

THE WEST PAKISTAN FINANCE ACT, 1962
(I of 1962)

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'THE WEST PAKISTAN FINANCE ACT, 1962
(II of 1962)
[6th July, 1962]

An
Act
to continue, levy and abolish certain taxes and duties in West Pakistan.

WHEREAS it is expedient to continue, levy and abolish certain taxes and duties in the Province of West Pakistan;

It is hereby enacted as follows:—

1. Short title and commencement.— (1) This Act may be called the West Pakistan Finance Act, 1962.

(2) It shall come into force on and from the first day of July, 1962.

(3) It shall extend, unless otherwise specified hereinafter, to the whole of West Pakistan except the Tribal Areas.

2. Definitions.— In this Act—

(a) "agricultural year" means the agricultural year as defined in the Punjab Land Revenue Act, 1887', (Act XVII of 1887);

(b) "Government" means the Government of West Pakistan;

(c) "revenue year" means the revenue year as defined in the Sind Land Revenue Code, 1879 (Sind Act V of 1879).

3. Surcharge on land revenue in certain districts.— (1) There shall be levied and collected from every owner of land which is assessed to land revenue in the districts of Karachi, Dadu, Hyderabad, Tharparker, Jacobabad, Larkana, Nawabshah, Sanghar, Sukkur and Thatta an additional amount of land revenue by way of surcharge on the land revenue payable in the revenue year, 1961-62 at the rates specified in the First Schedule to this Act.

Explanation.— For purposes of this section land revenue includes any water rate payable in respect of irrigated land.

(2) The provisions of the Sind Land Revenue Code, 1879 (Sind Act V of 1879), shall, as far as may be, apply to the assessment, collection and recovery of the surcharge imposed under this section.

'This Act was passed by the West Pakistan Assembly on 30th June, 1962; and, on its having been assented to by the Governor of West Pakistan, it was published in the West Pakistan Gazette (Extraordinary), dated 6th July, 1962, pages 2693-2701. For statement of objects and reasons, see Gazette of West Pakistan, dated 17th June, 1962, (Extraordinary), page 246

Repealed by the West Pakistan Land Revenue Act, 1967 (XVII of 1967), s.184 and the Schedule; and published in the Gazette of West Pakistan (Extraordinary), dated 7.12.1967.

4. Levy of cess on land revenue.— (1) A development cess shall be levied on all lands in the Province except the districts of Kalat, Knaran and Mekran at the rate of twenty-five per cent of the revenue payable in respect of such land.

(2) | The cess shall be payable by the person liable for the payment of land revenue.

Explanation.— In this section, “land” means land assessed to land revenue and includes land whereof the land revenue has been wholly or in part released, compounded for, redeemed or assigned.

(3) Government may, by notification, exempt any class of persons from the payment of the whole or any part of the cess or reduces the rate of the cess leviable on any class of land.

(4) The cess levied on the basis of land revenue shall be assessed, collected and recovered in the manner prescribed, from time to time, by Government by statute, rules or orders for the assessment, collection and recovery of land revenue.

(5) Government may, by notification, modify the rules or orders referred to in sub-section (4) and may make further rules for the assessment, collection and recovery of the cess.

5. Surcharge on agricultural income-tax in certain districts.— (1) There shall be levied and collected from every owner of land which is assessed to agricultural income-tax in the districts of Bannu, Dera Ismail Khan, Hazara, Mardan, Kohat, Peshawar, Campbellpur, Dera Ghazi Khan, Gujranwala, Gujrat, Jhelum, Jhang, Lahore, Lyallpur, Mianwali, Montgomery, Multan, Muzaffargarh, Rawalpindi, Sargodha, Sheikhupura and Sialkot, on the land revenue payable in the agricultural year 1961-62, an additional amount of agricultural income-tax by way of surcharge at the rates specified in the Second Schedule to this Act.

(2) The provisions of the North-West Frontier Province Agricultural Income-tax Act, 1948 (N.W.F.P. Act XVII of 1948), and the Punjab Agricultural Income tax Act, 1951 (Punjab Act XVI of 1951), shall, so far as may be, apply to the assessment, collection and recovery of the surcharge imposed under this section.

6. Increase in stamp duty.— Until the 30th June, 1963, Schedule | to the Stamp Act, 1899 (Act II of 1899), shall have effect as if-

(a) in Article | for the entries in the first and second columns, the following were substituted namely:—

“ACKNOWLEDGMENT OF a debt exceeding twenty rupees in amount or value written or signed by, or on behalf of, a debtor in order to supply evidence of such debt in any book (other than a banker’s pass book) or on a separate piece of paper, when such book or paper is left in the creditor’s possession; provided that such acknowledgment does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any goods or other property,—

(i) if the amount of value does not exceed 12 paisa.
one hundred rupees.

(ii) in other cases 25 paisa."

(b) in Article 53, for the entries except the exemption in the first and second columns, the following were substituted, namely:—

“RECEIPT (as defined by section 2 (23)) for any money or other property the amount or value of which,—

(i) exceeds twenty rupees but does not 12 paisa.

exceed one hundred rupees.

(ii) in other cases 25 paisa.”

7. Tax on cinemas.— There shall be levied and collected a tax on cinemas

payable by the owner or management thereof at the following rates for the financial year, 1962-63:—

(i) In the case of a cinema classed as a first class cinema, one thousand rupees;

(ii) In the case of a cinema classed as a second class cinema, five hundred rupees;

(iii) | In the case of a cinema classed as a third class cinema, one hundred rupees.

8. Entertainment tax.—* * * * * * *]

9. Tax on callings, professions, etc.— There shall be levied and collected from

the following classes of persons a tax of the amount specified against each for the financial year, 1962-63:—

Class of persons Amount of tax

i) Legal practitioners of not less than five Twenty rupees years standing

ii) Income-tax practitioners Twenty rupees

iii) Clearing agents, licensed or approved One hundred rupees as Custom House Agents

iv) Contractors supplying goods, Two hundred commodities and services to the rupees, or one Central Government or the Provincial hundred rupees, or Government or any Local Authority fifty rupees according to classification.

10. Tax on trades, import and export licenses.— (1) For the financial year, 1962-63, there shall be levied and collected from every person engaged in the import and export trade who holds a license issued under the Imports and Exports (Control)

Repealed by the West Pakistan Finance (Amendment) Ordinance, 1963 (V of 1963), s.2; and published in the Gazette of West Pakistan (Extraordinary), dated 5.2.1963, pages 693-694.

Act, 1950 (Act XXXIX of 1950), a tax on the value of the goods imported or, as the case may be, exported against such license, according to the scale set out in the Third Schedule to this Act.

(2) Government may, by a notification in the official Gazette, exclude any class of license issued as aforesaid from the purview of sub-section (1), or, by a general or a special order in writing, exempt a person holding such license from the payment of the whole or a part of the tax payable by him in respect of the goods imported or exported against such license.

11. Tax on Motor Vehicles.— There shall be levied and collected in any area in which a tax is imposed on motor vehicles by or under any enactment, a surcharge on such tax at the following rates for the financial year, 1962-63:—

(i) Motor vehicles used for the transport or Twenty-five rupees carriage of goods and materials

(ii) Motor vehicles plying for hire and used for transport of passengers—

(a) licensed to carry not more than Twelve rupees eight persons

(b) Licensed to carry more than eight Fifty rupees persons

(iii) Motor cars not plying for hire Twelve rupees.

12. Tax on railway fares and freights.— Until the 30th day of June, 1962, there shall be levied and paid on railway fares and freights a tax according to the scale set out in the Fourth and Fifth Schedules to this Act.

13. Toll on freight on goods carried by road.— (1) Until the 30th day of June, 1963, there shall be levied and collected on freights charged for goods transported by motor vehicles by road a toll according to the scale set out in the Fourth Schedule to this Act.

(2) The toll shall be collected by the owner of the motor vehicles and paid to the Government.

14. Toll on vessels plying in inland waters.— (1) For the financial year 1962-63, there shall be levied and collected in the District of Karachi a toll on steam vessels and motor vessels plying in inland water at the rates specified hereunder:—

On vessels of a tonnage of—

Less than 100 tons One hundred rupees

100 tons but less than 500 tons Two hundred and fifty rupees

500 tons but less than 1,000 tons Five hundred rupees

1,000 tons and upwards One thousand rupees.

(2) The toll shall be payable by the owner or the charterer of the vessel.

(3) In this section “steam vessels” and “motor vessels” mean every description of vessels propelled wholly or in part by the agency of steam or oil, as the case may be.

15. Toll on fares and freights on inland traffic by vessels.— (1) For the financial year 1962-63, there shall be levied and collected in the District of Karachi, a toll on fares and freights charged for transport by steam-vessels and motor-vessels plying in inland waters, according to the scale set out in the Fourth and Fifth Schedules to this Act.

(2) The toll shall be collected by the owner or the charterer of the vessels and paid to Government.

(3) In this section “steam-vessels” and “motor-vessels” have the same meaning as in section 14.

16. Tax on betting.— Until the 30th June, 1963, there shall be levied and collected in the District of Karachi an additional tax by way of surcharge amounting to twenty-five per cent of the betting tax on horse-racing or pony-racing imposed under any enactment for the time being in force.

Explanation.- The expression “betting tax” includes a tax charged in respect of moneys paid into a totalisator or by way of stakes or bets.

17. | Penalty.— If the person, who is responsible for the collection and payment of the toll or tax under section 9, 10, 13, 14 or 15, fails to collect and pay the toll or tax as provided in the said section, he shall be liable to pay a penalty not exceeding the amount of the toll, or tax payable.

18. Abolition of Electricity Duty.— The electricity duty imposed under the Sind Finance Act, 1932 (Sind Act II of 1932), on units of electrical energy consumed is hereby abolished.

19. Application of existing laws.— Where any tax or surcharge imposed by this Act is by way of an addition to or a surcharge on any existing tax imposed by or under an enactment, the procedure provided in such enactment for the assessment, collection and recovery of such tax, shall, so far as applicable, apply to the assessment, and collection and recovery of the additional tax or surcharge.

20. Power to amend or vary an Act.— Government may, by notification, make such omissions from, additions to, adaptations, and modification of any West Pakistan Act as may be necessary for the purpose of the levy and collection of any tax imposed by this Act.

21. Power to make rules.— (1) Government may make rules regarding—

(i) Classification of cinemas for the purposes of section 7;

(ii) Classification of contractors for the purpose of section 9;

(ii) | The procedure for the collection and payment of any tax or toll levied under this Act;

(iv) _ Any other matter incidental thereto.

(2) Any rules made or deemed to have been made under the corresponding provisions of the West Pakistan Finance Ordinance, 1961 (West Pakistan Ordinance XV of 1961), and the Finance Ordinance, 1961 (Ordinance XXIV of 1961), shall, so far as may be, be continued and be deemed to have been made under this Act.

FIRST SCHEDULE

[See SECTION 2]

Where the total land revenue and water rate for irrigation does not exceed Rs.1,999

Where the total land revenue and water rate for irrigation exceeds Rs.1,999

SECOND SCHEDULE

[See Section 5]

Where the total land revenue payable does not exceed Rs.349.

Where the total land revenue payable exceeds Rs.349 but does not exceed Rs.499.

Where the total land revenue payable exceeds Rs.499 but does not exceed Rs.749.

Where the total land revenue payable exceeds Rs.749 but does not exceed Rs.999.

Where the total land revenue payable exceeds Rs.999 but does not exceed Rs. 1,999.

Where the total land revenue payable exceeds Rs.1,999 but does not exceed Rs.4,999.

Where the total land revenue payable exceeds Rs.4,999 but does not exceed Rs.9,999.

Where the total land revenue payable exceeds Rs.9,999.

THIRD SCHEDULE

[See SECTION 10]

When the licence is for an amount not exceeding Rs.4,999.

Surcharge

Nil

1% per cent

of such total.

Surcharge
Nil

Rupees
twelve.

Rupees
twenty-
four.

Rupees
fifty.

Rupees
one
hundred.

Rupees
two
hundred
and fifty.

Rupees
five
hundred.

Rupees
one
thousand.

Amount of tax
Nil

When the licence is for an amount exceeding Rs.4,999 but not exceeding Rs.9,999.

When the licence is for an amount exceeding Rs.9,999 but not exceeding Rs.19,999.

When the licence is for an amount exceeding Rs.19,999 but not exceeding Rs.49,999.

When the licence is for an amount exceeding Rs.49,999 but not exceeding Rs.99,999.

When the licence is for an amount exceeding Rs.99,999.

FOURTH SCHEDULE

Rupees
ten.

Rupees
fifty.

Rupees
one

hundred
and fifty.

Rupees
five
hundred.

Rupees
one
thousand.

[See SECTIONS 12, 13 AND 15]

Freights (goods)—

Where the freight on any consignment does _ not exceed Rs.3.

Where the freight on any consignment exceeds Rs.3 but does not exceed Rs.10.

Where the freight on any consignment exceeds

Rs.10 but does not exceed Rs.25.

Where the freight on any consignment exceeds Rs.25 but does _ not exceed Rs.50.

Where the freight on any consignment exceeds Rs.50 but does _ not exceed Rs.75.

Where the freight on any consignment exceeds Rs.75 but does _ not exceed Rs.100.

Surcharge

Nil

Six paisa.

Twelve paisa.

Twenty-five paisa.

Fifty paisa.

One rupee.

Where the freight on any Two rupees.
consignment exceeds

Rs.100 but does not
exceed Rs.150.

Where the freight on any Three rupees.
consignment exceeds

Rs.150 but does not
exceed Rs.225.

Where the freight on any Four rupees.
consignment exceeds

Rs.225 but does not
exceed Rs.300.

Where the freight on any Four rupees plus
consignment exceeds one rupee for
Rs.300. every hundred

rupees in excess
of three hundred
rupees of-freight.

FIFTH SCHEDULE [See SECTIONS 12 AND 15]

Fares (Passengers) Amount of tax
On a first class ticket. 50 paisa.

On a second class ticket. 25 paisa.

On an inter-class ticket. 12 paisa.

On a third class or deck ticket. 6 paisa.

Provided that no tax shall be levied where the fare does not exceed Rs.3.