

THE PUNJAB FINANCE ACT, 1968
(III of 1968)

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TEXT

**¹THE ²[PUNJAB] FINANCE ACT, 1968
(III of 1968)**

[29th June, 1968]

**An
Act**

to continue and levy certain taxes and surcharges in the Province of ³[the Punjab].

Preamble.— WHEREAS it is expedient to continue and levy certain taxes and surcharges in the Province of ⁴[the Punjab];

It is hereby enacted as follows:—

1. Short title, commencement and extent.— (1) This Act may be called the ⁵[Punjab] Finance Act, 1968.

(2) It shall come into force on and from the first day of July, 1968.

(3) It shall extend, unless otherwise specified hereinafter, to the whole of ⁶[the Punjab], except the Tribal Areas.

2. 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 ⁷[* * *] Combellpur⁸, Dera Ghazi Khan, Gujranwala, Gujrat, Jhelum, Jhang, Lahore⁹, Lyallpur¹⁰, Mianwali, Multan¹¹, Muzaffargarh, Rawalpindi, Sahiwal, Sargodha, Sheikhupura and Sialkot, on the land-revenue

¹For statement of objects and reasons, see Gazette of West Pakistan (Extraordinary), 1968, dated 11th June, 1968, pages 2153-U to 2153-AA.

This Act was passed by the Provincial Assembly West Pakistan on 29th June, 1968; assented to by the Governor of West Pakistan on 29th June, 1968; and published in the Gazette of West Pakistan (Extraordinary), dated 29th June, 1968, pages 2239-2245.

²Substituted for the words "West Pakistan" by the Punjab Laws (Adaptation) Order, 1974 (P.O. No.1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette(Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP.

³Substituted for the words "West Pakistan" by the Punjab Laws (Adaptation) Order, 1974 (P.O. No.1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette(Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP.

⁴Substituted for the words "West Pakistan" by the Punjab Laws (Adaptation) Order, 1974 (P.O. No.1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette(Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP.

⁵Substituted for the words "West Pakistan" by the Punjab Laws (Adaptation) Order, 1974 (P.O. No.1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette(Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP.

⁶Substituted for the words "West Pakistan" by the Punjab Laws (Adaptation) Order, 1974 (P.O. No.1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette(Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP.

⁷Deleted the words and commas "Bannu, Dera Ismail Khan, Hazara, Mardan, Kohat, Peshwar," by the Punjab Laws (Adaptation) Order, 1974 (P.O. No.1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette(Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP.

⁸Now "Attock".

⁹Now bifurcated into "Lahore and Kasur" Districts.

¹⁰Now "Faisalabad".

¹¹Now bifurcated into Multan and Vehari Districts.

payable in the agricultural year 1967-68, an additional amount of agricultural income-tax by way of surcharge at the rate specified in the First Schedule.

Explanation.— For purposes of this section, “agricultural year” means the agricultural year as defined in the West Pakistan Land Revenue Act, 1967¹².

(2) The provisions of ¹³[* * *] the Punjab Agricultural Income-Tax Act, 1951¹⁴, shall, so far as may be, apply to the assessment, collection and recovery of the surcharge imposed under this section.

3. 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 1968-69:—

- (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.

4. Surcharge on motor vehicles tax.— There shall be levied and collected in any area in which a tax is imposed on motor vehicles by or under any enactment in force in ¹⁵[the Punjab], a surcharge on such tax, payable by the person by whom the tax is payable, at the following rates for the financial year 1968-69:—

- (i) Motor vehicles used for the transport or carriage of goods and materials. Twenty-five rupees.
- (ii) Motor vehicles plying for hire and licensed to carry more than eight persons. Fifty rupees.

5. Tax on railway fares and freights.— Until the 30th day of June, 1969, there shall be levied and paid on railway fares and freights a tax according to the scale set out in the Second Schedule.

6. Amendment of section 12 of W.P. Act XXXIV of 1964.— In section 12 of the ¹⁶[Punjab] Finance Act, 1964 (XXXIV of 1964), for sub-section (4), the following sub-section shall be substituted, namely:—

- “(4) The proceeds of the cess shall be utilised for—
- (i) special maintenance and development of roads and bridges and special plant protection services in the areas comprising the Mill Zones;

¹²W.P. Act XVII of 1967.

¹³Deleted the words “the North-West Frontier Province Agricultural Income-Tax Act, 1948, and” by the Punjab Laws (Adaptation) Order, 1974 (P.O. No.1 of 1974), w.e.f. 14.8.1973, Article 2 and the Schedule; and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP.

¹⁴Punjab X of 1951.

¹⁵Substituted *ibid.*, for “West Pakistan”.

¹⁶Substituted by the Punjab Laws (Adaptation) Order, 1974 (Pb A.O. 1 of 1974), for West Pakistan.

- (ii) maintenance and development of such roads and bridges outside the Mill Zones, as in the opinion of Government, are primarily used for sugar-cane traffic; and
- (iii) other activities directed towards the development of sugarcane production.”.

7. Penalty.— If the person responsible for the payment of the tax under section 3 fails to pay the tax within the period prescribed under the rules for its payment, he shall be liable to pay, in addition to the amount of such tax, a penalty not exceeding the amount of the tax payable.

8. 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 in force in ¹⁷[the Punjab], the procedure provided in such enactment and the rules framed thereunder for the assessment, collection and recovery of such tax, shall, so far as applicable, apply to the assessment, collection and recovery of the additional tax or surcharge.

9. Bar of suits in Civil Courts.— No suit shall lie in any Civil Court to set aside or modify any assessment, levy or collection of a tax or surcharge made under this Act and the rules thereunder or any penalty imposed under section 7.

10. Power to make rules.— (1) The Provincial Government may make rules for carrying into effect the purposes of this Act, and such rules may, among other matters, prescribe the procedure for the assessment, collection and payment of any tax levied or the imposition of any penalty under this Act, in so far as such procedure is not provided in this Act.

(2) Any rules made or deemed to have been made under the corresponding provisions of the ¹⁸[Punjab] Finance Act, 1967, shall, so far as may be, be continued and be deemed to have been made under this Act.

¹⁷ *Ibid.*

¹⁸ Substituted by the Punjab Laws (Adaptation) Order, 1974 (Pb A.O. 1 of 1974), for “West Pakistan”.

FIRST SCHEDULE

(See section 2)

	Surcharge
Where the total land-revenue payable does not exceed Rs. 349.	Nil.
Where the total land-revenue payable exceeds Rs. 349 but does not exceed Rs. 499.	Rupees twelve.
Where the total land-revenue payable exceeds Rs. 499 but does not exceed Rs. 749.	Rupees twenty-four.
Where the total land-revenue payable exceeds Rs. 749 but does not exceed Rs. 999.	Rupees fifty.
Where the total land-revenue payable exceeds Rs. 999 but does not exceed Rs. 1,999.	Rupees one hundred.
Where the total land-revenue payable exceeds Rs. 1,999 but does not exceed Rs. 4,999.	Rupees two hundred and fifty.
Where the total land-revenue payable exceeds Rs. 4,999 but does not exceed Rs. 9,999.	Rupees five hundred.
Where the total land-revenue payable exceeds Rs. 9,999.	Rupees one thousand.

SECOND SCHEDULE

(See section 5)

PART-I

Fares (Passenger)	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 ticket	6 paisa.

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

PART-II

Freight (Goods)	Tax
Where the freight on any consignment does not exceed Rs.3.	Nil.
Where the freight on any consignment exceeds Rs.3 but does not exceed Rs.10.	Six paisa.
Where the freight on any consignment exceeds Rs.10 but does not exceed Rs.25.	Twelve paisa.
Where the freight on any consignment exceeds Rs.25 but does not exceed Rs.50.	Twenty-five paisa.
Where the freight on any consignment exceeds Rs.50 but does not exceed Rs.75.	Fifty paisa.
Where the freight on any consignment exceeds Rs.75 but does not exceed Rs.100.	One rupee.
Where the freight on any consignment exceeds Rs.100 but does not exceed Rs.150.	Two rupees.
Where the freight on any consignment exceeds Rs.150 but does not exceed Rs.225.	Three rupees.
Where the freight on any consignment exceeds Rs.225 but does not exceed Rs.300.	Four rupees.
Where the freight on any consignment exceeds Rs.300	Four rupees plus one rupee for every hundred rupees in excess of three hundred rupees of freight.