



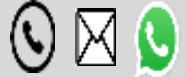
Lawgics

By Nidhi, Advocate



Serial No.031
Dt.: 17-02-2023

In Continuation to
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Section 31(4), 31(5), 31(6) and 31(7) read with Rule 53, Rule 54, Rule 55 and Rule 55A

Section 31(4)	In case of continuous supply of goods, where successive statements of accounts or successive payments are involved, the invoice shall be issued before or at the time each such statement is issued or, as the case may be, each such payment is received.
Section 31(4) Interpretation	<u>Invoicing for continuous supply of goods</u> In case of continuous supply of goods, invoice shall be issued as under: <ul style="list-style-type: none">Where supplier issues successive statement of dispatches, the invoice shall be issued before or at the time each such statement is issued.Where no such statement is issued by supplier but successive payments are involved, then invoice shall be issued before or at the time each such payment is received.
Section 31(5)	Subject to the provisions of clause (d) of sub-section (3), in case of continuous supply of services- (a) where the due date of payment is ascertainable from the contract, the invoice shall be issued on or before the due date of payment; (b) where the due date of payment is not ascertainable from the contract, the invoice shall be issued before or at the time when the supplier of service receives the payment; (c) where the payment is linked to the completion of an event, the invoice shall be issued on or before the date of completion of that event.
Section 31(5) Interpretation	<u>Invoicing for continuous supply of services</u> In case of continuous supply of services, invoice shall be issued as under: <ul style="list-style-type: none">Where due date of payment is defined in the contract, then invoice shall be issued before or on due date of payment.If due date of payment is not defined in the contract, then invoice shall be issued before or when the supplier receives the payment.Where payment of such supply is dependent upon completion of any event, then invoice shall be issued on or before the date of completion of such event.
Section 31(6)	In a case where the supply of services ceases under a contract before the completion of the supply, the invoice shall be issued at the time when the supply ceases and such invoice shall be issued to the extent of the supply made before such cessation.
Section 31(6) Interpretation	<u>Invoicing where supply of services ceases before completion of contract</u> Where continuous supply of services is made under a contract but such services cease before completion of the contract, the invoice shall be issued at the time when the services cease to the extent of supply made before such cessation in pursuance of the contract.

Section 31(7)	<p>Notwithstanding anything contained in 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 issued before or at the time of supply or six months from the date of removal, whichever is earlier.</p> <p>Explanation. —For the purposes of this section, the expression “tax invoice” shall include any revised invoice issued by the supplier in respect of a supply made earlier.</p>
Section 31(7) Interpretation	<p><u>Invoicing where goods (not services) are sent or taken on approval basis</u></p> <p>In case where the goods being sent or taken on approval for sale, invoice needs to be issued on earlier of the following:</p> <ol style="list-style-type: none"> 1) The recipient approves such goods (Not services) or 2) Immediate date upon expiry of six months from the date supplier makes delivery of such goods
Rule 53(1)	<p><u>Revised tax invoice and credit or debit notes</u></p> <p>A revised tax invoice referred to in section 31 shall contain the following particulars, namely: -</p> <ol style="list-style-type: none"> (a) the word “Revised Invoice”, wherever applicable, indicated prominently; (b) name, address and Goods and Services Tax Identification Number of the supplier; (c) Omitted; (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) omitted; and (j) signature or digital signature of the supplier or his authorised representative.
Rule 53(1) Interpretation	<p><u>Contents of Revised Invoice</u></p> <p>A revised invoice shall contain the followings particulars:</p> <ol style="list-style-type: none"> (a) The word “Revised Invoice”, indicated prominently (b) Name, Address & GSTIN of supplier (c) Omitted (d) A consecutive Serial number not exceeding 16 characters (e) Date of its issue (f) Name, Address & GSTIN or UIN of the recipient (g) Name & Address of Recipient along with Address of delivery with name of state and its code, if recipient is un-registered (h) Serial number and date of the corresponding tax invoice or Bill of supply (i) Omitted (j) Signature or digital signature of the supplier or his authorized representative.
Rule 53(1A)	<p>A credit or debit note referred to in section 34 shall contain the following particulars, namely: –</p> <ol style="list-style-type: none"> (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;

	<p>(g) serial number(s) and date(s) of the corresponding tax invoice(s) or, as the case may be, bill(s) of supply;</p> <p>(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</p> <p>(i) signature or digital signature of the supplier or his authorised representative.</p>
<p>Rule 53 (1A) Interpretation</p>	<p><u>Contents of credit or debit notes</u></p> <p>A credit note or debit note must contain the following particulars:</p> <p>(a) Name, Address & GSTIN of supplier</p> <p>(b) Nature of Document</p> <p>(c) A consecutive Serial number not exceeding 16 characters</p> <p>(d) Date of its issue</p> <p>(e) Name, Address & GSTIN or UIN of the recipient</p> <p>(f) Name & Address of Recipient along with Address of delivery with name of state and its code, if recipient is un-registered</p> <p>(g) Serial number and date of corresponding tax invoice or bill of supply</p> <p>(h) Taxable value, Rate of Tax and Amount of tax credited/debited to recipient</p> <p>(i) Signature or digital signature of the supplier or his authorized representative.</p>
<p>Rule 53(2)</p>	<p>Every registered person who has been granted registration with effect from a date earlier than the date of issuance of certificate of registration to him, may issue revised tax invoices in respect of taxable supplies effected during the period starting from the effective date of registration till the date of the issuance of the certificate of registration:</p> <p>Provided that the registered person may issue a consolidated revised tax invoice in respect of all taxable supplies made to a recipient who is not registered under the Act during such period:</p> <p>Provided further that in the case of inter-State supplies, where the value of a supply does not exceed two lakh and fifty thousand rupees, a consolidated revised invoice may be issued separately in respect of all the recipients located in a State, who are not registered under the Act.</p>
<p>Rule 53(2) Interpretation</p>	<p>Rule 53(2) provides that if Date of Liability (effective date of registration) and Date of validity (date of issuance of RC) is different while getting registration, then invoices between liability date and validity date needs to be issued by way of REVISED INVOICE and tax has to paid accordingly on the basis of REVISED INVOICE, so issued to the recipient who shall claim ITC on such Revised Invoice.</p> <p>Proviso says, in case supplies are made to un-registered person, then one consolidated Revised Invoice, can be issued for all such supplies made during that period.</p> <p>Further provided that in case of inter-state supplies to un-registered recipient, Revised Invoice can be made on the basis of one state- one invoice, if each supply value is upto Rs. 2,50,000/-.</p>
<p>Rule 53(3)</p>	<p>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".</p>
<p>Rule 53(3) Interpretation</p>	<p>When any invoice or debit note is issued in pursuance of any tax payable u/s 74, 129 or 130, then ITC shall not be available to the recipient and therefore, the invoice or debit note shall prominently contain the words "INPUT TAX CREDIT NOT ADMISSIBLE".</p>
<p>Rule 54(1)</p>	<p><u>Tax invoice in special cases</u></p> <p>An Input Service Distributor invoice or, as the case may be, an Input Service Distributor credit note issued by an Input Service Distributor shall contain the following details: -</p> <p>(a) name, address and Goods and Services Tax Identification Number of the Input Service Distributor;</p> <p>(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- "-", "/" respectively, and any combination thereof, unique for a financial year;</p> <p>(c) date of its issue;</p> <p>(d) name, address and Goods and Services Tax Identification Number of the recipient to whom the credit is distributed;</p> <p>(e) amount of the credit distributed; and</p> <p>(f) signature or digital signature of the Input Service Distributor or his authorised representative:</p>

	<p>Provided that 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.</p>
<p>Rule 54(1) Interpretation</p>	<p><u>Invoice in case of ISD</u></p> <p>Rule 54(1) specifies that an ISD invoice or credit note shall contain the following details:</p> <ul style="list-style-type: none"> (a) Name, Address & GSTIN of ISD (b) A consecutive Serial number not exceeding 16 characters (c) Date of its issue (d) Name, Address & GSTIN or UIN of the recipient to whom credit is distributed (e) Amount of credit so distributed (f) Signature or digital signature of the ISD or the authorized representative.
<p>Rule 54(1A)</p>	<p>(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: -</p> <ul style="list-style-type: none"> 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. <p>(b) The taxable value in the invoice issued under clause (a) shall be the same as the value of the common services.</p>
<p>Rule 54(1A) Interpretation</p>	<p>(a) As per Rule 54(1A), a registered person, having the same PAN and State code as an ISD, may issue an invoice to transfer the credit of common input services to the ISD which shall contain the following details:</p> <ul style="list-style-type: none"> (i) Name, Address & GSTIN of the registered person having the same PAN and same State code as the ISD (ii) A consecutive Serial number not exceeding 16 characters (iii) Date of its issue (iv) GSTIN of supplier of common service and original invoice number whose credit is sought to be transferred to ISD; (v) Name, address and GSTIN of ISD; (vi) Taxable value, rate and amount of the credit to be transferred; (vii) signature or digital signature of the registered person or his authorised representative. <p>(b) The taxable value in the invoice shall be same as the value of the common services.</p>
<p>Rule 54(2)</p>	<p>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 :</p> <p>Provided that the signature or digital signature of the supplier or his authorised representative shall not be required in the case of issuance of a consolidated tax invoice or any other document in lieu thereof in accordance with provisions of the Information Technology Act, 2000 (21 of 2000).</p>

<p>Rule 54(2) Interpretation</p>	<p><u>Invoicing in case of banking company, insurer, financial institution and NBFC</u></p> <p>A banking company, insurer, financial institution and NBFC, are obliged to issue a consolidated invoice or any other document in place of tax invoice at the end of the month, for all the supply of services made during a month. They can issue consolidated invoice or such document in the following manner:</p> <ul style="list-style-type: none"> ➤ Invoice or any other documents is not required to be serially numbered ➤ They can be either electronically or manually generated ➤ Address of recipient may not be mentioned <p>But other than this, all other content of tax invoice under Rule 46 must be contained in such consolidated invoice or document issued by banking company, insurer, financial institution and NBFC.</p> <p>It has been provided that the signature or digital signature of the supplier or his authorised representative shall not be required in the case of issuance of a consolidated tax invoice or any other document issued by a banking company, insurer, financial institution and NBFC.</p>
<p>Rule 54(3)</p>	<p>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.</p>
<p>Rule 54(3) Interpretation</p>	<p><u>Invoicing in case of GTA</u></p> <p>A GTA must issue tax invoice containing all details of tax invoice as per Rule 46 along with few additional information as under:</p> <ol style="list-style-type: none"> a) Gross weight of consignment b) Name of the consigner and Consignee c) Registration no. of Goods Carriage Vehicle d) Details of Goods transported e) Place of origin & destination of Goods f) GSTIN of the person liable to pay tax be it, consigner, consignee or GTA.
<p>Rule 54(4)</p>	<p>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.</p> <p>Provided that the signature or digital signature of the supplier or his authorised representative shall not be required in the case of issuance of ticket in accordance with the provisions of the Information Technology Act, 2000 (21 of 2000).</p>
<p>Rule 54(4) Interpretation</p>	<p><u>Invoicing in case of Passenger Transport Services</u></p> <p>Rule 54(4) specifies that any person providing passenger transport services, is required to issue a ticket which need not be serially numbered and may not contain the address of recipient of service but other than that, all other information as required under Rule 46 must be contained in such a ticket.</p> <p>It has been provided that the signature or digital signature of the supplier or his authorised representative shall not be required in the case of issuance of such ticket.</p>
<p>Rule 54(4A)</p>	<p>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 details of the recipient of service but contains the other information as mentioned under rule 46:</p> <p>Provided that the supplier of such service in a screen other than multiplex screens may, at his option, follow the above procedure.</p>
<p>Rule 54(4A) Interpretation</p>	<p><u>Electronic tickets in case of exhibition of cinema film</u></p> <p>A registered person supplying the services by way of admission to exhibition of cinema film in multiplex screen shall be required to issue an electronic ticket which may not contain details of the recipient of service</p>

	but contains the other information as mentioned under rule 46 and the same shall be deemed to be Tax Invoice for all purposes of this Act.
Rule 54(5)	The provisions of sub-rule (2) or sub-rule (4) shall apply, mutatis mutandis, to the documents issued under rule 49 or rule 50 or rule 51 or rule 52 or rule 53.
Rule 55(1)	<p><u>Transportation of goods without issue of invoice</u></p> <p>For the purposes of-</p> <p>(a) supply of liquid gas where the quantity at the time of removal from the place of business of the supplier is not known,</p> <p>(b) transportation of goods for job work,</p> <p>(c) transportation of goods for reasons other than by way of supply, or</p> <p>(d) such other supplies as may be notified by the Board,</p> <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> <p>i. date and number of the delivery challan;</p> <p>ii. name, address and Goods and Services Tax Identification Number of the consigner, if registered;</p> <p>iii. name, address and Goods and Services Tax Identification Number or Unique Identity Number of the consignee, if registered;</p> <p>iv. Harmonised System of Nomenclature code and description of goods;</p> <p>v. quantity (provisional, where the exact quantity being supplied is not known);</p> <p>vi. taxable value;</p> <p>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;</p> <p>viii. place of supply, in case of inter-State movement; and</p> <p>ix. signature.</p>
Rule 55(1) Interpretation	<p><u>Transportation of Goods without invoice.</u></p> <p>Rule 55(1) states that delivery challan is required to be issued when goods are transported under following cases:</p> <p>(a) Supply of liquid gas, where quantity is not known</p> <p>(b) Transportation of Goods for Job Work</p> <p>(c) Transportation of Goods other than reason of supply such as Good sent on Approval Basis</p> <p>(d) Such other supply as may be notified by the Government</p> <p>A delivery challan in lieu of invoice at the time of removal of goods for transportation must be serially numbered not exceeding sixteen characters and must contain the following details:</p> <p>(i) Date & Serial number of Delivery Challan</p> <p>(ii) Name, Address & GSTIN of Consignor, if registered</p> <p>(iii) Name, Address & GSTIN/ UIN of Consignee, if registered</p> <p>(iv) HSN Code & Description of Goods</p> <p>(v) Quantity of goods being supplied (provisional, where the exact quantity being supplied is not known)</p> <p>(vi) Taxable value of such consignment</p> <p>(vii) Place of supply in case of inter-state supply</p> <p>(viii) Signature or digital signature of the consignor or his authorized representative.</p>
Rule 55(2)	<p>The delivery challan shall be prepared in triplicate, in case of supply of goods, in the following manner, namely: –</p> <p>(a) the original copy being marked as ORIGINAL FOR CONSIGNEE;</p> <p>(b) the duplicate copy being marked as DUPLICATE FOR TRANSPORTER; and</p> <p>(c) the triplicate copy being marked as TRIPLICATE FOR CONSIGNER.</p>
Rule 55(2) Interpretation	<p><u>Manner of issuing delivery challan in case of supply of goods</u></p> <p>Three copies of delivery challans need to be prepared in case of supply of goods. Original copy for consignee, duplicate copy for transporter and the triplicate copy for consignor himself.</p>

Rule 55(3)	Where goods are being transported on a delivery challan in lieu of invoice, the same shall be declared as specified in rule 138.
Rule 55(3) Interpretation	<u>E-way bill generation along with delivery challan</u> Rule 55(3) provides that when goods are transported on a delivery challan due to being a non-supply movement, E-way bill must be generated in accordance with provision of Rule 138.
Rule 55(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.
Rule 55(4) Interpretation	<u>Issuance of invoice after delivery of goods</u> Where the goods being transported are for the purpose of supply but the tax invoice could not be issued at the time of removal of goods for the purpose of supply, then the supplier shall issue a tax invoice immediately after delivery of goods. (Such as Transaction of Bill to Ship To)
Rule 55(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.
Rule 55(5) Interpretation	<u>Issuance of invoice when goods are moved in batches or in lots</u> Where the goods are being transported in a semi-knocked down or completely knocked down condition or in batches or lots, then: (a) The supplier shall issue the complete invoice before dispatch of 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 copy of corresponding delivery challan along with a duly certify copy of the invoice (d) The original copy of invoice shall be sent along with last consignment.
Rule 55A	<u>Tax Invoice or bill of supply to accompany transport of goods. -</u> The 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 rules 46, 46A or 49 in a case where such person is not required to carry an e-way bill under these rules.
Rule 55A Interpretation	<u>Transporter must carry Tax invoice or Bill of supply</u> This rule simply says that where E-way Bill provisions are not attracted, then the transporter shall carry a copy of tax invoice or Bill of Supply in accordance with the provisions of law.

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