

THE '[KHYBER PAKHTUNKHWA] FINANCE ORDINANCE, 1979.
> IKHYBER PAKHTUNKHWA| ORDINANCE NO. III OF 1979.

AN
ORDINANCE

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THE '[KHYBER PAKHTUNKHWA] FINANCE ORDINANCE, 1979.

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to continue and levy certain taxes, cesses and surcharges
in the * [Khyber Pakhtunkhwa].

WHEREAS it is expedient to continue and levy certain taxes, Preamble
cesses and surcharges in the "[Khyber Pakhtunkhwa].in the manner
hereinafter appearing;

AND WHEREAS the Governor of the *[Khyber Pakhtunkhwa] is
satisfied that circumstances exist which render it necessary to take
immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth
day of July, 1977, read with the Laws (Continuance in Force) Order, 1977
(C. M. L. A. Order No. 1 of 1977), and in exercise of all powers enabling
him in that behalf, the Governor of the °[Khyber Pakhtunkhwa] is pleased
to make and promulgate the following Ordinance:

1. (1) This Ordinance may be called the '[Khyber Pakhtunkhwa] Short title extent and
Finance Ordinance, 1979. commencement.

(2) It shall extend to the whole of the 'Khyber Pakhtunkhwa].

(3) It shall come into force on and from the first day of July, 1979.

2. In this Ordinance unless the context otherwise requires, Definitions.
"Government" means the Government of the °[Khyber Pakhtunkhwa].

3. With effect from 1st day of July, 1979, in the West Pakistan Urban Amendment of section
Immovable Property Tax Act 1958 (W. P. Act, V of 1958), in section 4, in toe Act V of
clause (c) in sub-clause (ii), for the words "one thousand and two hundred ,

rupees", the words "two thousand and four hundred rupees" shall be

substituted.

4. Notwithstanding anything to the contrary contained in the West Enhancement of fees
relating to motor

1 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

2 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

3 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

4 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

5 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

6 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

7 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

8 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

° Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

Pakistan Motor Vehicles Rules, 1969, the fees payable under the rules vehicles.

mentioned in column 2 of the Schedule to this Ordinance shall, for the financial year, 1979-80, be paid at the rates specified in column 3 thereof.

5. With effect from 1st day of July, 1979, in the '[Khyber Pakhtunkhwa] Finance Act, 1973 ([Khyber Pakhtunkhwa] Act. XII of 1973), in section 7,

(a) for the words and figure "Rs. 2.00 per gallon", the words "fifty paisa per litre" shall be substituted; and

(b) in the Explanation, for the words [Khyber Pakhtunkhwa]", the word "Pakistan" shall be substituted.

6. Where any tax, fee, cess or surcharge imposed by this Ordinance, is by way of an addition to, or a surcharge on any existing tax imposed by or under any enactment in force, the procedure provided in such enactment and the rules framed thereunder for the assessment, collection and recovery of such tax, shall, so far as applicable, apply to the assessment, collection and recovery of the additional tax, fee, cess or surcharge.

7. No suit shall lie in any Civil Court to set aside or modify any assessment, levy or collection of a tax, duty, cess or surcharge made under this Ordinance and the rules made thereunder.

8. (1) Government may make rules for carrying into effect the purposes of this Ordinance and such rules may, among other matters, prescribe the procedure for the assessment, collection and payment of any tax, surcharge or cess levied, or imposition of any penalty under this Ordinance in so far as such procedure is not provided in this Ordinance.

(2) Any rules made or deemed to have been made under the corresponding provisions of the *[Khyber Pakhtunkhwa], Finance Ordinance, 1978 (°[Khyber Pakhtunkhwa]Ord. XII of 1978), shall, so far as may be, be continued and be deemed to have been made under this Ordinance.

- 1 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.
- 2 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.
- 3 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.
- 4 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.
- 5 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.
- 6 Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

Amendment of section
7 of [Khyber
Pakhtunkhwa] Act XII
of 1973.

Application of existing
laws.

Bar of suit in Civil
Court.

Power to make rules.

(b) for renewal of certificate of fitness-

(i) where the vehicle, in respect of which the certificate is required, is produced for inspection within fifteen days of the expiry of the certificate-

THE SCHEDULE

(See Section 4)

Serial Description of fees and the relevant rule of the West Pakistan Rate of fee
No. Motor Vehicles Rules, 1969.

1 2 3

Rs.

1. Fee for the test of competence to drive, under sub-rule (3) of rule 20
8.
2. Fee for a duplicate licence, under sub-rules (6) of rule 13, sub-rule 20
(4) of rule 14 and sub-rule (4) of rule 15.
3. Fee for learner's driving licence, under sub-rule (2) of rule 19. 20
4. Fee for the issue of driving licence, under clause (i) of rule 26,—
(a) for heavy transport vehicles; 100
(b) for other vehicles 50
5. Fee for renewal of driving licence, under clause (ii) of rule 26,—
(a) where the application for renewal is made within thirty
days from the date of the expiry of the licence—
(i) in respect of heavy transport vehicles; 50
(ii) in respect of other vehicles; and 20
(b) where the application for renewal is made after thirty days
of the date of expiry of the licence—
(i) in respect of heavy transport vehicles; and 50
(ii) in respect of other vehicles. 30
6. Fee under sub-rule (9) of rule 35-
(a) for grant of a certificate of fitness-
(i) in respect of heavy transport vehicles; 100
(ii) in respect of other vehicles; and 50

10.

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- (1) for heavy transport vehicle;
- (2) for other vehicles; and

(ii) where the vehicle is not produced for inspection within the aforesaid period of fifteen days-

- (1) for heavy transport vehicles;
- (2) for other vehicles

Fee for a duplicate certificate of certificate of registration and certificate of fitness of a vehicle other than a transport vehicle, under rule 37-

50

25

100 plus a penalty at the rate of Rs. 10 per month or part of a month.

50 plus a penalty at the rate of Rs. 5 per month or part of a month.

- (a) when the original certificate is lost or destroyed; 50
- (b) when the original certificate is defaced or torn. 20

Fee for a duplicate certificate of certificate of registration and certificate of fitness of transport vehicle under rules 38—

- (a) when the original certificate is lost or destroyed; 100
- (b) when the original certificate is defaced or torn. 30

Fee for duplicate certificate of a defaced or torn certificate of registration and certificate of fitness of a transport vehicle, under rule, 39.

Registration fee under rule 42,—

- (a) in respect of motor cycle or a trailer not having more than 20

two wheels and not weighing more than one ton unladen;

(b) in respect of an invalid carriage; 10

(c) in respect of heavy transport vehicle; 250

(d) in respect of any other vehicle; 100

(e) in respect of tractor; 100

(f) in respect of temporary registration of any vehicle. 15

Fee for transfer of ownership of a motor vehicle under rule 47. Same as in serial No.

10 for registration.