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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 30th June, 2009

No. F, 22(11)/2009-Legis.—The following Act of Majlis-e-Shoora

(Parliament) received the assent of the President on the 30th June, 2009 and is hereby published for general information:—

Act No. I of 2009

An Act to give effect to the financial proposals of the Federal Government for the year beginning on the first day of July, 2009, and to amend certain laws

WHEREAS it is expedient to make provisions to give effect to the financial proposals of the Federal Government for the year beginning on the first day of July, 2009, and to amend certain 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 Finance Act, 2009.

(2) It extends to the whole of Pakistan.

(3) It shall, unless otherwise provided, come into force on the first day of July, 2009.

(93)

[610(2009)/Ex. Gaz.] Price : Rs. 40.00

Amendments of Act [V of 1969.—In the Customs Act, 1969 (IV of

1969) the following further amendments shall be made, namely: —

(1) in section 2, after clause (lb), the following new clause shall be inserted, namely:— :

“(lc) “KIBOR” means Karachi Inter Bank Offered Rate prevalent on the first day of each quarter of the financial

year;”;

(2) in section 15, for the full stop at the end, a semicolon shall be substituted and thereafter the following proviso shall be added; namely:—

“Provided that offences relating to goods imported or exported in violation of Intellectual Property Rights shall, notwithstanding any thing contained in any other law for the time being in force, be adjudicated under section 179 by the appropriate officer of customs.”

(3) in section 21-A, in sub-section (2), for the word “fourteen” the letters and words “KIBOR plus three” shall be substituted;

(4) in section 25-A, in sub-section (1),—

(a) after the word “Valuation”, the words “on his own motion or” shall be inserted; and

(b) after the word “person”, the words “or an officer of Customs” shall be inserted;

(5) in section 31-A, in sub-section (1), after the figure “18”, the comma, figures, word and letters “, 18A and 18C” shall be inserted;

(6) in section 32, in sub-section (1), in clause (b), after the comma, at the end, the word “or” shall be added and after clause (b) amended as aforesaid, the following new clause shall be added, namely:—

“(c)} submits any false statement or document electronically through automated clearance system regarding any matter of Customs,”;

(7) in section 33, in sub-section (1) for the full stop at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely:—

“Provided that no refund shall be allowed under this section if the sanctioning authority is satisfied that incidence of customs duty and other levies has been passed on to the buyer or consumer.”

(8) in section 44,—

(a) after the word “shall” the words “before arrival or” shall be inserted; and

(b) after the word “deliver” the words “or file electronically”

shall be inserted;

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in section 83, in sub-section (2), for the words "fourteen per cent" the letters and words "KIBOR plus three per cent" shall be substituted;

in section 86, in sub-section (1), in clause (b), for the words "one per cent per month" the letters and words "KIBOR plus three per cent per annum" shall be substituted;

in section 155-F, for the proviso, the following shall be substituted, namely:—

"Provided that the Collector of Customs may, in exceptional circumstances, after recording reasons in writing suspend the use of unique user identifier of any person forthwith on receipt of any complaint or information about violation of any provisions of this Act:

"Provided further that the Collector of Customs shall, after giving opportunity of hearing, pass an order confirming suspension or otherwise the use of Unique User Identifier.";

in section 179, in sub-section (3),—

(i) for the words "receipt of the contravention report", the words "issuance of show cause notice" shall be substituted;

(ii) for the word "ninety" the word "sixty" shall be substituted; and

(ii) for the full stop at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely:—.

"Provided that any period during which the proceedings are adjourned on account of a stay order or alternative dispute resolution proceedings or the time taken through adjournment by the petitioner not exceeding thirty days, shall be excluded for the computation of aforesaid periods.";

in section 193-A, in sub-section (3),—

(a) for the word "ninety", the words "one hundred and twenty" shall be substituted;

(b) in the first proviso, for the word "ninety" the word "sixty"

shall be substituted; and

{c) after the first proviso, the following new proviso shall be added, namely:—

“Provided further that any period during which the hearing of an appeal is adjourned on account of a stay order or alternative dispute resolution proceedings or the time taken through adjournment by the petitioner not exceeding thirty days, shall be excluded for the purpose of computation of aforesaid period.”;

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in section 194-B, in sub-section (1), for the second proviso the following shall be substituted, namely:—

“Provided further that the Appellate Tribunal may stay the recovery of the duty and Sales Tax on filing of appeal which order shall remain operative for thirty days and during which period a notice shall be issued to the respondent and after hearing the parties, order may be confirmed or varied as the Tribunal deems fit but stay order shall in no case remain operative for more than one hundred and eighty days.”;

in section 194-C,—

(a) in sub-section (3), second proviso shall be omitted;

(b) in sub-section (4), in clause (c), for the word “ten” the word “five” shall be substituted;”;

in section 195-C,—

{a) in sub-section (3),—

(i) for the word “sixty” the words “ninety” shall be substituted;

(ii) for colon a full stop shall be substituted and the proviso shall be omitted;

(b) after sub-section (3), amended as aforesaid, the following new sub-section shall be inserted; namely:—

“(3A) If the Committee constituted under sub-section (2) fails to make recommendations within a stipulated period of ninety days, the Board may dissolve the committee and constitute a new committee which shall decide the matter within a further period of ninety days, and after expiry of that period, if the dispute is not resolved, the matter shall be taken up by the appropriate forum for decision.”;

(c) in sub-section (4), after the word “appropriate” the words “, within forty-five days of the receipt of recommendations of the committee” shall be added;

in section 202-A, for the words “one and a half per cent per month” the letters and words “KIBOR plus three per cent per annum” shall be substituted; and

(18) the amendments set out in the Schedule to this Act shall be made in the First Schedule to the Customs Act, 1969 (IV of 1969).

3. Amendment of Act V of 1989.—In the Finance Act, 1989 (V of 1989), the following amendments shall be made, namely:—

(1) Insection 7,—

(a) insub-section (1),—

(i) after the word and comma “years,” the words “or renewal of the lease or any premium paid thereon” shall be inserted;

(ii) in the proviso for the word “or” the words “other than traded” shall be substituted ; and

(b) insub-section (2);—

{i} for paragraph (CA), the following shail be substituted, namcly:—

“(CA) (a)

Residential immovable property, (other than flats), situated in urban area, measuring at least 500 square yards or one kanal (whichever is less) and more,—

(i) Where the value 4% of the Which ever of immovable recorded is higher property is value recorded

(ji) Where the value Rs. 100 per square

of immovable yard of the landed property is not area recorded

ii) Where the Bs. 10 per square immovable feet of the cons-property is a tructed area in constructed addition to the property, value worked

out above.

[Part 1

(b) Commercial immovable property of any size situated in

(c)

urban area,—

(i) Where the value
of immovable
property is
recorded

(ii) Where the value
of immovable
property is not
recorded

{iii) Where the
immovable
property is a
constructed
property.

Residential flats,—

{t) Where the value of
immovable property
is recorded

(ii) Where the value
- of immovable
property is

not recorded

Which ever
is higher

4% of the
recorded
value

Rs, 100 per
square feet of
the landed area

Rs. 10 per square
feet of the
constructed area
in addition to the
value worked out
above.

4% of the
recorded value

Which ever
is higher.”

Rs. 100 per
square feet of
the covered area

{ii) in paragraph (E), the commas and words “, or shares of a public
company listed on a registered stock exchange in Pakistan” shall
be omitted.

4, Amendments of the Sales Tax Act, 1990 .—In the Sales Tax Act,
1990 the following further amendments shall be made, namely:—

(1) _ insection 2, after clause (14), the following new clause shall be inserted,

namely:—

“(14A)

the expression “KIBOR” means Karachi [nter-Bank
Offered Rate prevalent on the first day of each quarter of

the financial year;”;

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in section 8B, in sub-section (2), after the word "adjustment" the words "or refund" shall be inserted;

in section 11, in sub-section (4), in the proviso,—

{a) for the words "one hundred and twenty", occurring for the second time, the word "sixty" shall be substituted; and

(b) for the full stop, at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely:—

"Provided further that any period during which the proceedings are adjourned on account of a stay order or Alternative Dispute Resolution proceedings or the time taken through adjournment by the petitioner not exceeding thirty days shall be excluded from the computation of the periods specified in the first proviso.";

in section 33, in the Table, against serial 12,—

(a) in column (1), for the word, figure and letter "or 38A", the comma, figures and word ", 38A or 40B" shall be substituted; and

(b) in column (3), for the word and figure "and 38A", the comma, figures and word ", 38A and 40B" shall be substituted;

in section 34, in sub-section (1), in clause (a) for the words "one and half per cent per month", the letters and words "KIBOR plus three per cent per annum" shall be substituted";

in section 36, in sub-section (3),—

(a) the proviso, for the words "one hundred and twenty", occurring for the second time, the word "sixty" shall be substituted; and

{b} after the proviso amended as aforesaid, the following new proviso shall be added, namely:—

"Provided further that any period during which the proceedings are adjourned on account of a stay order or

Alternative Dispute Resolution proceedings or the time taken through adjournment by the petitioner not exceeding thirty days shall be excluded from the computation of the periods specified in the first proviso.”;

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in section 38, in sub-section (1), the words “or the Collector” shall be omitted;

in section 45B, in sub-section (2), in the second proviso,—

(a) for the words “one hundred and twenty”, the word “sixty” shall be substituted; and

{b) for the full stop, at the end, a colon shall be substituted; and thereafter the following new proviso shall be added; namely:—

“Provided further that any period during which the proceedings are adjourned on account of a stay order or Alternative Dispute Resolution proceedings or the time taken through adjournment by the petitioner not exceeding thirty days shall be excluded from the computation of aforesaid periods.”;

in section 46,—

(a) for sub-section (2), the following shall be substituted, namely:—

“(2) The Appellate Tribunal may admit, hear and dispose of the appeal as per procedure laid down in sections 194-A, 194-B and 194-C of the Customs Act, 1969 (IV of 1969), and rules made thereunder.”; and

(b) sub-sections (3), (4), (5), (6), (7), (8) and (9) shall be omitted; in section 47(A),—

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

“(3) The committee constituted under sub-section (2) shall examine the issue and may if it deems fit, conduct inquiry, seek expert opinion, direct any officer of the sales tax or any other person to conduct an audit and shall make recommendations within ninety days of its constitution in respect of the dispute. If the committee fails to make recommendations within the said period the Board shall dissolve the committee and constitute a new committee which shall decide the matter within a further period of ninety days. If after the expiry of that period the dispute is not resolved the matter shall be taken up by the appropriate forum for decision.”;

(11)

(12)

(b) in sub-section (4), after the word "appropriate" , at the end, the words "within forty-five days of the receipt of the recommendations of the Committee" shall be inserted; and

{c) in sub-section (4), after the word, brackets and figure "sub-section (4)", the words, brackets and figure "or under sub-section

(4A)" shall be inserted;

in section 67, for the word "six per cent", the letters "KIBOR" shall be substituted;

in the Sixth Schedule,—

(a) in TABLE -1,—

{i) against serial number 13,—

(a) in column (2), after the word "tubers", the words "except ware potato and onions" shall be inserted;
and

(b) incolumn (3),-

(a) the figure and comma "0701.9000," shall be omitted; and

(b) the figure and comma "0703.1000," shall be omitted;

(ii) against serial number 14, in column (3), for the figure and comma "0713.2000," the figures and commas "0713.2010, 0713.2020, 0713.2090," shall be substituted;

ii) against serial number 19, in column (3), for the figure and comma "1006.1000," the figures and commas "1006.1010, 1006.1090," shall be substituted;

(iv) against serial number 23, in column (3), for the figure "1212.9900" the figure "1212.9990" shall be substituted;

(v) against serial number 32,—

{a) incolumn (2), for the word “Newspapers”, the words and comma “Newsprint, newspapers” shall be substituted;

{b) incolumn (3), before figures and full stop “4901.9100”, the figures, full stop and comma ““4801.0000,” shall be inserted”;

(vi) against serial number 32, in column (3), for the figures and commas “4902,1010, 4902.1090, 4902.9010, 4902.9090,” the figures and commas “4902.1000, 4902.9000” shall be substituted;

(vii) for serial number 69 and the entries relating thereto in columns (1), (2) and (3), the following shall be substituted, namely:—

“69. Tractors, bulldozers and combined Respective harvesters; and components headings.”;

(which include sub-components, components, sub-assemblies and assemblies but exclude consumables) imported in any kit form and irect materials or assembly or manufacture thereof, subject to the same conditions as are envisaged for the purpose of exemption under the Customs Act, 1969 (IV of 1969).

(b) in TABLE -2, after serial number 10, the following new serial number in column (1) and entries relating thereto in columns (2) and (3) shall be inserted, namely:—

“11. Supply of ware potato and onions. 0701.9000 and 0703.1000.”.

5.

Amendment of Ordinance, XLIX of 2001.—In the Income Tax

Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made,

namely:—

(1)

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in section 2,—

(a) in clause (19), in sub-clause (f),—

(i) for the word “any” the words “remittance of” shall be substituted;

(ii) in paragraph (ii), the word “and” occurring at the end, shall be omitted;

(ii) in paragraph (iii), after semicolon, at the end, the word “and” shall be added and thereafter the following new paragraph shall be added, namely:—

“(iv) remittance of after tax profit by a branch of Petroleum Exploration and Production (E&P) foreign company, operating in Pakistan.”;

(b) after clause (30A), the following new clause shall be inserted, namely:—

“(30AA) KIBOR means Karachi Inter Bank Offered Rate prevalent on the first day of each quarter of the financial year,” and

(c) after clause (70), the following new clause shall be inserted, namely:—

“(70A) “turnover” means turnover as defined in sub-section (3) of section 113;”

in section 5, in sub-section (1), after the word “company” the words, brackets and figures “or treated as dividend under clause (19) of section 2” shall be added;

in section 12, in sub-section (2), in clause (a), for the “semi-colon,” occurring at the end, a colon shall be substituted and thereafter the following proviso shall be inserted, namely:—

“Provided that any bonus paid or payable to corporate employees receiving salary income of one million rupees or more (excluding bonus)

(4)

in tax year 2010, shall be chargeable to tax at the rate provided in paragraph (2) of Division I of Part I of the First Schedule;”;

in section 20, after sub-section (1), the following new sub-section shall be inserted, namely:—

“(1A) subject to this Ordinance, where animals which have been

(5)

(6)

used for the purposes of the business or profession otherwise than as stock-in-trade and have died or become permanently useless for such purposes, the difference between the actual cost to the taxpayer of the animals and the amount, if any, realized in respect of the carcasses or animals.”;

in section 22, in sub-section (13), in clause (a),—

(a) after the word “one” the words “and half” shall be inserted; and

(b) _ the proviso shall be omitted,

after section 23A, the following new section shall be inserted, namely:—

“23B. Accelerated depreciation to alternate energy projects.—

(7)

(8)

(1) Any plant, machinery and equipments installed for generation of alternate energy by an industrial undertaking set up anywhere in Pakistan and owned and managed by a company shall be allowed first year allowance in lieu of initial allowance under section 23, at the rate specified in Part II] of the Third Schedule against the cost of the eligible depreciation assets put to use after first day of July, 2009.

(2) The provisions of section 23 except sub-sections (1) and (2) thereof, shall mutatis mutandis apply.”;

in section 28, in sub-section (1), in clause (g), for the words and brackets “Small Business Finance Corporation (hereinafter referred to as “the Corporation”)” the words “Small and Medium Enterprises Bank (hereinafter referred to as “the SME Bank”)”, shall be substituted;

in section 29A,—

(a) in sub-section (1), the words “banking company or” shall be omitted; and

(b) in sub-section (2), in the Explanation, the words “a banking company or” shall be omitted;

(9) in section 49, in the marginal note, for the word “and” occurring for the first time, the word and comma “Government,” shall be substituted;

(10) in section 57,—

{a) in sub-section (4), after the figure “23” the commas and figures “ , 23A, 23B” shall be inserted; and

(b) in sub-section (5), after the figure “23” the commas and figures “ , 23A, 23B” shall be inserted;

(11) in section 61, in sub-section (2), in clause (b), in sub-clause (ii), for the word “fifteen” the word “twenty” shall be substituted;

(12) _ in section 64, in sub-section (2),—

{a) in clause (b), for the word “forty” the word “fifty” shall be substituted;

(b) in clause (c), for the words “five hundred” the word “seven hundred and fifty” shall be substituted;

(13) after section 65, the following new section shall be inserted namely:-

“65A. Tax credit to a person registered: under the Sales Tax Act, 1990.—(1) Every manufacturer, registered under the Sales Tax Act, 1990, shall be entitled to a tax credit of two and a half per cent of tax payable for a tax year, if ninety per cent of his sales are to the person who is registered under the aforesaid Act during the said tax year.

(2) For claiming of the credit, the person shall provide complete details of the persons to whom the sales were made.

(3) No credit will be allowed to a person whose income is covered under final tax or minimum tax.

(4) Carry forward of any amount where full credit may not be allowed against the tax liability for the tax year, shall not be allowed.”;

(14)

(15)

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in section 76, in sub-section (5), at the end, the following Explanation shall be added, namely:

“Explanation.—Difference, if any, on account of foreign currency fluctuation, shall be taken into account in the year of occurrence for the purposes of depreciation.”;

before section 113A, the following new section shall be inserted, namely:—

“113. Minimum tax on the income of certain persons.—(1) This section shall apply to a resident company where, for any reason whatsoever allowed under this Ordinance, including any other law or for the time being in force—

{a) loss for the year;

(b) the setting off of a loss of an earlier year;

(c) exemption from tax;

(d) the application of credits or rebates; or

(e) the claiming of allowances or deductions (including depreciation and amortization deductions) no tax is payable or paid by the person for a tax year or the tax payable or paid by the person for a tax year is less than one-half per cent of the amount representing the person's turnover from all sources for that year:

Provided that this sub-section shall not apply in the case of a company, which has declared gross loss before set off of depreciation and other inadmissible expenses under the Ordinance. If the loss is arrived at by setting off the aforesaid or changing accounting pattern, the Commissioner may ignore such claim and proceed to compute the tax as per historical accounting pattern and provision of this Ordinance and all other provisions of the Ordinance shall apply accordingly.

(2) Where this section applies:

(3)

(a)

(b)

(c)

the aggregate of the person's turnover as defined in sub-section (3) for the tax year shall be treated as the income of the person for the year chargeable to tax;

the person shall pay as income tax for the tax year (instead of the actual tax payable under this Ordinance), an amount _ equal to one-half per cent of the person's turnover for the year; ,

where tax paid under sub-section (1) exceeds the actual tax payable under Part 1, Division II of the First Schedule, the excess amount of tax paid shall be carried forward for adjustment against tax liability under the aforesaid Part of the subsequent tax year:

Provided that the amount under this clause shall be carried forward and adjusted against tax liability for three tax years immediately succeeding the tax year for which the amount was paid.

"turnover" means,—

{a)

(b)

(c)

(d)

the gross receipts, exclusive of Sales Tax and Federal Excise duty or any trade discounts shown on invoices, or bills, derived from the sale of goods, and also excluding any amount taken as deemed income and is assessed as final discharge of the tax liability for which tax is already paid or payable;

the gross fees for the rendering of services for giving benefits including commissions; except covered by final discharge of tax liability for which tax is separately paid or payable;

the gross receipts from the execution of contracts;

except covered by final discharge of tax liability for which tax is separately paid or payable; and

the company's share of the amounts stated above of any association of persons of which the company is a member." ; :

(16)

(17)

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in section 113B, in clause (c), for the full stop, at the end, a colon shall

be substituted and thereafter the following proviso shall be inserted,
namely:—

“Provided that turnover chargeable to tax under this section shall not include the sale of goods on which tax is deducted or deductible under clause (a) of sub-section (1) of section 153.”;

in section 114,—

(a) in sub-section (1), in clause (b),—

(i) _ the “full stop” at the end, a semicolon shall be substituted;

(ii) after sub-clause (iii), the following new sub-clauses shall be added, namely:—

“(v) owns immovable property with a land area of five hundred square yards or more located in a rating area;

. (v)} owns a flat having covered area of two thousand square feet or more located in a rating area;

(vi) owns a motor vehicle having engine capacity above 1000CC; and

(vii) has obtained National Tax Number.”; and

(b) for sub-section (6), the following shall be substituted, namely:—

“(6) Any person who, having furnished a return, discovers any omission or wrong statement therein, without prejudice to any other liability, which he may incur under this Ordinance, may furnish a revised return for that tax year at any time, within five years from the end of the financial year in which original return was filed, subject to the following, namely:—

{a) it is accompanied by the revised accounts or revised audited accounts, as the case may be,

(b) the reason of revision of return, in writing, duly signed, is filed therewith; and

(c) it is filed before the issuance of the notice for amendment of assessment.”

(18) insection 115,—

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

“Provided that where salary income, for the tax year is five

hundred thousand rupees or more, the taxpayer shall file return of income electronically in the prescribed form and it shall be accompanied by the proof of deduction or payment of tax and wealth statement as required under section 116,”;

(b) insub-section (4),—

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ii)

after the figure and comma “152,” the word, comma, brackets, letters and figure “clauses (a) and (c) of sub-section (1) of section” shall be inserted; and

after the figure “234” the words, brackets, figure and letter “or sub-section (3) of section 234A” shall be inserted; and

(c) after sub-section (4), the following new sub-sections shall be inserted, namely:—

“(AA)

(4B)

Any person who, having furnished a statement, discovers any omission or wrong statement therein, he may, without prejudice to any other liability which he may incur under this Ordinance, furnish a revised statement for that tax year, at any time within five years from the end of the financial year in which the original statement was furnished.

Every person (other than a company) filing statement under sub-section (4), falling under final tax regime (FTR) and has paid tax amounting to twenty thousand rupees or more for the tax year, shall file a wealth statement alongwith reconciliation of wealth statement.”;

(19) insection 116,—

(a} in sub-section (1),—

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in clause (c), the word “and”, at the end, shall be omitted;

and

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(ii) in clause (d), for the “full stop”, at the end, a semicolon and word “; and” shall be substituted and thereafter the following new clause shall be inserted, namely:—

“(e) the reconciliation statement of wealth.”; and

(b) in sub-section (2), after the word “statement” the words “and wealth reconciliation statement” shall be inserted;

(20) in section 121, in sub-section (1), after clause (a), the following new clause shall be inserted, namely:—

“(aa) furnish a statement as required by a notice under sub-section (5) of section 115; or”;

(21) in section 122,—

(a) for sub-section (2), the following shall be substituted, namely:—

“(2) No order under sub-section (1) shall be amended by the Commissioner after the expiry of five years from the end of the financial year in which the Commissioner has issued or treated to have issued the assessment order to the taxpayer.”;

(b) in sub-section (4),—

(i) in clause (a), for the word “after” the words “from the end of the financial year in which” shall be inserted; and

(ii) in clause (b), for the word “after” the words “from the end of the financial year in which” shall be inserted;

(22) in section 127,—

(a) in sub-section (1), —

(i) for the word and figure “or 189” the figures and word “189 or 205” shall be substituted;

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(23)

(24)

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Gi) . after the word “person”, occurring fourth time, the words “or an order giving effect to any finding or directions in any order made under this Part by the Commissioner (Appeals), Appellate Tribunal, High Court or Supreme Court” shall be inserted;

(b) in sub-section (4), in clause (a), for the words “the lesser of one thousand rupees or ten per cent of the tax assessed” the words “one thousand rupees” shall be substituted;

in section 129, in sub-section (4) for the full stop, at the end, a colon shall be substituted and thereafter the following provisos shall be added, namely:—

“Provided that such order shall be passed not later than one hundred and twenty days from the date of filing of appeal or within an extended period of sixty days, for reasons to be recorded in writing by the Commissioner (Appeals):

Provided further that any period during which the hearing of an appeal is adjourned at the request of the appellant or is postponed due to any appeal or proceedings or stay order, remand or alternative dispute resolution proceedings or for any other reason, shall be excluded in the computation of the aforementioned periods.”;

in section 130, after sub-section (8), the following new sub-sections shall be inserted, namely:- ,

“(8A). Notwithstanding anything contained in sub-sections (7) and (8),

the Chairman may constitute as many benches consisting of a single member as he may deem necessary to hear such cases or class of cases as the Federal Government may by order in writing, specify.

(8AA) The Chairman or other member of the Appellate Tribunal

(25)

authorized, in this behalf by the Chairman may, sitting singly, dispose of any case where the amount of tax or penalty involved does not exceed five million rupees.”;

in section 131,—

{a) for sub-section (3), the following shall be substituted, namely:—

“(3) The prescribed fee shall be ‘two’ thousand rupees.”; and

(b)

in sub-section (5), after the second proviso the following shall be inserted, namely:—

. “Provided further that the Appellate Tribunal may stay the recovery of the tax on filing the appeal which order will remain operative for thirty days and during which period a notice shall be issued to the respondent and after hearing the parties, order may be confirmed or varied as the Tribunal deems fit but stay order shall in no case remain operative for more than one hundred and eighty days.”

(26) in section 134A,—

(a)

(b)

(c)

(d)

in sub-section (1) after the word “application”, at the end, the commas and words “except where prosecution proceedings have been initiated or where interpretation of question of law having effect on identical other cases” shall be inserted;

in sub-section (2), after the word “shall” the words and comma “within sixty days of receipt of such application in the Board”, shall be inserted;

for sub-section (3), the following shall be substituted namely:—

“(3) The Committee constituted under sub-section (2) shall examine the issue and may if it deem fit necessary conduct inquiry seek expert opinion, direct any officer of the Income Tax or any other person to conduct an audit and shall make recommendations within ninety days of its constitution in respect of the resolution of the dispute, If the committee fails to make recommendations within the said period the Board shall dissolve the committee and constitute a new committee which shall decide the matter within a further period of ninety days. If after the expiry of that period the dispute is not resolved the matter shall be taken up by the appropriate forum for decision.”;

in sub-section (4), after the word “appropriate”, the words “within forty five days of the receipt of recommendations of the Committee” shall be added;

(27) in section 137, in sub-section (1), after the word “section” the figure and word “113 or” shall be inserted,

(28) in section 147,—

(a) in sub-section (1),—

(i) in clause (c), for the word “or” the word “and” shall be substituted;

(ii) clause (ca), shall be omitted; and

ii) in clause (d), after the word and figure “Division [II]” the ‘ words and figures “or deducted or collected under Chapter XII” shall be inserted;

(b) for sub-section (4), the following shall be substituted, namely:—

(4) Where the taxpayer is a company, the amount of advance tax due for a quarter shall be computed according to the following formula, namely:—

$(Ax B/C) - D$

Where—

A is the taxpayer’s turnover for the quarter;

B is the tax assessed to the taxpayer for the latest tax year;

C is the taxpayer’s turnover for the latest tax year; and

D is the tax paid in the quarter for which a tax credit is allowed under section 168, other than tax deducted under section 155, :

(c) after sub-section (4A), the following new sub-section shall be inserted, namely:—

“(4AA) Tax liability under section 113 shall also be taken into account while working out payment of advance tax liability under this section.”;

(d) in sub-section (5), for the words “a taxpayer” the words “an individual or an association of persons” shall be substituted;

(e) after sub-section (5), amended as aforesaid, the following new sub-section shall be inserted, namely:—

“(5A) Advance tax is payable by a company to the Commissioner—

(a)

(b)

(*)

(d)

in respect of the September quarter, on or before the 15th day of October;

in respect of the December quarter, on or before the 15th day of January;

in respect of the March quarter, on or before the 15th day of April; and

in respect of the June quarter, on or before the 15th day of June; and”

(f) for sub-section (6A), the following shall be substituted, namely:—

“(6A) Notwithstanding anything contained in this section, where the taxpayer is a company or an association of persons, advance tax shall be payable by it in the absence of last assessed income or declared turnover also. The taxpayer shall estimate the amount of advance tax payable on the basis of quarterly turnover of the company or an association of persons, as the case may be, and thereafter pay such amount after,—

(a)

(b)

taking into account tax payable under section 113 as provided in sub-section (4AA); and

making adjustment for the amount (if any) already paid.”;

(29) in section 148,—

(a) in sub-section (7), i in clause (d),—

Gi) in sub-clause (i), for the figure “100” the figure “250” shall be substituted; and —

i) in sub-clause (iii), for the figure “100” the figure “350” shall be substituted; and

(b) in sub-section (8),—

(i) after the word “oil” the words “and packing material” shall be inserted; and

Gi) for the word “final” the word “minimum” shall be substituted;

(30) in section 150, for the words “resident company” the word “person” shall be substituted;,

(31) in section 153,—

{a) in sub-section (6), in the second proviso, for the full stop at the end, the semicolon and word “; and” shall be substituted and thereafter, the following new sub-clause shall be inserted, namely:—

“Gii) the rendering of or providing of services referred to in sub-clause (b) of sub-section (1):

Provided that tax deducted under sub-clause (b) of sub-section (1) of section 153 shall be minimum tax.”;

(b) in sub-section (9),—

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

“(cc) anon-profit organization.”;

(ii) in the expression “manufacturer”, in clause (b), the commas and words “ , packing, repacking” shall be omitted;

(32) in section 154, after sub-section (3B), the following new sub-section shall be inserted: —

“(3C) The Collector of Customs at the time of clearing of goods exported shall collect tax from the gross value of such goods at the rate specified in Division IV of Part III of the First Schedule”,

(33)

(34)

35)

(36)

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in section 164,—

(a) in' sub-section (1), after the word and comma "made," the words "copies of the challan of payment or any other equivalent document alongwith" shall be inserted;

(b) in sub-section (2), for the words "any certificate" the words "copies of the challan of payment on the basis of which a certificate is" shall be inserted;

in section 168,—

(a) in sub-section (3), the words, figure, brackets and comma "sub-section (7) of section 148, shall be omitted, and";

(b) after sub-section (5), the following new sub-sections shall be added, namely:—

"(6) Notwithstanding anything contained in any other law or any rules for the time being in force, no amount shall be deducted on account of service charges from the tax withheld or collected by any person under the provisions of this Ordinance.

(7) In case any amount is deducted on account of service charges, by the person, the said person will be liable to pay the said amount to the Federal Government and all the provisions of this Ordinance shall apply in so far as they apply to the recovery of tax:";

in section:170, in sub-section (4), for the words "forty five" the word "sixty" shall be substituted;

in section 171, in sub-section (1), for the word "six per cent" the words "KIBOR" shall be substituted and for the full stop, at the end, a colon shall be substituted and thereafter the following proviso shall be inserted, namely:

"Provided that where there is reason to believe that a person has claimed the refund which is not admissible to him, the provision regarding the payment of such additional amount shall not apply till the

investigation of the claim is completed and the claim is either accepted or rejected.”;

(37) in section 176, in sub-section (1), in clause (6), for the full stop at the end, semi-colon and word; “or” shall be substituted and thereafter the following new clause shall be added namely:—

“(c)

the firm of chartered accountants, as appointed by the Board, to conduct audit under section 177, for any tax year, may with the prior approval of the Commissioner concerned, enter the business premises of a taxpayer, selected for audit, to obtain any information, required production of any record, on which the required information is stored and examine it within such premises; and such firm may if specifically delegated by the Commissioner, also exercise the powers as provided in sub-section (4).”;

(38) in section 177,—

(a)

(b)

(c)

(d)

in sub-section (1),—

(i) after the word “person” the words “or classes of persons” shall be inserted; and

Gi) after the word “of”, occurring for the second time, the word “such” shall be inserted;

in sub-section (2), after the word “person” the words “or classes of persons” shall be inserted;

in sub-section (4), after the word “person” the words “or classes of persons” shall be inserted;

in sub-section (5),—

(i) after the word “person” the words “or classes of persons” shall be inserted;

(ii) for the words “that person”, occurring at the end, the words “such person or classes of persons” shall be substituted; and

(39)

(40)

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(e) in sub-section (8), after the word "person" the words "or classes of persons selected for audit by the Commissioner or by the Board" shall be inserted;

in section 191, in sub-section (2), after the word "fine", the words "not exceeding fifty thousand rupees;" shall be added.

in section 192, after the word "fine" the words "upto hundred thousand rupees" shall be inserted and after section 192 as amended here-above the following new section shall be inserted, namely:—

"192A. Prosecution for concealment of income.—(1) Where, in

(41)

(42)

(43)

the course of any proceedings under this Ordinance, any person has either in the said proceedings or in any earlier proceedings concealed income or furnished inaccurate particulars of such income and revenue impact of such concealment or furnishing of inaccurate particulars of such income is five hundred thousand rupees or more shall commit an offence punishable on conviction with imprisonment upto two years or with fine or both.

(2) For the purposes of sub-section (1), concealment of income or the furnishing of inaccurate particulars of income shall

include

" (a) the suppression of any income or amount chargeable to tax;

(b) the claiming of any deduction for any expenditure not actually incurred; or

(c) any act referred to in sub-section (1) of section 111.";

in section 193, in clause (a) after the word "fine" the words "not exceeding fifty thousand rupees" shall be inserted;

in section 194, after the word "fine" the words "not exceeding fifty thousand rupees" shall be inserted;

in section 197, after the word "fine" the words "upto hundred

thousand rupees” shall be inserted;

(44) for section 202, the following shall be substituted, namely:—

“202.

Power to compound offences.—Notwithstanding any provisions of this Ordinance, where any person has committed any offence, the Director General may, with the prior approval of the Board, either before or after the institution of proceedings, compound such offence subject to payment of tax due along with additional tax and penalty as is determined under the provisions of this Ordinance.”;

(45) in section 205,—

{a)

(b)

(c)

(d)

in sub-section (1), for the words “twelve per cent per annum”, the letters and words “KIBOR plus three per cent per quarter” shall be substituted;

in sub-section (1A), for the words “twelve per cent per annum”, the letters and words “KIBOR plus three per cent per quarter” shall be substituted; .

in sub-section (1B), for the words “twelve percent per annum” the letters and words “KIBOR plus three percent per quarter” shall be substituted;

in sub-section (3), for the words “twelve per cent per annum”, the letters and words “KIBOR plus three per cent per quarter” shall be substituted;

(a) in the case of listed or unlisted public limited company, the place where the registered office is situated;

{b) in the case of other companies,

(i) _ if the company is primarily engaged in manufacture or processing, the place where the factory is situated;

(ii) if the company is primarily engaged in business other than manufacture or processing, the place where main business activities are actually carried on.”;

(46) in section 210, after sub-section (1A), the following new sub-section shall be inserted, namely:—

“(1B)

The Commissioner may delegate the powers to a firm of chartered accountants appointed by the Board, to conduct the audit of persons selected for audit under section 177.”;

{47) after section 214, the following new sections shall be inserted, namely:—

“214A.

214B.

(2)

(3)

Condonation of time limit— Where any time or period has been specified under any of the provisions of the Ordinance or rules made there-under within which any application is to be made or any act or thing is to be done, the Board may, in any case or class of cases, permit such application to be made or such act or thing to be done within such time or period as it may consider appropriate:

Provided that the Board may, by notification in. the official Gazette, and subject to such limitations or conditions as may be specified therein, empower any Commissioner or Director General under this Ordinance to exercise the powers under this section in any case or class of cases.

Power of the Board to call for records.—{1) The Board may, of its own motion, call for and examine the record of any departmental proceedings under this Ordinance or the Rules made there-under for the purpose of satisfying itself as to the legality or propriety of any decision or order passed therein and may pass such order as it may think fit:

Provided that no order imposing or enhancing any tax or penalty than the originally levied shall be passed unless the person affected by such order has been given an opportunity of showing cause and of being heard.

No proceeding under this section shall be initiated in a case where an appeal is pending. :

No order shall be made under this Section after the expiry of three years from the date of original decision or order.”;

(48) for section 231B, the following shall be substituted, namely:—

“23 1B.

Advance tax on private motor vehicles.—Every motor vehicle registering authority of Excise and Taxation Department shall collect advance tax at the time of registration of a new locally manufactured motor vehicle, at the rates specified in Division VII of Part IV of the First Schedule:

Provided that the provisions of this section shall not be applicable in the case of —

- (a) the Federal Government;
- (b) _ the Provincial Government;
- {c) the Local Government;

- (d) a foreign diplomat; or

- (e)} adiplomatic mission in Pakistan.”;

(49) in section 235, for sub-section (4), the following shall be substituted, namely:—

“4)

under this section,—

{a) inthe case ofa taxpayer other than a company, tax collected upto bill amount of thirty thousand rupees per month shall be treated as minimum tax on the income of such persons and no refund shall be allowed;

{b) inthe case ofa taxpayer other than a company, tax collected on monthly bill over and above thirty thousand rupees per month shall be adjustable; and

(c) in the case of a company, tax collected shall be adjustable against tax liability.”;

(50) _ after section 236, the following new section shall be inserted, namely:—

“236A,

Advance tax at the time of sale by auction —{1) Any person making sale by public auction, of any property or goods confiscated or attached either belonging to or not belonging to the Government, local Government, any authority, a company, a foreign association declared to be a company under sub-clause (vi) of clause (b) of sub-section (2) of section 80, or a foreign contractor or a consultant or a consortium or Collector of Customs or Commissioner of Income Tax or any other authority, shall collect advance tax, computed on the basis of sale price of such property and at the rate specified in Division VIII of Part IV of the First Schedule, from the person to whom such property or goods are being sold.

(2) The credit for the tax collected under sub-section (1) in that tax

year shall, subject to the provisions of section 147, be given in computing the tax payable by the person purchasing such property in the relevant tax year or in the case of a taxpayer to whom section 98B or section 145 applies, the tax year, in which the "said date" as referred to in that section, falls or whichever is later.";

Explanation.—For the purposes of this section, sale of any property includes the awarding of any lease to any person, including a lease of the right to collect tolls, fees or other levies, by whatever name called.";

in the FIRST SCHEDULE,

in Part 1,—

(i) in Division L—

(a) in paragraph (1), in the proviso, for the full stop, at the

end, a colon shall be substituted, and thereafter the following new proviso shall be inserted, namely:—

"Provided further that Internally Displaced Persons Tax (IDPT), treated as income tax, on the tax payable on the taxable income of one million rupees or more, shall be levied at the rate of 5% of such tax, for tax year 2009.",

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

"TABLE

S.No. Taxable income

Rate of tax

(1) {2)

Q)

1, Where the taxable income does not exceed. Rs.200,000,

2. Where the taxable income exceeds Rs. 200,000 but does not exceed Rs. 250,000,

3, Where the taxable income exceeds Rs. 250,000 but does not exceed Rs. 350,000,

4. Where the taxable income exceeds Rs. 350,000 but does not exceed Rs. 400,000,

%

0.50%

0.75%

1.50%

Part I}

a)

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Q)

123

G3)

5.

6.

7.

'Where the taxable income exceeds

Where the taxable income exceeds

Where the taxable income exceeds

Where the taxable income exceeds

Where the taxable income exceeds

Where the taxable income exceeds

. Where the taxable income exceeds

. Where the taxable income exceeds

. Where the taxable income exceeds

Where the taxable income exceeds

'Where the taxable income exceeds

Where the taxable income exceeds

Where the taxable income exceeds

Where the taxable income exceeds

Where the taxable income exceeds:

'Where the taxable income exceeds

Rs, 400,000 but does not exceed Rs. 450,000,

Rs, 450,000 but does not exceed Rs. \$50,000,

Rs, 550,000 bat does not exceed Ra. 650,000,

Rs. 650,000 but does not exceed Rs.7 \$0,000,

Rs, 750,000 but daca not exceed Rs. 900,000,

Rs, 900,000 but does not exceed Rs. 1,050,000,

Rs, 1,050,000 but does not exceed Rs. 1,200,000

Rs. 1,200,000 but does not exceed Rs. 1,450,000

Ra. 1,450,000 but does not exceed Rs. 1,700,000

Rs. 1,700,000 but does not exceed Rs. 1,950,000
Rs. 1,950,000 but does not exceed Rs. 2,250,000
Rs. 2,250,000 but does not exceed Rs. 2,850,000
Rs. 2,850,000 but does not exceed Rs. 3,550,000
Rs. 3,550,000 but does not exceed Rs. 4,550,000
Rs. 4,550,000 but does not exceed Rs. 8,650,000

Rs. 8,650,000.

no tax shall be charged if the taxable income does not exceed Rs.260,000:

2.50%

3.50%

4.50%

6.00%

7.30%

9.00%

10.00%

11.00%

12.50%

14.00%

15.00%

16.00%

17.50%

18.50%

19.00%

Provided that where income of a woman taxpayer is covered by this clause,

Provided further that where the total income of a taxpayer marginally exceeds the maximum limit of a slab in the table, the income tax payable shall be the tax payable on the maximum of that slab plus an amount equal to—

(i) 20% of the amount by which the total income exceeds the said limit

where the total income does not exceed Rs. \$50,000.

(ii) 30% of the amount by which the total income exceeds in each slab but total income does not exceed Rs. 1,050,000.

(iii) 40% of the amount by which the total income exceeds in each slab but

total income does not exceed Rs, 2,250,000.

S.No.

Q)

(2)

(3)

(4)

(iv)

(v)

(ii)

ii)

(a)

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50% of the amount by which the total income exceeds in each slab but total income does not exceed Rs. 4,550,000.

60% of the amount by which the total income exceeds in each slab but the total income does not exceed Rs. 4,550,000:

Provided further that Internally Displaced Persons Tax (IDPT), treated as income tax, on the tax payable on the taxable income of one million rupees or more, shall be levied at the rate of 5% of such tax, for tax year 2009; and

(2) The rate of tax payable on bonus as IDPT as income tax shall be 30% for the tax year 2010.”;

in Division LL, in paragraph (iii), the proviso shall be omitted;

for Division VI, the following shall be substituted, namely: —

“Division VI

Income from Property

The rate of tax to be paid under section 15, in the case of individual and association of persons, shall be—

Gross amount of rent Rate of tax

Where the gross amount of rent does —_—Nil
not exceed Rs.150,000.

Where the gross amount of rent 5 per cent of the gross
exceeds Rs.150,000 but does not amount exceeding Rs.150,000.
exceed Rs. 400,000.

Where the gross amount of rent Rs.12,500 plus 7.5 per cent of exceeds Rs. 400,000 but does not the gross amount exceeding exceed Rs. 1,000,000. Rs. 400,000.

Where the gross amount of rent Rs.57,500 plus 10 per cent of exceeds Rs. 1,000,000 the gross amount exceeding

Rs. 1,000,000.

S.No.

Q)

(2)

(3)

(b) The rate of tax to be paid under section 15, in the case of company, shall be—

Gross amount of rent . Rate.of tax

Where the gross amount of rent does 5 percent of the gross amount not exceed Rs.400,000. of rent.

Where. the gross amount of rent Rs.20,000 plus 7.5 per cent of the exceeds Rs.400,000 but does not gross amount of rent exceeding exceed Rs, 1,000,000. : Rs.400,000.

Where the gross amount of rent Rs.65,000 plus 10 per cent of the exceeds Rs. 1,000,000 7 gross amount of rent exceeding Rs.1,000,000.";

(b) in Part II, for figure "2" figure "4" shall be substituted;

(c) in Part UI,—

(i) _ in Division IV, for clause (i), the following shall be substituted, namely:—

"(1) The rate of tax to be deducted under sub-sections (1), GB), (3A), GB) or (3C) of section 154 shall be 1% of the proceeds of the export." ;

(ii) for Division V, the following Division shall be substituted,

"Division V

Income from Property

(a) The rate of tax to be deducted under section 155, in the case of individual and association of persons, shall be— .

S.No.

(1)

(2)

a

Gross amount of rent Rate of tax

Where the gross amount of rent does _Nil
not exceed Rs. 150,000.

Where the gross amount of rent... & . pet. cent of the gross
exceeds Rs.150,000 but does not amount exceeding Rs. 150,000.
exceed Rs.400,000. ”

S.No. Gross amount of rent Rate of tax

(3) Where the gross amount of rent Rs.12,500 plus 7.5 per cent of the exceeds Rs,400,000 but does not gross amount exceeding exceed Rs. 1,000,000. Rs. 400,000.

(4) Where the gross amount of rent Rs.57,500 plus 10 per cent of exceeds Rs. 1,000,000 the gross amount exceeding Rs.1,000,000,

(b) The rate of tax to be deducted under section 155, in the case of company, shall be—

S.No. Gross amount of rent Rate of tax

(1) Where the gross amount of rent 5 per cent of the gross amount does not exceed Rs.400,000. , of rent.

(2) Where the gross amount of rent Rs.20,000 plus 7.5 per cent of exceeds Rs.400,000 but does not the gross amount of rent exceed Rs. 1,000,000. exceeding Rs.400,000.

(3) Where the gross amount of rent Rs.65,000 plus 10 per cent of

exceeds Rs. 1,000,000

(4) in Part IV—

the gross amount of rent
exceeding Rs. 1,000,000.”;

(i) _ in Division V, in paragraph (b), in column third, after the word “card” the words “or sale of units through CD or whatever form”

shall be added;

; Gi) after Division VII, the following new Division shall be inserted,

namely:—

“DIVISION VIII

Advance tax at the time of sale by auction

The rate of collection of tax under section 236A shall be 5% of the gross sale price of any property or goods sold by auction.”;

(a) in Part I,—

(i) in clause (23A), for the figure “25” the figure “50” shall be substituted; and

(ii) in clause (61), in sub-clause (b) to the proviso, for the word “fifteen” the word “twenty” shall be substituted;

(b) in Part I,—

(i) clause (5) shall be omitted;

(ii) in clause (SA), for the word “fro” the word “from” shall be substituted;

ii) after clause (9), the following new clause shall be inserted, namely:—

“(9A) Tax under section 148 shall be collected at the rate of 3% on the import value of raw material imported by an industrial undertaking for its own use.”;

{iv) _ after clause (24), the following new clause shall be inserted, namely:—

“(24A) The rate of tax, under clause (a) of sub-section (1) of section 153, from distributors of cigarette and pharmaceutical products shall be 1% of the gross amount of payments.”; and

; {v) clauses (27) and (28) shall be omitted;

(c) in Part II,—

@) in clause (1A), for the figure “500,000” the words “seven hundred fifty thousand” shall be substituted; and

(ii) existing clause (5), shall be renumbered as “(6)”;

(d) in Part 1V,—

(i) after clause (10) and proviso thereof the following new clause shall be inserted, namely:—

“(11A) The provisions of section 113, regarding minimum tax, shall not apply to,—

(i). National Investment (Unit) Trust or a collective investment scheme authorized or registered under the Non-banking Finance Companies (Establishment and Regulation) Rules, 2003 or a real estate investment trust approved and

” authorized under the Real Estate Investment Trust Rules, 2006, or any other company in respect of turnover-representing transactions in shares, or securities listed on a registered stock exchange;

(i) petroleum dealers, in so far as they relate to turnover on account of sale of petroleum .. and petroleum products, notwithstanding their _ Status as a company, a registered firm or an "individual, engaged in retail sale of petroleum and petroleum products through petrol pumps for the purposes of assessment of their income and determination of tax thereon:

Provided that this exemption shall not apply

to the sale of petroleum and petroleum products "through petrol pumps which are directly operated

: or managed by companies engaged in distribution of petroleum and petroleum products.

» Explanation, —For the removal of doubt 'it is declared that the companies engaged in distribution of petroleum and petroleum products other than through petrol pumps shall not be entitled to the benefits of this exemption;

* (i) Hub Power Company Limited so far as they relate to its receipts on account of sale of electricity;

(iv)

(v)

(vi)

(vit)

(vii)

(ix)

(x)

(xi)

(xii)

Kot Addu Power Company Limited
(KAPCO) for the period it continues to be
entitled 'to exemption under clause (138) of
Part-I of this Schedule;

companies, qualifying for exemption under
clause (132) of Part-I of this Schedule, in respect
of receipts from sale of electricity;

Provincial Governments and Local Government,
qualifying for exemption under section 49
and other Government bodies which are
otherwise exempt from income tax:

Provided that nothing shall be construed
to authorize any refund of tax already
paid or the collection of any outstanding
demand created under the said section;

Pakistan Red Crescent Society;

special purpose, non-profit companies engaged
in scrutinizing the receivables of Provincial
Governments;

non-profit organizations approved under clause
(36) of section 2.or clause (58) or included in
clause (61) of Part-I of this Schedule;

a taxpayer who qualifies for exemption under
clause (133) of Part-I of this Schedule, in respect
of income from export of computer software or
IT services or JT enabled services;

a resident person engaged in the business of

- shipping who qualifies for application of reduced:

rate of tax on tonnage basis as final tax under
clause (21) of Part II of the Second Schedule;

a venture capital company, venture capital
fund and Private Equity and Venture Capital
Fund which is exempt under clause (101) of
Part-I of this Schedule,

ii)

(ii)

(iv)

(xiii)

(xiv)

{xv}

(xvi)

a Modaraba registered under the Modaraba

Companies and Modaraba (Floatation and Control) Ordinance, 1980 (XXX] of 1980);

Corporate and Industrial Restructuring Corporation (CIRC);

The corporatized entities of Pakistan Water and Power Development Authority, so far as they relate to their receipts on account of

'gales of electricity, from the date of their

creation upto the date of completion of the process of corporatization i.e. till the tariff is notified;

a morabaha bank or a financial institution approved by the State Bank of Pakistan or the Securities and EXchange Commission of Pakistan (SECP), as the case may be, for the purpose of Islamic Banking and Finance in respect of turnover under a morabaha arrangement; and

(xvii} WAPDA First Sukuk Company Limited.”;

in clause (16),—

(a)

(b)

after the word “sections” the figure and comma “113,” shall be inserted;

after proviso to clause (16), the following new clause shall be inserted, namely:—

(164) The provisions of section 153(1)(b) shall not be

applicable to the news print media services in
respect of the advertising services.”;

in clause (19), for the word “section” the words and figure
“sections 113 and” shall be substituted;

clauses (46B) and (47) shall be omitted;

(v) in clause (57),—

(a) for the figure “148”, the figure “113” shall be substituted;

(b) _ for “full stop”, at the end of proviso, a “colon” shall be substituted and thereafter the following new proviso shall be inserted, namely:

Provided further that the exemption from application of section 113 shall be available for the first ten years, starting from the tax year in which the business operations commenced.”; and

(vi) clause (64), shall be omitted;

(53) in the THIRD SCHEDULE,—

(a) in Part II,—

(i) under the heading, in the brackets, for the words, figures and letter “See Sections 23 and 23A” the words, figures, comma and letters “See sections 23, 23A and 23B” shall be substituted; and

(ii) in paragraph (2), after the figure “23A” the words, figure and letter “and section 23B” shall be inserted;

(54) in the SIXTH SCHEDULE, in Part II, above the heading, within brackets, for the figure “2” the figure “12” shall be substituted;

(55) in the Seventh Schedule,—

@) for paragraph (c), the following shall be substituted, namely:—

“(c) Provisions for advances and off balance sheet items shall be allowed upto a maximum of 1% of total advances; provided a certificate from the external auditor is furnished by the banking company to the effect that such provisions are based upon and are in line with the Prudential Regulations. Provisioning in excess of 1% would be allowed to be carried over to succeeding years:

Provided that if provisioning is less than 1% of the advances, then actual provisioning for the year shall be allowed.”;

Gi) after paragraph (c), substituted as aforesaid, the following new paragraphs shall be inserted, namely:—

“(d) The amount of “bad debts” classified as “sub-standard” under the Prudential Regulations issued by the State Bank of Pakistan shall not be allowed as expense.

(e) Where any addition made under sub-rule (d) is reclassified by the taxpayer under the Prudential Regulations issued by the SBP, as ‘doubtful’ or ‘loss’, provision of sub-rule (c) shall mutatis mutandis apply in computing the provision for that tax year. :

(f) Where any addition made under sub-rule (d) is reclassified by the taxpayer in a subsequent year as ‘recoverable’, a deduction shall be allowed in computing the income for that tax year.”;

ii) after rule 6, the following new rule 7A shall be inserted, namely:—

“7A. The provisions of section 113 shall apply to banking companies as they apply to any other resident

company.”;

6. Amendments of the Federal Excise Act, 2005.—In the Federal Excise Act, 2005, the following further amendments shall be made, namely:—

(1) in section 2, after clause (15), the following new clause shall be inserted, namely:—,

“(15a) “KIBOR” means Karachi Inter-Bank offered Rate prevalent on the first day of each quarter of the financial year;”;

(2) in section 8, for the words “one and a half per cent per month”, the words “KIBOR plus three per cent” shall be substituted;

(3) in section 19, in sub-section (9), after the word "goods", occurring for

the second time, the words and commas "and in case of

cigarettes, retail price, health warning and name of the manufacturer

is not mentioned," shall be inserted;

(4) in section 31, in sub-section (3),—

(a) _ for the word "ninety" the word "sixty" shall be substituted;

(b) after the colon at the end, the following new proviso shall be inserted, namely:—

"Provided that any period during which the proceedings are adjourned on account of a stay order or Alternative Dispute Resolution proceedings or the time taken through adjournment by the petitioner not exceeding thirty days shall be excluded for the computation of these periods."; and

(c) in the proviso, after the word, " 'provid " the word "further" shall be inserted;";

(5) in section 33, in sub-section (2),—

(a) _ in the proviso —

Gi) for the word "ninety", the word "sixty" shall be substituted; and

(ii) for the full stop, at the end, a colon shall be substituted and thereafter the following new proviso shall be added, namely:—

"Provided further that any period during which the proceedings are adjourned on account of stay order or Alternative Dispute Resolution proceedings or the time taken through adjournment by the petitioner not exceeding

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THE GAZETTE OF PAKISTAN, EXTRA., JUNE 30, 2009 (Part I)

thirty days shall] be excluded for the computation of these periods. »

in section 34,—

(a) for sub-section (2), the following shall be substituted, namely:—

“(2) The Appellate Tribunal may admit, hear and dispose of the appeal in accordance with procedure laid down in sections 194A, 194B and 194C of the Customs Act, 1969 (IV of 1969) and rules made thereunder.”; and

(b) sub-sections (3), (4), (5), (6), (7), (8), (9), (10), (11), (12) and (13) shall be omitted,

in section 38, for sub-section (3), the following shall be substituted, namely:—

“(3) The committee constituted under sub-section (2) shall examine the issue and may if it deems fit, conduct inquiry, seek expert opinion, direct any officer of the sales tax or any other person to conduct an audit and shall make recommendations within ninety days of its constitution in respect of the dispute. If the committee fails to make recommendations within the said period the Board shall dissolve the committee and constitute a new committee which shall decide the matter within a further period of ninety days. If after the expiry of that period the dispute is not resolved the matter shall be taken up by the appropriate forum for decision.”;

after section 44, the following new section shall be inserted, namely:—

“44A. Delayed refund—Where a refund due under section 44 is

not made within the time specified in this behalf, there shall

be paid to the claimant, in addition to the amount of refund

due to him, a further sum equal to KIBOR per annum of

the amount of refund due, from the date following the expiry

of the time specified as aforesaid, to the day preceding

. the day of payment of refund:

Provided that where there is reason

to believe that a

person has claimed the refund which is not admissible to him, he shall not be entitled to additional amount unless the investigation of his claim is completed.

(9) In the First Schedule,—

(a) in Table I, in column (1),—

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against serial number 8, in column (4), for the word “three”,

the word “four” shall be substituted;

for serial numbers 9, 10 and 11 and the entries relating thereto in columns (2), (3) and (4), the following

shall be substituted, namely:—

Locally produced 24.02
cigarettes if their retail price

exceeds nineteen rupees and fifty

paisa per ten cigarettes. :
Locally produced cigarettes if their 24.02
retail price exceeds ten rupees per

ten cigarettes but does not exceed .
nineteen rupees and fifty paisa per ten
cigarettes.

Sixty-four per cent of

the retail price.

Four rupees and
seventy-five paisa per
ten cigarettes plus
seventy per cent per
incremental rupee or part

_ thereof.

Locally produced cigarettes if their 24.02
retail price does not exceed ten rupees
per ten cigarettes.

Four rupees and seventy-
five paise per ten

cigarettes.”;

against serial number 12, in column (4), for the word “three”,

the word “four” shall be substituted;

against serial number 13, in column (4),
the word “seven” shall be substituted;

in the Interpretation, after paragraph

for the word “nine”,

(2), in Restriction,

for the figures and hyphen “2008-09”, the figures and
hyphen “2009-10” shall be substituted;

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THE GAZETTE OF PAKISTAN, EXTRA., JUNE 30, 2009 [Part I
{b) in Table IL, in column (1),—

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after serial number 2, and entries relating thereto in columns
(2), (3) and (4), the following shall be inserted, namely:—

Advertisements in newspapers 9802.4000 Sixteen per cent of

and periodicals (excluding classified and the charges.”,
advertisements), and on hoarding 9802.9000
boards, pole signs and sign boards.

against serial number 6, in column (4), for the words
and hyphen “Twenty-one”, the word “nineteen and a half”
shall be substituted;

against serial number 7 in column (4), for the word
“ten”, wherever occurring, the word “sixteen” shall be
substituted;

against serial number 8,—

(a) in column (2), the word “non-fund” shall be omitted;

(b) in column (4), for the word “ten”, the word
“sixteen” shall be substituted; and

after serial number 12, and the corresponding entries
relating thereto in columns (2), (3) and (4), the following
shall be inserted, namely:—

Services provided or rendered = 9819,1000 Sixteen per cent of the
by stockbrokers. charges,

. Services provided or rendered 9819.9090 Sixteen per cent of the

by port and terminal operators charges.”

in relation to imports excluding
stevedoring services.

" Amendment of Ordinance XXV of 1961.—In the Petroleum
Products (Petroleum Development Levy) Ordinance, 1961 (XXV of 1961), the
following further amendments shall be made, namely:—

in the long title and the preamble, for the words “a petroleum
development levy”, the word “surcharge” shall be substituted;

for the words “petroleum development levy”, wherever occurring, the
word “surcharge” shall be substituted;

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in section 1, in sub-section (1), for the brackets and words
“(Petroleum Development Levy)”, the brackets and word
“(Surcharge)” shall be substituted;

in section 2,—

(a) the clause (4Ba) shall be omitted; and

(b) after clause (4C), the following new clause shall be added,
namely:—

(4D) “surcharge” means the carbon surcharge payable under
section 3;

in section 3,—

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

“(1) Subject to the provisions of this Ordinance, every refinery
and every company shall pay to the Federal Government a
carbon surcharge on such rates and on such petroleum
products, produced by a refinery or purchased by a company
for resale, as specified in the Fifth Schedule.”; and

(ii) the sub-section (1A) shall be omitted;

(6) in section 7, for the word “The” occurring for the first time, the words
and comma “Except for the Fifth Schedule, the” shall be inserted; and

(7) after the Fourth Schedule, the following schedule shall be added,
namely:—

THE FIFTH SCHEDULE

Rates of Carbon Surcharge

[See sections 2 and 6]

S. No. Petroleum Products Carbon Surcharge Rate(Rupees/litre)

(1) (2) (3)

1 High Speed Diesel Oil (HSDO) 8

2. Motor Spirit (MS) ; 10

3. SKSO 6

4 Light Diesel Oil (LDO) ; 3

5 HOBC 14

THE SCHEDULE

[See clause 2 (18)]]

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 column (1), (2) and (3) appearing in chapter 1 to 99, following "PCT Code", "Description" and "CD%" specified in column (1), (2) and (3) of the table below and the corresponding entries relating thereto shall be substituted:-

"TABLE

PCT CODE DESCRIPTION CD%

(vy (2) G3)

08.04 Dates, figs, pineapples, avocados, guavas, mangoes and

mangosteens, fresh or dried.

-Dates:

0804.1010 --- Fresh 35

0804.1020 --- Dried 35

0804.2000 -Figs 35

0804.3000 -Pineapples 35

0804.4000 -Avocados 35

-Guavas, mangoes and mangosteens:

0804.5010 +++ Guavas 35

804.5020 ---Mangoes - 35

804.5030 - - - Mangosteens 35

0804.5040 - - - Frozen mango 35

0804.5050 --- Mango pulp 35

0804.5090 - -- Other . 35

2710.1998 «+ --Spin finish oi! 0

2713,9090 - -- Other 15

28.03 Carbon (carbon blacks and other forms of carbon not elsewhere

specified or included).

2803,0010 -- - Carbon black (rubber grade) . 25

2803.0020 --- Carbon black (other than rubber grade) 25

2803.0030 --- Acetylene black 5

2803.0090 -- ~ Other 25

2847.0000 Hydrogen peroxide, whether or not solidified with urea. 10

2915.3600 -+ Dinoseb (TSO) acetate 20

3204,1100 ++ Disperse dyes and preparations based thereon 10

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32.08

3208.1010

3208.1090

3208.2010

3208.2090

3208.9010

3208.9020

3208.9090

32149010

3215.1110

3706.1000

3706.9000

38.08

3808.5010

3808.5090

3808.9110

3808.9120

3808.9130

3808.9140

3808.9150

3808.9160

3808.9170

3808.9180

3808.9191

3808.9199

3808.9210

3808,9220

Paints and varnishes (including enamels and lacquers) based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in a non-aqueous medium; solutions as

defined in Note 4 to this Chapter.

~ Based on polyesters:

--- Varnishes

- ~~ Other

- Based on acrylic or vinyl polymers:

++ Varnishes

- -- Other

+ Other:

-- > Based on polyamides

--- Varnishes

- ++ Other

- + - Silicon sealant

- ~~ Rolling coating printing ink

-Of a width of 35 mm or more

~Other

Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators,

disinfectants and similar products, put up in forms or _

packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles, and fly papers).

- Goods specified in Subheading Note 1 to this Chapter:

- - - Products registered under the Agricultural Pesticides Ordinance 1971

~ ++ Other

+ Other :

-- Insecticides:

- - - Mosquito coils, mats and the like

-+~ Napthalene balls

--- Sex pheromone

-+- PB rope L& LTT

-+~- Para dichlorobenzene blocks "

++ Preparations put up in retail packing for agriculture
- + - Products registered under the Agricultural Pesticides
Ordinance 1971 .

- - + Phosphatic insecticides

-- - Other.

----Emamectine benzoate

---+ Other

~~ Fungicides:

---~ Products registered under the Agricultural Pesticides
Ordinance 1971

-+~- For leather industry

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Rs. 5/ meter plus

5% ad val.

Rs, 5/ meter plus

5% ad val.

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3808.9310

3808.9390

3808.9400

3808.9910

3808.9990

3824.9094

396.9030

3906.9040

3922.1000

3922.2000

3922.9000

3926.9050

4801.0000

\$7.03

5703.1000

5703.2010

5703.2020

5703.2030

5703.2040

5703.2090

5703.3010

5703.3020

5703.3030

5703.3040

5703.3090

5703.9000

6907.1000

6907.9000

(2)

+---+ Other

- + Herbicides, anti-sprouting products and plant-growth
regulators:

--- Products registered under the Agricultural Pesticides
Ordinance 1971

- -- Other

- Disinfectants
- ++ Other:
 - - - Products registered under the Agricultural Pesticides Ordinance 1971
 - Other
 - coated or treated calcium carbonate
 - Pigment thickener
 - Dispersing agent and acrylic thickeners
 - Baths, shower-baths, sinks and wash-basins
 - Lavatory seats and covers .,
 - Other
 - Colostomy bags and urine bags
- Newsprint, in rolls or sheets

Carpets and other textile floor coverings, tufted, whether or not made up.

- Of wool or fine animal hair

- Of nylon or other polyamides:

- + - Synthetic turf for sports fields

- + Of a kind used in motor cars of heading 8703 and vehicles of sub-headings 8703.2113, 8703.2193, 8703.3223, 8704.2190, 8704.3190 (cut to size and shaped)

- +- Other for motor cars and vehicles

- Tufted

- +---+ Other

- Of other man-made textile materials:

- + - Synthetic turf for sports fields

- Of. kind used in vehicles of heading 8703 and vehicles of sub-headings 8703.2113, 8703.2193, 8703.3223, 8704.2190, 8704.3190 (cut to size and shaped)

- Other for motor cars and vehicles

- Tufted

- + ~ Other

- Of other textile materials

- Tiles, cubes and similar articles, whether or not rectangular, the largest surface area of which is capable of being enclosed in a square the side of which is less than 7cm

- ~Other

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THE GAZETTE OF PAKISTAN, EXTRA., JUNE 30, 2009

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72.10 Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated.

-Plated or coated with tin:

-- Of a thickness of 0.5 mm or more:

7210.1110 --- Of secondary quality

7210.1190 --- Other

-- Of a thickness of less than 0.5 mm:

7210.1210 --- Of secondary quality

7210.1290 +++ Other

-Plated or coated with lead, including terne-plate:

7210.2010 --- Of secondary quality

7210.2090 +++ Other

-Electrolytically plated or coated with zinc:

7210.3010 ---- Of secondary quality

7210.3090 - ++ Other

-Otherwise plated or coated with zinc:

-- Corrugated:

7210.4110 --- Of secondary quality

7210.4190 -- - Other

- - Other:

7210.4910 --- Of secondary quality

7210.4990 --- Other

-Plated or coated with chromium oxides or with chromium and chromium oxides:

7210.5010 - - - Of secondary quality

7210.5090 +++ Other

-Plated or coated with aluminium:

-- Plated or coated with aluminium-zinc alloys:

7210.6110 +++ Of secondary quality :

7210.6190 --- Other

~ - Other:

7210.6910 --- Of secondary quality

7210.6990 -- - Other

-Painted, varnished or coated with plastics:

7210.7010 --- VCM coated sheets of a thickness(excluding any coating) not exceeding 0.5 mm

7210.7020 +++ Of secondary quality

7210.7090 «+- Other

Other:

7210.9010 --- Of secondary quality

7210.9090 --+- Other

7228.3010 ~~~ Case Hardening Steel (conforming to AISI-8620, 20MnCr5, SCM series and equivalent

7306.4000 - Other, welded, of circular cross-section, of stainless steel

BU Containers for compressed or liquefied gas, of iron or steel.

7311.0010 +-For CNG

7311.0020 --- For LPG .

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731 1.0030 - ++ For cryogenic 5

7311.0090 ++ - Other 20

7607.1920 --+- Printed aluminium foil 1s

8409.9111 +++ - Following components for engines as well as of vehicles 35

of heading 87.11;

(1) Cylinders

(2) Cylinder Blocks

(3) Cylinder Liners

(4) Crank case and crank case covers,

{5) Cylinder head covers

(6) Piston

(7) Sprocket Cam

\$4.13 Pumps for liquids, whether or not fitted with a measuring

device; liquid elevators.

-Pumps fitted or designed to be fitted with a measuring device:

8413.1100 -- Pumps for dispensing fuel or lubricants, of the type used in 10

filling-stations or in garages

~ - Other:

8413.1910 --- Pumps for dispensing chemicals, fitted with sensor 5

8413.1990 --+- Other . 20

8413.2000 -Hand pumps, other than those of subheading 8413.11 or 8413.19 15

~Fuel, lubricating or cooling medium pumps for internal

combustion piston engines:

8413.3010 - -- Diesel fuel injection pumps for vehicles of Chapter 87 35

8413.3020 - -- Following parts for Vehicles of sub-heading 87019020, 35

(1) Oil pump assembly (2) Water pump for internal

combustion piston engines

8413.3030 --- Following parts of vehicles of Chapter 87; (1) Oil pump 35

assembly for motor cars of heading 87.03 (not exceeding 800cc)

and vehicles of sub-headings 8703.2113 and 8704.3190 (2) Water

pump for internal combustion piston engines for motor cars of

heading 87.03 and vehicles of sub-heading 8703.21 13 and 8704.3190

8413 3040 - + - Oil pump for vehicles of heading 87.11 35

8413.3050 --- Other for the vehicles of chapter 87 35

8413.3090 - - + Other 20

8413.4000 Concrete pumps 5

8413.5000 -Other reciprocating positive displacement pumps 20

8413.6000 Other rotary positive displacement pumps 20

Other centrifugal pumps:

8413.7010 +++ Submersible pumps 5

8413.7090 --- Other 20

-Other pumps; liquid elevators:

- + Pumps:

8413.8110 ~+- Geared pumps 5

8413.8190 -- ~ Other 20

8413.8200 - - Liquid elevators 10

-Parts:

- + Of pumps:

Part T]

qy

8413.9110

8413.9120

8413.9130

8413.9140

8413.9150

8413.9190

8413.9200

8415.1030

8418.9920

84.81

8481.1000

8481.2000

8481.3000

8481.4000

8481,8010

8481.8020

8481.8030

8481.8090

8481.9000

85.11

8511.1000

8511.2010

8511.2090

8511.3010

8511.3020

8511.3090

8511.4011

8511.4012

8511.4019

8511.4090

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(2)

+++ Stainless steel impellers

-- - Stainless steel fabricated laser welded chamber for pump
bowl assembly

~ - - Other parts for machines of headings 8413.1910, 8413.4000

and 8413.8110

+ -- Other parts for machines of heading 8413.1100

- + + Plunger and other pumps parts for the vehicles of chapter 87

--- Other

- - Of liquid elevators

---Tropical MPS multi system unit 5 tonnes capacity and above

-- - Wire condensers

Taps, cocks, valves and similar appliances for pipes, boiler shells, tanks, vats or the ke, including preasure-reducing valves and thermostatically controlled valves.

-Pressure-reducing valves

-Valves for olechdraulic or pneumatic transmissions

-Check (nonreturn) valves

-Safety or relief valves

-Other appliances:

~~» Cock for fuel tank for agricultural tractors of sub-heading 8701.9020

---- Cock for fuel tank for vehicles of heading 87.11

--- Other cocks for motor cars and vehicles

+---+ Other

-Parts

Electrical ignition or starting equipment of a kind used for spark-ignition or compression-ignition internal combustion engines (for example, ignition magnetos, magneto-dynamos, ignition coils, sparking plugs and glow plugs, starter motors); generators (for example, dynamos, alternators) and cut-outs of & kind used in conjunction with such engines.

-Sparking plugs

-[gnition magnetos; magneto-dynamos; magnetic flywheels:

~~ -Magneto for vehicles of heading 87.11

- - -Other .

-Distributors; ignition coils:

- - - Ignition coils for vehicles of heading 87.11

- - - Other for motor cars and vehicles

- + -Other

Starter motors and dual purpose starter-generators:

--- Starter motors:

+++ -For agricultural tractors of sub - heading 701.9020

_+ ++ +Other for motor cars and vehicles

--- 'Other

+ ~~ Other

-Other generators:

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Q) (2) (3)

8511.5010 --+ Alternator assembly for agricultural tractors of sub-heading 35
8701.9020

8511.5020 - ++ Alternator assembly for other motor cars and vehicles 35

851.5090 --- Other 20

-Other equipment:

8511.8010 ~~ - Heater/glow plugs for agricultural tractors of sub - heading 35
8701.9020 ;

8511.8020 - - - Heater/glow plugs for other motor cars and vehicles 35

8511.8090 - -- Other 25

-Parts:

8511.9010 ---- Aluminium casted distributor case for motor cars of heading 35
8703 (not exceeding 800cc) and vehicles of sub-heading 8704.3190

8511.9020 - - - Other for motor cars and vehicles : 35

8511.9090 --- Other 25

8517.1210, ---+ Cellular mobile phone Rs.250/set

8523.4040 ---- Discs for laser reading systems for reproducing image 20

8523.4050 - - - Compact disc (CD) un-recorded 20

8523.4060 - -- Digital versatile discs (DVD) un-recorded 20

8525.8020 - ++ Multimedia still/video camera 10

8525.8090 - -- Other 10

8531.2000 -Indicator panels incorporating liquid crystal devices (LCD) or 25
light emitting diodes (LED)

8537.1010 ~~» Fuse boxes with fuses for vehicles of heading 87.11 35

8544.6000 Other electric conductors, for a voltage exceeding 1,000 V 25

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 20

any kit form .

8702.1090 --- Other 20

~ Other:

8702.9010 --- Components for assembly / manufacture of vehicles, in 20
any kit form

8702.9020 -- + Fully dedicated CNG buses (CBU) 0

8702.9090 --- Other 20

87.11 Motorcycles (including mopeds) and cycles fitted with an
auxiliary motor, with or without side-cars; side-cars. .

-With reciprocating internal combustion piston engine of a cylinder
capacity not exceeding 50cc:

8711.1010 ~--- Components for the assembly / manufacture of vehicles in 65
. any kit form

Part I] THE GAZETTE OF PAKISTAN, EXTRA., JUNE 30, 2009

a) Q) (3)

8711.1090 ~ ++ Other 65

-With reciprocating internal combustion piston engine of a cylinder capacity exceeding 50cc but not exceeding 250cc:

8711.2010 --+- Components for the assembly / manufacture of vehicles, in 65 any kit form

8711.2090 ++++ Other 65

-With reciprocating internal combustion piston engine of a cylinder capacity exceeding 250 cc but not exceeding 500 cc:

8711.3010 - ++ Components for the assembly / manufacture of vehicles, in 65 any kit form

871.3020 --- Motorbike rickshaws in CBU 65

8711.3090 --- Other 65

-With reciprocating internal combustion piston engine of a cylinder capacity exceeding 500 cc but not exceeding 800cc:

8711.4010 --- Components for the assembly / manufacture of vehicles, in 65 : any kit form

8711.4090 +- Other 65

-With reciprocating internal combustion piston engine of a cylinder capacity exceeding 800cc:

8711.5010 --- Components for, the assembly / manufacture of vehicles, in 65 any kit form

8711.5090 --- Other 65

-Other:

8711.9010 -- + Components for the assembly / manufacture of vehicles, in 65 any kit form

8711,9090 --- Other 65

8714.1910 +++ Following components for vehicles of heading 87.11 35

(1) Air cleaner assembly and parts thereof

(2) Axles (front, rear, collar) and parts thereof

(3) Battery Box

(4) Bolt for engine mounting

(5) Brake cables and parts thereof

(6) Brake drums

(7) Brake pedal shaft

(8) Brake pads

(9) Brake rods, linkages and levers

{10} Brake shoes/ Mounted brake lining of asbestos

{11} Brakes (complete)

(12) Cams for brakes

(13) Chain case and parts thereof

(14) Clutch cables and parts thereof

(a)

THE GAZETTE OF PAKISTAN, EXTRA., JUNE 30, 2009 (Parr I

(2) (3)

8714.1920

8714.1990

9909

(15) Complete fuel system

(16) Complete wheels

(17) Fenders and parts thereof

(18) Foot rest and parts thereof

(19) Frame / chassis and parts thereof

(20) Front fork assembly (complete)

(21) Fuel pipes / tubes

(22) Fuel tank (whether or not painted)

(23) Fuel tank cap (with or without lock)

(24) Fuse boxes

(25) Gear shift lever pad

(26) Grips (whether or not twisting) and parts thereof

(27) Handle bar and parts thereof

(28) Hubs for wheels

" (29) Lever set kick starter

(30) Levers for front brake and clutch, and parts thereof

(31) Motorcycle head lamp housing

(32) Mudguards / flaps (plastic)

(33) Nipples for wheels

(34) Parts for rear shock absorber assembly other than bushes, collars, stoppers, valves, guides, rings, pistons, rebound, springs, plates and spacers

(35) Parts of front fork assembly other than outer and inner tubes, guides, races, ball assembly, seals, brackets, valves, oil locks, rings, pistons, stoppers, collars, front fork springs, plugs, bridges for forks and seat rebounds

(36) Rear shock absorbers assembly

- (37) Rim flaps (other than rubber) for wheels
- (38) Rims for wheels
- (39) Side covers and parts thereof
- (40) Side stands / main stands and parts thereof
- (41) Silencers / exhaust pipes / mufflers and parts thereof
- (42) Spokes for wheels
- (43) Sprockets for wheels
- (44) Swinging arm assembly and parts thereof except collar and bushing
- (45) Throttle cables and parts thereof
- (46) Torque link and parts thereof
- (47) Regulator rectifier
- (48) Clutch assembly

--- Drum gear shift for vehicles of heading 87.11 35

+---+ Other 35

Articles, value of which does not exceed Rs.20,000/- per parcel, if 0 imported through post or courier service as unsolicited gift parcel.

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9911 (i) Relief goods donated for free distribution among the victims of natural disaster or other catastrophe, as are certified by the authorized officer of Federal/Provincial Government (ii) Plant, machinery and equipment imported by way of donation for installation in the earthquake hit districts as certified by ERR/ National Disaster Management Authority.

9938 Following cardiology / cardiac surgery, Neurovascular, Electro-physiology, Endosurgery, Endoscopy, Oncology, Urology, Gynaecology disposables and other equipment:—

A. ANGIOPLASTY PRODUCTS

- i. Coronary Artery Stents.
2. Drugs Etuting Coronary Artery Stents
3. Coronary Artery Dilatation Catheters (Balloons).
- 4, PTCA Guide Wire.
5. PTCA Guiding Catheters.
6. Inflation Devices/ Priority Packs.

B, ANGIOGRAPHY PRODUCTS

1. Angiography Catheters.
2. Sheaths.
3. Guide Wires.
4. Contrast Lines.
- 5S. Pressure Lines.
6. Mannifolds.

C. CONTRAST MEDIA FOR ANGIOGRAPHY/ ANGIOPLASTY

1. Angiography Accessories.
2. ASD Closure Devices.
3. ASD Delivery System
- 4.VSD Closure Devices.
5. VSD Delivery System.
6. Guide Wires.

7. Sizing Balloons.

8. Sizing Plates.

9. PDA Closure Devices.

10. PDA Delivery System..

D. TEMPORARY PACEMAKERS (With leads, connectors and accessories).

E. PERMANENT PACEMAKER (with leads, connectors and accessories).

F. HEART FAILURE DEVICES (with leads, connectors and accessories).

G. IMPLANTABLE CARDIOVERTERS (with leads, connectors, and accessories).

H. CARDIAC ELECTROPHYSIOLOGY PRODUCTS:

1. Electrophysiology catheters.

() (2) (3)

2. Electrophysiology cables.

3. Electrophysiology connectors.

L LEAR CARDIOLOGY PRODUCTS:

Radioactive isotopes.

Cold kits (Cardioloite MAA, DTPA etc)

J. CARDIAC SURGERY PRODUCTS

1. Oxygenators.

2. Cannulas.

3. Prosthetic Heart Valves.

4. Lumina! Shunts for heart surgery.

5. Artificial limbs and appliances.

K. EQUIPMENT

1. Cardiac Angiography Machine.

2. Echocardiography Machine.

3. ETT Machine.

4. Gamma Camera for Nuclear Cardiology Studies.

L, PERIPHERAL INTERVENTIONS EQUIPMENT

Disposables and other equipment for peripheral interventions including :

Stents (including carotid and wall stents), Balloons, sheaths, catheters, Guide wires, Filter wires, Coils, Needles, Valves (including rotating haemostatic valves, connecting cables, inflation devices adaptors.

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

The provisions of sub-clause (18) of clause 2, sub-clauses (12)(a)(i), of clause 4, sub-clause (9)(a) of clause 6 and clause 7 of this Bill shall have effect, for the purpose 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 of customs, exemption of sales tax, imposition of federal excise duty and surcharge under Ordinance XXV of 1961. It is hereby declared accordingly in terms of section 3 of the Act that it is expedient in the public interest that the provisions of the said clauses have effect from 13th June, 2009 under the Act.

KARAMAT HUSSAIN NIAZI,

Secretary.

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