

2 The J&K Official Gazette, 12th Jan., 2024/22nd Pausa, 1945. [No. 41-aa
2017), the Government, on the recommendations of the Council, hereby
makes the following rules further to amend the Jammu and Kashmir Goods
and Services Tax Rules, 2017, namely :

1. Short title and commencement.—

(1) These rules may be called the Jammu and Kashmir Goods and
Services Tax (Fourth Amendment) Rules, 2023.

(2) Save as otherwise provided in these rules, they shall deemed to
have come into force from 26th October, 2023.

2. In the Jammu and Kashmir Goods and Services Tax Rules, 2017
(hereinafter referred to as the said rules), rule 28 shall be renumbered as
sub-rule (1) and after the sub-rule as so renumbered, the following sub-rule
shall be inserted, namely :

(2) Notwithstanding anything contained in sub-rule (1), the value of
supply of services by a supplier to a recipient who is a related person, by
way of providing corporate guarantee to any banking company or financial
institution on behalf of the said recipient, shall be deemed to be one per
cent of the amount of such guarantee offered, or the actual consideration,
whichever is higher.

3. In the said rules, in rule 142, in sub-rule (3), for the words "proper
officer shall issue an order", the words "proper officer shall issue an
intimation" shall be substituted.

4. In the said rules, in rule 159, in sub-rule (2), after the words
"Commissioner to that effect", the words "or on expiry of a period of one
year from the date of issuance of order under sub-rule (1), whichever is
earlier," shall be inserted.

5. In the said rules, in FORM GST REG-01, in PART-B, in
serial number 2, after clause (xiv), the following clause shall be
inserted, namely :

(xiv) One Person Company

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6. In the said rules, for FORM GST REG-08, the following form shall be substituted, namely :ô

FORM GST REG-08
[See rule12(3)]

Reference No. Date :

To

Name :

Address :

Application Reference No. (ARN) Date :

Order of Cancellation of Registration as Tax Deductor at source or Tax Collector at source This is in reference to the request raised vide letter/ mail dated.....for cancellation of registration under the Act due to the following reason, namely :ô

- i.
- ii.

The undersigned is of opinion that the effective date of cancellation of registration is <<DD/MM/YYYYô

- 2. You are required to furnish pending returns immediately.
- 3. Kindly refer to the supportive document(s) attached for case specific details.
- 4. It may be noted that the cancellation of registration shall not affect the liability to pay tax and other dues under this Act or to discharge any obligation under this Act or the rules made thereunder for any period prior to the date of cancellation whether or not such tax and other dues are determined before or after the date of cancellation.

OR

Order of Cancellation of Registration as Tax Deductor at source or Tax Collector at source. This has reference to the show-cause notice issued dated.....

● Whereas, no reply to the show cause notice has been submitted, and whereas, the undersigned based on record available with this office is of the opinion that your registration is liable to be cancelled for the following reason(s) : or

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for a period of not less than five years

12. Tax return preparer under existing law for a period of not less than five years
13. Any other examination notified by Government

Note : Sr. No. (4) to (8) of the table should be from an Indian University established by any law for the time being in force.

9. In the said rules, in FORM GST DRC-22, after the last paragraph, the following paragraph shall be inserted, namely :ô

∴This order shall cease to have effect, on the date of issuance of order in FORM GST DRC-23 by the .cmmissioner, or on the expiry of a period of one year from the date of issuance of this order, whichever is earlier.øø

By order of the Government of Jammu and Kashmir.

(Sd/-) SANTOSH D. VAIDYA, IAS,
Principal Secretary to the Government,
Finance Department.