Notification No.05/2017-GST

In exercise of the powers conferred by sub-rule (5) of rule 61 of the Jammu and Kashmir Goods and Services Tax Rules, 2017 (hereafter in this notification referred to as "the said Rules") and notification No. 04/2017-GST dated 8th August, 2017 published in the government gazette, I Commissioner, on the recommendations of the Council, hereby specify the conditions in column (4) of the Table below, for furnishing the return in FORM GSTR-3B electronically through the common portal for the month of July, 2017, for such class of registered persons as mentioned in the corresponding entry in column (2) of the said Table, by the date specified in the corresponding entry in column (3) of the said Table, namely:-

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Class of registered persons</th>
<th>Last date for furnishing of return in FORM GSTR-3B</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Registered persons entitled to avail input tax credit in terms of section 140 of the said Act read with rule 117 of the said Rules but opting not to file FORM GST TRAN-1 on or before the 28th August, 2017</td>
<td>20th August, 2017</td>
<td>...</td>
</tr>
<tr>
<td>2.</td>
<td>Registered persons entitled to avail input tax credit in terms of section 140 of the said Act read with rule 117 of the said Rules and opting to file FORM GST TRAN-1 on or before the 28th August, 2017</td>
<td>28th August, 2017</td>
<td>(i) compute the &quot;tax payable under the said Act&quot; for the month of July, 2017 and deposit the same in cash as per the provisions of rule 87 of the said Rules on or before the 20th August, 2017; (ii) file FORM GST TRAN-1 under sub-rule (1) of rule 117 of the said Rules before the filing of GSTR-3B; (iii) where the amount of tax payable under the said Act for the month of July, 2017, as detailed in the return furnished in FORM GSTR-3B, exceeds the amount of tax deposited in cash as per item (i), the registered person shall pay such excess</td>
</tr>
</tbody>
</table>
2. Payment of taxes for discharge of tax liability as per GSTR-3B: Every registered person furnishing the return in FORM GSTR-3B shall, subject to the provisions of section 49 of the said Act, discharge his liability towards tax, interest, penalty, fees or any other amount payable under the Act by debiting the electronic cash ledger or electronic credit ledger.

Explanation: For the purposes of this notification, the expression-

(i) “Registered person” means the person required to file return under sub-section (1) of section 39 of the said Act;

(ii) “tax payable under the said Act” means the difference between the tax payable for the month of July, 2017 as detailed in the return furnished in FORM GSTR-3B and the amount of input tax credit entitlement to for the month of July, 2017 under Chapter V and section 140 of the said Act read with the rules made thereunder.

This notification shall come into force with effect from the 17th day of August, 2017.

(P.I.Khateeb), IAS
Commissioner Commercial Taxes, J&K
Dated: 08-08-2017

Copy to:
1. Principal Secretary to Government Finance Department, Civil Secretariat, Srinagar
2. Director Information, J&K with the request to kindly give wide publicity to the notification in local dailies in Jammu and Kashmir.
3. Additional Commissioners Commercial Taxes (Adm) Jammu/Kashmir/Tax Planning with the request to circulate the copy of notification amongst various stakeholders.
5. General Manager Government Press Kashmir. He is requested to get the instant notification published in the ensuing edition of Government Gazette.
7. Private Secretary to Hon’ble Finance Minister for information of Hon’ble Minister.