

addition to and not in derogation of any punishment to which he may be liable under this Ordinance or any other law, be liable to the penalty mentioned against that offence in column (3) thereof:—

TABLE

S. No.	Offences.	Penalties.	Section of the Ordinance to which offence has reference.
(1)	(2)	(3)	(4)
1.	Where any person fails to furnish a return of income or a statement as required under section 115 or wealth statement or wealth reconciliation statement or statement under section 165 within the due date.	Such person shall pay a penalty equal to 0.1% of the tax payable for each day of default subject to a minimum penalty of five thousand rupees and maximum penalty of 25% of the tax payable in respect of that tax year.	114, 115, 116 and 165
2.	Any person who fails to issue cash memo or invoice or receipt when required under this Ordinance or the rules made thereunder.	Such person shall pay a penalty of five thousand rupees or three <i>per cent</i> of the amount of the tax involved, whichever is higher.	174 and Chapter VII of the Income Tax Rules.
3.	Any person who is required to apply for registration under this Ordinance but fails to make an application for registration.	Such person shall pay a penalty of five thousand rupees.	181
4.	Any person who fails to notify the changes of material nature in the particulars of registration.	Such person shall pay a penalty of five thousand rupees.	181
5.	Any person who fails to deposit the amount of tax due or any part thereof in the time or manner laid down under this Ordinance or rules made thereunder.	Such person shall pay a penalty of five per cent of the amount of the tax in default. For the second default an additional penalty of 25% of the amount of tax in default. For the third and subsequent defaults an additional penalty of 50% of the amount of tax in default.	137
6.	Any person who repeats erroneous calculation in the return for more than one year whereby amount of tax less than the actual tax payable under this Ordinance is paid.	Such person shall pay a penalty of five thousand rupees or three <i>per cent</i> of the amount of the tax involved, whichever is higher.	137
7.	Any person who fails to maintain records required under this Ordinance or the rules made thereunder.	Such person shall pay a penalty of ten thousand rupees or five <i>per cent</i> of the amount of tax on income whichever is higher.	174

(1)	(2)	(3)	(4)
8. Where a taxpayer who, without any reasonable cause, in non-compliance with the provisions of section 177—			177
(a) fails to produce the record or documents on receipt of first notice;	Such person shall pay a penalty of five thousand rupees;		
(b) fails to produce the record or documents on receipt of second notice; and	such person shall pay a penalty of ten thousand rupees; and		
(c) fails to produce the record or documents on receipt of third notice,	such person shall pay a penalty of fifty thousand rupees.		
9. Any person who fails to furnish the information required or to comply with any other term of the notice served under section 176.	Such person shall pay a penalty of five thousand rupees for the first default and ten thousand rupees for each subsequent default.		176
10. Any person who—			
(a) makes a false or misleading statement to an inland Revenue Authority either in writing or orally or electronically including a statement in an application, certificate, declaration, notification, return, objection or other document including books of accounts made, prepared, given, filed or furnished under this Ordinance;	Such person shall pay a penalty of twenty five thousand rupees or 100% of the amount of tax shortfall whichever is higher:	Provided that in case of an assessment order deemed under section 120, no penalty shall be imposed to the extent of the tax shortfall occurring as a result of the taxpayer taking a reasonably arguable position on the application of this Ordinance to the taxpayers' position.	114, 115, 116, 174, 176, 177 and general
(b) furnishes or files a false or misleading information or document or statement to an Income Tax Authority either in writing or orally or electronically;			
(c) omits from a statement made or information furnished to an Income Tax Authority any matter or thing without which the statement or the information is false or misleading in a material particular.			
11. Any person who denies or obstructs the access of the Commissioner or any officer authorized by the Commissioner to the premises, place, accounts, documents, computers or stocks,	Such person shall pay a penalty of twenty five thousand rupees or one hundred <i>per cent</i> of the amount of tax involved, whichever, is higher.		175 and 177

(1)	(2)	(3)	(4)
12.	Where a person has concealed income or furnished inaccurate particulars of such income, including but not limited to the suppression of any income or amount chargeable to tax, the claiming of any deduction for any expenditure not actually incurred or any act referred to in sub-section (1) of section 111, in the course of any proceeding under this Ordinance before any Income Tax authority or the appellate tribunal.	Such person shall pay a penalty of twenty five thousand rupees or an amount equal to the tax which the person sought to evade whichever is higher. However, no penalty shall be payable on mere disallowance of a claim of exemption from tax of any income or amount declared by a person or mere disallowance of any expenditure declared by a person to be deductible, unless it is proved that the person made the claim knowing it to be wrong.	20, 111 and General
13.	Any person who obstructs any Income Tax Authority in the performance of his official duties.	Such person shall pay a penalty of twenty five thousand rupees.	209, 210 and General.
14.	Any person who contravenes any of the provision of this Ordinance for which no penalty has, specifically, been provided in this section.	Such person shall pay a penalty of five thousand rupees or three per cent of the amount of tax involved, whichever is higher.	General.
15.	Any person who fails to collect or deduct tax as required under any provision of this Ordinance or fails to pay the tax collected or deducted as required under section 160.	Such person shall pay a penalty of twenty five thousand rupees or the 10% of the amount of tax which-ever is higher.	148, 149, 150, 151, 152, 153, 153A, 154, 155, 156, 156A, 156B, 158, 160, 231A, 231B, 233, 233A, 234, 234A, 235, 236, 236A.

- (2) The penalties specified under sub-section (1) shall be applied in a consistent manner and no penalty shall be payable unless an order in writing is passed by the Commissioner, Commissioner (Appeals) or the Appellate Tribunal after providing an opportunity of being heard to the person concerned.
- (3) Where a Commissioner (Appeals) or the Appellate Tribunal makes an order under sub-section (2), the Commissioner (Appeals) or the Appellate Tribunal, as the case may be, shall immediately serve a copy of the order on the Commissioner and thereupon all the provision of this Ordinance relating to the recovery of penalty shall apply as if the order was made by the Commissioner.
- (4) Where in consequence of any order under this Ordinance, the amount of tax in respect of which any penalty payable under sub-section (1) is reduced, the amount of penalty shall be reduced accordingly.”;

(42) for section 183 the following shall be substituted, namely:—

“183. **Exemption from penalty and default surcharge.**—The Federal Government may, by notification in the official Gazette, or the Board by an order published in the official Gazette for reasons to be recorded in writing, exempt any person or class of persons from payment of the whole or part of the penalty and default surcharge payable under this Ordinance subject to such conditions and limitations as may be specified in such notification or, as the case may be, order.”;

(43) sections 184, 185, 186, 187, 188, 189 and 190 shall be omitted;

(44) in section 202 for the words “additional tax” the words “default surcharge” shall be substituted;

(45) in section 203,—

(a) for sub-section (1) the following shall be substituted, namely:—

“(1) The Federal Government may, by notification in the official Gazette, appoint as many Special Judges as it may consider necessary, and where it appoints more than one Special Judge, it shall specify in the notification the territorial limits within which each of them shall exercise jurisdiction.”;

(b) after sub-section (1), substituted as aforesaid, the following new sub-sections (1A) and (1B) shall be inserted, namely:—

“(1A) A Special Judge shall be a person who is or has been a Sessions Judge and shall, on appointment, have the jurisdiction to try exclusively an offence punishable under this Part other than an offence referred to in section 198.

(1B) The provisions of the Code of Criminal Procedure, 1898 (Act V of 1898), except those of Chapter XXXVIII, thereof shall apply to the proceedings of the court of a Special Judge and, for the purposes of the said provisions, the court of Special Judge shall be deemed to be a Court of Sessions trying cases, and a person conducting prosecution before the court of a Special Judge shall be deemed to be a Public Prosecutor.”; and

- (c) after sub-section (2), the following new sub-sections (3) and (4) shall be added, namely:—

“(3) The Federal Government may, by order in writing, direct the transfer, at any stage of the trial, of any case from the court of one Special Judge to the court of another Special Judge for disposal, whenever it appears to the Federal Government that such transfer shall promote the ends of justice or tend to the general convenience of parties or witnesses.

(4) In respect of a case transferred to a Special Judge by virtue of sub-section (1) or under sub-section (3), such Judge shall not, by reason of the said transfer, be bound to recall and record again any witness who has given evidence in the case before the transfer and may act on the evidence already recorded by or produced before the court which tried the case before the transfer.”;

- (d) after section 203 the following new section shall be inserted, namely:—

“203A. **Appeal against the order of a Special Judge.**—An appeal against the order of a Special Judge shall lie to the respective High Court of a Province within thirty days of the passing of the order and it shall be heard as an appeal under the Code of Criminal Procedure 1898 (Act V of 1898) by a single Judge of the High Court.”;

- (46) in Chapter X, in Part XII, in the title, for the words “ADDITIONAL TAX”, the words “DEFAULT SURCHARGE” shall be substituted;

- (47) in section 205,—

(a) in the heading for the words “Additional tax” the words “Default surcharge” shall be substituted;

(b) in sub-section (1),—

(i) in clause (a), for the words “additional tax”, the words “default surcharge” shall be substituted; and

- (ii) after clause (c), for the words “additional tax”, the words “default surcharge” shall be substituted;
 - (c) in sub-section (1A), for the words “additional tax” the words “default surcharge” shall be substituted;
 - (d) in sub-section (1B), for the words “additional tax”, occurring twice, the words “default surcharge” shall be substituted;
 - (e) in sub-section (2), for the words “additional tax”, the words “default surcharge” shall be substituted;
 - (f) in sub-section (3), for the words “additional tax”, the words “default surcharge” shall be substituted;
 - (g) in sub-section (5), for the words “additional tax”, occurring twice, the words “default surcharge” shall be substituted; and
 - (h) in sub-section (6), for the words “additional tax” the words “default surcharge” shall be substituted;
- (48) in section 205A,—
- (a) in the heading, for the words “additional tax”, the words “default surcharge” shall be substituted; and
 - (b) for the words “additional tax”, occurring twice, the words “default surcharge” shall be substituted;
- (49) for section 207, the following shall be substituted, namely:—
- “207. **Income tax authorities.**—(1) There shall be the following Income Tax authorities for the purposes of this Ordinance and rules made thereunder, namely:—
- (a) Board;
 - (b) Chief Commissioner Inland Revenue;
 - (c) Commissioner Inland Revenue;
 - (d) Commissioner Inland Revenue (Appeals);
 - (e) Additional Commissioner Inland Revenue;
 - (f) Deputy Commissioner Inland Revenue;
 - (g) Assistant Commissioner Inland Revenue;

- (h) Inland Revenue Officer;
 - (i) Inland Revenue Audit Officer;
 - (j) Superintendent Inland Revenue;
 - (k) Inspector Inland Revenue; and
 - (l) Auditor Inland Revenue.
- (2) The Board shall examine, supervise and oversee the general administration of this Ordinance.
- (3) The Chief Commissioners Inland Revenue and Commissioners Inland Revenue (Appeals) shall be subordinate to the Board and Commissioners Inland Revenue, shall be subordinate to the Chief Commissioner Inland Revenue.
- (4) Subject to sub-section (5), Additional Commissioners Inland Revenue, Deputy Commissioners Inland Revenue, Assistant Commissioners Inland Revenue, Inland Revenue Officers, Inland Revenue Audit Officers, Superintendents Inland Revenue, Auditors Inland Revenue and Inspectors Inland Revenue shall be subordinate to the Commissioners Inland Revenue.
- (4A) Deputy Commissioners Inland Revenue, Assistant Commissioners Inland Revenue, Inland Revenue Officers, Inland Revenue Audit Officers, Superintendents Inland Revenue, Auditors Inland Revenue and Inspectors Inland Revenue shall be subordinate to the Additional Commissioners Inland Revenue.
- (5) An officer vested with the powers and functions of Commissioner shall be subordinate to the Chief Commissioner Inland Revenue.”;
- (50) in section 208, for sub-section (1) the following shall be substituted, namely:—
 - “(1) The Board may appoint as many Chief Commissioners Inland Revenue, Commissioners Inland Revenue, Commissioners Inland Revenue (Appeals), Additional Commissioners Inland Revenue, Deputy Commissioners Inland Revenue, Assistant Commissioners Inland Revenue, Inland Revenue Officers, Inland Revenue Audit Officers, Superintendents Inland Revenue, Inspectors Inland Revenue, Auditors Inland Revenue and such

other executive or ministerial officers and staff as may be necessary.”;

(51) in section 209,—

- (a) for the words “Regional Commissioners” and “Regional Commissioner”, wherever occurring, the words “Chief Commissioners” and “Chief Commissioner” shall respectively be substituted;
- (b) in sub-section (2), for the words “taxation officer” the words “officer of Inland Revenue” shall be substituted;
- (c) in sub-section (4), for the words “taxation officer” the words and commas “officer of Inland Revenue” shall be substituted;

(52) in section 210, in sub-section (1B), for the word and comma “Board,” the words, “Board or the Commissioner” shall be substituted;

(53) in section 210,—

- (a) in sub-section (1), for the words “taxation officer” the words and comma “officer of Inland Revenue, subordinate to the Commissioner” shall be substituted;
- (b) in sub-section (1A), the words “taxation officer below the rank of Additional Commissioner of Income Tax” the words “an officer of Inland Revenue below the rank of Additional Commissioner Inland Revenue” shall be substituted; and
- (c) in sub-section (1B), after the words “chartered accountants” the words “or a firm of Cost and Management Accountants” shall be inserted; and

(54) in section 211, for the words “a taxation officer”, wherever occurring, the words “an Officer of Inland Revenue” shall be substituted;

(55) after section 214B, a new section may be added, namely:—

“214C. **Selection for audit by the Board.**—(1) The Board may select persons or classes of persons for audit of Income Tax affairs

through computer ballot which may be random or parametric as the Board may deem fit.

- (2) Audit of Income Tax affairs of persons selected under sub-section (1) shall be conducted as per procedure given in section 177 and all the provisions of the Ordinance, except the first proviso to sub-section (1) of section 177, shall apply accordingly.
- (3) For the removal of doubt it is hereby declared that Board shall be deemed always to have had the power to select any persons or classes of persons for audit of Income Tax affairs.”;
- (56) in section 215,—
 - (a) in sub-section (1), for the words “taxation officer”, occurring twice, the words “officer of Inland Revenue” shall be substituted; and
 - (b) in sub-section (2), for the words “taxation officer” the words “officer of Inland Revenue” shall be substituted;
- (57) in section 217, in sub-section (3),—
 - (a) for the words, “taxation officer” the words “Officer of Inland Revenue” shall be substituted; and
 - (b) after the word, “document”, at the end, the words “or if it is computer generated and bears the authentication in the manner prescribed by the Board” shall be added;
- (58) in section 226, for clause (b) the following shall be substituted, namely:—
 - “(b) in the case of an assessment or other proceeding under this Ordinance,—
 - (i) the period, if any, for which such proceedings were stayed by any Court, Appellate Tribunal or any other authority; or
 - (ii) the period, if any, for which any proceeding for the tax year remained pending before any Court, Appellate Tribunal or any other authority.”;

(59) in section 227, the existing section shall be renumbered as sub-section (1) of that section, and after sub-section (1), renumbered as aforesaid, the following new sub-section shall be added, namely:—

“(2) Notwithstanding anything contained in any other law for the time being in force, no investigation or inquiry shall be undertaken or initiated by any governmental agency against any officer or official for anything done in his official capacity under this Ordinance, rules, instructions or direction made or issued there-under without the prior approval of the Board.”;

(60) after section 228, the following new section shall be added, namely:—

“229. **Directorate General of Training and Research.**—(1) The Directorate General of Training and Research shall consist of a Director-General, Additional Director-General and as many Directors, Additional Directors, Deputy Directors, Assistant Directors and such officers as the Board, may, by notification in the official Gazette, appoint.

(2) The Board may, by notification in the official Gazette, specify the functions, jurisdiction and powers of the Directorate General of Training and Research and its officers.”;

(61) after section 231A, the following new section shall be inserted, namely:—

“231AA. **Advance tax on transactions in bank.**—(1) Every banking company, non-banking financial institution, exchange company or any authorized dealer of foreign exchange shall collect advance tax at the time of sale against cash of any instrument, including Demand Draft, Pay Order, CDR, STD, SDR, RTC, or any other instrument of bearer nature or on receipt of cash on cancellation of any of these instruments;

Provided that this sub-section shall not be applicable in case of inter-bank or intra-bank transfer and also where payment is made through a crossed cheque for purchase of a financial instrument as referred to in sub-section (1).

(2) Every banking company, non-banking financial institution, exchange company or any authorized dealer of foreign exchange shall collect advance tax at the time of transfer of any sum

against cash through online transfer, telegraphic transfer, mail transfer or any other mode of electronic transfer.

- (3) The advance tax under this section shall be collected at the rate specified in Division VIA of Part IV of the First Schedule, where the sum total of payments for transactions mentioned in sub-section (1) or sub-section (2) as the case may be, exceed twenty-five thousand rupees in a day.
- (4) Advance tax under this section shall not be collected in the case of transactions made by,—
 - (a) the Federal Government or a Provincial Government;
 - (b) a foreign diplomat or a diplomatic mission in Pakistan; or
 - (c) a person who produces a certificate from the Commissioner that its income during the tax year is exempt.”;
- (62) in section 233, in sub-section (1), after the word “in”, the words “Division II of” shall be inserted;
- (63) in section 233A, in sub-section (2), for the words “minimum tax” the word “adjustable” shall be substituted;
- (64) in section 236,—
 - (a) in sub-section (1),—
 - (i) in clause (a), the word “and” occurring at the end, shall be omitted; and
 - (ii) in clause (b), for the full stop at the end, the semicolon and word “; and”, shall be added; and thereafter the following new clause shall be inserted, namely:—
 - “(c) sale of units through any electronic medium or whatever form.”;
 - (b) after sub-section (3), the following new sub-section shall be inserted, namely:—
 - “(3A) The person issuing or selling units through any electronic medium or whatever form shall collect advance tax under sub-section (1) from the purchaser at the time of issuance or sale of units.”;

(65) in section 236A, in sub-section (1), for the words “confiscated or attached” the brackets and words “(including property or goods confiscated or attached)” shall be inserted;

(66) after section 236A, the following new section shall be inserted, namely:—

“236B. **Advance tax on purchase of air ticket.**—(1) There shall be collected advance tax at the rate specified in Division IX of Part IV of the First Schedule, on the purchase of gross amount of domestic air ticket.

(2) The person preparing air ticket shall charge advance tax under sub-section (1) in the manner air ticket charges are charged.”;

(67) in section 237, in sub-section (2), in clause (d), for the words “additional tax”, the words “default surcharge” shall be substituted;

(68) in section 239,—

(a) in sub-section (3), for the words “additional tax”, the words “default surcharge” shall be substituted; and

(b) in sub-section (7), for the words “additional tax”, the words “default surcharge” shall be substituted;

(69) after section 239A, the following new section shall be inserted, namely:—

“239B. **Reference to authorities.**—Any reference to the Regional Commissioner of Income Tax, Commissioner of Income Tax, Commissioner of Income Tax (Appeals) and Taxation Officer, wherever occurring, in this Ordinance and the rules made thereunder and notifications, orders, circulars or clarifications or any instrument issued thereunder shall be construed as reference to the Chief Commissioner Inland Revenue, Commissioner Inland Revenue, Commissioner Inland Revenue (Appeals) and officer of Inland Revenue, respectively.”;

(70) in section 240, sub-section (2) shall be omitted.

(71) in the FIRST SCHEDULE,—

(i) in Part I,—

(a) in Division I,—

- (i) in the heading, the words “and **Association of Persons**” shall be omitted;
- (ii) in clause (1), the words “or Association of Persons” shall be omitted;
- (iii) in clause (1), for the TABLE, the following shall be substituted, namely:—

“TABLE

S. No.	Taxable Income.	Rate of tax.
1	2	3
1.	Where the taxable income does not exceed Rs.300,000	0%
2.	Where the taxable income exceeds Rs.300,000 and does not exceeds Rs. 500,000	7.50%
3.	Where the taxable income exceeds Rs.500,000 but does not exceed Rs.750,000	10%
4.	Where the taxable income exceeds Rs.750,000 but does not exceed Rs.1,000,000	15%
5.	Where the taxable income exceeds Rs.1,000,000 but does not exceed Rs.1,500,000	20%
6.	Where the taxable income exceeds Rs.1,500,000	25%.”; and

(iv) in clause (1A), the first proviso shall be omitted;

(v) in clause (1A), for the TABLE, the following shall be substituted, namely:—

"TABLE

S.No.	Taxable Income	Rate of tax
1	2	3
1.	Where the taxable income does not exceed Rs.300,000.	0%
2.	Where the taxable income exceeds Rs.300,000 but does not exceed Rs.350,000.	0.75%
3.	Where the taxable income exceeds Rs.350,000 but does not exceed Rs.400,000.	1.50%
4.	Where the taxable income exceeds Rs.400,000 but does not exceed Rs.450,000.	2.50%
5.	Where the taxable income exceeds Rs.450,000 but does not exceed Rs.550,000.	3.50%
6.	Where the taxable income exceeds Rs.550,000 but does not exceed Rs.650,000.	4.50%
7.	Where the taxable income exceeds Rs.650,000 but does not exceed Rs.750,000.	6.00%
8.	Where the taxable income exceeds Rs.750,000 but does not exceed Rs.900,000.	7.50%
9.	Where the taxable income exceeds Rs.900,000 but does not exceed Rs.1,050,000.	9.00%
10.	Where the taxable income exceeds Rs.1,050,000 but does not exceed Rs.1,200,000.	10.00%
11.	Where the taxable income exceeds Rs.1,200,000 but does not exceed Rs.1,450,000.	11.00%
12.	Where the taxable income exceeds Rs.1,450,000 but does not exceed Rs.1,700,000.	12.50%

1	2	3
13.	Where the taxable income exceeds Rs.1,700,000 but does not exceed Rs.1,950,000,	14.00%
14.	Where the taxable income exceeds Rs.1,950,000 but does not exceed Rs.2,250,000,	15.00%
15.	Where the taxable income exceeds Rs.2,250,000 but does not exceed Rs.2,850,000,	16.00%
16.	Where the taxable income exceeds Rs.2,850,000 but does not exceed Rs.3,550,000,	17.50%
17.	Where the taxable income exceeds Rs.3,550,000 but does not exceed Rs.4,550,000,	18.50%
18.	Where the taxable income exceeds Rs.4,550,000.	20.00%”;

(b) in Division IA, for the figure and sign “0.50%” the words “one per cent” shall be substituted;

(c) after Division IA, the following new Division shall be added, namely:—

**“Division IB
Rates of Tax for Association of Persons**

The rate of tax imposed on the taxable income of Association of Persons for the tax year 2010 and onward shall be 25%.”;

(d) in Division II, in clause (iii), for the figure “20” the figure “25” shall be substituted;

(e) after Division VI, the following new Division shall be added, namely:—

**“Division VII
Capital Gains on disposal of Securities**

The rate of tax to be paid under section 37A shall be as follows—

TABLE

S.No.	Period	Tax Year	Rate of tax
1	2	3	4
1.	Where holding period of a security is less than six months.	2011	10%
		2012	10%
		2013	12.5%
		2014	15%
		2015	17.5%
2.	Where holding period of a security is more than six months but less than twelve months.	2011	7.5%
		2012	8%
		2013	8.5%
		2014	9%
		2015	9.5%
		2016	10%
3.	Where holding period of a security is more than one year.	—	0%.

Provided that a mutual fund or a collective investment scheme shall deduct Capital Gains Tax at the rates as specified above, on redemption of securities as prescribed;” and

- (ii) in Part II, for the figure “4” the figure “5” shall be substituted;
- (iii) In Part III,—
 - (a) in Division II, in clause (2), for the figure “30” the figure “20” shall be substituted;

- (b) for Division VI, the following shall be substituted, namely:—

**“Division VI
Prizes and Winnings**

- (1) The rate of tax to be deducted under section 156 on a prize on prize bond or cross-word puzzle shall be 10% of the gross amount paid.
- (2) The rate of tax to be deducted under section 156 on winnings from a raffle, lottery, prize on winning a quiz, prize offered by a company for promotion of sale, shall be 20% of the gross amount paid.”;

- (iv) in Part IV,—

- (a) in Division III, for clause (i) the following shall be substituted, namely:—

“(i) in case of goods transport vehicles, tax of one rupee per kilogram of the laden weight shall be charged.”;

- (b) in Division IV, —

- (a) in entry (a), for the figure “60” the figure “0” shall be substituted;

- (b) in entry (1), for the words and figure “at the rate of 10 *per cent*” the following shall be substituted;

“(i) at the rate of 10 *per cent* for commercial consumers;

(ii) at the rate of 5 *per cent* for industrial consumers”;

- (c) in Division V, in clause (b), in the third column for the letter “CD” the words “any electronic medium” shall be substituted;

- (d) after Division VI, the following new Division shall be inserted, namely:—

**“Division VIA
Advance tax on Transactions in Bank**

The rate of tax to be deducted under section 231AA shall be at the rate of 0.3% of the transaction.”;

- (e) after Division VIII, the following new Division shall be added, namely:—

**“Division IX
Advance tax on Purchase of Air Ticket**

The rate of tax to be deducted under section 236B shall be 5% of the gross amount of air ticket.”;

- (72) in the SECOND SCHEDULE,—

- (i) in Part I,—

- (a) in clause (57),—

- (i) in sub-clause (2), after the word “income”, occurring for the first time, the brackets, words, commas and figure “(other than capital gain on stock and shares of public company, PTC vouchers, modarba certificates, or any instrument of redeemable capital and derivative products held for less than 12 months)” shall be inserted;

- (ii) in sub-clause (3), after paragraph (xi), the following shall be inserted, namely:—

“(xii) Punjab Pension Fund established under the Punjab Pension Fund Act, 2007 (I of 2007) and the trust established thereunder.”;

- (b) in clause (72), after sub-clause (ii), the following new sub-clause shall be inserted, namely:—

“(iii) being a foreign individual, company, firm or association of persons in respect of a foreign loan as is utilized

for industrial investment in Pakistan provided that the agreement for such loan is concluded on or after the first day of February, 1991, and is duly registered with the State Bank of Pakistan:

Provided that this clause shall have retrospective effect of exemption to the agreements entered into in the past and shall not be applicable to new contracts after the 30th day of June, 2010, prospectively.”;

- (c) after clause (92), the following new clause shall be inserted, namely:—

“(92A) Any income of any university or any other educational institution established in the most affected and moderately affected areas of Khyber Pakhtunkhwa, FATA and PATA, for a period of two years ending on the 30th day of June, 2011;”;

- “(ca) in clause (99A), for the figure “2010” the figure “2015” shall be substituted;”;

- (d) clause (102), shall be omitted;

- (e) in clause (103), for the full stop, at the end, a colon shall be substituted and thereafter the following shall be added, namely:—

“Provided that this exemption shall be available to only such mutual funds, collective investment schemes that are debt or money market funds and these do not invest in shares.”;

- (f) after clause (103) amended as aforesaid, the following new clause shall be inserted, namely:—

“(103B) Any dividend in specie derived in the form of shares in a company, as defined in the Companies Ordinance, 1984 (XLVII of 1984):

Provided that when such shares are disposed off by the recipient, the amount representing the dividend in specie shall be taxed in accordance with provisions of section 5 of this Ordinance and the amount, representing the difference between the consideration received and the amount hereinabove, shall be treated in accordance with provisions of section 37 or section 37A, as the case may be.”;

- (g) clause (110), shall be omitted;
- (h) clause (110A), shall be omitted;
- (i) clause (111), shall be omitted;
- (j) after clause (126E), the following new clause shall be inserted, namely:—

“(126F) Profits and gains derived by a taxpayer located in the most affected and moderately affected areas of Khyber Pakhtunkhwa, FATA and PATA for a period of three years starting from the tax year 2010:

Provided that this concession shall not be available to the manufacturers and suppliers of cement, sugar, beverages and cigarettes;”;

- (ii) in part-II, in clause (24A), after the word “products”, the words “and for large distribution houses who fulfill all the conditions for a large import house as laid down under clause (d) of sub-section (7) of section 148, for large import houses,” shall be added;
- (iii) in Part III, in clause (1A),—
 - (a) after the words “taxable income”, the words “other than income on which the deduction of tax is final” shall be inserted; and
 - (b) for the words “seven hundred fifty thousand”, the words “one million” shall be substituted;
- (iv) in Part IV,—

- (a) after clause (10), the following new clause shall be inserted, namely:—

“(10A) (i) The provisions of serial No. 5 of the Table given in sub-section (1) of section 182 and clause (a) of sub-section (1) of section 205 shall not apply to business located in the most affected and moderately affected

areas of Khyber Pakhtunkhwa, FATA and PATA, provided that the principal amount of tax due is paid by the 30th day of June, 2010;

- (ii) the provisions of section 235, regarding advance tax on electricity, shall not apply to commercial and industrial consumers of electricity located in the most affected and moderately affected areas of Khyber Pakhtunkhwa, FATA and PATA till the 30th day of June, 2011;
- (iii) the provisions of section 154, regarding withholding tax on exports, shall not be applicable to the export of goods originating from the most affected and moderately affected areas of Khyber Pakhtunkhwa, FATA and PATA, till the 30th day of June, 2011;

Provided that this clause shall only be restricted to the exporters based in the above areas;

- (iv) the provisions of section 148 shall not be applicable on the import of plant and machinery for establishment of businesses in the most affected and moderately affected areas of Khyber Pakhtunkhwa, FATA and PATA till the 30th day of June, 2011;

Provided that this concession shall not be available to the manufacturers and suppliers of cement, sugar, beverages and cigarettes;

Explanation.—For the purpose of this Schedule,—

- (a) most affected areas means district Peshawar, Malakand Agency, and districts of Swat, Buner, Shangla, Upper Dir, Lower Dir, Hangu, Bannu, Tank, Kohat and Chitral; and
- (b) moderately affected areas means districts of Charsadda, Nowshera, D.I. Khan, Batagram, Lakki Marwat, Swabi and Mardan.”;

- (b) clause (52) shall be omitted;
- (c) after clause (72), the following new clause shall be added, namely:—

“(73) To mitigate part of the cost of obtaining foreign support to fill productivity gap, income tax payable by a foreign expert shall be exempted provided that such expert is acquired with the prior approval of the Ministry of Textile Industry.

(74) The provisions of sub-section (8) of section 22 shall not apply to Civil Aviation Authority (CAA) in respect of the asset transferred for the purpose of the *ijara* agreement between Pakistan Domestic *Sukuk* Company Limited and the Federal Government.

(75) The provisions of sub-section (15) of section 22 shall not apply to Civil Aviation Authority (CAA) on the assets acquired from the Federal Government which were previously transferred for the purpose of the *ijara* agreement between Pakistan Domestic *Sukuk* Company Limited and the Federal Government:

Provided that depreciation shall be allowed at the written down value of the assets immediately before their transfer for the purpose of above mentioned *ijara* agreement.”;

(73) in the THIRD SCHEDULE,—

in Part I, in the table, after sub-clause IV, the following new sub-clause shall be added, namely:—

“V A ramp built to provide access to persons with disabilities not exceeding Rs. 250,000 each.	100%”
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(74) in the FOURTH SCHEDULE,—

(a) after rule (6A), the following new rules shall be inserted, namely:—

“(6B) capital Gains on disposal of shares of listed companies, vouchers of Pakistan Telecommunication corporation, modaraba certificate

or instruments of redeemable capital and derivative products shall be taxed at the following rates:

S. No.	Tax Year	Where holding period of securities is less than six months.	Where holding period of securities is more than six months but less than twelve months.
1.	2011	10.0%	8.0%
2.	2012	12.5%	8.5%
3.	2013	15.0%	9.0%
4.	2014	17.5%	9.5%
5.	2015	17.5%	10.0%

Provided that this rule shall not apply to the securities held for a period of more than twelve months.

(6C) Notwithstanding anything contained in this Ordinance, where loss on disposal of securities is sustained in a tax year, the loss shall be set off only against the gain from any other securities chargeable to tax under Rule 6B and no loss shall be carried forward to the subsequent tax year.”; and

(b) “in rule (7), for the full stop, at the end a semi colon shall be substituted and thereafter the following shall be inserted, namely:—

““Securities” for the purposes of Rule 6B means shares of a public company, vouchers of Pakistan Telecommunication Corporation, Modaraba Certificates or instruments of redeemable capital and derivative products.”;

(75) in the FIFTH SCHEDULE,—

(i) in Part I, after rule 4, the following new rule shall be inserted, namely:—

“4A. **Decommissioning cost.**—With effect from the Tax Year 2010, “Decommissioning Cost” as certified by a Chartered Accountant or a Cost Accountants, in the manner prescribed, shall be allowed over a period of ten years or the life of the development and production or mining lease whichever is less, starting from the year of commencement

of commercial production or commenced prior to the 1st July, 2010, deduction for decommissioning cost as referred earlier shall be allowed from the Tax Year 2010 over the period of ten years or the remaining life of the development and production or mining lease, which ever is less.”;

(76) in the SEVENTH SCHEDULE.—

(i) in clause 1, in sub-clause (c), after the word and semicolon “advances:” the words, figure, brackets and letters “and provisions for advances and off-balance sheet items shall be allowed at 5% of total advances for consumers and small and medium enterprises (SMEs) (as defined under the State Bank Prudential Regulations)” shall be inserted; and

(ii) after rule 8, the following new rule shall be inserted, namely:—

“8A. *Transitional provisions.*—(1) Amounts provided for in the tax year 2008 and prior to the said tax year for or against irrecoverable or doubtful advances, which were neither claimed nor allowed as a tax deductible in any tax year, shall be allowed in the tax year in which such advances are actually written off against such provisions, in accordance with the provision of sections 29 and 29A.

(2) Amounts provided for in the tax year 2008 and prior to the said tax year for or against irrecoverable or doubtful advances, which were neither claimed nor allowed as a tax deductible in any tax year, which are written back in the tax year 2009 and thereafter in any tax year and credited to the profit and loss account, shall be excluded in computing the total income of that tax year under rule 1 of this Schedule.

(3) The provisions of this Schedule shall not apply to any asset given or acquired on finance lease by a banking company up to the tax year 2008, and recognition of income and deductions in respect of such asset shall be dealt in accordance with the provisions of the Ordinance as if this Schedule has not come into force;

Provided that un-absorbed depreciation in respect of such assets shall be allowed to be set-off against the said lease rental income only.”;

- (77) The provisions of clauses (a), (b), (c), (d), (f) and (h) of sub-section (2), clause (a) of sub-section (17) and clause (a) of sub-section (18) and sub-sections (11), (13), (15), (16), (19), (20), (23), (24), (25), (27), (34), (35), (38), (40), (46), (47), (48), (49), (50), (51), (52), (53), (54), (55), (57), (58), (68), (69) and (70) of this section shall take effect and shall be deemed to have taken effect from the 5th June, 2010.

9. Amendments of the Federal Excise Act, 2005.—In the Federal Excise Act, 2005,—

- (1) in section 2,—

- (a) for clause (3) the following shall be substituted, namely:—

“(3) “Appellate Tribunal” means the Appellate Tribunal Inland Revenue established under section 130 of the Income Tax Ordinance 2001 (XLIX of 2001) ;”;

- (b) after clause (4), the following new clause (4A) shall be inserted, namely:—

“(4A) “Chief Commissioner” means a person appointed as the Chief Commissioner Inland Revenue under section 29;”;

- (c) for clause (5) the following shall be substituted, namely:—

“(5) “Commissioner” means a person appointed as a Commissioner Inland Revenue under section 29.”;

- (d) for clause (12) the following shall be substituted, namely:—

“(12A) “Officer of Inland Revenue” means any person appointed by the Board as officer of Inland Revenue under section 29 or any person (including an officer of the provincial government) entrusted by the Board with any of the powers of an officer of Inland Revenue under this Act or rules made thereunder;”;

- (2) in section 4, in sub-section (4), for the words “Collector of Federal Excise” the words “Commissioner Inland Revenue” shall be substituted;

- (3) in section 9, in sub-section (2), for the word "Collector" the word "Commissioner" shall be substituted;
- (4) in section 14, in sub-section (2), for the words "Federal Excise Officer" the words "officer of Inland Revenue" shall be substituted;
- (5) in section 17,—

- (a) in sub-section (1), for the word "five" the word "six" shall be substituted; and
- (b) after the word "years" the following words and commas shall be inserted, namely:—

"or till such further period the final decision in any proceedings including proceedings for assessment, appeal, revision, reference, petition and any proceedings before an Alternative Dispute Resolution Committee is finalized";

- (6) in section 19,—
 - (a) in sub-section (2), in clauses (a) and (c), for the words "Federal Excise officer" the words "officer of Inland Revenue" shall be substituted;
 - (b) in sub-section (4), for the word "Collector" the words "Commissioner" shall be substituted;
 - (c) in sub-section (6), for the words "Federal Excise officer" the words "officer of Inland Revenue" shall be substituted; and
 - (d) in sub-section (10), for the word "Collector" the word "Commissioner" shall be substituted;

- (7) in section 21, in sub-section (4), for the words "Federal Excise Officers" the words "officers of Inland Revenue" shall be substituted;

- (8) after section 21 the following new section shall be inserted, namely:—

"21A. Appeal against the order of Special Judge.—An appeal against the order of a Special Judge in respect of the trial of offence shall lie to the respective High Court of the Province

within thirty days of the passing of the order and it shall be heard as an appeal under the Code of Criminal Procedure 1898 (Act V of 1898) by a single Judge of the High Court.”;

- “(9) in section 22, in sub-section (1), (5), (6), (7), (8), (10), (11), (13), and (14) for the words “Federal Excise Officer” and the word “Collector” wherever occurring, the words “Officer of Inland Revenue” and “Commissioner” shall respectively be substituted;”;
- (10) in section 23, in sub-section (1), for the words “Federal Excise Officer” the words “officer of Inland Revenue” shall be substituted;
- (11) in section 24, for the words “Federal Excise Officer”, wherever occurring, the words “officers of Inland Revenue” shall be substituted;
- (12) in section 27, in sub-section (3), for the word “Collector” the word “Commissioner” shall be substituted;
- (13) in section 29,—

(a) for sub-section (1) the following shall be substituted, namely:—

“(1) For the purposes of this Act, the Board may, appoint any person in respect of any area, person, class of persons, to be,—

- (a) Chief Commissioner Inland Revenue;
- (b) Commissioner Inland Revenue;
- (c) Commissioner Inland Revenue (Appeals);
- (d) Additional Commissioner Inland Revenue;
- (e) Deputy Commissioner Inland Revenue;
- (f) Assistant Commissioner Inland Revenue;
- (g) Inland Revenue Officer;
- (h) Superintendent Inland Revenue;
- (i) Inspectors Inland Revenue;
- (j) Inland Revenue Audit Officer; and
- (k) officer of Inland Revenue with any other designation.”;

- (b) after sub-section (1), the following new sub-sections (1A), (1B) and (1C) shall be inserted, namely:—

“(1A) The Chief Commissioners Inland Revenue and Commissioners Inland Revenue (Appeals) shall be subordinate to the Board and Commissioners Inland Revenue shall be subordinate to the Chief Commissioner Inland Revenue.

(1B) Additional Commissioners Inland Revenue, Deputy Commissioners Inland Revenue, Assistant Commissioners Inland Revenue, Inland Revenue Officers, Superintendents Inland Revenue, Inland Revenue Audit Officers, Inspectors Inland Revenue and Officers of Inland Revenue with any other designation shall be sub-ordinate to the Commissioners Inland Revenue and shall perform their functions in respect of such persons or classes of persons or such areas as the Commissioners, to whom they are sub-ordinate, may direct.

(1C) Deputy Commissioners Inland Revenue, Assistant Commissioners Inland Revenue, Inland Revenue Officers, Superintendents Inland Revenue, Inland Revenue Audit Officers, Inspectors Inland Revenue, and Officers of Inland Revenue with any other designation shall be sub-ordinate to the Additional Commissioners Inland Revenue.”;

- (c) in sub-section (3) for the words and comma, “The Board may, by notification in the official Gazette and subject to such limitations or conditions as maybe specified therein” the words “The Board or the Chief Commissioner with the approval of the Board, may” shall be substituted;
- (d) in sub-section (3), for the words “Collector of Federal Excise, Additional Collector of Federal Excise, Deputy Collector of Federal Excise, Assistant Collector of Federal Excise, or officer of Federal Excise”, wherever occurring, the words “Commissioner Inland Revenue, Additional Commissioner Inland Revenue, Deputy Commissioner Inland Revenue, Assistant Commissioner Inland Revenue or Officer of Inland Revenue” shall respectively be substituted;
- (e) sub-section (4) shall be omitted;

- (14) in section 30, in sub-section (2), for the words "Federal Excise Officer" the words "officers of Inland Revenue" shall be substituted;
- (15) section 31 may be omitted.
- (16) in section 33,—
 - (a) in the heading, for the word "Collector" the word "Commissioner" shall be substituted;
 - (b) in sub-section (1), for the words "Federal Excise Officer up to the rank of Additional Collector of Federal Excise" the words "officer of Inland Revenue upto the rank of Additional Commissioner Inland Revenue" shall be substituted; and
 - (c) in sub-sections (1), (2) and (3) for the word "Collector", wherever occurring, the word "Commissioner" shall respectively be substituted";
- (17) in section 34,—
 - (a) in sub-section (1),
 - (i) for the words "Federal Excise Officer" the words "officer of Inland Revenue" shall be substituted; and
 - (ii) in clause (a), for the word "Collector" the word "Commissioner" shall be substituted; and
 - (iii) in clause (b), for the words "Collector of Federal Excise" the words "Commissioner Inland Revenue" shall be substituted;
 - (b) sub-section (2) shall be omitted;
 - (c) in sub-section (3), for the words "any officer of Federal Excise not below the rank of Additional Collector authorized by the Collector" the words "any officer of Inland Revenue not below the rank of Additional Commissioner authorized by the Commissioner" shall be substituted;
 - (d) in sub-section (9), in the proviso, for the words "Additional Collector authorized by the Collector" the words "Additional

Commissioner authorized by the Commissioner", and for the words "authorizing the Collector" the words "authorizing the Commissioner" shall respectively be substituted;

- (e) in sub-section (12), for the words "Additional Collector authorized by the Collector" the words "Additional Commissioner authorized by the Commissioner" shall be substituted; and
- (f) in sub-section (13), for the word "Collector", occurring thrice, the word "Commissioner" shall be substituted;

(18) after section 34 the following section shall be inserted, namely:—

- "34A. **Reference to High Court.**—(1) Within ninety days of the communication of the order of the Appellate Tribunal under sub-section (2A) of section 34, the aggrieved person or the Commissioner may prefer an application, in the prescribed form alongwith a statement of the case, to the High Court, stating any question of law arising out of such order.
- (2) The statement to the High Court referred to in sub-section (1), shall set out the facts, the determination of the Appellate Tribunal and the question of law which arises out of its order.
- (3) Where, on an application made under sub-section (1), the High Court is satisfied that a question of law arises out of the order referred to in sub-section (1), it may proceed to hear the case.
- (4) A reference to the High Court under this section shall be heard by a Bench of not less than two judges of the High Court and, in respect of the reference, the provisions of section 98 of the Code of Civil Procedure, 1908 (Act V of 1908), shall apply.
- (5) The High Court upon hearing a reference under this section shall decide the question of law raised by the reference and pass judgment thereon specifying the grounds on which such judgment is based and the Tribunal's order shall stand modified accordingly. The Court shall send a copy of the judgment under the seal of the Court to the Appellate Tribunal.
- (6) Notwithstanding that a reference has been made to the High Court, the tax shall be payable in accordance with the order of the Appellate Tribunal.
- "

- (7) Where recovery of tax has been stayed by the High Court by an order, such order shall cease to have effect on the expiration of a period of six months following the day on which it was made unless the appeal is decided or such order is withdrawn by the High Court earlier.
- (8) Section 5 of the Limitation Act, 1908 (IX of 1908), shall apply to an application made to the High Court under sub-section (1).
- (9) An application under sub-section (1) by a person other than the Commissioner shall be accompanied by a fee of one hundred rupees.”;
- (19) in section 35,—
 - (a) in the heading, for the word “Collector” the word “Commissioner” shall be substituted;
 - (b) in sub-section (1), for the word “Collector” the word “Commissioner” shall be substituted; and
 - (c) in sub-section (3), for the words “Federal Excise Officers” the words “officer of Inland Revenue” shall be substituted;
- (20) in section 36, in sub-section (1), for the words “Federal Excise Officer” the words “officer of Inland Revenue” shall be substituted;
- (21) in section 37, in sub-sections (1), (2) and (3), for the words “Collector (Appeals)”, wherever occurring, the words “Commissioner (Appeals)” shall respectively be substituted;
- (22) in section 38, in sub-section (2), for the words “an officer of Federal Excise not below the rank of Additional Collector” the words “an officer of Inland Revenue not below the rank of an Additional Commissioner” shall be substituted;
- (23) after section 42, the following new sections shall be inserted, namely:—
 - “42A. **Reference to authorities.**—Any reference to Collector, Additional Collector, Deputy Collector, Assistant Collector, Superintendent and an officer of Federal Excise, wherever occurring, in this Act and the rules, notifications, clarifications, general orders or orders made or issued thereunder, shall be

construed as reference to Commissioner Inland Revenue, Additional Commissioner Inland Revenue, Deputy Commissioner Inland Revenue, Assistant Commissioner Inland Revenue, Superintendent Inland Revenue and an officer of Inland Revenue, respectively;

- 42B. **Selection for audit by the Board.**—(1) The Board may select persons or classes of persons for audit of records and documents through computer ballot which may be random or parametric as the Board may deem fit.
- (2) Audit of such persons selected under sub-section (1) shall be conducted as per procedure given in section 46 and all the provisions of the Act shall apply accordingly.
- (3) For the removal of doubt, it is hereby declared that Board shall be deemed always to have had, the power to select any persons or classes of persons for audit.”;
- (24) in section 43, in sub-section (2), for the word “Collector” the word “Commissioner” and for the words “officer of Federal Excise” the words “officer of Inland Revenue” shall be substituted;
- (25) in section 44, in sub-section (2), for the word “Collector” the word “Commissioner” and in the proviso, for the words “Collector” and “officer of Federal Excise” the words “Commissioner” and “officer of Inland Revenue” shall respectively be substituted;
- (26) in section 45,—
- (a) in sub-section (1), for the words “Federal Excise officer” the words “officer of Inland Revenue” shall be substituted; and
- (b) in sub-section (2), for the words “Federal Excise officer” the words “officer of Inland Revenue”; and in the proviso for the words “Federal Excise officer” the words “officer of Inland Revenue” and for the word “Collector” the word “Commissioner” shall respectively be substituted;
- (27) in section 46,—
- (a) in sub-section (1), for the words “Federal Excise officer” the words “officer of Inland Revenue” shall be substituted and after

the word, "Board", the words, "or the Commissioner", shall be inserted;

(b) in sub-section (2), for the words "Collector", "Federal Excise officer" and "Assistant Collector" the words "Commissioner", "Officer of Inland Revenue" and "Assistant Commissioner", shall respectively be substituted;

(c) after sub-section (2), the following new sub-section shall be inserted, namely:—

“(2A) After completion of the audit under this section or any other provision of law, the officer of Inland Revenue may, after obtaining the registered person’s explanation on all the issues raised in the audit shall pass an order under section 14, imposing the amount of duty as per law, charging default surcharge, imposing penalty and recovery of any amount erroneously refunded.”; and

(d) in sub-section (3), in the proviso, for the words, "conclusion of original adjudication proceedings", the words, "determination of liability under sub-section (2A)" shall be substituted;

(28) for section 47 the following shall be substituted, namely:—

“47. **Service of notices and other documents.**—(1) Subject to this Act, any notice, order or requisition required to be served on a resident individual (other than in a representative capacity) for the purposes of this Act shall be treated as properly served on the individual if—

(a) personally served on the individual or, in the case of an individual under a legal disability or a non-resident individual, the representative as defined in section 172 of the Income Tax Ordinance 2001 (XLIX of 2001) of the individual;

(b) sent by registered post or courier service to the place specified in clause (b) of sub-section (2) or to the individual’s usual or last known address in Pakistan; or

(c) served on the individual in the manner prescribed for service of a summons under the Code of Civil Procedure, 1908 (Act V of 1908).

- (2) Subject to this Act, any notice, order or requisition required to be served on any person (other than a resident individual to whom sub-section (1) applies) for the purposes of this Act, shall be treated as properly served on the person if –
- (a) personally served on the representative of the person;
 - (b) sent by registered post or courier service to the person's registered office or address for service of notices under this Act, in Pakistan, or where the person does not have such office or address, the notice is sent by registered post to any office or place of business of the person in Pakistan; or
 - (c) served on the person in the manner prescribed for service of a summons under the Code of Civil Procedure, 1908 (Act V of 1908).
- (3) Where an association of persons is dissolved, any notice, order or requisition required to be served under this Act, on the association may be served on any person who was the principal officer or a member of the association immediately before such dissolution.
- (4) Where, business stands discontinued, any notice, order or requisition required to be served under this Act, on the person discontinuing the business may be served on the person personally or on any individual who was the person's representative at the time of discontinuance.
- (5) The validity of any service of a notice under this Act, shall not be called into question after the notice has been complied with in any manner.”;
- (29) In the First Schedule,—
- in the TABLE I, in column (1),—
- (a) against serial number 8 and 9, in column (4), for the word “four”, the word “five” shall respectively be substituted;
 - (b) against serial number 10 and 11, in column (4), for the words “Four rupees and seventy-five paisa”, the words “Five rupees and twenty-five paisa” shall respectively be substituted;

- (c) against serial number 12, in column (4), for the word "four", the word "five" shall be substituted;
- (d) against serial numbers 36 and 37, in column (4), for the words "five rupee and nine paisa", the words "ten rupees" shall be substituted;
- (e) after serial number 49 and the corresponding entries relating thereto in column (2), (3) and (4) the following shall be inserted; namely:—

(1)	(2)	(3)	(4)
50.	Filter rods for cigarettes	5502.0090	one rupee per filter rod
51.	Air Conditioners	Respective Headings	Ten per cent <i>ad val.</i>
52.	Deep Freezers	Respective Headings	Ten per cent <i>ad val.</i> ;

- (f) in the Restriction, for the figures and hyphen "2009-10", the figures and hyphen "2010-11" shall be substituted;
- (30) in the THIRD SCHEDULE, in TABLE-I, in column (1) against S.NO. 12 in column (2) in paragraph (iii), in sub-paragraph (b) for the words "Collector of Federal Excise" the words "Commissioner Inland Revenue" shall be substituted;
- (31) this section, except the provisions of sub-section (17) and clause (d) of sub-section (29), shall take effect and shall be deemed to have taken effect from the 5th June, 2010.

THE SCHEDULE

[See clause 3 (13)]

AMENDMENT IN THE CUSTOMS ACT, 1969 (IV OF 1969)

In the Customs Act, 1969 (IV of 1969), in the First Schedule, for the "PCT Code", "Description" and "CD%" specified in columns (1), (2) and (3) appearing in chapter 1 to 99, following "PCT Code", "Description" and "CD%" specified in columns (1), (2) and (3) of the Table below and the corresponding entries relating thereto shall be substituted, namely :—

"TABLE

PCT CODE	DESCRIPTION	CD%
(1)	(2)	(3)
0102.9010	- - - Buffaloes	0
0102.9020	- - - Bulls	0
0102.9030	- - - Cows	0
0102.9040	- - - Oxen	0
0102.9090	- - - Other	0
1511.1000	- Crude oil	Rs.8000/ MT
1702.3000	- Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose.	20
1702.4000	- Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose, excluding invert sugar.	20
1702.6000	- Other fructose and fructose syrup, containing in the dry state more than 50 % by weight of fructose, excluding invert sugar.	20
3207.1020	- - - Ceramic Colours	5
3207.1090	- - - Other	5
3506.9110	- - - Shoe adhesives	15
3506.9190	- - - Other	15
3701.1000	- For X-ray	0
39.20	Other plates, sheets, film, foil and strip, of plastics, noncellular and not reinforced, laminated, supported or similarly combined with other materials.	
3920.1000	- Of polymers of ethylene	20
	- Of polymers of propylene:	
3920.2010	- - - Biaxially Oriented Polypropylene (BOPP) film, plain	20
3920.2020	- - - Biaxially Oriented Polypropylene (BOPP) film, printed	20
3920.2030	- - - Biaxially Oriented Polypropylene (BOPP) film, metallized	20
3920.2040	- - - Biaxially Oriented Polypropylene (BOPP) film, laminated	20
3920.2090	- - - Other	20
3920.3000	- Of polymers of styrene	20
	- Of polymers of vinyl chloride:	
3920.4300	- - Containing by weight not less than 6 % of plasticisers	20
	- - Other:	
3920.4910	- - - Polyvinyl Chloride (PVC) Rigid film	20
3920.4990	- - - Other	20
	- Of acrylic polymers:	
3920.5100	- - Of poly(methyl methacrylate)	20
3920.5900	- - Other	20
	- Of polycarbonates, alkyd resins, polyallyl esters or other polyesters:	
3920.6100	- - Of polycarbonates	20
3920.6200	- - Of poly(ethylene terephthalate)	20
	- - Of unsaturated polyesters:	
3920.6310	- - - Polyester film	20

PCT CODE	DESCRIPTION	CD%
(1)	(2)	(3)
3920.6390	- - - Other	20
3920.6900	- - Of other polyesters	20
	- Of cellulose or its chemical derivatives:	
3920.7100	- - Of regenerated cellulose	20
3920.7300	- - Of cellulose acetate	20
3920.7900	- - Of other cellulose derivatives	20
	- Of other plastics:	
3920.9100	- - Of poly(vinyl butyral)	20
3920.9200	- - Of polyamides	20
3920.9300	- - Of amino resins	20
3920.9400	- - Of phenolic resins	20
3920.9900	- - Of other plastics	20
5004.0000	Silk yarn (other than yarn spun from silk waste) not put up for retail sale.	0
6813.2010	- - - For vehicles of heading 87.11	35
6813.8110	- - - For vehicles of heading 87.11	35
72.04	Ferrous waste and scrap; remelting scrap ingots of iron or steel.	
	- Waste and scrap of cast iron:	
7204.1010	- - - Re-rollable	0
7204.1020	- - - Waste and scrap of auto parts	35
7204.1090	- - - Other	0
	- Waste and scrap of alloy steel:	
7204.2100	- - Of stainless steel	0
7204.2900	- - Other	0
7204.3000	- Waste and scrap of tinned iron or steel	0
	- Other waste and scrap:	
7204.4100	- - Turnings, shavings, chips, milling waste, sawdust, filings, trimmings and stampings, whether or not in bundles	0
	- - Other:	
7204.4910	- - - Re-rollable	0
7204.4920	- - - Waste and scrap of auto parts	35
7204.4930	- - - Waste and scrap of auto parts in pressed bundle condition	0
7204.4990	- - - Other	0
7204.5000	- Remelting scrap ingots	0
84.74	Machinery for sorting, screening, separating, washing, crushing, grinding, mixing or kneading earth, stone, ores or other mineral substances, in solid (including powder or paste) form; machinery for agglomerating, shaping or moulding solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand.	

PCT CODE	DESCRIPTION	CD%
1	2	3
	- Sorting, screening, separating or washing machines:	
8474.1010	- - - For cement industry	15
8474.1020	- - - screening plant	5
8474.1090	- - - Other	10
	- Crushing or grinding machines:	
8474.2010	- - - For cement industry	5
8474.2090	- - - Other	5
	- Mixing or kneading machines:	
	- - Concrete or mortar mixers:	
8474.3110	- - - For cement industry	5
8474.3120	- - - Concrete batching plant	5
8474.3130	- - - Concrete transit mixer drum	5
8474.3190	- - - Other	5
	- - Machines for mixing mineral substances with bitumen:	
8474.3210	- - - Not exceeding 150 t/h	5
8474.3290	- - - Other	5
8474.3900	- - Other	5
	- Other machinery:	
8474.8010	- - - Hydraulic press for ceramic industry of capacity exceeding 80 tons	5
8474.8090	- - - Other	5
	- Parts:	
8474.9010	- - - Of machine of heading 8474.1020, 8474.3120, 8474.3210, 8474.3290, 8474.3910 & 8474.8010	5
8474.9020	- - - Of machine of heading 8474.2010, 8474.2090, 8474.3110, 8474.3130, 8474.3190 & 8474.8090	5
8474.9090	- - - Other	10
84.79	Machines and mechanical appliances having individual functions, not specified or included elsewhere in this Chapter.	
	- Machinery for public works, building or the like:	
8479.1010	- - - Asphalt pavers	5
8479.1090	- - - Other	5
8479.2000	- Machinery for the extraction or preparation of animal or fixed vegetable fats or oils	5
8479.3000	- Presses for the manufacture of particle board or fibre building board of wood or other ligneous materials and other machinery for treating wood or cork.	5
8479.4000	- Rope or cable making machines	5
8479.5000	- Industrial robots, not elsewhere specified or included	5
8479.6000	- Evaporative air coolers	5
	- Other machines and mechanical appliances:	
8479.8100	- - For treating metal, including electric wire coil-winders:	5
	- - Mixing, kneading, crushing, grinding, screening, sifting, homogenising, emulsifying or stirring machines:	
8479.8210	- - - Match making machines	5
8479.8220	- - - Soap making machines	5

PCT CODE	DESCRIPTION	CD%
1	2	3
8479.8230	- - - Oil refining machines	5
8479.8290	- - - Other	5
	- - Other:	
8479.8910	- - - Eyeleting, fastening and thread sucking machines	5
8479.8920	- - - Automatic machines for attaching rivets, metal buttons, eyelets etc. on garments.	5
8479.8930	- - - Tableting machines	5
8479.8940	- - - Capsule polishers	5
8479.8950	- - - Tyre changers	5
8479.8990	- - - Other	5
	- - Parts:	
8479.9010	- - - Of machines of heading 8479.2000, 8479.6000, 8479.8210, 8479.8230 & 8479. 8290	5
8479.9090	- - - Other	5
87.02	Motor vehicles for the transport of ten or more persons, including the driver.	
	- With compression-ignition internal combustion piston engine (diesel or semi-diesel):	
8702.1010	- - Components for assembly / manufacture of vehicles, in any kit form	20
8702.1090	- - - Other	20
	- Other:	
8702.9010	- - - Components for assembly / manufacture of vehicles, in any kit form	20
8702.9020	- - - Fully dedicated CNG buses (CBU)	0
8702.9030	- - - Fully dedicated LPG buses (CBU)	0
8702.9090	- - - Other	20%.

DECLARATION UNDER THE PROVISIONAL
COLLECTION OF TAXES ACT, 1931 (XVI OF 1931)

The provisions of sub-clause (13) of clause 3, sub-clause (48) of clause 7, sub-clause (77) of clause 8, sub-clause (29) (a), (b), (c), (e) and (f) of clause 9 of this Bill shall have effect, for the purposes of this declaration and of the provisions of Provisional Collection of Taxes Act, 1931 (XVI of 1931), as if they were provisions for imposition of duties and taxes of customs, sales tax, federal excise duty and income tax. It is hereby declared accordingly in terms of section 3 of the Act that it is expedient in public interest that the provision of sub-clause (13) of clause 3 shall have effect from 6th June, 2010, whereas the sub-clauses of clause 7, clause 8 and clause 9 mentioned above shall have effect from 5th June, 2010, under the Act.

KARAMAT HUSSAIN NIAZI,
Secretary.

NATIONAL ASSEMBLY SECRETARIAT

A

BILL

to give effect to the financial proposals of the Federal Government for the year beginning on the first day of July, 2010, and to amend certain laws;

[As Passed by the National Assembly]

NATIONAL ASSEMBLY SECRETARIAT

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BILL

to give effect to the financial proposals of the Federal Government for the year beginning on the first day of July, 2010, and to amend certain laws;

[As Passed by the National Assembly]