

[Authoritative English text of this Department Notification No. EXN-F(10)-15/2019, dated 03-08-2019 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

Notification No. 33/2019-State Tax

Shimla-2, the 3rd August, 2019

No. EXN-F(10)-15/2019.—In exercise of the powers conferred by section 164 of the Himachal Pradesh Goods and Services Tax Act, 2017 (10 of 2017), the Governor of Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Goods and Services Tax Rules, 2017, namely:—

1. (1) These rules may be called the Himachal Pradesh Goods and Services Tax (Fifth Amendment) Rules, 2019.

(2) Save as otherwise provided in these rules, they shall come into force on the date of their publication in the Official Gazette.

2. In the Himachal Pradesh Goods and Services Tax Rules, 2017 (hereinafter referred to as the said rules), in rule 12, in sub-rule (1A),—

(a) after the words “A person applying for registration to”, the words “deduct or” shall be inserted;

(b) after the words “in accordance with the provisions of”, the words and figures “section 51, or, as the case may be,” shall be inserted.

3. In the said rules, in rule 46, in the fourth proviso, with effect from the 1st day of September, 2019, after the words “Provided also that a registered person”, the words “, other than the supplier engaged in making supply of services by way of admission to exhibition of cinematograph films in multiplex screens,” shall be inserted.

4. In the said rules, in rule 54, after sub-rule (4), with effect from the 1st day of September, 2019, the following sub-rule shall be inserted, namely:—

“(4A) A registered person supplying services by way of admission to exhibition of cinematograph films in multiplex screens shall be required to issue an electronic ticket and the said electronic ticket shall be deemed to be a tax invoice for all purposes of the Act, even if such ticket does not contain the details of the recipient of service but contains the other information as mentioned under rule 46:

Provided that the supplier of such service in a screen other than multiplex screens may, at his option, follow the above procedure.”.

5. In the said rules, after rule 83A, with effect from such date as may be notified by the State Government, the following rule shall be inserted, namely:—

“83B. Surrender of enrolment of goods and services tax practitioner.—

(1) A goods and services tax practitioner seeking to surrender his enrolment shall electronically submit an application in **FORM GST PCT-06**, at the common portal, either directly or through a facilitation centre notified by the Commissioner.

- (2) The Commissioner, or an officer authorised by him, may after causing such enquiry as deemed fit and by order in **FORM GST PCT-07**, cancel the enrolment of such practitioner.”.
6. In the said rules, in rule 138E, in the first proviso,—
- (a) after the words “Provided that the Commissioner may,”, the words, letters and figures “on receipt of an application from a registered person in **FORM GST EWB-05**,” shall be inserted;
- (b) after the words “reasons to be recorded in writing, by order”, the words, letters and figures “in **FORM GST EWB-06**” shall be inserted.
7. In the said rules, after **FORM GST PCT -05**, with effect from such date as may be notified by the State Government, the following forms shall be inserted, namely:—

“FORM GST PCT-06	
[See rule 83B]	
APPLICATION FOR CANCELLATION OF ENROLMENT AS GOODS AND SERVICES TAX PRACTITIONER	
1. GSTP Enrolment No.	
2. Name of the GST Practitioner	< Auto Populated >
3. Address	< Auto Populated >
4. Date of effect of cancellation of enrolment	
I hereby request for cancellation of enrolment as GST Practitioner for the reason(s) noted below:—	
1.	
2.	
3.	
DECLARATION	
The above declaration is true and correct to the best of my knowledge and belief. I undertake that I shall continue to be liable for my actions as GST Practitioner before such cancellation.	
Place:	(SIGNATURE)
Date:	

FORM GST PCT-07	
[See rule 83B]	
ORDER OF CANCELLATION OF ENROLMENT AS GOODS AND SERVICES TAX PRACTITIONER	
1. GSTP Enrolment No.	
2. Name of the GST Practitioner	< Auto Populated >

10. In the said rules, after **FORM GST EWB-04**, the following forms shall be inserted, namely:—

“FORM GST EWB-05		
[See rule 138 E]		
Application for unblocking of the facility for generation of E-Way Bill		
1.	GSTIN	< Auto >
2.	Legal Name	<Auto>
3.	Trade Name	<Auto>
4.	Address	<Auto>
5.	Facility of furnishing of information in Part A of FORM GST EWB 01 (i.e. facility for generation of E-Way Bill) blocked <i>w.e.f.</i>	<Auto>
6.	Reasons of unblocking of facility for generation of E- Way Bill.	<User input>
	(i)	
	(ii)	
	(iii)	
7.	Expected date for filing of returns for the period under default.	<User input>
<p>8. Verification :</p> <p>I hereby solemnly affirm and declare that the information given herein above is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.</p> <p>Date: _____ Signature of Authorised Signatory Place: _____ Name Designation /Status</p>		

FORM GST EWB-06	
[See rule 138 E]	
Reference No. :	Date:
To	
_____ GSTIN	
_____ Name	
_____ Address	
Order for permitting/rejecting application for unblocking of the facility for generation of E-Way Bill.	
Application ARN:	Date:

The facility for generation of E-Way Bill was blocked in respect of the aforementioned registered person *w.e.f.* in terms of rule 138E of the Himachal Pradesh Goods and Services Tax Rules, 2017.

I have carefully considered the facts of the case and the application/submissions made by the aforementioned registered person.

I hereby accept the application and order for unblocking of the facility for generation of EWay Bill on the following grounds:

- 1.
- 2.

Please note that the system will block the facility for generation of E-Way Bill after _____ (date) if the registered person continues to be defaulter in terms of rule 138E of the Himachal Pradesh Goods and Services Tax Rules, 2017.

OR

I have carefully considered the facts of the case and the application/submissions made by the aforementioned registered person.

I hereby reject the application for unblocking the facility for generation of E-Way Bill on following grounds:

- 1.
- 2.

Signature:

Name:

Designation:

Jurisdiction:

Address:

Note.—Separate document may be attached for detailed order/reason(s).”.

By order,

SANJAY KUNDU,
Principal Secretary (E&T).

Note.—The principal rules were published in the Gazette of Himachal Pradesh, *vide* notification No. EXN-F(10)-13/2017, dated the 27th June, 2017, published *vide* number EXN-F(10)-13/2017, dated the 29th June, 2017 and last amended *vide* notification No. 31/2019–State Tax, dated the 17-7-2019, published *vide* number EXN-F(10)-15/2019, on 25-7-2019.