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PART-IV

PROVINCIAL ASSEMBLY OF SINDH

NOTIFICATION

Karachi, the 08th July, 2006

NO.PAS/LEGIS-B-8/2006-. The Sindh Finance Bill, 2006 have been passed by the Provincial Assembly of Sindh on 27th June, 2006 and assented to by the Governor of Sindh on 28th June, 2006, is hereby published as an Act of the Legislature of Sindh.

THE SINDH FINANCE ACT, 2006.

SINDH ACT NO. IV OF 2006

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 08th July, 2006).

AN
ACT

to rationalize certain taxes and duties and amend certain laws in the Province of Sindh.

WHEREAS it is expedient to rationalize certain taxes and duties and amend certain laws in the Province of Sindh in the manner hereinafter appearing; **Preamble**

It is hereby enacted as follows :-

- Short title and commencement** 1. (1) This Act may be called the Sindh Finance Act, 2006.
- (2) It shall come into force on and from 1st day of July, 2006 except sections 4, 5 and 7, which shall come into force and shall be deemed to have taken effect on and from 1st day of July, 2005.
- Amendment of sections 2 and 29 and Schedule to Act II of 1899** 2. In the Stamp Act, 1899, in its application to the Province of Sindh -
- (i) in section 2, in clause (14), before the semi colon at the end, the following shall be added:-
- “and also includes any photograph, disk, tape, film, soundtrack in which images, songs, text or other data are embodied which can be reproduced, with or without the aid of same instrument or machine in visual, audible, or readable form”;
- (ii) for section 29, the following shall be substituted:-
- “29 - In the absence of an agreement to the contrary, the expense of providing the proper stamp shall be borne in the case of any instrument described in any of the following Articles of Schedule namely:-
- “No.1 (Acknowledgement and Receipt) by the person(s) executing the same.
- No.2. (Affidavit or declaration) by the deponent(s).
- No.3. (Agreement or Memorandum of an Agreement) (a) and (b) by the purchaser(s) and (c) by the person (s) in whose favour the reconveyance is executed,
- (d) by the partner(s); and
- (e) by the executant(s).
- No.4. (Allotment Order or Transfer of Allotment Order) by the persons(s) in whose favour it is issued.
- No.6. (Bank Guarantee) by the persons(s) in whose favour it is issued.
- No.7 (Bill of Entry) by the executant(s).
- No.8 (Bill of Exchange) by the executant(s).
- No.9 (Bill of lading) by the consignee(s).
- No.10 (Bond) by the executant(s).
- No.11 (Certificate of Sale) by the purchaser(s).
- No.12 (Certificate or other document) by the company or body corporate issuing such certificate or document.
- Duties payable by whom as per Articles of the Schedule**

- No.13 (Charter Party) by the charterer.
No.15 (Contract) by the contractor.
No.16 (Conveyance) Vendee or transferee.
No.17 (Counterpart or Duplicate of an instrument) equally by the executants except in case of the lease by the lessee.
No. 18 (Exchange of Property Instrument) by the parties in equal share.
No. 19 (Financing document) by the borrower.
No.20 (Gift Instrument) by the donee(s).
No.21 (Lease including an under lease or sub-lease, an agreement to let or sub-let and the surrender of a lease) by the lessee.
No.22 (Letter of Credit) by the person(s) in whose favour it is drawn.
No.23 (Mortgage deed or a deed of further charge) by the mortgagee.
No.23-A (Mortgage deed or any other financing document) by the mortgagee.
No.24 (Notarial Act) by the Notary Public.
No.25. (Partition instrument) by the parties in their respective shares or for the execution of order by court or arbitrator as directed by the court or arbitrator.
No.26. (Policy of Insurance) by the person(s) in whose favour the policy is issued.
No. 27 (Power of Attorney) by the Attorney otherwise by the Principal.
No. 28 (Promissory Note) by the executant(s).
No. 29 (Release) by the person renouncing a claim upon another person or against any specified property.
No. 30 (Settlement) by the persons(s) making the settlement.
No.31 (Transfer) by the transferee.”; and

(iii) In the Schedule-

(a) for Article 4, the following shall be substituted;

“4- Allotment Order or Transfer of Allotment Order issued by a developer, builder, co-operative society, housing society or housing authority, or any other body or organization providing open plots before lease-

i) in respect of residential open plots -

a) upto 399 sq.yds.

Ten rupees per sq.yd

- b) 400 sq.yds or above. Twenty rupees per sq.yd.
- ii) in respect of commercial open plots. Thirty rupees per sq.yd.
- iii) in respect of industrial open plots. Five rupees per sq.yd.”;
- (b) Article 5 shall be omitted;
- (c) for Article 7, the following shall be substituted:-
- “7. Bill of Entry including goods declaration or any document relating to goods declaration for the purpose of custom clearance.”; Five hundred rupees.
- (d) in Article 10, for clause (C), the following shall be substituted:-
- “(C) Debenture including a Participation Term Certificate, Term Finance Certificate and Commercial Papers, (whether a mortgage debenture or not), being a marketable security transferable.”; On first issue 0.15 percent of the amount and 0.1 percent on subsequent transfer.
- (e) in Article 21-
- (i) for clause (i), the following shall be substituted:-
- “(i) where the lease relates to flats, shops, offices, town houses and bungalows, together with the right in the divided or undivided share of the plot and where the value thereof determined in accordance with the valuation table under section 27-A-
- (a) if does not exceed five lac rupees. Nil
- (b) if exceeds five lac rupees but does not exceed ten lac rupees. 0.50 percent per valuation table.
- (c) if exceeds ten lac rupees. one percent as per valuation table.”;

(ii) for clause (ii), the following shall be substituted:-

“(ii) surrender including lease or sublease and pre-lease in respect of built-up property in urban areas under section 27-A (except in case when surrender to KDA, DHA or any other Government Agency).

three percent of such value determined in accordance with the valuation table.

(iii) in any other case.

1.5 percent of the total amount of the rent payable under the lease including advance rent, if any, payable under the lease and two percent on the amount of premium, if any.”;

(f) in Article 23, in clause (a) and (b), in column 2 for the figure “5” and the figures “4.5”, the figure “3” and the figure “2” shall respectively be substituted; and

(g) in Article 27-

(i) in clause (e), in column 2, for the figure and words “5 percent of the property”, the following shall be substituted;

“3 percent of the value in accordance with the valuation table or amount of consideration which ever is higher.”;

- (ii) in clause (cc), in column 1, for the word "property", the word "properties" and in column 2, for the words "Two thousand Five hundred rupees", the words "Three thousand rupees" shall be substituted; and
- (iii) clause (ccc) shall be omitted.

**Amendment of
West Pakistan
Act XXXII of
1958**

3. In the Sind Motor Vehicles Taxation Act, 1958, in Schedule-

- (i) for serial No. 3 and entries there against the following shall be substituted:-

"3. Vehicles (trucks, trailers, delivery vans, pickups and cranes) used for transport or haulage of goods or materials.

- | | |
|---|------------|
| a) Pickups upto 4060 kgs (laden weight) | Rs. 800 |
| b) Mini Trucks upto 8120 kgs (laden weight) | Rs.2000 |
| c) Trucks or Trailers Upto 29999 kgs (laden weight) | Rs.8000 |
| d) Crane upto 8120 kgs (laden weight) | Rs.2000."; |

(ii) in Serial No.5-

- (a) "in entry (b), for clauses (i),(ii) and (iii), the following shall be substituted:-

- | | |
|--|---------|
| i) With engine power not exceeding 1000cc | Rs.1000 |
| ii) With engine power exceeding 1001 but not exceeding 1300 cc | Rs.1500 |
| iii) With engine power exceeding 1301 but not exceeding 1600cc | Rs.3000 |
| iv) With engine power exceeding 1601 but not exceeding 2000 cc | Rs.3200 |
| v) With engine power exceeding 2001 but not exceeding 2500cc | Rs.3500 |

- vi) With engine power exceeding 2501cc and above. Rs.5000.”;
- (b) in entry (c), for the figures Rs.400, the figures “Rs.200” shall be substituted;
- (iii) in Serial No. 6, clauses (iv) and (v) shall be omitted.
4. In the Sindh Assembly Members (Salaries and Allowances) Act, 1974— **Amendment of Sindh Act XXVI of 1974**
- (i) in section 3, for the words “Ten thousand”, the words “fifteen thousand”, shall be substituted; and
- (ii) after section 3-A, the following new sections shall be inserted:-
- “**House Rent 3-B:** A member shall be entitled to receive house rent at the rate of ten thousand rupees per month.
- “**Gas and Electricity Charges: 3-C:** A member shall be entitled to receive gas and electricity charges at the rate of three thousand rupees per month.”.
5. In the Sindh Ministers (Salaries, Allowances and Privileges) Act, 1975— **Amendment of Sindh Act VIII of 1975**
- (i) in section 5, for the words “Thirty two thousand”, the words “thirty five thousand” and for the words “twenty seven thousand”, the words “thirty thousand” shall be substituted;
- (ii) in section 6, for the words “ten thousand”, the words “thirteen thousand” and for the words “six thousand”, the words “nine thousand” shall be substituted; and
- (iii) in section 7, in sub-section (2), for the words “thirty five thousand”, the words “thirty nine thousand” shall be substituted.
6. In the Sindh Sales Tax Ordinance, 2000, in Schedule, in para 2, for clause (ii), the following shall be substituted:- **Amendment of Schedule to Sindh Ordinance VIII of 2000**
- “(ii) Advertisements financed-out of funds provided under grant-in-Aid Agreements;”.
7. In the Sindh Special Assistants, (Appointment, Powers, Functions, Salaries, Allowances and Privileges) Act, 2003— **Amendment of Sindh Act I of 2005**
- (i) in section 5, for the words “fifteen thousand”, the words “seventeen thousand” shall be substituted;

- (ii) in section 6, for the words "three thousand", the words "four thousand" shall be substituted; and
- (iii) in section 8, in sub-section (2), for the words "ten thousand", the words "eleven thousand" shall be substituted.

**Repeal of Sindh
Ordinance
XVII of 2006.**

8. The Sindh Assembly Members, Ministers and Special Assistants to the Chief Minister (Salaries, Allowances and Privileges) Amending Ordinance, 2006 is hereby repealed.

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

HADI BUX BURIRO
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH

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