



E-Way Bill

Manubhai & Shah LLP
Chartered Accountants

Ahmedabad • Mumbai • Rajkot • Jamnagar • Baroda

This presentation is intended for client
service and internal use only.

E-Way Bill

24th GST Council meeting updates held 16th Dec 2017

1. 16th Jan 2018 – E-Way Bill system will be ready and Trade and Transporters can start using on a Voluntary basis/Trial basis (www.ewaybill.nic.in)
2. 1st Feb 2018 – E-way Bill system FOR INTER-STATE movement of goods on a compulsory basis from 1st February, 2018. (www.ewaybillgst.gov.in)
3. Till 1st June 2018 – States may choose their own timings for implementation of e-way Bill for intra – State movements of goods on any date before 1st June, 2018. Till date 15 States (including Gujarat) have notified 1st Feb 2018 for applicability of intra state e way bill rules.
4. From 1st June 2018- The Uniform System of e-way Bill for INTER-STATE AS WELL AS INTRA STATE movement will be implemented across the country by 1st June,2018

What is E-Way Bill

- E-way bill is an ELECTRONIC way bill for movement of goods which can be generated on the GST Network Portal.
- Every registered person causing the movement of goods upload the relevant information before start of the movement of goods and generate e-way bill on the GST portal. It has 2 parts.
- Part A- Invoice related details like GSTIN of Recipient, place of Delivery, Invoice of Challan no & date, value, HSN Code etc.
- Part B- Comprising of transporter details [Vehicle No]

E-way Bill Rule has been notified vide Notification No 27/2017 of Central Tax Dated 30th August 2017.

These Rule have come into force from 1st Feb 2018 vide Notification No 74/2017 of Central tax dated 29th Dec 2017.

Rule 138 – Who is required to generate E-Way Bill

- New Rule 138 was substituted in place of old Rule vide Notification No 27/2017 dated 30th August 2017.
- Sub Rule (1) – Every registered person who causes movement of goods of consignment value exceeding fifty thousand rupees –
 - (I) in relation to a supply; or
 - (II) for reasons other than supply; or
 - (iii) due to inward supply from an unregistered person,
- Shall before commencement of such movement, furnish information relating to the said goods in Part A of FORM GST EWB-01 , electronically, on the common portal and a unique number will be generated on common portal
- Consignment value includes CGST, SGST, UTGST & IGST.

Rule 138 – Inter State Job Work

- Provided that where goods are sent by a principal located in one state to a job worker located in any other state, the e-way bill shall be generated by the principal irrespective of the value of the consignment.
- Where handicraft goods transported from one state to another state by a person who has been exempted from requirement of obtaining registration under GST – e way bill compulsory irrespective of the value of consignment

Rule 138 – Own vehicle of supplier or recipient

- (2) Where the Goods are transported by the registered person as a consignor or the recipient of supply as the consignee, whether in his own conveyance or a hired one or by railways or by air or by vessel, the said person or the recipient may generate the e-way bill in FORM GST EWB-01 electronically on the common portal after furnishing information in Part B FORM GST EWB-01 by the registered person himself.
- In case of Road – Vehicle Number
- In case of Rail/ Air / Vessel – serial number and date of Railway Receipt/ Air Consignment / Bill of Lading

Rule 138 – Transporter's details if vehicle no is not mentioned in E-Way Bill

- (3) Where the e-way bill is not generated under sub-Rule (2) and the goods are handed over to a transporter for transportation by road, the registered person shall furnish the information relating to the transporter in Part B FORM GST EWB-01 and the e way bill shall be generated by the transporter on the said portal on the basis of the information furnished by the registered person in Part A of FORM GST EWB-01.
- Provided that the registered person or, as the case may be, the transporter may, at his option, generate and carry the e-way bill even if the value of the consignment is less than fifty thousand rupees:
- Provided further that where the movement is caused by an unregistered person either in his own conveyance or a hired one or through a transporter, he or the transporter may, at their option, generate the e-way bill in FORM GST EWB-01 on the common portal in the manner specified in this rule :
- Provided also that where the goods are transported for a distance of less than Ten KM (<10 KM) within the state or Union territory from the Place of business of the consignor to the place of business of the transporter for further transportation, the supplier or the transporter may not furnish the details of conveyance in Part B of FORM GST EWB-01.

Rule 138 – Registered recipient

- Explanation :- For the purpose of this sub-rule, where the goods are supplied by an unregistered supplier to a recipient who is registered, the movement shall be said to be caused by such recipient if the recipient is known at the time of commencement of the movement of goods.

Rule 138 – Vehicle no updation by transporter

- (4) Upon generation of the e-way bill on the common portal a unique e-way bill number (EBN) shall be made available to the supplier, the recipient and the transporter on the common portal.
- (5) Any transporter transferring goods from one conveyance to another in the course of transit shall before such transfer and further movement of goods, update the details of conveyance in the e-way bill on the common portal in FORM GST EWB 01:
- Provided that where the goods are transported for a distance of < 10 KM within the State or UT from the place of business of the transporter finally to the place of business of the consignee, the details of conveyance may not be updated in the e-way bill.

Rule 138 – Consolidated E-Way Bill

- 6) After e-way bill has been generated in accordance with the provisions of sub-rule (1), where multiple consignments are intended to be transported in one conveyance, the transporter may indicate the serial number of e-way bills generated in respect of each such consignment electronically on the common portal and a consolidated e-way bill in FORM GST EWB -02 maybe generated by him on the said common portal prior to the movement of goods.

Rule 138 – Transporter's responsibility to generate E-Way Bill

(7) Where the consigner or the consignee has not generated FORM GST EWB -01 in accordance with the provisions of sub-rule (1) and the value of goods carried in the conveyance is more than fifty thousand rupees, the transporter shall generate FORM GST EWB-01 on the basis of invoice or bill of supply or delivery challan, as the case may be, and may also generate a consolidated e-way bill in FORM GST EWB-02 on the common portal prior to the movement of goods .

Rule 138 – Information in GSTR 1

(8) The information furnished in Part A of FORM GST EWB-01 shall be made available to the registered supplier on the common portal who may utilize the same for furnishing details in FORM GSTR-1: Provided that when the information has been furnished by an unregistered supplier in FORM GST EWB-01, he shall be informed electronically, if the mobile number or the email is available.

Rule 138 – Cancellation of E-Way Bill

(9) Where an e-way bill has been generated under this rule, but goods are either not transported or are not transported as per the details furnished in the e-way bill, the e-way bill may be cancelled electronically on the common portal, either directly or through a Facilitation Centre notified by the Commissioner, within 24 hours of generation of the e-way bill:

Provided that an e-way bill cannot be cancelled if it has been verified in transit in accordance with the provisions of rule 138B.

Rule 138 – Validity period of E-Way Bill

(10) An e-way bill generated under this rule shall be valid for the period as mentioned in column (3) of the Table below from the relevant date, for the distance the goods have to be transported, as mentioned in column (2) of the said Table:

Sr.no	Distance	Validity Period
1.	Up to 100 Km	One day
2.	For Every 100 Km or part there of thereafter	One additional day

Rule 138 – Validity of E-Way Bill

- Under circumstances of an exceptional nature, if the goods cannot be transported within the validity period of the e-way bill, the transporter may generate another e-way bill after updating the details in PART B FORM GST EWB-01.
- Period of validity shall be counted from the time at which e-way bill has been generated and each day shall be counted as twenty-four hours.

Rule 138 – Acceptance of E-Way Bill

- (11) The details of e-way bill generated under sub-rule (1) shall be made available to the recipient, if registered, on the common portal, who shall communicate his acceptance or rejection of the consignment covered by the e-way bill.
- (12) Where the recipient referred to in sub-rule (11) does not communicate his acceptance or rejection within seventy two hours of the details being made available to him on the common portal, it shall be deemed that he has accepted the said Details.
- (13) The e-way bill generated under this rule or under rule 138 of the Goods and services tax Rules of any state shall be valid in every state and Union territory.

Rule 138 - Exemption

- (14) Notwithstanding anything contained in this rule, no e-way bill is required to be generated-
- (a) Where the exempted goods (as per notification no 2/2017) being transported
 - (b) Where the goods are being transported by a non-motorised conveyance
 - (c) Where the goods are being transported from the port, airport, air cargo complex and land customs stations to an inland container depot or a container freight station for clearance by custom and
 - (d) In respect of movement of goods within such areas as are notified under clause (d) of sub rule (14) of rule 138 of GST Rules of the concerned state

Explanation: The facility of generation of cancellation of a e-way bill may also be made available through SMS.

Rule 138A : Documents to be carried by a person-in-charge of a conveyance

- (1) The person in charge of a conveyance shall carry-
 - (a) The invoice or bill of supply or delivery challan, as the case may be; and
 - (b) a copy of the e-way bill or the e-way bill number, either physically or mapped to a Radio Frequency Identification Device embedded on to the conveyance in such manner as may be notified by the Commissioner.

Rule 138B -
verification of documents and conveyances

- (1) The commissioner or an officer empowered by him in this behalf may authorize the proper officer to intercept any conveyance to verify the e-way bill or the e-way bill number in physical form for all inter- State and Intra-State movements of goods.
- (2) The commissioner shall get Radio Frequency Identification Device readers installed at places where the verification of movement of goods is required to be carried out and verification of movement of vehicle shall be done through such device readers where the e-way bill has been mapped with the said device.
- (3) The Physical verification of conveyance shall be carried out by the proper officer as authorized by the commissioner or an officer empowered by him in this behalf.

Rule 138C -
Inspection and Verification of goods

- (1) A summary report of every inspection of goods in transit shall be recorded online by the proper officer in Part A of FORM GST EWB-03 within twenty four hours on inspection and the final report in Part B of FORM GST EWB-03 shall be recorded within three days of such inspection.
- (2) Where the Physical verification of goods being transported on any conveyance has been done during transit at one place within the state or in any other State, no further Physical verification of the said conveyance shall be carried out again in the State, Unless a Specific information relating to evasion of tax is made available subsequently.

Rule 138D -
Facility for uploading information regarding detention of vehicle

Where a vehicle has been intercepted and detained for a period exceeding thirty minutes, the transporter may upload the said information in FORM GST EWB-04 on the common portal.

Other Important Points

- The common portal for generation of e-way bill is <http://ewaybill.nic.in> & <http://ewaybillgst.gov.in>
- TRANSIN or [Transporter id](#) is 15 digit unique number generated by EWB system for unregistered transporter once he enrolls on the system.
- To generate the e-way bill, it is essential that the person shall be registered person and if the [transporter is not registered person it is mandatory to get enrolled on the common portal](#) of e-waybill (<http://ewaybill.nic.in>) before generation of the e-way bill.
- If there is mistake, [incorrect or wrong entry in the e-way bill](#), then it cannot be edited or corrected.

Other Important Points

- Part-A Slip is entry made by user to temporarily store the document details on the e-way bill system. Once the goods are ready for movement from the business premises, the user can enter the Part-B or vehicle details and generate the e-way bill for movement of goods. Hence, [Part-B details convert the Part-A slip into e-way bill.](#)
- The taxpayer can enter Part-A details and generate the Part-A slip. Sometimes, the taxpayer wants to move the goods himself but wants to update the Part-B later as vehicle number is not available at that point of time. E-way bill expects the user to enter transporter ID or vehicle number. So if he wants to move the goods himself, he can enter his GSTIN as transporter Id and generate Part-A Slip. This indicates to the system that [he is a transporter and is going to enter Part-B later.](#)
- If the consigner or consignee is unregistered taxpayer and not having GSTIN, then user has to enter '[URP](#)' [[Unregistered Person](#)] in corresponding GSTIN column.
- The e-way bill once generated, cannot be edited or modified. Only [Part-B can be updated](#) to it. However, if e-way bill is generated with wrong information, [it can be cancelled](#) and generated freshly again. The cancellation is required to be done within twenty four hours from the time of generation.

- If [multiple invoices are issued by the supplier](#) to recipient, that is, for movement of goods of more than one invoice of same consignor and consignee, [multiple EWBs](#) have to be generated. That is, for each invoice, one EWB has to be generated, irrespective of same or different consignors or consignees are involved. Multiple invoices cannot be clubbed to generate one EWB. However after generating all these EWBs, one Consolidated EWB can be prepared for transportation purpose, if they are going in one vehicle.
- There is a chance that consignee or recipient may reject to take the delivery of consignment due to various reasons. Under such circumstance, the transporter can get one more e-way bill generated with the help of supplier or recipient by indicating supply as [‘Sales Return’](#) and with relevant document details and return the goods to supplier as per his agreement with him.

Other Important Points – Bill to Ship to Model

If the addresses involved in 'Bill to' and 'Ship to' in a invoice/bill belongs to one legal name/taxpayer as per GSTIN within the state, then one e-way bill has to be generated. That is, if the 'Bill to' is principal place of business and 'Ship to' is additional place of business of the GSTIN or vice versa in a invoice/bill, then one e-way bill is sufficient for the movement of goods.

If the addresses involved in 'Bill to' and 'Ship to' in a invoice/bill belongs to different legal names/taxpayers, then two e-way bills have to be generated. One e-way bill for first invoice, second e-way bill is from 'Bill to' party to 'Ship to' party based on the invoice/bill of the 'Bill to' party. This is required to complete the cycle of transactions and taxes will change for inter-state transactions.

Other Important Points

- In case of unregistered dealer mention 'URP' in GSTN field
- In case of Import or Export – mention 'URP' in GSTN field & 999999 in pin code field
- Pin Code is compulsory

Other Important Points

- The user can [update Part-B \(Vehicle details\) as many times as he wants](#) for movement of goods to the destination. However, the updating should be done within the validity period.
- One can transport the goods through different modes of transportation – Road, Rail, Air, Ship. However, always [e-way bill needs to be updated with the latest mode of transportation](#) or conveyance number accordingly. That is, at any point of time, the details of conveyance specified in the e-way bill on the portal should match with the details of conveyance through which goods are actually being transported.

Other Important Points

- Most of the times, the taxpayer or authorized person himself cannot operate and generate EWBs. He will be dependent upon his staff or operator to do that. He would not like to avoid sharing his user credentials to them. In some firms, the business activities will be operational 24/7 and some firms will have multiple branches. Under these circumstances, the main user can [create sub-users](#) and assign the roles to them. He can assign generation of EWB or rejection or report generation activities based on requirements.
- For every principal/additional place of business, user can create [maximum of 3 sub-users](#). The authorized person has to take care of freezing the account in case of transfer or resignation or retirement of the sub-user account holder.
- The user is allowed to [generate report on daily basis](#). Because of criticality of the system for performance and requirement of 24/7, the reports are limited to be generated for a day. The user can change date and generate the report for that date. Hence, the user is advised to generate report daily and store in his system.

Other Important Points

- [E Way Bill through SMS](#) - The taxpayer has to register the mobile numbers through which he wants to generate the e-way bill on the e-way bill system.
- [E Way Bill through android app](#) - The taxpayer has to register the EMEI numbers of the mobiles through which he wants to generate the e-way bill on the e-way bill system.
- [API interface is a site-to-site integration](#) of two systems. Using this, the taxpayer can link his IT system with EWB system to generate EWB directly from his IT solution without keying in the EWB form. This reduces the duplicate data entry and eliminates the data entry mistakes.

Thank You



E-Way Bill

This presentation contains personal view of the presenter in summary form and therefore intended for general guidance only. It is not intended to be a substitute for detailed research or the exercise of professional judgement. Neither Manubhai & Shah LLP nor any partner can accept any responsibility for loss occasioned to any person acting or refraining from action as a result of any material in this publication.

Manubhai & Shah LLP
Chartered Accountants

Ahmedabad • Mumbai • Rajkot • Jamnagar • Baroda