

Punjab Finance Act, 1977

15 of 1977

[28 June 1977]

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An Act to enhance the rates of certain taxes and duties in the Province of the Punjab Preamble.- WHEREAS it is expedient to enhance the rates of certain taxes and duties in the Province of the Punjab; It is hereby enacted as follows:-

1. Short Title, Extent And Commencement :-

- (1) This Act may be called in the Punjab Finance Act, 1977.
- (2) It shall extend to the Province of the Punjab.
- (3) It shall come into force on and from the first day of July 1977.

2. Amendment Of The Punjab Motor Vehicles Taxation Act 1958 (W.P. Act No. Xxxii Of 1958) :-

For the Schedule to the Punjab Motor Vehicles Taxation Act, 1958,

the Schedule given in the First Schedule to this Act shall be substituted.

3. Tax On Persons Engaged In Professions, Trades, Callings Or Employments :-

(1) With effect from 1st July, 1977, there shall be levied and collected from the persons or classes of persons mentioned in column 2 of the Second Schedule to this Act engaged in a profession, trade, calling or employment [2][wholly or partly] in the Province of the Punjab a tax for each financial year at the rates mentioned in column 3 of the said Schedule.

(2) If a person is engaged in more than one profession, trade, calling or employment he shall pay the tax only in respect of one such profession, trade, calling or employment for which rate of tax is the highest.

(3) The Government may exempt any person or class of persons from the payment of the tax.

(4) Section 11 of the Punjab Finance Act, 1964 (W.P. Act XXXIV of 1964) is hereby repealed.

[3][(5) A person who fails to pay the tax within the prescribed time, shall, in addition to the amount of tax, be liable to pay a penalty not exceeding the amount of tax.

4. Amendment Of West Pakistan Act No.X Of 1958 :-

In the Punjab Entertainments Duty Act, 1958, in section 3, for sub-section (1), the following shall be substituted:-

"(1) There shall be levied and paid to the Government on all payments for admission to any entertainment, a duty, hereinafter referred to as the entertainment duty, at the rate of one hundred and twenty-five per cent of such payment including air-conditioning surcharge, if such payment exceeds one rupee and at the rate of one hundred per cent if such payment does not exceed one rupee: Provided that if the amount of duty at the aforementioned rates is not a multiple of five paise, the amount of duty shall be rounded to the next higher multiple of five paise:

Provided further that where the proprietor of an entertainment admits any person to any place of entertainment without any payment or on payment of an amount less than the amount normally charged for admission thereto, the entertainment duty shall nevertheless be levied and paid on the amount which would have been normally charged for admission to that place.

Explanation I- In case there be different classes in connection with an entertainment, the phrase "place of entertainment" means the class to which a person is admitted.

Explanation II- The fact that any such person as is mentioned in the proviso to this sub-section has been admitted to a class more advantageously placed for viewing the entertainment than the class of which the others making larger payments are admitted, may be taken into account for determining whether the payment made is not that normally charged."

5. Amendment Of Schedule I Of Act No.Ii Of 1899 :-

In the Stamp Act, 1899, in Schedule I, for the existing Article 23, the following shall be substituted:-

"23. CONVEYANCE as defined by section 2(10) not being a TRANSFER charged or exempted under No.62-

(a) In case of agricultural land. Rupees four for every rupee one hundred or part thereof of the value of land.

(b) In any other case. Rupees five and a half for every rupee one hundred or part thereof of the value of the property.

6. Application Of Existing Laws :-

Where any tax imposed or any duty levied by this Act is by way of an addition to any tax imposed or duty levied by or under any enactment and rules in force in the Punjab, the procedure provided in such enactment and rules for the assessment, collection and recovery of such tax or duty shall, as far as applicable, apply to the assessment, collection and recovery of additional tax or duty under this Act.

7. Bar Of Suits In Civil Courts :-

No suit shall lie in any civil court to set aside or modify any assessment, levy or collection of a tax or duty made under this Act and the rules made thereunder.

8. Power To Make Rules :-

The Government may make rules for the purposes of carrying out the provisions of this Act.

SCHEDULE 1

FIRST SCHEDULE

(See SECTION 2)

Serial No.	Description of Motor Vehicles	Annual rate of tax
1	2	3
		Rs.
1.	Motor-cycles (including motor scooters) and Motor-cycles with attachment for propelling the same by mechanical power not exceeding 410 Kg. in unladenweight:	
	(a) Bicycles not exceeding 90 k.g. in unladen weight	40
	(b) Bicycles exceeding 90 Kg. in unladen weight	52
	(c) Bicycles drawing a trailer or side-car	Rate for appropriate cycle <i>plus</i> Rs. 12
	(d) Tricycles	52
2.	Vehicles not exceeding 250 K.g. in unladen weight, adapted and used for invalids	6
3.	Vehicles (including tricycles) used for the transport or haulage of goods or materials weighing more than 410 Kg. in unladen weight:-	
	(a) Electrically propelled vehicles not exceeding 1,250 Kg. in unladen weight	44
	(b) Vehicles with maximum laden capacity upto 2,030 Kg. (including delivery vans)	300
	(c) Vehicles with maximum laden capacity exceeding 2,030 Kg. but not exceeding 4,060 Kg.	500
	(d) Vehicles with maximum laden capacity exceeding 4,060 Kg. but not exceeding 6,090 Kg.	760
	(e) Vehicles with maximum laden capacity exceeding 6,090 Kg. but not exceeding 8,120 Kg.	1,500
	(f) Vehicles with maximum laden capacity exceeding 8,120 Kg.	2,260
	(g) Vehicles drawing a trailer	Rate for appropriate vehicle <i>plus</i> Rs.200
4.	Vehicles plying for hire and ordinarily used for the transport of passengers (taxis and buses)–	
	(a) Tram Cars	20
	(b) Tricycles propelled by mechanical power (rickshaw cabs) with seating capacity of not	312

	more than 3 persons (c) Motor vehicles with a seating capacity of more than 20 persons plying for hire exclusively within the limits of a Corporation, Municipality or Cantonment	68 per seat
	(d) Mini buses with a seating capacity of more than 6 and less than 20 persons plying for hire exclusively within the limits of Corporation, Municipality or Cantonment	104 per seat.
	(e) Other vehicles with a seating capacity of not more than 4 persons	416
	(f) Other vehicles with a seating capacity of more than 4 but not more than 6 persons	520
	(g) Other vehicles with a seating capacity of more than 6 persons	132 per seat.
	<i>Explanation</i> – The seating capacity for the purpose of this Article does not include the seats meant for driver and conductor.	
5.	Motor vehicles other than those mentioned above and having–	
	(a) Seating capacity of not more than one person	104
	(b) Seating capacity of not more than 3 persons	212
	(c) Seating capacity of more than 3 persons	76 per seat.
	<i>Note</i> – Station wagons used for private purposes shall be taxed under Article 5.	

SCHEDULE 2

SECOND SCHEDULE

(see section 3)

Sr. No.	Class of Persons	Rate of tax per annum (Rupees)
1	2	3
1.	Companies registered under Companies Ordinance, 1984 with paid up capital–	
	(i) upto rupees 5 million	5,000/-
	(ii) exceeding rupees 5 million but not exceeding rupees 50 million	20,000/-
	(iii) exceeding rupees 50 million but not exceeding rupees 100 million	50,000/-
	(iv) exceeding rupees 100 million but not exceeding rupees 200 million	75,000/-
	(v) exceeding rupees 200 million	1,00,000/-
2.	Persons other than companies owning factories as defined under the Factories Act, 1932 and having–	

	(i) employees not exceeding 10	1,000/-
	(ii) employees exceeding 10 but not exceeding 25	2,000/-
	(iii) employees exceeding 25	5,000/-
3.	(i) Persons other than companies owning commercial establishments having 10 or more employees–	
	(a) within Metropolitan and Municipal Corporations limits	3,000/-
	(b) others	2,000/-
	(ii) All other commercial establishments other than wholesalers and retailers	1,000/-
3-A.	Persons engaged in the import or export of goods who, during the preceding financial year, imported or exported goods of the value–	
	(i) exceeding Rs.1 lac but not exceeding Rs.1 million	2,000/-
	(ii) exceeding Rs.1 million but not exceeding Rs. 5 million	3,000/-
	(iii) exceeding Rs.5 million	5,000/-]
4.	Persons who are engaged in a profession, trade, calling or employment either wholly or partly within the Province of Punjab, who were assessed to pay income tax during the preceding financial year.	200/-
5.	Contractors, builders and property developers, who during the preceding financial year supplied to the Federal or the Provincial Government or a company or a factory or a commercial establishment or an autonomous or a semi autonomous organization or any Local Authority goods, commodities and services of the value–	
	[(i) not exceeding rupees 1 million	500/-]
	[(ii)] exceeding rupees 1 million but not exceeding rupees 10 million	3,000/-
	[(iii)] exceeding rupees 10 million but not exceeding rupees 50 million	5,000/-
	[(iv)] exceeding rupees 50 million	10,000/-
6.	Persons engaged in various professions and providing different services such as–	
	[(i) Medical consultants or specialists/dental surgeons	1,000/-
	(ii) Registered medical practitioners	1,000/-]
	(iii) Others including homoeopaths, hakeems and ayurvedics–	
	(a) within Metropolitan and Municipal Corporations limits	1,000/-
	(b) others	500/-
	(iv) Auditing firms (per professionally qualified person)–	
	(a) within Metropolitan and Municipal Corporations limits	3,000/-

	(b) others	2,000/-
	(v) Management and tax consultants architects, engineering, technical and scientific consultants–	
	(a) within Metropolitan and Municipal Corporations limits	3,000/-
	(b) others	2,000/-
	[(vi) Lawyers	1,000/-]
	[(vii) (a) Members of Stock Exchanges	5000/-
	(b) Money changers–	
	(i) within Metropolitan and Municipal Corporations limits	3,000/-
	(ii) others	1,000/-
	(c) Motorcycle/Scooter dealer–	
	(i) within Metropolitan and Municipal Corporations limits.	5,000/-
	(ii) others	3000/-
	(d) Motor car dealers and real estate agents–	
	(i) within Metropolitan and Municipal Corporations limits	10,000/-
	(ii) others	5,000/-
	(e) recruiting agents–	
	(i) within Metropolitan and Municipal Corporations limits	10,000/-
	(ii) others	5,000/-]
	[viii]] Carriage of goods and passengers by road–	
	(i) within Metropolitan and Municipal Corporations limits	2,000/-
	(ii) others	1,000/-
	[(ix)] Health clubs and gymnasiums–	
	(i) within Metropolitan and Municipal Corporations limits	2,000/-
	(ii) others	1,000/-]
	[(x) jewelers, departmental stores, electronic goods store, cable operators, printing presses and pesticides dealers	Rs.1,000/-]
	[(xi) Tobacco venders–	
	wholesalers	2,000/-]