

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE AND PARLTAMENTARY AFFAIRS DEPARTMENT,
MUZAFFARABAD

Dated: 27.09.2007

No. LD/ Legis/1063-74/2007. The following Act of Assembly received the assent of the President on 22nd day of September, 2007, is hereby published for general information.

(ACT VII OF 2007)

AN

ACT

to give effect to the Financial Proposals of Azad Government of the State of Jammu and Kashmir

WHEREAS, it is expedient to make provisions to give effect to the Financial Proposals of the Azad Government of the State of Jammu and Kashmir to consolidate and amend certain Fiscal Laws for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title, extent and Commencement.- (1) This Act may be called the Azad Jammu and Kashmir Finance Act, 2007.

(2) It shall extend to the whole of Azad Jammu & Kashmir.

(3) It shall come into force at once.

2. Adaptation of the amendments in Sales Tax Act, 1990, (Act VIII of 1990).-(1) In the Sales Tax Act, 1990 (Act VIII of 1990), hereinafter referred to as the "Said Act", except as otherwise provided for by an Act of the Assembly, all the amendments made in the sale Tax Act, 1990 and all rules, notifications, circulars and orders made or issued thereunder, as enforced in Pakistan at any time on or after 7 July, 2006, (hereinafter referred to as the "said amendments") and before the commencement of this Act, shall also, as far as practicable, be deemed to have been made at the same time in the said Act, as enforced in the Azad Jammu & Kashmir by virtue of the Sales Tax (Adaptation) Act, 1993 (Act IV of 1993), with the modification that the expression 'Federal Board of Revenue' shall be construed to refer to 'Azad Jammu and Kashmir Central Board of Revenue.'

(2) Notwithstanding any judgment or decision of any court including Supreme Court and High Court of Azad Jammu & Kashmir, anything done, tax levied, charged or collected, proceedings initiated, notices issued, orders passed, penalties imposed, appointments made, powers exercised or powers

conferred on any authority on or after the 7" July, 2006, in accordance with the amendments made in the Said Act, as enforced in Pakistan, shall be deemed always to have been validly levied, charged, collected, initiated, issued, taken, passed, made, imposed, exercised or conferred, done and so much of such tax as has not been levied, charged, paid or collected, before coming into force of this Act, shall be leviable, chargeable and recoverable in accordance with the said amendments.

Adaptation of the amendments in Federal Excise Act.-

(1) In the Federal Excise Act, 2005, hereinafter referred to as the "Said act", as adapted in Azad Jammu & Kashmir, except as otherwise provided for by an Act of the Assembly, all the amendments made in the Said Act and all rules, notifications, circulars and orders made or issued thereunder, as enforced in Pakistan at any time on or after the 7" July, 2006, (hereinafter referred to as the "said amendments") and before the commencement of this Act, shall also, as far as practicable, be deemed to have been made at the same time in the said Act, as enforced in the Azad Jammu & Kashmir by virtue of the Azad Jammu & Kashmir Finance Act, 2005 (Act VIII of 2005) with the modification that the expression 'Federal Board of Revenue' shall be construed to refer to 'Azad Jammu and Kashmir Central Board of Revenue'

(2) Notwithstanding any judgment or decision of any court including Supreme Court and High Court of Azad Jammu & Kashmir, anything done, tax levied, charged or collected, proceedings initiated, notices issued, orders passed, penalties imposed, appointments made, powers exercised or powers conferred on any authority on or after the 7" July, 2006, in accordance with the amendments made in the Said Act, as enforced in Pakistan, shall be deemed always to have been validly levied, charged, collected, initiated, issued, taken, passed, made, imposed, exercised or conferred, done and so much of such tax as has not been levied, charged, paid or collected, before coming into force of this Act, shall be leviable, chargeable and recoverable in accordance with the said amendments.

Amendments in Azad Jammu & Kashmir Motor Vehicle Ordinance, 1971.-In Azad Jammu and Kashmir Motor Vehicle Ordinance, 1971 hereinafter referred to as the "Said Ordinance", the clause (a) of Sub-section (5) of Section 25 shall be substituted, namely:-

"(a) Reflective Number Plates

A pair of reflective number plates made up of metallic sheet of size and colour tabulated below, containing the words "AJ&K" embossed on top center and insignia displaying "Chinar" leaf on the left of the Plate:-

Vehicle Category Size Colour

Light Transport 300mmx 152mm Yellow

Commercial Vehicles (+/-2mm)

Light Transport Private 300mmx 152mm White

Vehicles (+/-2mm)

Heavy Transport 400mmx 200mm Yellow

Commercial Vehicle (+/-2mm)

Heavy Transport private | 400mmx 200mm White

Vehicle (+/-2mm)

Motorcycles/Scooters 152mmx 152mm (+/-2mm) | White

Rickshaws 152mmx 152mm (+/-2mm) | Yellow

Government Vehicles Sizes as above depending Green

upon type of vehicle

Chinar Leaf On the left side of the plate | Green

AJ&K

Example we AA-001

MIRPUR

In case of motorcycles, scooters and rickshaws

AJ&K

Example we JA-001

MR

(2) sub-section (6) of Section 25 of the Said Ordinance shall be substituted with the following:-

"(6) In each District, the format of registration number shall consist of:-

(a) name of District provided that first and last letter of the

name of District will be used of Motorcycles/Scooters and Rickshaws;

(b)

(c)

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Two alphabets commencing sequentially from AA and ending at ZZ, covering all alpha combinations;

Three numeral commencing from 001 and ending at 999, which will follow the alphabets separated by a hyphen, repeated for each alpha combination under Clause (b) above.

AJ&K

Example we AA-001

MIRPUR

In case of motorcycles, scooters and rikshaws

AJ&K

Example we JA-001

MR

Provided that the numbers notified by the Government as Special Numbers shall only be auctioned by the Department to the bidders, who shall apply on the prescribed Form "N" as set forth in first Schedule of the said Ordinance, before the start of each series in every District:

Provided further that the reserve price of the actionable special numbers shall be notified by the Government from time to time."

Sd/-(Raja Mazhar Waheed Khan)
Section Officer (legislation)