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GOVERNMENT OF ODISHA
FINANCE DEPARTMENT

NOTIFICATION
The 23rd March, 2018

S.R.O. No. -In exercise of the powers conferred by section 164 of the Odisha Goods and Services Tax Act, 2017 (Odisha Act 7 of 2017), the State Government, on recommendations of the Goods and Services Tax Council, do hereby make the following rules further to amend the Odisha Goods and Services Tax Rules, 2017, namely: -

1. (1) These rules may be called the Odisha Goods and Services Tax (Third Amendment) Rules, 2018.

(2) Rules 1, 2, 3, 4, 5, 6, and 7 shall come into force on the date of their publication in the Odisha Gazette.

(3) Rule 8 shall come into force with effect from the 1st April, 2018.

2. In the Odisha Goods and Services Tax Rules, 2017 (hereinafter referred to as the said rules), 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.";

3. In the said rules, 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;

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

5. In the said rules, 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.";

6. In the said rules, for rule 134, the following rule shall be substituted, namely:-

S.O. (Policy)

"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.";

7. In the said rules, after rule 137, in the *Explanation*, in clause (c), after sub-clause (b), the following sub-clause shall be inserted, namely: -

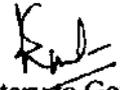
"(c). any other person alleging, under sub-rule (1) of rule 128, that a registered person has not passed on the benefit of reduction in the rate of tax on any supply of goods or services or the benefit of input tax credit to the recipient by way of commensurate reduction in prices.";

8. In the said rules, after rule 138D, the following *Explanation* shall be inserted, 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."

[No. 7870 FIN-CT1-TAX-0034/2017]

By order of the Governor


Deputy Secretary to Government

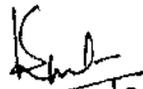
Memo No. 7871 /F.,

Date- 23.03.2018

Copy forwarded to the Gazette Cell of Commerce & Transport Department, Government of Odisha, Bhubaneswar for information and necessary action with a request to publish this notification in an extraordinary issue of the Odisha Gazette immediately.

Four hundred copies of the notification may please be supplied to this Department and one hundred copies to Commissioner of Commercial Taxes, Odisha, Cuttack.

This is statutory and will bear SRO Number.


Deputy Secretary to Government

Memo No. 7872 /F.,

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Deputy Secretary to Government

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Copy forwarded to Head State Portal Group, IT Centre, Secretariat for hosting in the Orissa Government website - www.orissagov.ocac.in Finance Department.


Deputy Secretary to Government