



Government of Jammu and Kashmir
Finance Department
Civil Secretariat, Srinagar.

Notification
Srinagar, the 26th July, 2017

SRO 309.-In exercise of the powers conferred by section 164 of the Jammu and Kashmir Goods and Services Tax Act, 2017, **(Act No.V of 2017)** the State Government hereby makes the following amendment in the Jammu and Kashmir Goods and Services Tax Rules, 2017; namely:-

(i) in sub-rule(4) of rule 24, for the words "within a period of thirty days from the appointed day", the words and figures "on or before 30th September, 2017" shall be substituted;

(ii) rule 34 shall be substituted by the following; namely:-

"34. Rate of exchange of currency, other than Indian rupees, for determination of value.-(1) The rate of exchange for determination of value of taxable goods shall be the applicable rate of exchange as notified by the Board under section 14 of the Customs Act, 1962 for the date of time of supply of such goods in terms of section 12 of the Act.

(2) The rate of exchange for determination of value of taxable services shall be the applicable rate of exchange determined as per the generally accepted accounting principles for the date of time of supply of such services in terms of section 13 of the Act.;"

(iii) third proviso to rule 46, shall be substituted by the following proviso; namely:-

"Provided also that in the case of the export of goods or services, the invoice shall carry an endorsement "SUPPLY MEANT FOR EXPORT/SUPPLY TO SEZ UNIT OR SEZ DEVELOPER FOR AUTHORISED OPERATIONS ON PAYMENT OF INTEGRATED TAX" or "SUPPLY MEANT FOR EXPORT/SUPPLY TO SEZ UNIT OR SEZ DEVELOPER FOR AUTHORISED OPERATIONS UNDER BOND OR LETTER OF UNDERTAKING WITHOUT PAYMENT OF INTEGRATED TAX", as the case may be, and shall, in lieu of the details specified in clause (e), contain the following details, namely,-

- (i) name and address of the recipient;
- (ii) address of delivery; and
- (iii) name of the country of destination:";

(iv) sub rule (5) of rule 61 shall be substituted by the following; namely:-

"(5) Where the time limit for furnishing of details in **FORM GSTR-1** under section 37 and in **FORM GSTR-2** under section 38 has been extended and the circumstances so warrant, the Commissioner may, by notification, specify that return shall be furnished in **FORM GSTR-3B** electronically through the common portal, either directly or through a Facilitation Centre notified by the Commissioner".

(v) after sub-rule(5) of rule 61, the following sub-rule shall be added; namely:-

"(6) Where a return in **FORM GSTR-3B** has been furnished, after the due date for furnishing of details in **FORM GSTR-2**; the following conditions shall be fulfilled:-

(a) **Part A** of the return in **FORM GSTR-3** shall be electronically generated on the basis of information furnished through **FORM GSTR-1**, **FORM GSTR-2** and based on other liabilities of preceding tax periods and **PART B** of the said return shall be electronically generated on the basis of the return in **FORM GSTR-3B** furnished in respect of the tax period;

(b) the registered person shall modify **Part B** of the return in **FORM GSTR-3** based on the discrepancies, if any, between the return in **FORM GSTR-3B** and the return in **FORM GSTR-3** and discharge his tax and other liabilities, if any;

(c) where the amount of input tax credit in **FORM GSTR-3** exceeds the amount of input tax credit in terms of **FORM GSTR-3B**, the additional amount shall be credited to the electronic credit ledger of the registered person.";

(vi) in second proviso to sub-rule (3) of rule 83 for the word "sub-section", the word "sub-rule" shall be substituted;

(vii) in clause (E) of sub-rule (4) of rule 89 for the word "sub-section", the word "clause" shall be substituted;

(viii) in **FORM GST TRAN-1** in Sl. No. 7, in Table (a), in column (2), under the heading "HSN (at 6 digit level), the words "HSN as applicable" shall be substituted;

(ix) in **FORM GST TRAN-2**, in Sl. No. 4 and 5, in the Table, for the heading of column (1), the heading "HSN as applicable" shall be substituted.

This notification shall and shall always deem to have come into force w.e.f 08th of July 2017.

By order of the Government of Jammu and Kashmir.

Sd/-
(Navin K. Choudhary) IAS
Commissioner/Secretary to Government
Finance Department

No. ET/Estt/119/2017

Dated:- 27-07-2017

Copy 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.
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.
15. President Kashmir Chamber of Commerce & Industry, Kashmir.
16. President Federation of Industry, Kashmir.
17. President Chamber of Commerce & Industry, Jammu.
18. President Industries Association Bari Brahmana/Samba.
19. President Tax Bar Association, Jammu/Srinagar.
20. General Manager, Government Press Jammu/Kashmir.
21. Private Secretary to Commissioner/Secretary to Government , Finance Department.
22. Government Order file/Stock file/Incharge website.



(M.A Shah)

Under Secretary to the Government