



Government of Jammu and Kashmir
Finance Department
(Civil Secretariat, Jammu)

Notification
Jammu, the 28th March, 2018

S.No. 147. In exercise of the powers conferred by section 104 of the Jammu and Kashmir Goods and Services Tax Act, 2017 (Act No. V of 2017), the State Government hereby makes the following rules further to amend the Jammu and Kashmir Goods and Services Tax Rules, 2017, namely

1. Save as otherwise provided in these rules, they shall come into force on the date of publication of Central Goods and Services Tax (Third Amendment) Rules, 2018 in the Central Gazette.

2. (i) in rule 45, in sub-rule (1), after the words, "where such goods are sent directly to a job worker", occurring at the end, the following shall be inserted, namely

"and where the goods are sent from one job worker to another job worker, the challan may be issued either by the principal or the job worker sending the goods to another job worker;

Provided that the challan issued by the principal may be endorsed by the job worker, indicating therein the quantity and description of goods where the goods are sent by one job worker to another or are returned to the principal

Provided further that the challan endorsed by the job worker may be further endorsed by another job worker, indicating therein the quantity and description of goods where the goods are sent by one job worker to another or are returned to the principal."

(ii) in rule 124 -

(a) in sub-rule (4), in the first proviso, after the words "Provided that", the letter "a" shall be inserted;

(b) in sub-rule (5), in the first proviso, after the words "Provided that", the letter "a" shall be inserted.

(iii) for rule 125, the following rule shall be substituted, namely:-

"125. Secretary to the Authority.- An officer not below the rank of Additional Commissioner (working in the Directorate General of Safeguards) shall be the Secretary to the Authority."

(iv) in rule 127, in clause (iv), after the words "to furnish a performance report to the Council by the tenth", the word "day" shall be inserted.

rule 129, in sub-rule (6), for the words "as allowed by the Standing Committee", words "as may be allowed by the Authority" shall be substituted;

in rule 133, after sub-rule (3), the following sub-rules may be inserted, namely:-

"(4) If the report of the Director General of Safeguards referred to in sub-rule (6) of rule 129 recommends that there is contravention or even non-contravention of the provisions of section 171 or these rules, but the Authority is of the opinion that further investigation or inquiry is called for in the matter, it may, for reasons to be recorded in writing, refer the matter to the Director General of Safeguards to cause further investigation or inquiry in accordance with the provisions of the Act and these rules."

for rule 134, the following rule shall be substituted, namely:-

"134. Decision to be taken by the majority.- (1) A minimum of three members of the Authority shall constitute quorum at its meetings.

(2) If the Members of the Authority differ in their opinion on any point, the point shall be decided according to the opinion of the majority of the members present and voting, and in the event of equality of votes, the Chairman shall have the second or casting vote."

(viii) after rule 137, in the Explanation, in clause (c), after sub-clause (b), the following sub-clause shall be inserted, namely: -

"c. any other person alleging, under sub-rule (1) of rule 128, that a registered person has not passed on the benefit of reduction in the rate of tax on any supply of goods or services or the benefit of input tax credit to the recipient by way of commensurate reduction in prices."

after rule 138 D, the following Explanation shall be inserted, with effect from the 1st of April, 2018, namely:-

"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."

Notification shall come into force on the date of publication of corresponding amendment of Central Goods and Services Tax (Amendment) Rules, 2018 in the Gazette.

By order of the Government of Jammu & Kashmir.

Sd/-

(Navin K. Choudhary), IAS
Principal Secretary to Government
Finance Department

Dated: 28.03.2018

Et-Est/GST/119/2017

to the:-

1. Secretary, GST Council, New Delhi.
2. All financial Commissioners.
3. Principal Resident Commissioner, J&K government, New Delhi.
4. Principal Secretary to Hon'ble Governor.
5. All Principal Secretaries to Government.
6. Principal Secretary to Hon'ble Chief Minister.

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4. Principal Secretary to Hon'ble Governor.
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6. Principal Secretary to Hon'ble Chief Minister.
7. All Commissioner/Secretaries to Government.
8. Divisional Commissioner, Jammu/Kashmir.
9. Excise Commissioner, J&K, Srinagar.
10. Commissioner, Commercial Taxes, J&K Srinagar.
11. Additional Commissioner, Commercial Taxes (Adm) Jammu/Kashmir.
12. Additional Commissioner, Commercial Taxes Tax Planning, J&K.
13. Pvt. Secretary to Hon'ble Finance Minister.
14. Pvt. Secretary to Hon'ble Minister of State for Finance.


Under Secretary to Government
Finance Department