

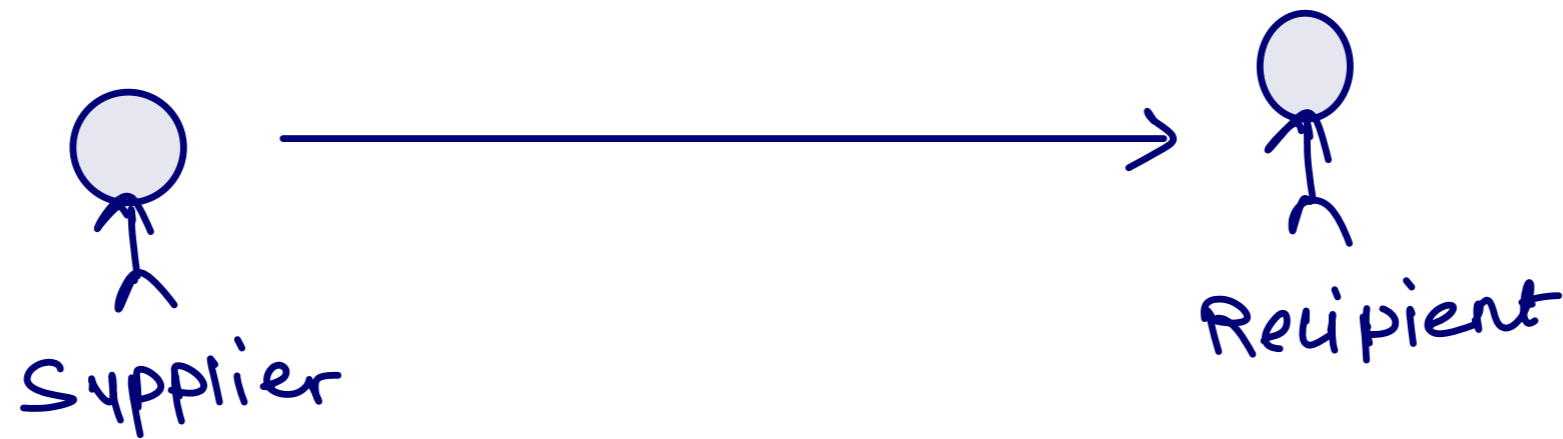
Time Of Supply



Time of supply

Why to identify? → To understand when to pay tax

Agmt → 1/4/25
 Inv → 1/5/25
 Supply → 31/7/25
 Payt → 1/9/25

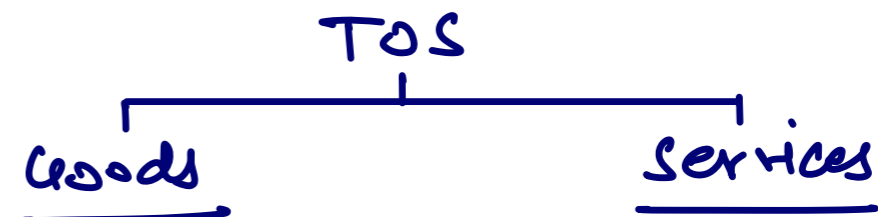


For eg → TOS → 31/7/25

↓
 next month
 ↓
20th day ✓ → 20/8/25

Examples

<u>TOS</u>	<u>Payt to Govt</u>
1/1/25	20/2
15/1/25	20/2
31/1/25	20/2



Goods

|

FCM

- Issue of invoice
- Last date to issue invoice
Earlier

RCM

- Receipt of Goods.
 - Date of Payment made by Recipient (value)
 - 31st day from the date of issue of invoice by supplier.
Earlier.
- Date of Entry in BOA
Earlier
Date on which amt got debited from bank A/c.

Movement

↓
Removal of goods from the factory.

Non-movement

↓
Date of Delivery of goods.

Continuous supply

[Supply of Gas]

- Date of every successive statements
- Date of payt made in advance
Earlier.

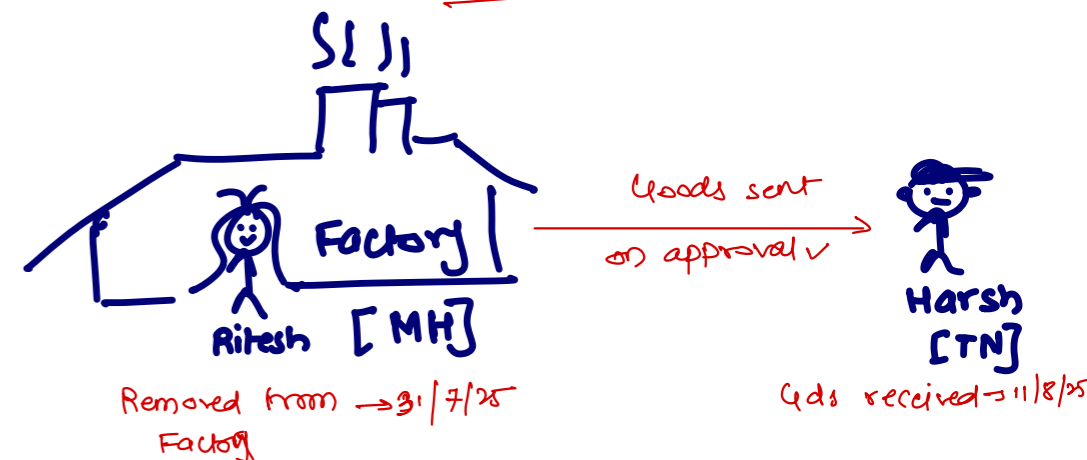
Goods sent on approval

1] Date of supply [Date when the recipient gives his assent]

OR

2] Expiry of 6th month from the date of removal from the factory.

Earlier



I Like Raju Pandya when he was 31

Services

FCM

Whether invoice is issued within the time-limit.

Yes

- Issue of Inv
- Payment recd **Earlier**

No

- Provⁿ of Serv
- Payment recd **Earlier.**

RCM.

Non Associated Enterprise. (Unrelated) Party

- Payment made
- 61st day from the date of issue of invoice (supplier)
- Date of Issue of Invoice by the recipient. **Earlier**

Associated Enterprise. (Related) Party

- [Holding cos & sub. co]
[Importation]
- Payment made
 - Entry in BoA
- Earlier**

Non-continuous supply

Normal case

≤ 30 days
from provision of service.

Banking co/
Insurance co/
NBFC

≤ 45 days

Continuous supply.

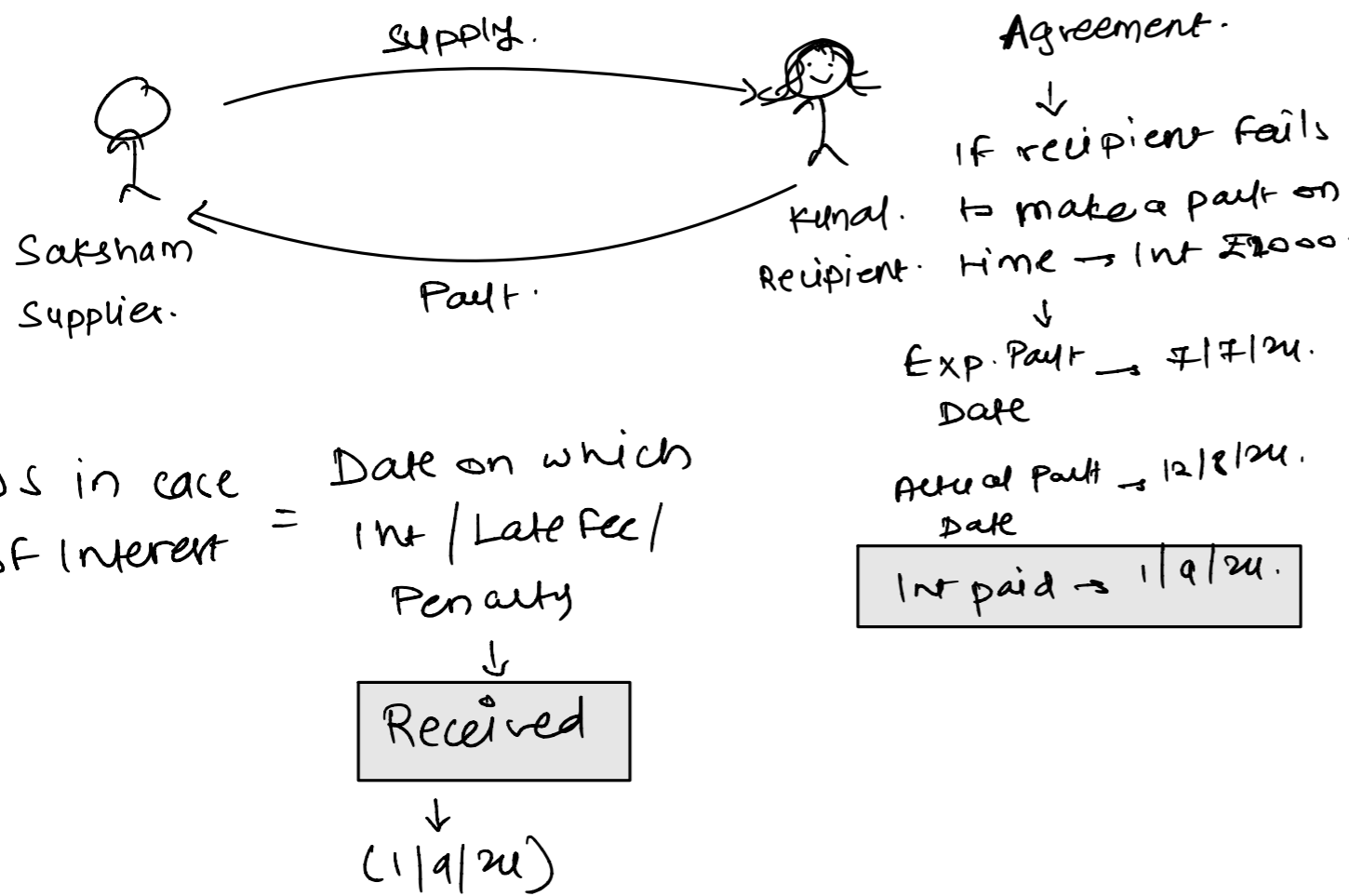
Due date is ascertainable
↓
on/before that due date ✓

Due date is based on completion of Event
↓
on/before the date of completⁿ

Due date is not ascertainable
↓
on/before the date of part.



* Time of supply in case of interest/penalty/late fees.



* Sometimes under FCM, supplier does not have sufficient details to identify time of supply

↓
TOS ⇒ Date of entry in BOA by the Recipient.

Notification 66/2017

I] Regular scheme

- Earlier law
- 1] Date of Invoice
 - 2] Last date to issue invoice.
 - 3] Date of payment.

Now
After NN 66/2017.

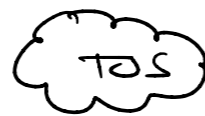
- 1] Date of Invoice
- 2] Last date to issue invoice
- ~~3] Date of payment~~

II] Composition scheme

NN 66/2017 → Not Applicable.

- ∴ TOS =
- 1] Date of Invoice
 - 2] Last date to issue invoice.
 - 3] Date of payment.

Voucher

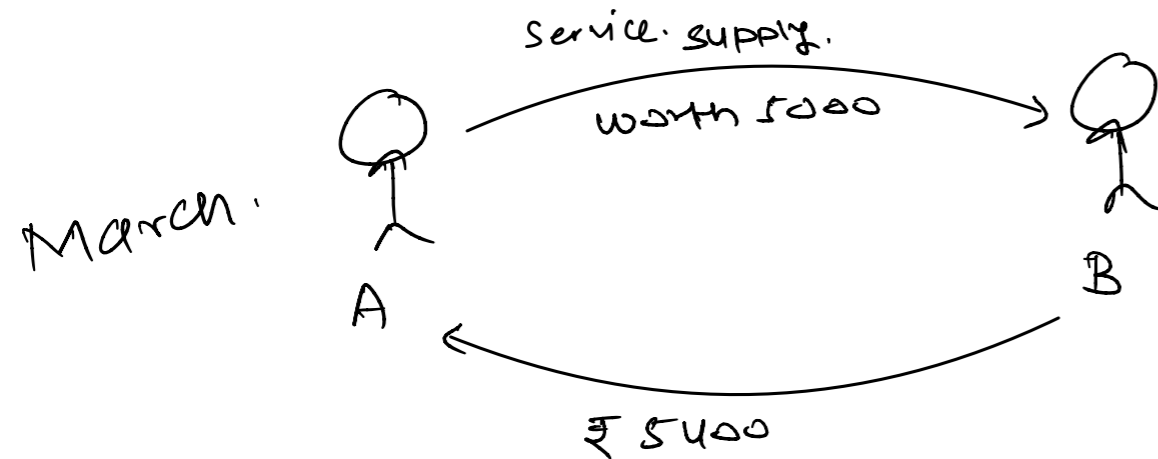


1] when supply is not identifiable at the time of issue of voucher (eg. Cust can buy mobile, Cam, earphones etc & thus supplier does not know the actual supply) → Date of Redemption of the voucher ✓

2] when supply is identifiable at the time of issue of voucher (eg. Voucher is of the mobiles & thus, supplier knows the list rate at the time of issue of voucher) → Date of Issue of voucher ✓

Services

- X # Point on voucher → same as goods → voucher issued by Taj which can be redeemed for spa, stay, restaurant / voucher issued by Taj which can be redeemed for spa only.
- # Point on Int / Penalty / Late fee → same as goods.
- # Advance upto ₹ 1000/-
- July
- Redemption of voucher.
- issue of voucher.

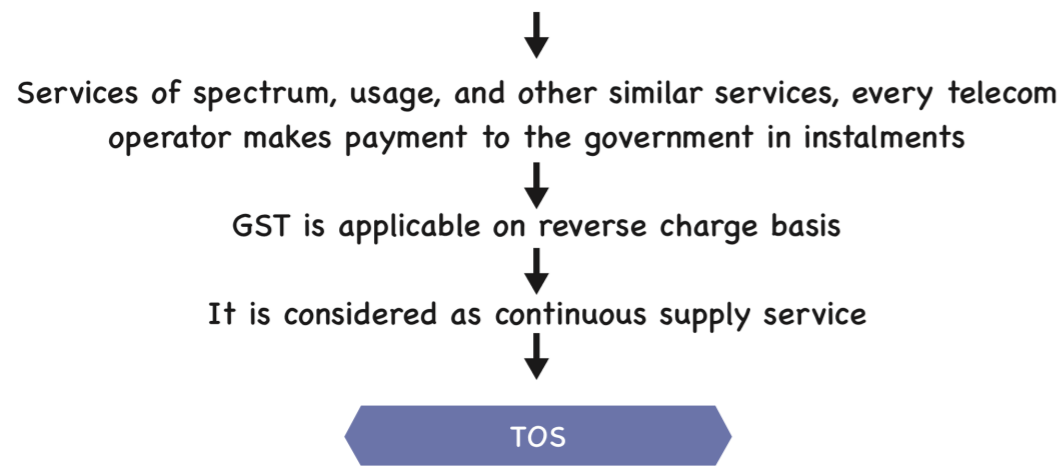


options to consider TOS

- 1] Consider time of supply on the date of actual receipt (today)
- OR
- 2] TOS at the time of actual sale (date of next supply)

Note Same concept will be applicable for goods but only to Composition scheme ✓
Why not Regular scheme?? Because we never consider Date of Part while considering TOS (NN 66/2017)

Time of supply for spectrum usage under GST



- When installment is paid
 - Due } Earlier -
 - Paid }

- If the payment is upfront
- when the payment is
 - Due } Earlier -
 - Made }

Clarification on time of supply in respect of supply of services of construction of road and maintenance thereof of National Highway Projects of National Highways Authority of India (NHAI) in Hybrid Annuity Mode (HAM) model

Issue: Under the Hybrid Annuity Mode (HAM) model of National Highways Authority of India (NHAI), the concessionaire has to construct the new road and provide Operation & Maintenance of the same which is generally over a period of 15-17 years and the payment of the same is spread over the years. What is the time of supply for the purpose of payment of tax on the said service under the HAM model?

Clarification

In HAM contract, the payment is made spread over the contract period in installments and payment for each installment is to be made after specified periods, or on completion of an event, as specified in the contract.

Scenario	Time of Supply	
If Invoice is issued within time limit	Date of issue of invoices or Date of receiving payment	whichever is earlier
If Invoice is not issued within time limit	Date of provision of service* Due date as par contract or Date of receiving payment	whichever is earlier

Installments paid by NHAI to contractor also includes some interest component, such interest shall also form part of the value of supply.

In case of continuous supply of services, the date of provision of service may be deemed as the due date of payment as per the contract, as the invoice is required to be issued on or before the due date of payment as per the provisions of Section 31(5) of CGST Act.