

THE PUNJAB FINANCE ACT, 1990
(I of 1990)

CONTENTS

1. **Short title, extent and commencement**
2. **Amendment of Act II of 1899**
3. **Amendment of W.P. Act I of 1965**
4. **Amendment of Punjab Ordinance No. XIII of 1978**
5. **Amendment of Act XXI of 1860**

TEXT

THE PUNJAB FINANCE ACT, 1990

(I of 1990)

[28th June, 1990]

An Act

to enhance the rates of certain taxes, duties and fees in the province of the Punjab

Preamble.— WHEREAS it is expedient to enhance the rates of certain taxes, duties and fees in the Province of the Punjab;

It is hereby enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be called the Punjab Finance Act, 1990.

(2) It shall extend to the whole of the Province of the Punjab.

(3) It shall come into force on and from the first day of July, 1990.

2. Amendment of Act II of 1899.— In the Stamp Act, 1899, in Schedule I, the following amendments shall be made, namely:—

(1) In Article I—

(i) in sub-article (b), for the figure “40”, the figure “50” shall be substituted ;

(ii) for sub-article (c), the following shall be substituted:—

“(c) where such amount exceeds Rs.2,000/- but does not exceed Rs.10,000/- One rupee”

(iii) the following new sub-article (d) shall be added:-

“(d) where such amount exceeds Rs.10,000/- Two rupees”.

(2) In Article 2, in sub-article (b), for the word “Thirty”, the word “Fifty” shall be substituted.

(3) In Article 4, for the word “Four”, the word “Five” shall be substituted.

(4) In Article 5, in sub-article (d), for the word “Four”, the word “Ten” shall be substituted.

(5) In Article 8, in sub-article (b), for the word “Thirty”, the word “Fifty” shall be substituted.

(6) In Article 9, for the word “Twenty-five”, the word “Fifty” shall be substituted.

(7) In Article 10—

¹This Act was passed by the Punjab Assembly on 27th June, 1990; assented to by the Governor of the Punjab on 28th June, 1990; and, was published in the Punjab Gazette (Extraordinary), dated 28th June, 1990, Pages 1165-A to 1165-G.

- (i) in sub-article (a), for the word "Fifty", the words "One hundred" shall be substituted;
 - (ii) in sub-article (b), for the words "One hundred", the words "Two hundred" shall be substituted;
 - (iii) in sub-article (c), for the words "Two hundred", the words "Three hundred" shall be substituted ;
 - (iv) for sub-article (d), the following shall be substituted:–
 - "(d) Where the nominal share capital exceeds One thousand
Rs.10,00,000/- but does not exceed Rs.50,00,000/- rupees".
 - (v) the following new sub-article shall be added:-
 - "(e) Where the nominal share capital exceeds Two thousand and five
Rs.50,00,000/- hundred rupees".
 - (vi) under the heading "Exemption", for the words "Section 26 of the Companies Act, 1913", the words "the Companies Ordinance, 1984" shall be substituted.
- (8) In Article 11, for the words "Five hundred", the words "Seven hundred and fifty" shall be substituted.
 - (9) In Article 12, the words "subject to a maximum of fifty rupees" shall be omitted.
 - (10) In Article 17, for the word "Fifteen", the word "Twenty" shall be substituted.
 - (11) In Article 19, for the words "Fifty paises", the words "Two rupees" shall be substituted.
 - (12) In Article 23–
 - (i) in sub-article (a), for the word "Four", the word "Five" shall be substituted;
 - (ii) in sub-article (c), for the words "Five and a half", the word "six" shall be substituted.
 - (13) In Article 24, in sub-article (ii), for the word "Four", the word "Five" shall be substituted.
 - (14) In Article 25, in sub-article (b), for the word "Four", the word "Five" shall be substituted.
 - (15) In Article 26, in sub-article (b), for the word "Thirty", the word "Fifty" shall be substituted.
 - (16) In Article 28, for the words "Twenty-five paises", the words "Two rupees" shall be substituted.
 - (17) Article 30 shall be omitted.
 - (18) In Article 31, in sub-article (a), for the word "One", the word "Two" shall be substituted.
 - (19) For Article 33, the following shall be substituted:–

“GIFT. Instrument of, not being a SETTLEMENT (No.58) OR WILL OR TRANSFER (No.62).

- | | | | |
|-----|------|--|---|
| (a) | (i) | When executed in favour of legal heirs in respect of agricultural land | Two rupees for every rupees one hundred or part thereof of the value of the property as set forth in such instrument. |
| | (ii) | In any other case, in respect of agricultural land | Five rupees for every rupees one hundred or part thereof of the value of the property. |
| (b) | | Other property | Six rupees for every rupees one hundred or part thereof of the value of the property.”. |
- (20) In Article 36, for the words “Fifty paises”, the words “Two rupees” shall be substituted.
- (21) In Article 37, for the words “Fifty paises”, the words “Two rupees” shall be substituted.
- (22) In Article 38, for the words “Twenty-five”, the word “Thirty” shall be substituted.
- (23) In Article 39—
- (i) in sub-article (a), for the words “section 35 of the Companies Act, 1913” and “Seventy Five”, the words “the Companies Ordinance, 1984” and “One hundred” shall respectively be substituted;
 - (ii) in sub-article (b), for the words “Two hundred”, the words “Two hundred and fifty” shall be substituted; and
 - (iii) under heading “Exemption”, for the words “section 26 of the Companies Act, 1913”, the words “the Companies Ordinance, 1984” shall be substituted.
- (24) In Article 41, in sub-article (b), for the words “Fifty paises”, wherever occurring, the words “One rupee” shall be substituted.
- (25) In Article 42, for the word “Four”, the word “Five” shall be substituted.
- (26) In Article 43—
- (i) in sub-article (a), for the words “Fifty paises”, the words “Two rupees” shall be substituted ;
 - (ii) in sub-article (b), for the words “Twenty-five paises”, the words “two rupees” shall be substituted ;
 - (iii) in sub-article (c), for the words “Twenty-five paises”, the words “one rupee” shall be substituted.
- (27) In Article 44, for the word “Four”, the word “Five” shall be substituted.
- (28) In Article 46—
- (i) in sub-article (A), for the figure “500”, the figure “10,000” and for the words “Ten” and “Fifty”, the words “fifty” and “Two hundred and fifty” shall respectively be substituted.
 - (ii) in sub-article (B), for the words “Twenty-five rupees”, the words “Half of the Stamp duty payable on original” shall be substituted.

- (29) In Article 48–
- (i) in sub-article (a), for the word “Two”, the word “Ten” shall be substituted;
 - (ii) in sub-article (b), for the word “Five”, the word “Ten” shall be substituted;
 - (iii) in sub-article (c), for the words “Twenty-five”, the word “Fifty” shall be substituted;
 - (iv) in sub-article (f), for the word “Five”, the word “Ten” shall be substituted.
- (30) In Article 49, for sub-article (a), the following shall be substituted:–
- | | |
|--|----------------|
| “(a) when payable on demand– | Fifty paisas |
| (i) when the amount or value does not exceed Rs.250; | |
| (ii) when the amount or value exceeds Rs.250/- but does not exceed Rs.1000; | One rupee |
| (iii) when the amount or value exceeds Rs.1000 but does not exceed Rs.10,000; | Ten rupees |
| (iv) when the amount or value exceeds Rs.10,000 but does not exceed Rs.1,00,000; and | Twenty rupees |
| (v) in any other case | Fifty rupees”. |
- (31) In Article 50, for the word “Four”, the word “Five” shall be substituted.
- (32) In Article 51, for the word “Four”, the word “Five” shall be substituted.
- (33) In Article 52, for the words “Twenty-five paisas”, the words “Two rupees” shall be substituted.
- (34) In Article 53–
- (i) in sub-article (b), for the word “Forty”, the word “Fifty” shall be substituted;
 - (ii) for sub-article (c), the following shall be substituted–

“(c) when such amount or value exceeds Rs.2,000 but does not exceed Rs.10,000/-	One rupee”.
---	-------------
 - (iii) the following new sub-article (d) shall be added:-

“(d) where such amount exceeds Rs.10,000/-	Two rupee”.
--	-------------
- (35) In Article 54, in sub-article (b), for the word “Thirty”, the word “Fifty” shall be substituted.
- (36) For Article 55, the following shall be substituted–
- “(55) RELEASE, that is to say, any instrument (not being such a release as is provided for by section 23-A) whereby a person renounces a claim upon another person or against any specified property. The same duty as on a Bond (No.15) for such amount of the claim or value of the property”.
- (37) In Article 57, in sub-article (b), for the word “Thirty”, the word “Fifty” shall be substituted.

- (38) In Article 60, for the words “Twenty five paisas”, the words “Two rupees” shall be substituted.
- (39) In Article 61, in sub-article (b), for the word “Thirty”, the word “Fifty” shall be substituted.
- (40) In Article 62—
- (i) in sub-article (c), in clause (ii), for the word “Thirty”, the word “Fifty” shall be substituted; and
- (ii) in sub-article (d), for the word “Thirty”, the word “Fifty” shall be substituted.
- (41) In Article 64, for the word “Thirty” wherever occurring, the word “Fifty” shall be substituted.
- (42) In Article 65, for the word “Two”, the word “Five” shall be substituted.

3. Amendment of W.P. Act I of 1965.— In the Punjab Finance Act, 1965 (W.P. Act I of 1965), in Section 12, for sub-section (1), the following shall be substituted:—

“(1) There shall be levied and collected every year a tax on hotels, payable by the owner or management thereof, at the rate of seven and a half percent of the daily charges of the lodging units of a hotel actually occupied:

Provided that no tax shall be levied if daily charges for a lodging unit are less than rupees twenty five:

Provided further that a Hotel at a Hill Station shall be charged the tax at half of the prescribed rate.”.

4. Amendment of Punjab Ordinance No. XIII of 1978.— In the Punjab Finance Ordinance 1978 (XIII of 1978), in the econd Schedule, for the entries against serial numbers 9 and 10, the following shall be substituted:—

“9. Registration fee under Rule 42—

- | | | |
|-----|--|------------|
| (a) | in respect of a motorcycle, scooter or a trailer not having more than two wheels and not weighing more than one ton in unladen weight; | Rs.200/- |
| (b) | in respect of invalid car or carriage; | Rs.100/- |
| (c) | in respect of a heavy transport vehicle; | Rs.1,500/- |
| (d) | in respect of any other vehicle; and | Rs.700/- |
| (e) | in respect of temporary registration of any vehicle | Rs100/-”. |

10. Fee for transfer of ownership of a motor vehicle under sub-rule (1) of Rule 47 shall be charged at the following rates:—

- | | | |
|-------|--|------------|
| (i) | a motorcycle, a scooter and an invalid carriage or a trailer not having more than two wheels and not weighing more than one ton in unladen weight; | Rs.100/- |
| (ii) | a heavy transport vehicle; and | Rs.1,000/- |
| (iii) | any other vehicle | Rs.450/-”. |

5. Amendment of Act XXI of 1860.— In the Societies Registration Act, 1860 (Act XXI of 1860), for Section 3, the following shall be substituted:—

“3. Registration Fee.— Upon such memorandum and certified copy being filed, the Registrar shall certify under his hand that the Society is registered under this Act. There shall be paid to the Registrar for every such registration such fee as the Provincial Government may direct, and all fees so paid shall be accounted for to the Provincial Government.”