

## E-WAY RULES

<sup>[1]</sup>  
138.      [ 2 Information to be furnished prior to commencement of movement of goods and generation of e-way bill.

(1) Every registered person who causes movement of goods of consignment value exceeding fifty thousand rupees—

- a. *in relation to a supply; or*
- b. for reasons other than supply; or
- c. due to inward supply from an unregistered person,

shall, before commencement of such movement, furnish information relating to the said goods as specified in Part A of FORM GST EWB-01, electronically, on the common portal along with such other information as may be required on the common portal and a unique number will be generated on the said portal:

Provided that the transporter, on an authorization received from the registered person, may furnish information in Part A of FORM GST EWB-01, electronically, on the common portal along with such other information as may be required on the common portal and a unique number will be generated on the said portal:

Provided further that where the goods to be transported are supplied through an e-commerce operator or a courier agency, on an authorization received from the consignor, the information in Part A of FORM GST EWB-01 may be furnished by such e-commerce operator or courier agency and a unique number will be generated on the said portal:

Provided also that where goods are sent by a principal located in one State or Union Territory to a job worker located in any other State or Union Territory, the e-way bill shall be generated either by the principal or the job worker, if registered, irrespective of the value of the consignment:

Provided also that where handicraft goods are transported from one State or Union Territory to another State or Union Territory by a person who has been exempted from the requirement of obtaining registration under clauses (i) and (ii) of section 24, the e-way bill shall be generated by the said person irrespective of the value of the consignment.

<sup>[2]</sup>  
     [Explanation 1.—For the purposes of this rule, the expression "handicraft goods" has the meaning as assigned to it in the Government of India, Ministry of Finance, notification No. 56/2018-Central Tax, dated the 23rd October, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 1056(E), dated the 23rd October, 2018 as amended from time to time.]

Explanation 2.—For the purposes of this rule, the consignment value of goods shall be the value, determined in accordance with the provisions of section 15, declared in an invoice, a bill of supply or a delivery challan, as the case may be, issued in respect of the said consignment and also

includes the central tax, State or Union Territory tax, integrated tax and cess charged, if any, in the document and shall exclude the value of exempt supply of goods where the invoice is issued in respect of both exempt and taxable supply of goods.

(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 a public conveyance, by road, the said person shall generate the e-way bill in FORM GST EWB-01 electronically on the common portal after furnishing information in Part B of FORM GST EWB-01.

(2A) Where the goods are transported by railways or by air or vessel, the e-way bill shall be generated by the registered person, being the supplier or the recipient, who shall, either before or after the commencement of movement, furnish, on the common portal, the information in Part B of FORM GST EWB-01:

Provided that where the goods are transported by railways, the railways shall not deliver the goods unless the e-way bill required under these rules is produced at the time of delivery.

(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 on the common portal 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, 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 upto fifty kilometers 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 recipient, or as the case may be, the transporter may not furnish the details of conveyance in Part B of FORM GST EWB-01.

Explanation 1—For the purposes 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.

Explanation 2.—The e-way bill shall not be valid for movement of goods by road unless the information in Part B of FORM GST EWB-01 has been furnished except in the case of movements covered under the third proviso to sub-rule (3) and the proviso to sub-rule (5).

(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) Where the goods are transferred from one conveyance to another, the consignor or the

recipient, who has provided information in Part A of the FORM GST EWB-01, or the transporter shall, before such transfer and further movement of goods, update the details of conveyance in the e-way bill on the common portal in Part B of FORM GST EWB-01:

Provided that where the goods are transported for a distance of upto fifty kilometers within the State or Union Territory from the place of business of the transporter finally to the place of business of the consignee, the details of the conveyance may not be updated in the e-way bill.

(5A) The consignor or the recipient, who has furnished the information in Part A of FORM GST EWB-01, or the transporter, may assign the e-way bill number to another registered or enrolled transporter for updating the information in Part B of FORM GST EWB-01 for further movement of the consignment:

Provided that after the details of the conveyance have been updated by the transporter in Part B of FORM GST EWB-01, the consignor or recipient, as the case may be, who has furnished the information in Part A of FORM GST EWB-01 shall not be allowed to assign the e-way bill number to another transporter.

(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 con1.0pt solidated e-way bill in FORM GST EWB-02 may be generated by him on the said common portal prior to the movement of goods.

(7) Where the consignor or the consignee has not generated the e-way bill in FORM GST EWB-01 and the aggregate of the consignment value of goods carried in the conveyance is more than fifty thousand rupees, the transporter, except in case of transportation of goods by railways, air and vessel, shall, in respect of inter-State supply, generate the e-way bill in 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 con1.0pt solidated e-way bill in FORM GST EWB-02 on the common portal prior to the movement of goods:

Provided that where the goods to be transported are supplied through an e-commerce operator or a courier agency, the information in Part A of FORM GST EWB-01 may be furnished by such e-commerce operator or courier agency.

(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 the details in FORM GSTR-1:

Provided that when the information has been furnished by an unregistered supplier or an unregistered recipient in FORM GST EWB-01, he shall be informed electronically, if the mobile number or the e-mail is available.

(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 within twenty four 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:

Provided further that the unique number generated under sub-rule (1) shall be valid for a period of fifteen days for updation of Part B of FORM GST EWB-01.

(10) An e-way bill or a consolidated 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, within the country, the goods have to be transported, as mentioned in column (2) of the said Table:—

S.no.	Distance	Validity Period
(1)	(2)	(3)
1	<i>Upto 100 km.</i>	<i>One day in cases other than Over [3] Dimensional Cargo [ ] or multimodal shipment in which at least one leg involves transport by ship ]</i>
2	<i>For every 100 km. or part thereof thereafter</i>	<i>One additional day in cases other than Over Dimensional [4] Cargo [ ] or multimodal shipment in which at least one leg involves transport by ship ]</i>
3	<i>Upto 20 km.</i>	<i>One day in case of Over [5] Dimensional Cargo [ ] or multimodal shipment in which at least one leg involves transport by ship ]</i>
4	<i>For every 20 km. or part thereof thereafter</i>	<i>One additional day in case of Over [6] Dimensional Cargo [ ] or multimodal shipment in which at least one leg involves transport by ship ]</i>

Provided that the Commissioner may, on the recommendations of the Council, by notification, extend the validity period of an e-way bill for certain categories of goods as may be specified therein:

Provided further that where, under circumstances of an exceptional nature, including trans-shipment, the goods cannot be transported within the validity period of the e-way bill, the transporter may extend the validity period after updating the details in Part B of FORM GST EWB-01, if required.

[7]

—[Provided also that the validity of the e-way bill may be extended within eight hours from the time of its expiry.]

Explanation 1.—For the purposes of this rule, the "relevant date" shall mean the date on which the e-way bill has been generated and the period of validity shall be counted from the time at which the e-way bill has been generated and each day shall be counted as the period expiring at midnight of the day immediately following the date of generation of e-way bill.

Explanation 2.—For the purposes of this rule, the expression "Over Dimensional Cargo" shall mean a cargo carried as a single indivisible unit and which exceeds the dimensional limits prescribed in rule 93 of the Central Motor Vehicle Rules, 1989, made under the Motor Vehicles Act, 1988 (59 of 1988).

(11) The details of the e-way bill generated under this rule shall be made available to the—

- a. *supplier, if registered, where the information in Part A of FORM GST EWB-01 has been furnished by the recipient or the transporter; or*
- b. *recipient, if registered, where the information in Part A of FORM GST EWB-01 has been furnished by the supplier or the transporter,*

on the common portal, and the supplier or the recipient, as the case may be, shall communicate his acceptance or rejection of the consignment covered by the e-way bill.

(12) Where the person to whom the information specified in sub-rule (11) has been made available does not communicate his acceptance or rejection within seventy two hours of the details being made available to him on the common portal, or the time of delivery of goods whichever is earlier, 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 or Union Territory shall be valid in every State and Union Territory.

(14) Notwithstanding anything contained in this rule, no e-way bill is required to be generated—

- a. *where the goods being transported are specified in Annexure;*
- b. *where the goods are being transported by a non-motorised conveyance;*
- c. *where the goods are being transported from the customs port, airport, air cargo complex and land customs station to an inland container depot or a container freight station for clearance by Customs;*
- d. *in respect of movement of goods within such areas as are notified under clause (d) of sub-rule (14) of rule 138 of the State or Union Territory Goods and Services Tax Rules in that particular State or Union Territory;*
- e. *where the goods, other than de-oiled cake, being transported, are specified in the Schedule appended to notification No. 2/2017-Central tax (Rate) dated the 28 June, 2017 published in*

*the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 674(E) dated the 28th June, 2017 as amended from time to time;*

- f. where the goods being transported are alcoholic liquor for human consumption, petroleum crude, high speed diesel, motor spirit (commonly known as petrol), natural gas or aviation turbine fuel;
- g. where the supply of goods being transported is treated as no supply under Schedule III of the Act \* ;
- h. where the goods are being transported—
  - i. under customs bond from an inland container depot or a container freight station to a customs port, airport, air cargo complex and land customs station, or from one customs station or customs port to another customs station or customs port, or
  - ii. under customs supervision or under customs seal;
- i. where the goods being transported are transit cargo from or to Nepal or Bhutan;
- ii. where the goods being transported are exempt from tax under notification No. 7/2017-Central Tax (Rate), dated 28th June, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 679(E), dated the 28th June, 2017 as amended from time to time and notification No. 26/2017-Central Tax (Rate), dated the 21st September, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 1181(E) dated the 21st September, 2017 as amended from time to time;
- iii. any movement of goods caused by defence formation under Ministry of defence as a consignor or consignee;
- iv. where the consignor of goods is the Central Government, Government of any State or a local authority for transport of goods by rail;
- v. where empty cargo containers are being transported;
- vi. where the goods are being transported upto a distance of twenty kilometers from the place of the business of the consignor to a weighbridge for weighment or from the weighbridge back to the place of the business of the said consignor subject to the condition that the movement of goods is accompanied by a delivery challan issued in accordance with rule 55; and
- vii. **[8]**        *[where empty cylinders for packing of liquefied petroleum gas are being moved for reasons other than supply. ]*

Explanation.—The facility of generation, cancellation, updation and assignment of e-way bill shall be made available through SMS to the supplier, recipient and the transporter, as the case may be.

#### ANNEXURE

[See rule 138(14)]



S.NO.	Discription of goods
(1)	(2)
1	<i>Liquefied petroleum gas for supply to household and non-domestic exempted category (NDEC) customers</i>
2	<i>Kerosene oil sold under PDS</i>
3	<i>Postal baggage transported by Department of Posts</i>
4	<i>Natural or cultured pearls and precious or semi-precious stones precious metal and metals clad with precious metals (Chapter 71)</i>
5	<i>Jewellery, goldsmiths' and silversmiths' wares and other articles (Chapter 71)</i>
6	<i>Currency</i>
7	<i>Used personal and household effects</i>
8	<i>Coral, unworked (0508) and worked coral (9601)] ]</i>

[9] [10]  
 138A. [Documents and devices 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 in physical form or the e-way bill number in electronic form or mapped to a Radio Frequency Identification Device embedded on to the conveyance in such manner as may be notified by the Commissioner:

Provided that nothing contained in clause (b) of this sub-rule shall apply in case of movement of goods by rail or by air or vessel:

[11]  
 [Provided further that in case of imported goods, the person in charge of a conveyance shall also carry a copy of the bill of entry filed by the importer of such goods and shall indicate the number and date of the bill of entry in Part A of FORM GST EWB-01.]

(2) A registered person may obtain an Invoice Reference Number from the common portal by uploading, on the said portal, a tax invoice issued by him in FORM GST INV-1 and produce the same for verification by the proper officer in lieu of the tax invoice and such number shall be valid for a period of thirty days from the date of uploading.

(3) Where the registered person uploads the invoice under sub-rule (2), the information in Part A of FORM GST EWB-01 shall be auto-populated by the common portal on the basis

of the information furnished in FORM GST INV-1.

(4) The Commissioner may, by notification, require a class of transporters to obtain a unique Radio Frequency Identification Device and get the said device embedded on to the conveyance and map the e-way bill to the Radio Frequency Identification Device prior to the movement of goods.

1. Notwithstanding anything contained in clause (b) of sub-rule (1), where circumstances so warrant, the Commissioner may, by notification, require the person-in-charge of the conveyance to carry the following documents instead of the e-way bill
  - a. tax invoice or bill of supply or bill of entry; or
  - b. *a delivery challan, where the goods are transported for reasons other than by way of supply.*

**[12] 138B. [13] [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 in physical or electronic form for all inter-State and intra-State movement 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 vehicles shall be done through such device readers where the e-way bill has been mapped with the said device.

(3) The physical verification of conveyances shall be carried out by the proper officer as authorized by the Commissioner or an officer empowered by him in this behalf:

Provided that on receipt of specific information on evasion of tax, physical verification of a specific conveyance can also be carried out by any other officer after obtaining necessary approval of the Commissioner or an officer authorized by him in this behalf. ]

**[14] 138C. [15] [ 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 of inspection and the final report in Part B of FORM GST EWB-03 shall be recorded within three days of such inspection:*

**[16]** **[Provided** *that where the circumstances so warrant, the Commissioner, or any other officer authorized by him, may, on sufficient cause being shown, extend the time for recording of the final*



report in Part B of FORM EWB-03, for a further period not exceeding three days.

Explanation.—The period of twenty four hours or, as the case may be, three days shall be counted from the midnight of the date on which the vehicle was intercepted.]

(2) Where the physical verification of goods being transported on any conveyance has been done during transit at one place within the State or Union Territory or in any other State or Union Territory, no further physical verification of the said conveyance shall be carried out again in the State or Union Territory, unless a specific information relating to evasion of tax is made available subsequently. ]

[17] [18]

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.]

[19]

[Explanation.—For the purposes of this Chapter, the expressions 'transported by railways', 'transportation of goods by railways', 'transport of goods by rail' and 'movement of goods by rail' does not include cases where leasing of parcel space by Railways takes place.]

[20]

138E. [Restriction on furnishing of information in PART A of FORM GST EWB-01.

Notwithstanding anything contained in sub-rule (1) of rule 138, no person (including a consignor, consignee, transporter, an e-commerce operator or a courier agency) shall be allowed to furnish the information in PART A of FORM GST EWB-01 in respect of a registered person, whether as a supplier or a recipient, who,—

[21]

- a. being a person paying tax under section 10, [or availing the benefit of notification of the Government of India, Ministry of Finance, Department of Revenue No. 2/2019- Central Tax (Rate), dated the 7th March, 2019, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 189, dated the 7th March, 2019,]

[22]

furnished the [statement in **FORM GST CMP-08** for two consecutive [quarters]; or

[23]

- b. being a person other than a person specified in clause (a), has not furnished the returns for a consecutive period of two months:

[24]

**Provided** that the Commissioner may, [ on receipt of an application from a registered person in **FORM GST EWB-05**, ] on sufficient cause being shown and for reasons to be recorded in writing, by

[25]

order, [ in **FORM GST EWB-06**] allow furnishing of the said information in PART A of FORM GST EWB- 01, subject to such conditions and restrictions as may be specified by him:

**Provided further** that no order rejecting the request of such person to furnish the information in PART

*A of FORM GST EWB-01 under the first proviso shall be passed without affording the said person a reasonable opportunity of being heard:*

**Provided also** *that the permission granted or rejected by the Commissioner of State tax or Commissioner of Union territory tax shall be deemed to be granted or, as the case may be, rejected by the Commissioner.*

*Explanation.—For the purposes of this rule, the expression "Commissioner" shall mean the jurisdictional Commissioner in respect of the persons specified in clauses (a) and (b).]*<sup>[26]</sup>

[Explanation. - For the purposes of this Chapter, the expressions 'transported by railways', 'transportation of goods by railways', 'transport of goods by rail' and 'movement of goods by rail' does not include cases where leasing of parcel space by Railways takes place.].<sup>[27]</sup>

[1] Substituted by the Central Goods and Services Tax (Second Amendment) Rules, 2018, w.e.f. 1.4.2018 [Except sub-rule (7)]. Prior to its substitution, rule 138, as amended by the Central Goods and Services Tax (Amendment) Rules, 2018 vide Not. No. 3/2018-CT, dt. 23.3.2018, Not. No. 12/2018-CT, dt. 7.3.2018., Central Goods and Services Tax (Sixth Amendment) Rules, 2017 vide Not. No. 27/2017-CT, dt. 30.8.2017 & vide Not. No. 34/2017-CT, dt. 15.9.2017 and Central Goods and Services Tax (Seventh Amendment) Rules, 2017, read as under :

'138. Information to be furnished prior to commencement of movement of goods and generation of e-way bill.—(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 as specified in Part A of FORM GST EWB-01, electronically, on the common portal along with such other information as may be required at the common portal and a unique number will be generated on the said portal:

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:

Provided further that where handicraft goods are transported from one State to another by a person who has been exempted from the requirement of obtaining registration under clauses (i) and (ii) of section 24, the e-way bill shall be generated by the said person irrespective of the value of the consignment.

**Explanation 1.**—For the purposes of this rule, the expression "handicraft goods" has the meaning as assigned to it in the Government of India, Ministry of Finance, Not. No. 32/2017-CT dt. the 15th September, 2017 published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), vide number G.S.R. 1158(E) dt. the 15th September, 2017 as amended from time to time.

**Explanation 2.**—For the purposes of this rule, the consignment value of goods shall be the value, determined in accordance with the provisions of section 15, declared in an invoice, a bill of supply or a delivery challan, as the case may be, issued in respect of the said consignment and also includes the Central tax, State or Union territory tax, integrated tax and cess charged, if any, in the document.

(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 of FORM GST EWB-01:

Provided that where the goods are transported by railways or by air or vessel, the e-way bill shall be generated by the registered person, being the supplier or the recipient, who shall furnish, on the common portal, the—

- (a) information in Part B of FORM GST EWB-01; and

(b) the serial number and date of the Railway Receipt or the Air Consignment Note or Bill of Lading, as the case may be.

(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 on the common portal 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, the transporter, as the case may be, 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 kilometers 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 recipient, or as the case may be, the transporter may not furnish the details of conveyance in Part B of FORM GST EWB-01.

Explanation 1.—For the purposes 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.

Explanation 2.—The e-way bill shall not be valid for movement of goods by road unless the information in Part B of FORM GST EWB-01 has been furnished except in the case of movements covered under the third proviso to sub-rule (3) and the proviso to sub-rule (5).

(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) Where the goods are transferred from one conveyance to another, the consignor or the recipient, who has provided information in Part A of the FORM GST EWB-01, or the transporter 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 less than ten kilometers within the State or Union territory from the place of business of the transporter finally to the place of business of the consignee, the details of conveyance may not be updt. in the e-way bill.

(5A) The consignor or the recipient, who has furnished the information in Part A of FORM GST EWB-01, or the transporter, may assign the e-way bill number to another registered or enrolled transporter for updating the information in Part B of FORM GST EWB-01 for further movement of consignment:

Provided that once the details of the conveyance have been updt. by the transporter in Part B of FORM GST EWB-01, the consignor or recipient, as the case may be, who has furnished the information in Part A of FORM GST EWB-01 shall not be allowed to assign the e-way bill number to another transporter.

(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 may be generated by him on the said common portal prior to the movement of goods.

(7) Where the consignor 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:

Provided that where the goods to be transported are supplied through an e-commerce operator, the information in Part A of FORM GST EWB-01 may be furnished by such e-commerce operator.

(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 or an unregistered recipient in FORM GST EWB-01, he shall be informed electronically, if the mobile number or the e-mail is available.

(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 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: Provided further the unique number generated under sub-rule (1) shall be valid for 72 hours for updation of Part B of FORM GST EWB-01.

(10) An e-way bill or a consolidated 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, within the country, the goods have to be transported, as mentioned in column (2) of the said Table:—

**TABLE**

Sl. No. Distance Validity period

- | (1) | (2)  | (3)                 |
|-----|--|---------------------|
| 1.  | Upto 100 km.                                 | One day             |
| 2.  | For every 100 km. or part thereof thereafter | One additional day: |

Provided that the Commissioner may, by notification, extend the validity period of e-way bill for certain categories of goods as may be specified therein:

Provided further that where, under circumstances of an exceptional nature, 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 of FORM GST EWB-01.

Explanation.—For the purposes of this rule, the "relevant date" shall mean the date on which the e-way bill has been generated and the period of validity shall be counted from the time at which the e-way bill has been generated and each day shall be counted as twenty-four hours.

(11) The details of e-way bill generated under sub-rule (1) shall be made available to the—

- supplier, if registered, where the information in Part A of FORM GST EWB-01 has been furnished by the recipient or the transporter; or
- recipient, if registered, where the information in Part A of FORM GST EWB-01 has been furnished by the supplier or the transporter,

on the common portal, and the supplier or the recipient, as the case may be, shall communicate his acceptance or rejection of the consignment covered by the e-way bill.

(12) Where the person to whom the information specified in sub-rule (11) has been made available 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.

(14) Notwithstanding anything contained in this rule, no e-way bill is required to be generated—

- where the goods being transported are specified in Annexure;
- where the goods are being transported by a non-motorised conveyance;
- where the goods are being transported from the port, airport, air cargo complex and land customs station to an inland container depot or a container freight station for clearance by Customs;
- in respect of movement of goods within such areas as are notified under clause (d) of sub-rule (14) of rule 138 of the Central Goods and Services Tax Rules of the concerned State;
- where the goods, other than de-oiled cake, being transported are specified in the Schedule appended to Not. No. 2/2017-CTR dt. the 28th June, 2017 published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), vide number G.S.R. 674(E) dt. the 28th June, 2017 as amended from time to time;
- where the goods being transported are alcoholic liquor for human consumption, petroleum crude, high speed diesel, motor spirit (commonly known as petrol), natural gas or aviation turbine fuel; and
- where the goods being transported are treated as no supply under Schedule III of the Act.

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

[2]

Substituted by the Central Goods and Services Tax (Fourteenth Amendment) Rules, 2018, w.e.f. 31.12.2018, vide Not. No. 74/2018-CT, dt. 31.12.2018. Prior to its substitution, Explanation 1 read as under :

'Explanation 1.—For the purposes of this rule, the expression "handicraft goods" has the meaning as assigned to it in the Government of India, Ministry of Finance, Not. No. 32/2017-CT dt. the 15 September, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 1158(E) dt. the 15 September, 2017 as amended from time to time.'

[3]

Inserted by the Central Goods and Services Tax (Fourth Amendment) Rules, 2019, w.e.f. **28.6.2019**. Vide not. No. 31/2019 -CT, dt. 28.6.2019.

[4]

Inserted by the Central Goods and Services Tax (Fourth Amendment) Rules, 2019, w.e.f. 28.6.2019. Vide not. No. 31/2019-CT, dt. 28.6.2019.

[5]

Inserted by the Central Goods and Services Tax (Fourth Amendment) Rules, 2019, w.e.f. 28.6.2019. Vide not. No. 31/2019-CT, dt. 28.6.2019.

[6]

Inserted by the Central Goods and Services Tax (Fourth Amendment) Rules, 2019, w.e.f. 28.6.2019. Vide not. No. 31/2019-CT, dt. 28.6.2019.

[7]

Inserted by the Central Goods and Services Tax (Fourth Amendment) Rules, 2019, w.e.f. 28.6.2019 vide Not. No. 31/2019-CT, dt. 28.6.2019.

[8]

Inserted by the Central Goods and Services Tax (Fifth Amendment) Rules, 2018, w.e.f. 13.6.2018, vide Not. No. 26/2018-CT, dt. 13.6.2018.

[9]

Refer section 68 of CGST Act, 2017.

[10]

Rule 138A substituted by the Central Goods and Services Tax (Second Amendment) Rules, 2018, w.e.f. 1.4.2018†vide Not. No. 12/2018-CT, dt. 7.3.2018.. Prior to its substitution, said Rule read as under :

"138A. Documents and devices 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.

(2) A registered person may obtain an Invoice Reference Number from the common portal by uploading, on the said portal, a tax invoice issued by him in FORM GST INV-1 and produce the same for verification by the proper officer in lieu of the tax invoice and such number shall be valid for a period of thirty days from the date of uploading.

(3) Where the registered person uploads the invoice under sub-rule (2), the information in Part A of FORM GST EWB-01 shall be auto-populated by the common portal on the basis of the information furnished in FORM GST INV-1.

(4) The Commissioner may, by notification, require a class of transporters to obtain a unique Radio Frequency Identification Device and get the said device embedded on to the conveyance and map the e-way bill to the Radio Frequency Identification Device prior to the movement of goods.

(5) Notwithstanding anything contained in clause (b) of sub-rule (1), where circumstances so warrant, the Commissioner may, by notification, require the person-in-charge of the conveyance to carry the following documents instead of the e-way bill—

- (a) tax invoice or bill of supply or bill of entry; or
- (b) a delivery challan, where the goods are transported for reasons other than by way of supply."

†NOT. NO.15/2018-CT [F.No. 349/58/2017-GST (Pt)], DT. 23.3.2018.— In exercise of the powers conferred by section 164 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government hereby appoints the 1st day of April, 2018, as the date from which the provisions of sub-rules (ii) [other than clause (7)], (iii), (iv), (v), (vi) and (vii) of rule 2 of Not. No.12/2018-CT, dt. the 7th March, 2018, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), vide number G.S.R. 204(E), dt. the 7th March, 2018, shall come into force.

[11]

Second proviso inserted by the Central Goods and Services Tax (Eighth Amendment) Rules, 2018, w.e.f. 4.9.2018, vide Not. No. 39/2018-CT, dt. 4.9.2018.

[12]

Refer section 68 of CGST Act, 2017.

[13]

Rule 138B substituted by the Central Goods and Services Tax (Second Amendment) Rules, 2018, w.e.f. 1.4.2018†. Prior to its substitution, said rule 138A as inserted by the Central Goods and Services Tax (Sixth Amendment) Rule, 2017 and as amended by the Central Goods and Services Tax (Amendment) Rules, 2018, w.e.f. 1.2.2018, read as under :

"138B. Verification of documents and conveyances.—(1) The Commissioner or an officer empowered by him in this behalf may authorise 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 movement 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 vehicles shall be done through such device readers where the e-way bill has been mapped with the said device.

(3) The physical verification of conveyances shall be carried out by the proper officer as authorized by the Commissioner or an officer empowered by him in this behalf:

Provided that on receipt of specific information on evasion of tax, physical verification of a specific conveyance can also be carried out by any other officer after obtaining necessary approval of the Commissioner or an officer authorized by him in this behalf."

†NOT. NO.15/2018-CT [F.No. 349/58/2017-GST (Pt)], DT. 23.3.2018.— In exercise of the powers conferred by section 164 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government hereby appoints the 1st day of April, 2018, as the date from which the provisions of sub-rules (ii) [other than clause (7)], (iii), (iv), (v), (vi) and (vii) of rule 2 of Not. No.12/2018-CT, dt. the 7th March, 2018, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), vide number G.S.R. 204(E), dt. the 7th March, 2018, shall come into force.

[14]  
\_\_\_ Refer section 68 of CGST Act, 2017.

[15]  
\_\_\_ Substituted by the Central Goods and Services Tax (Second Amendment) Rules, 2018, w.e.f. **1.4.2018** vide Not. No. **12/2018-CT, dt. 7.3.2018.** Prior to its substitution, rule 138C, as inserted by the Central Goods and Services Tax (Sixth Amendment) Rules, 2017, read as under :

"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 of 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."

[16]  
\_\_\_ Inserted by the Central Goods and Services Tax (Sixth Amendment) Rules, 2018, w.e.f. **19.6.2018**, vide Not. No. 28/2018.

[17]  
\_\_\_ Refer section 68 of CGST Act, 2017.

[18]  
\_\_\_ Rule 138D substituted by the Central Goods and Services Tax (Second Amendment) Rules, 2018, w.e.f. **1.4.2018**†.vide Not. No. 12/2018-CT, dt. 7.3.2018.Prior to its substitution, rule 138D, as inserted by the Central Goods and Services Tax (Sixth Amendment) Rules, 2017, read as under:

"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."

†NOT. NO.15/2018-CT [F.No. 349/58/2017-GST (Pt)], DT. 23.3.2018.— In exercise of the powers conferred by section 164 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government hereby appoints the 1<sup>st</sup> day of April, 2018, as the date from which the provisions of sub-rules (ii) [other than clause (7)], (iii), (iv), (v), (vi) and (vii) of rule 2 of Not. No.12/2018-CT, dt. the 7<sup>th</sup> March, 2018, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), vide number G.S.R. 204(E), dt. the 7<sup>th</sup> March, 2018, shall come into force.

[19]  
\_\_\_ Explanation inserted by the Central Goods and Services Tax (Third Amendment) Rules, 2018, w.e.f. **1.4.2018** vide Not. No. **12/2018--CT, dt. 7.3.2018.**

[20]  
\_\_\_ Vide Not. No. 22/2019- CT, dt. 23.4.2019, as amended by Not. No. 25/2019- CT, dt. 21.6.2019.

[21]  
\_\_\_ Inserted by the Central Goods and Services Tax (Fourth Amendment) Rules, 2019, w.e.f. **28.6.2019**, vide Not. No. 31/2019-CT, dt. 28.6.2019.



[22]

Substituted for "returns" by the Central Goods and Services Tax (Fourth Amendment) Rules, 2019, w.e.f. **28.6.2019** vide Not. No. 31/2019-CT, dt. 28.6.2019.

[23]

Substituted for "tax periods" by the Central Goods and Services Tax (Fourth Amendment) Rules, 2019, w.e.f. **28.6.2019** vide Not. No. 31/2019-CT, dt. 28.6.2019.

[24]

Inserted by the Central Goods and Services Tax (Fifth Amendment) Rules, 2019, w.e.f. **18.7.2019**, vide Not. No. 33/2019-CT, dt. 18.7.2019.

[25]

Inserted by the Central Goods and Services Tax (Fifth Amendment) Rules, 2019, w.e.f. **18.7.2019**. Vide Not. No. 33/2019-CT, dt. 18.7.2019.

[26]

Inserted vide Not. No. 74/2018-CT, dt. 31.12.2018. To be effective from 21.8.2019 vide Not. No. 25/2019-CT, dt. 21.6.2019.

[27]

Inserted vide Not. No. 14/2018-CT, dt. 23.3.2018 w.e.f. 1.4.2018.