supply to the recipient, where the supply involves movement of goods; or (b) delivery of goods or making available thereof to the recipient, in any other case, issue a tax invoice showing the description, quantity and value of goods, the tax charged thereon and such other particulars as prescribed in rule 46/46A.	◆ Rules 46 & 46A ◆ <i>Notification No. 12/2017-Central Tax, dated 28-6-2017</i> (Notified limit of annual turnover and mentioning of the Number of Digits of HSN Code). ◆ <i>Circular No. 90/09/2019, dated 18-2-2019</i> [Compliance of rule 46(n) while issuing invoices in case of inter-State supply].
	1st Proviso	Government may by notification specify categories of goods or supplies where tax invoice shall be issued within such time (may be even after the removal/delivery) and manner as may be prescribed.	No Notification has been issued in this regard.

Sub-Section	Clause & Proviso	Description	Corresponding Rules, Notifications & Circulars
(2)		Tax Invoice in respect of taxable service to be issued before or after the provision of service but within the time prescribed in rule 47, issue a tax invoice, showing the description, value, tax charged thereon and such other particulars as prescribed in rule 46/46A.	<ul style="list-style-type: none">◆ Rules 46 & 46A◆ <i>Notification No. 12/2017-Central Tax, dated 28-6-2017</i> (Notified limit of annual turnover and mentioning of the Number of Digits of HSN Code).◆ <i>Circular No. 90/09/2019, dated 18-2-2019</i> [Compliance of rule 46(n) while issuing invoices in case of inter-State supply].
	1st Proviso	Government may by notification specify the categories of services in respect of which— (a) <i>any other document issued</i> in relation to the supply shall be deemed to be a tax invoice ; or (b) tax invoice may not be issued .	No Notification has been issued in this regard.
(3) [Overrides sub-sections (1) & (2)]	a	A registered person may, within 1 month from the date of issuance of GSTIN and in such manner as prescribed in rule 53, issue a revised invoice against the invoice already issued during the period beginning with the <i>effective date of registration</i> till the <i>date of issuance of GSTIN</i> .	Rule 53
	b	A registered person may not issue a tax invoice if the value of the goods or services or both supplied is less than INR 200 subject to such conditions and in such manner as prescribed in rule 46.	Rule 46

Sub-Section	Clause & Proviso	Description	Corresponding Rules, Notifications & Circulars
	c	A registered person supplying exempted goods or services or both or paying tax under the provisions of section 10 shall issue, instead of a tax invoice, a bill of supply containing such particulars and in such manner as prescribed in rule 49.	<ul style="list-style-type: none"> ◆ Rule 49 ◆ CGST (Third Removal of Difficulties) Order, 2019, dated 8-3-2019/ UTGST (Second Removal of Difficulties) Order, 2019, dated 8-3-2019.
	1st Proviso	The registered person may not issue a bill of supply if the value of the goods or services or both supplied is less than INR 200 subject to such conditions and in such manner as prescribed in rule 49.	Rule 49
	d	A registered person shall, on receipt of advance payment with respect to any supply of goods or services or both, issue a receipt voucher or any other document, containing such particulars as prescribed in rule 50, evidencing receipt of such payment.	Rule 50
	e	Where, on receipt of advance payment with respect to any supply of goods or services or both the registered person issues a receipt voucher, but subsequently no supply is made and no tax invoice is issued in pursuance thereof, the said registered person may issue to the person who had made the payment, a refund voucher against such payment.	Rule 51
	f	A registered person who is liable to pay tax under section 9(3) or 9(4) shall issue an invoice in respect of goods or services or both received by him from the supplier <i>who is not registered on the date of receipt of goods or services or both.</i>	Rule 46

Sub-Section	Clause & Proviso	Description	Corresponding Rules, Notifications & Circulars
	g	A registered person who is liable to pay tax under section 9(3) or 9(4) shall issue a payment voucher at the time of making payment to the supplier.	Rule 52
(4)		In case of continuous supply of goods , where successive statements of accounts or successive payments are involved, the invoice shall be issued <i>before or at the time each such statement is issued or, as the case may be, each such payment is received.</i>	-
(5)		Subject to the provisions of section 31(3)(d), in case of continuous supply of services ,– (a) where the due date of payment is ascertainable from the contract, the invoice shall be issued <i>on or before the due date of payment</i> ; (b) where the due date of payment is not ascertainable from the contract, the invoice shall be issued <i>before or at the time when the supplier of service receives the payment</i> ; (c) where the payment is linked to the completion of an event, the invoice shall be issued <i>on or before the date of completion of that event.</i>	-
(6)		In a case where the supply of services ceases under a contract before the completion of the supply , the invoice shall be issued <i>at the time when the supply ceases</i> and such invoice shall be issued to the extent of the supply made before such cessation.	-
(7) [Overrides sub-section (1)]		Where the goods being sent or taken on approval for sale or return are removed before the supply takes place, the invoice shall be	-

Sub-Section	Clause & Proviso	Description	Corresponding Rules, Notifications & Circulars
		issued <i>before or at the time of supply or 6 months from the date of removal, whichever is earlier.</i>	
	<i>Explanation</i>	For the purposes of section 31, the expression “ <i>tax invoice</i> ” shall include any revised invoice issued by the supplier in respect of a supply made earlier.	-

17.3 TIME AND MANNER OF ISSUANCE OF TAX INVOICE

Since Tax Invoice is dealt in section 31 read with rule 46, therefore, it is very important to understand the time and manner prescribed in the said rule. The brief synopsis and explanation is given below for ease-of-understanding:

Rule & Proviso	Description	Corresponding Notification
46	Contents in the Tax Invoice	-
1st Proviso	CBIC by way of notification, specify— (i) Number of digits of HSN code for goods or services that a class of registered persons shall be required to mention, for such period as may be specified in the said notification; and (ii) The class of registered persons that would not be required to mention the HSN for goods or services, for such period as may be specified in the said notification.	<i>Notification No. 12/2017-Central Tax, dated 28-6-2017 and Notification No. 5/2017-Integrated Tax, dated 28-6-2017.</i> - Notified limit of annual turnover and mentioning of the Number of Digits & HSN Code.
2nd Proviso	Issuance of consolidated invoice in case of section 31(3)(f) <i>at the end of a month</i> for supplies covered under section 9(4), the aggregate value of such supplies exceeds INR 5,000 in a day from any or all the suppliers.	-
3rd Proviso	Endorsement in case of Export Invoice & SEZ unit/developer Invoice.	<i>3rd Proviso inserted vide Notification No. 17/2017-Central Tax dated 26th July, 2017.</i>

Rule & Proviso	Description	Corresponding Notification
4th Proviso	Issuance of consolidated tax invoice instead of tax invoice at the close of each day in respect of all such supplies in accordance with the provisions of section 31(3)(b) subject to the specified conditions.	<i>Consolidated Tax Invoice is not applicable on supplier engaged in making supply of services by way of admission to exhibition of cinematograph films in multiplex screens</i> - Inserted by the Central Goods and Services Tax (Fifth Amendment) Rules, 2019, w.e.f. 1-9-2019.
5th Proviso	Signature or digital signature of the supplier or his authorised representative shall not be required in the case of issuance of an electronic invoice .	Inserted by the Central Goods and Services Tax (Fourteenth Amendment) Rules, 2018, w.e.f. 31-12-2018.
6th Proviso	The Government may, by notification, and subject to such conditions and restrictions as mentioned therein, specify that the tax invoice shall have Quick Response (QR) code .	<ul style="list-style-type: none">◆ Inserted by the Central Goods and Services Tax (Fourth Amendment) Rules, 2019.◆ <i>Notification No. 72/2019-Central Tax dated 13th December, 2019 effective from 1st April, 2020.</i>

17.4 CONTENTS IN THE TAX INVOICE

Tax Invoice as referred to in section 31 of the GST Act, 2017 read with rule 46 shall be issued by the registered person containing the following particulars, namely-

- (a) name, address and Goods and Services Tax Identification Number of the supplier;
- (b) a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters-hyphen or dash and slash symbolised as “-” and “/” respectively, and any combination thereof, unique for a financial year;
- (c) date of its issue;
- (d) name, address and Goods and Services Tax Identification Number or Unique Identity Number, if registered, of the recipient;
- (e) name and address of the recipient and the address of delivery, *along with the name of the State and its code*, if such *recipient is unregistered* and where the value of the *taxable supply is INR 50,000 or more*;
- (f) name and address of the recipient and the address of delivery, *along with the name of the State and its code*, if such recipient is unregistered and where the value of the taxable supply is *less than INR 50,000 and the recipient requests that such details be recorded in the tax invoice*;

- (g) Harmonised System of Nomenclature code for goods or **services**;
- (h) Description of goods or services;
- (i) Quantity in case of goods and unit or Unique Quantity Code thereof;
- (j) Total value of supply of goods or services or both;
- (k) Taxable value of the supply of goods or services or both taking into account discount or abatement, if any;
- (l) Rate of tax (Central tax, State tax, Integrated tax, Union Territory tax or cess);
- (m) Amount of tax charged in respect of taxable goods or services (Central tax, State tax, Integrated tax, Union Territory tax or cess);
- (n) Place of supply along with the name of the State, in the case of a supply in the course of inter-State trade or commerce;
- (o) Address of delivery where the same is different from the place of supply;
- (p) Whether the tax is payable on reverse charge basis; and
- (q) Signature or digital signature of the supplier or his authorized representative.

Any **invoice** or **debit note** issued in pursuance of any tax payable in accordance with the provisions of section 74 or section 129 or section 130 shall prominently contain the words “INPUT TAX CREDIT NOT ADMISSIBLE” as stipulated in rule 53(3).

17.5 EXPORT INVOICE

In the case of the export of goods or services, the invoice shall carry an endorsement:

- (i) “SUPPLY MEANT FOR EXPORT ON PAYMENT OF INTEGRATED TAX”
or
- (ii) “SUPPLY MEANT FOR EXPORT UNDER BOND OR LETTER OF UNDERTAKING WITHOUT PAYMENT OF INTEGRATED TAX”, as the case may be,

and shall, in lieu of the details specified in clause (e), contain the following details, namely,-

- (i) name and address of the recipient;
- (ii) address of delivery; and
- (iii) name of the country of destination.

The aforesaid has been introduced by way of amendment in third *proviso* to Rule 46 of GST Rules, 2017 vide **Notification No. 17/2017-Central Tax dated 26th July, 2017**.

17.6 INVOICE FOR SUPPLY TO SEZ UNIT/SEZ DEVELOPER FOR AUTHORISED OPERATIONS

In the case of **supply to SEZ Unit/SEZ Developer for Authorised Operations**, the invoice shall carry an endorsement:

- (i) "SUPPLY MEANT FOR EXPORT ON PAYMENT OF INTEGRATED TAX"
or
- (ii) "SUPPLY MEANT FOR EXPORT UNDER BOND OR LETTER OF UNDERTAKING WITHOUT PAYMENT OF INTEGRATED TAX", as the case may be,

and shall, in lieu of the details specified in clause (e), contain the following details, namely,-

- (i) name and address of the recipient;
- (ii) address of delivery; and
- (iii) name of the country of destination.

The aforesaid has been introduced by way of amendment in third *proviso* to Rule 46 of GST Rules, 2017 vide **Notification No. 17/2017-Central Tax dated 26th July, 2017**.

Mentioning Place of Supply in case of inter-State supply is mandatory

CBIC has noticed that a number of registered persons (especially in the banking, insurance and telecom sectors, etc.) are not mentioning the **place of supply** along with the name of the State in case of a supply made in the course of inter-State trade or commerce in contravention of rule 46(n) of the CGST Rules which mandates that the said details must be mentioned in a tax invoice. Accordingly, CBIC vide **Circular No. 90/09/2019-GST dated 18th February, 2019** instructed that all registered persons making supply of goods or services or both in the course of **inter-State trade** or commerce shall specify the **place of supply along with the name of the State in the tax invoice**. Contravention of any of the provisions of the Act or the rules made thereunder attracts penal action under the provisions of section 122 or 125 of the CGST Act.

17.7 HSN CODE ON TAX INVOICE

Harmonised System of Nomenclature (HSN) has been adopted for classification of goods as it is a safe guide for ascertaining true meaning of any expression used in the act. The Harmonized Commodity Description and Coding System, also known as the Harmonized System (HS) of tariff nomenclature is an internationally standardized system of names and numbers to classify traded products. The World Customs Organization (WCO) has been administering 6 digits HS codes schedule. The HS codes have been used for Import Export trade all over world. The first two digits are called 'Chapters', first four digits is called 'heading' and six digits 'sub-heading'. However, each country can modify by adding two digits or four digits as per their requirements **without**

changing first six digits. In simple terminology, first six digits of HS code are same in all countries. However, each country has been given the liberty to supplement additional digits to categorize and define commodities at more exhaustive level without modifying the initial six digits.

Accordingly, the supplies need to be embarked with the **HSN Code for goods** and **Service Accounting Codes for services**. The Accounting Codes for services shall be prefixed with the letter ‘S’ in order to identify it as a service resulting in SAC. *First proviso* to Rule 46 of the GST Rules, 2017 stipulates that the CBIC may, on the recommendations of the Council, by **notification**, specify:

- ◆ The number of digits of HSN Code for goods or SAC for services that a class of registered persons shall be required to mention, for such period as may be specified in the said notification and
- ◆ The class of registered persons that would not be required to mention the HSN or SAC, for such period as may be specified in the said notification.

In respect of the aforesaid, the CBIC has issued **Notification No. 12/2017 - Central Tax dated 28th June, 2017** wherein it has been stipulated that:

Aggregate Turnover in the preceding FY	HSN Code
Up to INR 1.50 crore	Optional. <i>But they need to provide information about description of goods.</i>
Between INR 1.5 crore to INR 5 crore	2 digit shall be optional. <i>However, there is no time period specified for which the same shall continue.</i>
Above INR 5 crores	4 digit. <i>However, there is no time period specified for which the same shall continue.</i>

Note: It shall be mandatory in case of exports and imports to specify HSN code at 8 digit and Accounting code for services.

17.8 CONSOLIDATED INVOICE [INVOICE FOR INWARD SUPPLY FROM UNREGISTERED PERSON UNDER SECTION 9(4)]

The concept of consolidated invoice is encapsulated within the provisions of section 31(3)(f) read with 2nd *proviso* to rule 46. Section 31(3)(f) deals with requirement of an invoice to be issued by the **recipient** in respect of inward supplies received under section 9(3) and 9(4) where the supplier is not registered. However, in the instant case, 2nd *proviso* to rule 46 deals only with section 9(4) i.e. in respect of purchases received from unregistered persons under Section 9(4) and not under section 9(3).

In this connection, instead of issuing a TAX INVOICE, a registered person may issue a CONSOLIDATED INVOICE at the *end of a month* for such supplies

where the aggregate value of such supplies exceeds INR 5,000 per day from *any or all* the suppliers.

17.9 CONSOLIDATED TAX INVOICE WHEN SUPPLY OF SERVICE IS MADE TO UNREGISTERED PERSON

A registered person *[other than the supplier engaged in making supply of services by way of admission to exhibition of cinematograph films in multiplex screens-inserted vide Notification No. 33/2019-Central Tax dated 18th July, 2019 w.e.f. 1st September, 2019]* may not issue a tax invoice in accordance with the provisions of section 31(3)(b) subject to the following conditions, namely,-

- (a) the recipient is not a registered person; **and**
- (b) the recipient does not require such invoice,

and shall issue a *consolidated tax invoice* for such supplies *at the close of each day in respect of all such supplies*.

17.10 TAX INVOICE VIS-À-VIS E-INVOICE

Sl. No.	Particulars of Tax Invoice as per Rule 46 read with Rule 48(1), 48(2) and 48(3)	Particulars of E- Invoice as per Rule 48(4)
a	Name, address and Goods and Services Tax Identification Number of the supplier	Yes
b	A consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters-hyphen or dash and slash symbolised as “-” and “/” respectively, and any combination thereof, unique for a financial year	Yes. <i>[Apart from the serial number of the invoice, an additional unique number i.e. IRN needs to be displayed in the e-invoice.]</i>
c	Date of its issue	Yes
d	Name, address and Goods and Services Tax Identification Number or Unique Identity Number, if registered, of the recipient	Yes
e	Name and address of the recipient and the address of delivery, <i>along with the name of the State and its code</i> , if such <i>recipient is unregistered</i> and where the value of the <i>taxable supply is INR 50,000 or more</i>	E-invoice is currently not required for B2C supplies.
f	Name and address of the recipient and the address of delivery, <i>along with the name of the State and its code</i> , if such recipient is unregistered and where the value of the taxable supply is <i>less than INR 50,000 and the recipient requests that such details be recorded in the tax invoice</i>	E-invoice is currently not required for B2C supplies.

Sl. No.	Particulars of Tax Invoice as per Rule 46 read with Rule 48(1), 48(2) and 48(3)	Particulars of E- Invoice as per Rule 48(4)
<i>g</i>	Harmonised System of Nomenclature code for goods or <i>services</i>	Yes
<i>h</i>	Description of goods or services	Yes
<i>i</i>	Quantity in case of goods and unit or Unique Quantity Code thereof	Yes
<i>j</i>	Total value of supply of goods or services or both	Yes
<i>k</i>	Taxable value of the supply of goods or services or both taking into account discount or abatement, if any	Yes
<i>l</i>	Rate of tax (Central tax, State tax, Integrated tax, Union territory tax or cess)	Yes
<i>m</i>	Amount of tax charged in respect of taxable goods or services (Central tax, State tax, Integrated tax, Union territory tax or cess)	Yes
<i>n</i>	Place of supply along with the name of the State, in the case of a supply in the course of inter-State trade or commerce	Yes
<i>o</i>	Address of delivery where the same is different from the place of supply	Yes
<i>p</i>	Whether the tax is payable on reverse charge basis	Yes
<i>q</i>	Signature or digital signature of the supplier or his authorized representative	No. As new 5th proviso has been inserted in rule 46 which clearly stipulates that there is no such requirement in case of E-Invoice. <i>[Though the authenticity of the invoice gets substantiated i.e. by reverting with digitally signed QR Code by the IRP Portal but the onus to sign an invoice may not have been shifted to the portal from the supplier's end.]</i>

17.11 INVOICE-CUM-BILL OF SUPPLY

Section 31 read with Rule 46A overrides anything contained in rule 46 or rule 49 or rule 54. Rule 46A stipulates that where a registered person is supplying *taxable as well as exempted* goods &/or services to an *unregistered person (B2C supplies)*, a single “invoice-cum-bill of supply” may be issued for all such supplies. The said rules have been inserted *vide Notification No. 45/2017-Central Tax dated 13th October, 2017.*

Applicability of E-Invoicing Provision: *Since this document is applicable only in case of B2C supplies, however, e-invoicing provision is currently applicable only on B2B supplies.*

17.12 TIME LIMIT FOR ISSUANCE OF TAX INVOICE

Goods or Services	Issuance of Tax Invoice in respect of	Section or Rules that prescribes the time limit for issuance
Goods	Taxable goods	Section 31(1)
	Continuous supply of goods	Section 31(4)
	Goods being sent or taken on approval for sale or return are removed before the supply takes place	Section 31(7)
Services	Taxable service	Section 31(2) read with Rule 47
	Continuous supply of services	Section 31(5)
	Supply of services ceases under a contract before the completion of the supply	Section 31(6)

The brief synopsis of the applicability of time limits in different scenarios are given below in tabular form for ease-of-understanding:

Description	Time limit for issuance of Tax Invoice
Taxable supply of goods	Where the supply involves movement of goods - Before or at the time of removal of goods for supply to the recipient. In any other case - Before or at the time of delivery of goods or making available thereof to the recipient.
Continuous supply of goods	Where successive statements of accounts - Before or at the time each such statement is issued, OR Where successive payments are involved - Before or at the time each such payment is received.
Goods being sent or taken on approval for sale or return are removed before the supply takes place	◆ Before or at the time of supply, OR ◆ 6 months from the date of removal, <i>whichever is earlier</i>
Taxable supply of services	Within a period of 30 days from the date of the supply of service.
If the supplier of services is: ◆ An insurer or ◆ A banking company or	Within 45 days from the date of the supply of service.

Description	Time limit for issuance of Tax Invoice
<ul style="list-style-type: none">◆ A financial institution, including a Non-Banking Financial Company (NBFC).	
Following persons making taxable supplies of services between distinct persons as specified in section 25: <ul style="list-style-type: none">◆ An insurer or◆ A banking company or◆ A financial institution, including a Non-Banking Financial Company (NBFC) or◆ A telecom operator, or◆ Any other class of supplier of services as may be notified by the Government on the recommendations of the Council	<ul style="list-style-type: none">◆ Before or at the time such supplier records the same in his books of account OR◆ Before the expiry of the quarter during which the supply was made.
Continuous supply of services	<p>Where Due date of payment is ascertainable from the contract - On or before the due date of payment.</p> <p>Where Due date of payment is not ascertainable from the contract - Before or at the time when the supplier of service receives the payment.</p> <p>Where Payment is linked to the completion of an event - On or before the date of completion of that event.</p>
Supply of services ceases under a contract before the completion of the supply	At the time when the supply ceases and such invoice shall be issued to the extent of the supply made before such cessation.

17.13 MANNER OF ISSUING TAX INVOICE

Rule 48 of the GST Rules, 2017 deals with manner of issuing invoices. Initially from the advent of GST Law, it had only 3 sub-sections which dealt with the manner of issuance of tax invoices, however, 3 new sub-sections are inserted vide **Notification No. 68/2019-Central Tax dated 13th December, 2019** with the objective to implement E-Invoicing provisions.

Sub-section	Brief Description	Provisions	Corresponding Notification
1	Manner of preparation of invoice in case of supply of goods	The invoice shall be prepared in triplicate, in the case of supply of goods, in the following manner, namely, —	-

Sub-section	Brief Description	Provisions	Corresponding Notification
		<p>(a) the original copy being marked as ORIGINAL FOR RECIPIENT;</p> <p>(b) the duplicate copy being marked as DUPLICATE FOR TRANSPORTER; and</p> <p>(c) the triplicate copy being marked as TRIPLICATE FOR SUPPLIER.</p>	
2	Manner of preparation of invoice in case of supply of services	<p>The invoice shall be prepared in duplicate, in the case of the supply of services, in the following manner, namely, —</p> <p>(a) the original copy being marked as ORIGINAL FOR RECIPIENT; and</p> <p>(b) the duplicate copy being marked as DUPLICATE FOR SUPPLIER.</p>	-
3	Reporting of serial number of invoices issued during the tax period	The serial number of invoices issued during a tax period shall be furnished electronically through the common portal in FORM GSTR-1.	-
4	Provisions of E-Invoicing	The INVOICE shall be prepared by such class of registered persons as may be notified by the Government, on the recommendations of the Council, by including such particulars contained in FORM GST INV-01 after obtaining an Invoice Reference Number by uploading information contained therein on the Common Goods and Services Tax Electronic Portal in such manner and subject to such conditions and restrictions as may be specified in the notification.	<p>◆ <i>Notification No. 68/2019-Central Tax dated 13th December, 2019</i></p> <p>◆ <i>Notification No. 69/2019 - Central Tax dated 13th December, 2019 - Common Goods and Services Tax Electronic Portal Notified</i></p> <p>◆ <i>Notification No. 70/2019 - Central Tax dated 13th December, 2019 - Class of persons Notified</i></p>

Sub-section	Brief Description	Provisions	Corresponding Notification
5	<i>Invoice issued will be treated as invalid if prepared in any other manner</i>	Every invoice issued by a person to whom sub-rule (4) applies in any manner other than the manner specified in the said sub-rule shall not be treated as an invoice.	<i>Notification No. 68/2019-Central Tax dated 13th December, 2019</i>
6	<i>Provisions of rule 48(1) and 48(2) shall not apply to the E-Invoice prepared under rule 48(6)</i>	The provisions of sub-rules (1) and (2) shall not apply to an invoice prepared in the manner specified in sub-rule (4).	<i>Notification No. 68/2019-Central Tax dated 13th December, 2019</i>

Class of persons Notified

CBIC vide **Notification No. 70/2019 - Central Tax dated 13th December, 2019** notifies registered person, whose **aggregate turnover in a FY exceeds INR 100 crore (obviously this excludes Composition Supplier)**, as a class of registered person who shall prepare E-Invoice in terms of rule 48(4) **in respect of supply (Both taxable as well as exempted supply is covered) of goods or services or both to a registered person** i.e. B2B supply (please note that when the supply is made to unregistered person i.e. B2C supply, is not notified). This notification shall come into force from the **1st April, 2020**.

The most important rule 48(4) inserted vide Notification No. 68/2019-Central Tax dated 13th December, 2019 needs to be interpreted to understand the applicability of E-Invoicing concept on various types of documents. For this purpose, the entire rule 48(4) has been reproduced here-in-below for ease-of-reference:

*“The **INVOICE** shall be prepared by **such class of registered persons** as may be **notified** by the Government, on the recommendations of the Council, by including such particulars contained in **FORM GST INV-01** after **obtaining an Invoice Reference Number** by uploading information contained therein on the Common Goods and Services Tax **Electronic** Portal in such **manner** and subject to such **conditions** and **restrictions** as may be specified in the notification.”*

Since the term used in the Notification is used as “INVOICE”, therefore, it is very important to understand the meaning of the term “invoice” as defined in section 2(66) of the GST Act, 2017 which means “**tax invoice** referred to in section 31”.Let us understand the type of documents incorporated in the Invoicing Chapter of the GST Act, 2017 and whether they can be classified as “invoice” for the purpose of e-invoicing:

Rule	Type of Document	Whether an “invoice” as per section 2(66) of the GST Act, 2017	Applicability of E-Invoicing as stipulated in rule 48(4)
46	Tax Invoice	Yes.	Yes.
	Consolidated Invoice - In case of reverse charge under section 9(4)	No.	No.
	Consolidated Tax Invoice - In case of B2C supplies	No.	No.
	Exports Invoice	Yes.	Yes.
	SEZ unit/developer Invoice	Yes.	Yes.
46A	Invoice-cum-Bill of Supply	Yes.	Currently No. <i>[Since this document is applicable only in case of B2C supplies, however, e-invoicing provision is currently applicable only on B2B supplies.]</i>
49	Bill of Supply	Yes. <i>[Even though the term used is Bill of Supply, yet it is in lieu of Tax Invoice as stipulated in section 31(3)(c), therefore, it needs to be considered as “invoice”]</i>	Yes. <i>[However, as per FAQ E-Invoice Rollout dated 26th December, 2019 released by GSTN - No]</i>
50	Receipt Voucher	No.	No.
51	Refund Voucher	No.	No.
52	Payment Voucher	No.	No.
53	Revised tax invoice	Yes. <i>[As per the Explanation to section 31, the expression “tax invoice” shall include any revised invoice issued by the supplier in respect of a supply made earlier.]</i>	Yes.
	Debit Note	Strictly as per the interpretation of law - No.	No. <i>[But as per the FAQ released by the GSTN, it has been clearly stated that E-invoice is also applicable for Debit Note]</i>

Rule	Type of Document	Whether an “invoice” as per section 2(66) of the GST Act, 2017	Applicability of E-Invoicing as stipulated in rule 48(4)
	Credit Note	Strictly as per the interpretation of law - No.	No. <i>[But as per the FAQ released by the GSTN, it has been clearly stated that E-invoice is also applicable for Debit Note]</i>
54(1)	ISD Invoice	No.	No. <i>[However, as per FAQ E-Invoice Rollout dated 26th December, 2019 released by GSTN - Yes]</i>
54(1A)	Invoice/Debit/Credit Note for transferring ISD Credit	No.	No. <i>[However, as per FAQ E-Invoice Rollout dated 26th December, 2019 released by GSTN - Yes]</i>
54(2)	Consolidated Tax Invoice by an insurer or a banking company or a financial institution, including a non-banking financial company	Yes.	Yes.
54(3)	Tax Invoice or any other document by GTA	Yes.	Yes.
54(4)	Tax Invoice includes tickets by the supplier of taxable passenger transportation service	Yes.	Yes.
54(4A)	Electronic ticket deemed to be a tax invoice where registered person supplying services by way of admission to exhibition of cinematograph films in multiplex screens	Yes.	Yes.

Important Note: On strict interpretation of the term “invoice”, it appears that E-invoice provision is applicable only on the aforesaid documents as stated above. However, a clear guideline on applicability of the E-Invoicing provision on various documents by the CBIC would make the situation utmost clear.

Situation: Is there any clarification issued by the GSTN on applicability of E-invoices on different type of documents?

Solution:

In the **Para D of the Proposed E-Invoicing Note - FAQ v 2 released by GSTN** clearly states that:

“While the word invoice is used in the name of e-invoice, it covers other documents that will be required to be reported to IRP by the creator of the document:

- i. *Invoice by Supplier*
- ii. *Credit Note by Supplier*
- iii. *Debit Note by Supplier*
- iv. *Any other document as required by law to be reported by the creator of the document”*

It is worthwhile to note that “any other document” has not been specified by the GSTN.

E-Invoice is also applicable in case of Bill of Supply which is clearly evident from the 3rd *proviso* inserted to rule 49 which stipulates that signature or digital signature of the supplier or his authorised representative shall not be required in the case of issuance of an **ELECTRONIC BILL OF SUPPLY**. Therefore, aforesaid **rule 48(4) is applicable** both on supply of taxable as well as exempted goods &/or services. Bill of supply is issued in two cases *i.e.* in case of exempt supply & in case of Composition Scheme. But E-Bill of Supply shall be applicable only in case of exempt supply and not by the Composition Supplier because the *Notification No. 70/2019 - Central Tax dated 13th December, 2019* is currently applicable only on registered person whose aggregate turnover in a FY exceeds INR 100 crore while the Composition Scheme is not available to the person whose aggregate turnover exceeds INR 75 lakhs/1.5 crores.

However, as per FAQ E-Invoice Rollout dated 26th December, 2019 released by GSTN, it states that there is no applicability of e-invoicing on Bill of Supply.

Common Goods and Services Tax Electronic Portal Notified

In accordance with the rule 48(4) *i.e.* E-Invoicing rule, of the CGST Rules, 2017 and section 20 of the IGST Act, 2017, the Central Government, on the recommendations of the Council, hereby, notifies vide **Notification No. 69/2019 - Central Tax dated 13th December, 2019** the following as the Common Goods and Services Tax **Electronic** Portal for the purpose of preparation of the invoice in terms of rule 48(4) of the aforesaid rules, namely:-

- (i) www.einvoice1.gst.gov.in;
- (ii) www.einvoice2.gst.gov.in;
- (iii) www.einvoice17.gst.gov.in;
- (iv) www.einvoice4.gst.gov.in;
- (v) www.einvoice5.gst.gov.in;
- (vi) www.einvoice6.gst.gov.in;

- (vii) www.einvoice7.gst.gov.in;
- (viii) www.einvoice8.gst.gov.in;
- (ix) www.einvoice9.gst.gov.in;
- (x) www.einvoice10.gst.gov.in.

For the purposes of this notification, the abovementioned websites mean the websites managed by the Goods and Services Tax Network, a company incorporated under the provisions of section 8 of the Companies Act, 2013. This notification shall come into force with effect from the **1st January, 2020**.

17.14 BILL OF SUPPLY

Bill of Supply is dealt in section 31(3)(c) read with rule 49, therefore, it is very important to understand the manner prescribed in the said rule. A registered person supplying:

- (i) **exempted** goods or services or both, or
 - (ii) paying tax under the provisions of section 10 (**Composition Scheme**)
- shall issue, instead of a tax invoice, a **bill of supply** containing such particulars and in such manner as prescribed in rule 49. However, as per *proviso* to section 31(3)(c), the registered person **may not issue a bill of supply** if the value of the goods or services or both supplied is **less than INR 200** subject to such conditions and in such manner as prescribed in rule 49. The brief synopsis and explanation is given below for ease-of-understanding:

Rule & Proviso	Description	Corresponding Notification
49	Contents in the Bill of Supply	-
1st Proviso	<i>Proviso's</i> of Rule 46 shall <i>mutatis mutandis</i> apply to the bill of supply issued under rule 49	-
2nd Proviso	Any tax invoice or any other similar document issued under any other Act for the time being in force in respect of any non-taxable supply shall be <i>treated as a bill of supply</i> for the purposes of the Act.	-
3rd Proviso	Signature or digital signature of the supplier or his authorised representative shall not be required in the case of issuance of an electronic bill of supply .	Inserted by the Central Goods and Services Tax (Fourteenth Amendment) Rules, 2018, w.e.f. 31-12-2018 .
4th Proviso	The Government may, by notification, on the recommendations of the Council, and subject to such conditions and restrictions as	Central Goods and Services Tax (Fourth Amendment) Rules, 2019, i.e. Notification No.31/2019-Central Tax dated 28th June, 2019 w.e.f. a date yet to be notified.

Rule & Proviso	Description	Corresponding Notification
	mentioned therein, specify that the bill of supply shall have Quick Response (QR) code.	<i>It is very important to note that Notification No. 72/2019-Central Tax dated 13th December, 2019 effective from 1st April, 2020 is applicable only on Invoice issued under rule 46 and not applicable on Bill of Supply.</i>

Mutatis Mutandis applicability of Proviso's of rule 46

Proviso's to rule 46	Description	Corresponding Notifications	Remarks
1st Proviso	CBIC by way of notification, specify— (i) Number of digits of HSN Code for goods or services that a class of registered persons shall be required to mention, for such period as may be specified in the said notification; and (ii) The class of registered persons that would not be required to mention the HSN for goods or services, for such period as may be specified in the said notification.	<i>Notification No. 12/2017-Central Tax, dated 28-6-2017 and Notification No. 5/2017-Integrated Tax, dated 28-6-2017. - Notified limit of annual turnover and mentioning of the Number of Digits & HSN Code.</i>	<i>Applicable to the Bill of Supply</i>
2nd Proviso	Issuance of consolidated invoice in case of section 31(3)(f) <i>at the end of a month</i> for supplies covered under section 9(4), the aggregate value of such supplies exceeds INR 5,000 in a day from any or all the suppliers.	-	<i>Applicable to the Bill of Supply in case of Composition Supplier. But is not applicable to the Bill of Supply in case of exempt supply since consolidated invoice is required to be raised where the tax is payable under RCM in section 9(4).</i>

Proviso's to rule 46	Description	Corresponding Notifications	Remarks
3rd Proviso	Endorsement in case of Export Invoice & SEZ unit/developer Invoice.	3rd Proviso inserted vide Notification No. 17/2017-Central Tax dated 26th July, 2017.	<i>Applicable to the Bill of Supply</i>
4th Proviso	Issuance of consolidated tax invoice instead of tax invoice at the close of each day in respect of all such supplies in accordance with the provisions of section 31(3)(b) subject to the specified conditions.	<i>Consolidated Tax Invoice is not applicable on supplier engaged in making supply of services by way of admission to exhibition of cinematograph films in multiplex screens</i> - Inserted by the Central Goods and Services Tax (Fifth Amendment) Rules, 2019, w.e.f. 1-9-2019.	<i>Applicable to the Bill of Supply</i>
5th Proviso	Signature or digital signature of the supplier or his authorised representative shall not be required in the case of issuance of an electronic invoice.	Inserted by the Central Goods and Services Tax (Fourteenth Amendment) Rules, 2018, w.e.f. 31-12-2018.	<i>Applicable to the Bill of Supply.</i> <i>However, it is pertinent to note that since exactly this proviso is specifically contained in 3rd proviso to rule 49, hence, the general proviso i.e. 1st proviso to rule 49 shall not be applicable in this case.</i>
6th Proviso	The Government may, by notification, and subject to such conditions and restrictions as mentioned therein, specify that the tax invoice shall have Quick Response (QR) code.	◆ Inserted by the Central Goods and Services Tax (Fourth Amendment) Rules, 2019.	<i>Applicable to the Bill of Supply.</i> <i>However, it is pertinent to note that since exactly this proviso is specifically contained in 4th proviso to rule 49, hence, the general proviso i.e. 1st proviso to rule 49 shall not be applicable in this case.</i>

As per Rule 49 of the GST Rules, 2017, a bill of supply referred to in section 31(3)(c) of GST Act, 2017 shall be issued by the supplier containing the following details, namely,—

- (a) name, address and Goods and Services Tax Identification Number of the supplier;

- (b) a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters -hyphen or dash and slash symbolised as “-” and “/” respectively, and any combination thereof, unique for a financial year;
- (c) date of its issue;
- (d) name, address and Goods and Services Tax Identification Number or Unique Identity Number, if registered, of the recipient;
- (e) **Harmonised System of Nomenclature** Code for goods or services;
- (f) description of goods or services or both;
- (g) value of supply of goods or services or both taking into account discount or abatement, if any; and
- (h) signature or digital signature of the supplier or his authorised representative.

17.15 BILL OF SUPPLY VIS-À-VIS E-BILL OF SUPPLY

Sl. No.	Particulars of Bill of Supply as per Rule 49 read with Rule 48(1), 48(2) and 48(3)	Particulars of E-Bill of Supply as per Rule 48(4)
a	Name, address and Goods and Services Tax Identification Number of the supplier	Yes
b	A consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters- hyphen or dash and slash symbolised as “-” and “/” respectively, and any combination thereof, unique for a financial year	Yes. <i>[Apart from the serial number of the bill of supply, an additional unique number i.e. IRN needs to be displayed in the e-bill of supply.]</i>
c	Date of its issue	Yes
d	Name, address and Goods and Services Tax Identification Number or Unique Identity Number, if registered, of the recipient	Yes
e	Harmonised System of Nomenclature code for goods or services	Yes
f	Description of goods or services	Yes
g	Signature or digital signature of the supplier or his authorized representative	No. As new 3rd proviso has been inserted in rule 46 which clearly stipulates that there is no such requirement in case of E-Bill of Supply.

Sl. No.	Particulars of Bill of Supply as per Rule 49 read with Rule 48(1), 48(2) and 48(3)	Particulars of E-Bill of Supply as per Rule 48(4)
		<i>[Though the authenticity of the bill of supply gets substantiated i.e. by reverting with digitally signed QR Code by the IRP Portal but the onus to sign an bill of supply may not have been shifted to the portal from the supplier's end.]</i>

Important Note:

On perusal of the aforesaid provisions (emphasis supplied on 3rd *provis*o to rule 49) it can be stipulated that e-invoicing provision is applicable on Bill of Supply also. The said rule is reproduced here-in-below for ease of understanding:

*“Signature or digital signature of the supplier or his authorised representative shall not be required in the case of issuance of an **ELECTRONIC bill of supply.**”*

However, the FAQs E-invoice Rollout by GSTN released on 26th December, 2019 states that e-invoicing provision is not applicable on the bill of supply. Hence, the law needs to get aligned with executions carried out at GST Common Portal. The said FAQ is reproduced below for ease-of-reference:

“Q: Are there any requirements to how non-Tax invoice must be marked up?

The invoice having no tax component is generally known as bill of supply. Thus, challan and bill of supply are not required to obtain IRN.”

17.16 RECEIPT VOUCHER

A registered person shall, on receipt of advance payment with respect to any supply of goods or services or both, issue a receipt voucher or any other document, containing such particulars as may be prescribed, evidencing receipt of such payment. A receipt voucher referred to section 31(3)(d) read with rule 51 of the GST Rules, 2017 shall contain the following particulars, namely,-

- (a) name, address and Goods and Services Tax Identification Number of the supplier;
- (b) a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters-hyphen or dash and slash symbolised as “-” and “/” respectively, and any combination thereof, unique for a financial year;
- (c) date of its issue;
- (d) name, address and Goods and Services Tax Identification Number or Unique Identity Number, if registered, of the recipient;
- (e) description of goods or services;
- (f) amount of advance taken;

- (g) rate of tax (Central tax, State tax, Integrated tax, Union territory tax or cess);
- (h) amount of tax charged in respect of taxable goods or services (Central tax, State tax, Integrated tax, Union territory tax or cess);
- (i) place of supply along with the name of State and its code, in case of a supply in the course of inter-State trade or commerce;
- (j) whether the tax is payable on reverse charge basis; and
- (k) signature or digital signature of the supplier or his authorised representative.

It is pertinent to note that where at the time of receipt of advance,-

- (i) The rate of tax is not determinable, the tax shall be paid at the rate of **18%**.
- (ii) The nature of supply is not determinable, the same shall be treated as ***Inter-State supply***.

17.17 REFUND VOUCHER

Where, on receipt of advance payment with respect to any supply of goods or services or both the registered person issues a receipt voucher, but subsequently no supply is made and no tax invoice is issued in pursuance thereof, the said registered person may issue to the person who had made the payment, a refund voucher against such payment. A refund voucher referred to in section 31(3) (e) of GST Act, 2017 read with rule 51 of the GST Rules, 2017 shall contain the following particulars, namely:-

- (a) name, address and Goods and Services Tax Identification Number of the supplier;
- (b) a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters-hyphen or dash and slash symbolised as “-” and “/” respectively, and any combination thereof, unique for a financial year;
- (c) date of its issue;
- (d) name, address and Goods and Services Tax Identification Number or Unique Identity Number, if registered, of the recipient;
- (e) number and date of receipt voucher issued in accordance with the provisions of rule 50;
- (f) description of goods or services in respect of which refund is made;
- (g) amount of refund made;
- (h) rate of tax (Central tax, State tax, Integrated tax, Union territory tax or cess);
- (i) amount of tax paid in respect of such goods or services (Central tax, State tax, Integrated tax, Union territory tax or cess);

- (j) whether the tax is payable on reverse charge basis; and
- (k) signature or digital signature of the supplier or his authorised representative.

17.18 PAYMENT VOUCHER

A registered person who is liable to pay tax under section 9(3) or section 9(4) of the GST Act, 2017 shall issue a payment voucher at the time of making payment to the supplier. A payment voucher referred to in section 31(3)(g) of GST Act, 2017 read with rule 52 of the GST Rules, 2017 shall contain the following particulars, namely:-

- (a) name, address and Goods and Services Tax Identification Number of the supplier if registered;
- (b) a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters-hyphen or dash and slash symbolised as "-" and "/" respectively, and any combination thereof, unique for a financial year;
- (c) date of its issue;
- (d) name, address and Goods and Services Tax Identification Number of the recipient;
- (e) description of goods or services;
- (f) amount paid;
- (g) rate of tax (Central tax, State tax, Integrated tax, Union territory tax or cess);
- (h) amount of tax payable in respect of taxable goods or services (Central tax, State tax, Integrated tax, Union territory tax or cess);
- (i) place of supply along with the name of State and its code, in case of a supply in the course of inter-State trade or commerce; and
- (j) signature or digital signature of the supplier or his authorised representative.

17.19 REVISED INVOICE

A registered person may, within 1 month from the date of issuance of certificate of registration and in such manner as may be prescribed, issue a REVISED INVOICE as per rule 53 *against the invoice already issued during the period:*

- ◆ **Beginning** with the effective date of registration
- ◆ **Till** the date of issuance of certificate of registration to him.

Further, registered person may issue a CONSOLIDATED REVISED TAX INVOICE as per 1st *proviso* to rule 53 in respect of all taxable supplies made to unregistered recipient *i.e.* B2C supplies, during such period.

Moreover, in the case of inter-State supplies, where the value of a supply *does not exceed* INR 2,50,000, a CONSOLIDATED REVISED INVOICE may be issued as per 2nd proviso to rule 53 *separately in respect of all the recipients located in a State*, who are not registered under the Act.

Any **invoice** or **debit note** issued in pursuance of any tax payable in accordance with the provisions of section 74 or section 129 or section 130 shall prominently contain the words “INPUT TAX CREDIT NOT ADMISSIBLE” as stipulated in rule 53(3).

A revised tax invoice referred to in section 31(3)(a) of GST Act, 2017 read with rule 53 of the GST Rules, 2017 shall contain the following particulars, namely:-

- (a) the word “Revised Invoice”, wherever applicable, indicated prominently;
- (b) name, address and Goods and Services Tax Identification Number of the supplier;
- ~~(c) nature of the document;~~
- (d) a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters-hyphen or dash and slash symbolised as “-” and “/” respectively, and any combination thereof, unique for a financial year;
- (e) date of issue of the document;
- (f) name, address and Goods and Services Tax Identification Number or Unique Identity Number, if registered, of the recipient;
- (g) name and address of the recipient and the address of delivery, along with the name of State and its code, if such recipient is un-registered;
- (h) serial number and date of the corresponding tax invoice or, as the case may be, bill of supply;
- ~~(i) value of taxable supply of goods or services, rate of tax and the amount of the tax credited or, as the case may be, debited to the recipient; and~~
- (j) signature or digital signature of the supplier or his authorised representative.

Initially both revised invoice as well as Debit & Credit note details were incorporated in same rule 517. However, as the nature of revised invoice and that of debit/credit note is altogether different, therefore, some details as mentioned above in clauses (c) and (i) were actually pertaining to debit/credit note and not to the revised invoice, hence, the said clauses has been omitted from revised invoice and debit/credit note has been moved to another new **Rule 53(1A)** with effect from 1st February, 2019 vide **Notification No. 3/2019-Central Tax dated 29th January, 2019**.

Applicability of E-Invoicing Provision: *As per the Explanation to section 31, the expression “tax invoice” shall include any revised invoice issued by the supplier in respect of a supply made earlier. Hence, it appears that E-Invoicing*

provisions are also applicable on Revised Invoice. However, a suitable clarification in this regard would be of great help from CBIC.

17.20 CREDIT NOTE/DEBIT NOTE

Section 34 of the GST Act, 2017 stipulates that the registered person, who has supplied such goods or services or both, may issue to the recipient one or more credit notes/debit notes for supplies made in a financial year.

Section	Brief Head	Provision of Law
34(1)	Situations in which Credit note can be issued	<ul style="list-style-type: none"> ◆ <i>Where one or more tax invoices have been issued for supply of any goods or services or both and the taxable value or tax charged in that tax invoice is found to exceed the taxable value or tax payable in respect of such supply, OR</i> ◆ <i>Where the goods supplied are returned by the recipient, OR</i> ◆ <i>Where goods or services or both supplied are found to be deficient.</i> <p>Then registered person may issue to the recipient one or more credit notes for supplies made in the FY.</p>
34(2)	Disclosure of details of such credit notes in the return	<p>Any registered person who issues a credit note in relation to a supply of goods or services or both shall declare the details of such credit note in the return for the month during which such credit note has been issued but</p> <ul style="list-style-type: none"> ◆ not later than September following the end of the financial year in which such supply was made, OR ◆ the date of furnishing of the relevant annual return, <i>whichever is earlier.</i> <p style="text-align: center;">AND</p> <p>The tax liability shall be adjusted in such manner as may be prescribed.</p> <p>However, no reduction in output tax liability of the supplier shall be permitted, if the incidence of tax and interest on such supply has been passed on to any other person.</p>
34(3)	Situation in which Debit note can be issued <i>“Debit note” shall include a supplementary invoice</i>	<p><i>Where one or more tax invoices have been issued for supply of any goods or services or both and the taxable value or tax charged in that tax invoice is found to be less than the taxable value or tax payable in respect of such supply, then registered person shall issue to the recipient one or more debit notes for supplies made in the FY.</i></p>

Section	Brief Head	Provision of Law
34(4)	Disclosure of details of such debit notes in the return	Any registered person who issues a debit note in relation to a supply of goods or services or both shall declare the details of such debit note in the return for the month during which such debit note has been issued AND the tax liability shall be adjusted in such manner as may be prescribed.

A credit or debit notes referred to in section 34 of GST Act, 2017 read with rule 53(1A) of the GST Rules, 2017 shall contain the following particulars, namely:-

- (a) name, address and Goods and Services Tax Identification Number of the supplier;
- (b) nature of the document;
- (c) a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters-hyphen or dash and slash symbolised as “-” and “/” respectively, and any combination thereof, unique for a financial year;
- (d) date of issue of the document;
- (e) name, address and Goods and Services Tax Identification Number or Unique Identity Number, if registered, of the recipient;
- (f) name and address of the recipient and the address of delivery, along with the name of State and its code, if such recipient is un-registered;
- (g) serial number and date of the corresponding tax invoice or, as the case may be, bill of supply;
- (h) value of taxable supply of goods or services, rate of tax and the amount of the tax credited or, as the case may be, debited to the recipient; and
- (i) signature or digital signature of the supplier or his authorised representative.

17.21 DEBIT/CREDIT NOTE VIS-À-VIS E-DEBIT/CREDIT NOTE

Sl. No.	Particulars of Debit/Credit Note as per Rule 53(1A) read with Rule 48(1), 48(2) and 48(3)	Particulars of E-Debit/Credit Note as per Rule 48(4)
a	Name, address and Goods and Services Tax Identification Number of the supplier	Yes
b	Nature of document	Yes

Sl. No.	Particulars of Debit/Credit Note as per Rule 53(1A) read with Rule 48(1), 48(2) and 48(3)	Particulars of E-Debit/Credit Note as per Rule 48(4)
c	A consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters-hyphen or dash and slash symbolised as "-" and "/" respectively, and any combination thereof, unique for a financial year	Yes. <i>[Apart from the serial number of the invoice, an additional unique number i.e. IRN needs to be displayed in the e-invoice.]</i>
d	Date of its issue	Yes
e	Name, address and Goods and Services Tax Identification Number or Unique Identity Number, if registered, of the recipient	Yes
f	Name and address of the recipient and the address of delivery, along with the name of State and its code, if such recipient is un-registered	E-invoice is currently not required for B2C supplies.
g	serial number and date of the corresponding tax invoice or, as the case may be, bill of supply	Yes
h	value of taxable supply of goods or services, rate of tax and the amount of the tax credited or, as the case may be, debited to the recipient	Yes
i	signature or digital signature of the supplier or his authorised representative	Yes <i>[Though this requirement has been omitted from e-Tax Invoice & e-Bill of Supply, however, there are no such changes in case of Debit Note & Credit Note.]</i>

17.22 INPUT SERVICE DISTRIBUTOR INVOICE/INPUT SERVICE DISTRIBUTOR CREDIT NOTE

ISD Invoice referred to in section 20(1) of GST Act, 2017 read with rule 54(1) of the GST Rules, 2017 shall contain the following particulars, namely:-

- name, address and Goods and Services Tax Identification Number of the Input Service Distributor;
- a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters-hyphen or dash and slash symbolised as "-" and "/" respectively, and any combination thereof, unique for a financial year;
- date of its issue;

- (d) name, address and Goods and Services Tax Identification Number of the recipient to whom the credit is distributed;
- (e) amount of the credit distributed; and
- (f) signature or digital signature of the Input Service Distributor or his authorised representative.

However, where the Input Service Distributor is an office of a banking company or a financial institution, including a non-banking financial company, a tax invoice shall include any document in lieu thereof, by whatever name called, whether or not serially numbered but containing the information as mentioned above.

Applicability of E-Invoicing Provision: Since ISD is covered under section 20, therefore, cannot be classified within the scope of Invoicing under section 31, hence, this document does not fall within the provisions of e-invoicing.

However, as per FAQ - E-invoice Rollout by GSTN on 26th December, 2019 has stipulated that since ISD invoice and ISD credit note are the documents issued by input service distributor, therefore, IRN will also be required on these documents as per provisions of the law.

17.23 INVOICE/CREDIT OR DEBIT NOTE TO TRANSFER THE CREDIT OF COMMON INPUT SERVICES TO THE INPUT SERVICE DISTRIBUTOR

Rule 54(1A) of the GST Rules, 2017 has been inserted by CGST (Amendment) Rules, 2018 w.e.f. 23rd January, 2019 which stipulates that:-

- (a) A registered person, having the same PAN and State code as an Input Service Distributor, may issue an invoice or, as the case may be, a credit or debit note to transfer the credit of common input services to the Input Service Distributor, which shall contain the following details:
 - (i) name, address and Goods and Services Tax Identification Number of the registered person having the same PAN and same State code as the Input Service Distributor;
 - (ii) a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters - hyphen or dash and slash symbolised as “-” and “/” respectively, and any combination thereof, unique for a financial year;
 - (iii) date of its issue;
 - (iv) Goods and Services Tax Identification Number of supplier of common service and original invoice number whose credit is sought to be transferred to the Input Service Distributor;
 - (v) name, address and Goods and Services Tax Identification Number of the Input Service Distributor;

- (vi) taxable value, rate and amount of the credit to be transferred; and
 - (vii) signature or digital signature of the registered person or his authorised representative.
- (b) The taxable value in the invoice issued under clause (a) shall be the same as the value of the common services.

Applicability of E-Invoicing Provision: *Since ISD is covered under section 20, therefore, cannot be classified within the scope of Invoicing under section 31, hence, this document does not fall within the provisions of e-invoicing.*

*However, as per **FAQ - E-invoice Rollout by GSTN on 26th December, 2019** has stipulated that since ISD invoice and ISD credit note are the documents issued by input service distributor, therefore, IRN will also be required on these documents as per provisions of the law.*

17.24 CONSOLIDATED TAX INVOICE BY AN INSURER OR A BANKING COMPANY OR A FINANCIAL INSTITUTION, INCLUDING NBFC

Rule 54(2) of the GST Rules, 2017 stipulates that:-

- ◆ Where the supplier of **taxable service** is an insurer or a banking company or a financial institution, including a non-banking financial company,
- ◆ The said *supplier may issue a consolidated tax invoice* or any other document in lieu thereof, by whatever name called
- ◆ *For the supply of services made **during a month at the end of the month**,*
- ◆ Whether issued or made available, physically or electronically
- ◆ Whether or not serially numbered, and
- ◆ Whether or not containing the address of the recipient of taxable service
- ◆ But containing **other information** as mentioned under **rule 46**.
- ◆ Signature or digital signature of the supplier or his authorised representative shall not be required.

Applicability of E-Invoicing Provision: *Undoubtedly, this document is as good as tax invoice, the only thing is that the facility to consolidate has been given to the taxpayer which does not takes away the colour of tax invoice, hence, it appears that e-invoicing provision is applicable. However, a suitable clarification in this regard would be of great help from CBIC.*

17.25 TAX INVOICE IN CASE OF GOODS TRANSPORT AGENCY (GTA)

Rule 54(3) of the GST Rules, 2017 stipulates that:-

- ◆ Where the supplier of **taxable service** is a goods transport agency

- ◆ Supplying services in relation to transportation of goods by road in a goods carriage,
- ◆ The said supplier shall issue a tax invoice or any other document in lieu thereof, by whatever name called, containing the:
 - gross weight of the consignment,
 - name of the consigner and the consignee,
 - registration number of goods carriage in which the goods are transported,
 - details of goods transported,
 - details of place of origin and destination,
 - Goods and Services Tax Identification Number of the person liable for paying tax whether as consigner, consignee or goods transport agency, and
 - also containing **other information** as mentioned under **rule 46**.

Applicability of E-Invoicing Provision: *Undoubtedly, this document is as good as tax invoice, the only thing is that the facility to consolidate has been given to the taxpayer which does not takes away the colour of tax invoice, hence, it appears that e-invoicing provision is applicable. However, a suitable clarification in this regard would be of great help from CBIC.*

17.26 TAX INVOICE IN CASE OF PASSENGER TRANSPORT SERVICE

Rule 54(4) of the GST Rules, 2017 stipulates that:-

- ◆ Where the supplier of taxable service is supplying passenger transportation service,
- ◆ A **tax invoice shall include ticket** in any form, by whatever name called,
- ◆ Whether or not serially numbered, and
- ◆ Whether or not containing the address of the recipient of service
- ◆ But containing **other information** as mentioned under **rule 46**.
- ◆ Signature or digital signature of the supplier or his authorised representative shall not be required.

Applicability of E-Invoicing Provision: *Undoubtedly, this document is as good as tax invoice, the only thing is that the facility to consolidate has been given to the taxpayer which does not takes away the colour of tax invoice, hence, it appears that e-invoicing provision is applicable. However, a suitable clarification in this regard would be of great help from CBIC.*

17.27 TAX INVOICE IN CASE OF ADMISSION TO EXHIBITION OF CINEMATOGRAPH FILMS IN MULTIPLEX SCREENS

- ◆ Rule 54(4A) of the GST Rules, 2017 has been inserted vide **Notification No. 33/2019-Central Tax dated 18th July, 2019 w.e.f. 1st September,**

2019, which stipulates that a registered person supplying services by way of admission to exhibition of cinematograph films in multiplex screens shall be required to issue an electronic ticket and

- ◆ The said **electronic ticket shall be deemed to be a tax invoice** for all purposes of the Act,
- ◆ Even if such ticket does not contain the details of the recipient of service
- ◆ But contains the other information as mentioned under rule 46.
- ◆ However, the supplier of such service in a screen other than multiplex screens may, at his option, follow the above procedure.

***Applicability of E-Invoicing Provision:** Undoubtedly, this document is as good as tax invoice, the only thing is that the facility to consolidate has been given to the taxpayer which does not takes away the colour of tax invoice, hence, it appears that e-invoicing provision is applicable. However, a suitable clarification in this regard would be of great help from CBIC.*

***Important Note:** The provisions of rule 54(2) or rule 54(4) shall apply, *mutatis mutandis*, to the documents issued under rule 49 or rule 50 or rule 51 or rule 52 or rule 517.*

17.28TRANSPORTATION OF GOODS WITHOUT ISSUE OF INVOICE

Rule 55 of the GST Rules, 2017 stipulates that:-

Sub-rule	Provision of Law
(1)	<p>For the purposes of-</p> <ul style="list-style-type: none">(a) supply of liquid gas where the quantity at the time of removal from the place of business of the supplier is not known,(b) transportation of goods for job work,(c) transportation of goods for reasons other than by way of supply, or(d) such other supplies as may be notified by the Board, <p>The consigner may issue a delivery challan, serially numbered not exceeding sixteen characters, in one or multiple series, in lieu of invoice at the time of removal of goods for transportation, containing the following details, namely:</p> <ul style="list-style-type: none">(i) date and number of the delivery challan;(ii) name, address and Goods and Services Tax Identification Number of the consigner, if registered;(iii) name, address and Goods and Services Tax Identification Number or Unique Identity Number of the consignee, if registered;(iv) Harmonised System of Nomenclature code and description of goods;(v) quantity (provisional, where the exact quantity being supplied is not known);(vi) taxable value;

Sub-rule	Provision of Law
	(vii) tax rate and tax amount - central tax, State tax, integrated tax, Union territory tax or cess, where the transportation is for supply to the consignee; (viii) place of supply, in case of inter-State movement; and (ix) signature.
(2)	The delivery challan shall be prepared in triplicate, in case of supply of goods, in the following manner, namely: (a) the original copy being marked as ORIGINAL FOR CONSIGNEE; (b) the duplicate copy being marked as DUPLICATE FOR TRANSPORTER; and (c) the triplicate copy being marked as TRIPLICATE FOR CONSIGNER.
(3)	Where goods are being transported on a delivery challan in lieu of invoice, the same shall be declared as specified in rule 138.
(4)	Where the goods being transported are for the purpose of supply to the recipient but the tax invoice could not be issued at the time of removal of goods for the purpose of supply, the supplier shall issue a tax invoice after delivery of goods.
(5)	Where the goods are being transported in a semi knocked down or completely knocked down condition or in batches or lots - (a) the supplier shall issue the complete invoice before dispatch of the first consignment; (b) the supplier shall issue a delivery challan for each of the subsequent consignments, giving reference of the invoice; (c) each consignment shall be accompanied by copies of the corresponding delivery challan along with a duly certified copy of the invoice; and (d) the original copy of the invoice shall be sent along with the last consignment.

Applicability of E-Invoicing Provision: *Delivery Challan is not an invoice and hence e-invoicing provision is not applicable on such document. Further, it is not required because e-way bill captures the transaction, however, sooner or later when the e-way bill merges with e-invoicing, then probably there would be a need to make e-invoicing applicable on delivery challan also.*

17.29 TAX INVOICE OR BILL OF SUPPLY TO ACCOMPANY TRANSPORT OF GOODS

Rule 55A of the GST Rules, 2017 stipulates that person-in-charge of the conveyance shall carry a copy of the tax invoice or the bill of supply issued in accordance with the provisions of rule 46, 46A or 49 in a case where such person is not required to carry an e-way bill under these rules.

17.30 PROHIBITION OF UNAUTHORIZED COLLECTION OF TAX

Section 32 of the GST Act, 2017 states that an unregistered person shall not collect any amount by way of tax in respect of any supply of goods or services or both. The registered person shall collect tax only in accordance with the provision of this Act or the rules made thereunder.

17.31 AMOUNT OF TAX TO BE INDICATED IN TAX INVOICE AND OTHER DOCUMENTS

Section 33 of the GST Act, 2017 stipulates that where any supply is made for a consideration, every person who is liable to pay tax for such supply **shall prominently indicate** in all documents relating to assessment, tax invoice and other like documents, **the amount of tax** which shall form part of the price at which such supply is made.

Situation: What applies to import transactions/invoices?
Solution: Creator of document is required to generate the e-invoice. Hence bill of entry generated by customs on import of goods is not required to obtain IRN.
Situation: Please explain the mechanism of handling TCS by e-commerce players. Where and how will this be reported?
Solution: Invoice is issued by supplier and IRN will also be obtained by the supplier whereas e-commerce operator facilitates such supply and is not required to obtain IRN. Therefore, TCS is not a part of the invoice of e-commerce operator.