GUIDE BOOK
AGRICULTURAL INCOME TAX
IN THE PUNJAB

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GUIDE BOOK

AGRICULTURAL INCOME TAX IN THE PUNJAB

1. The Punjab Agricultural Income Tax Act 1997 (I of 1997) envisages--

(1) land-based tax; and

(2) tax on agricultural income.

2. WHAT IS LAND-BASED TAX?

Land-based tax is assessed on the basis of sown area of an owner during an agricultural year, regardless of the size of holding of the owner and number of crops raised on the area during the agricultural year. It is a tax on cultivated land, including land under matured orchard which bore fruit during the tax year, but excluding land under planted forest or forest nursery.

3. WHAT IS MATURED ORCHARD?

"Matured orchard" means orchard of the age of seven years or more in the case of mango orchard and of the age of five years or more in the case of other orchards.

4. WHO IS OWNER FOR THE PURPOSE OF LAND-BASED TAX?

"Owner" includes mortgagee in possession, or tenant of Government land.

Explanation I.– Where any land is owned by more than one person whether as member of a firm or association or otherwise, every one of those persons individually, to the extent of his share in the said land, shall be deemed to be an owner.

Explanation II.– Every 'ward' whose estate is managed by a Court of Wards shall be deemed to be the owner of such estate.

Explanation III.– A member of a cooperative farming society shall be deemed to be the owner of such portion of the land possessed by the society as is proportionate to his share or interest as a member.

5. RATES OF LAND-BASED TAX AND TREATMENT OF IRRIGATED LAND AND UNIRRIGATED LAND FOR THE PURPOSE OF LAND-BASED TAX.

For the purpose of determining rate of land-based tax applicable to an owner, sown unirrigated land is computed into sown irrigated land, by treating one acre of irrigated land as equal to two acres of unirrigated land.

Rates of land-based tax, as per First Schedule to the Punjab Agricultural Income Tax Act 1997, are as under:-

"1. Slab of total cultivated land, computed as irrigated land, by treating one irrigated acre as equal to two unirrigated acres, excluding matured orchards.	Rate of tax per acre
(i) Not exceeding $12^1/_2$ acres	Nil
(ii) Exceeding $12^1/_2$ acres but not exceeding 25 acres	Rs. 100/-
(iii) Exceeding 25 acres but not exceeding 50 acres	Rs. 300/-
(iv) Exceeding 50 acres	Rs. 350/-

2. Matured orchards.- (1) The rate of tax shall be as follows:-

(i) Irrigated	Rs. 500/- per acre
(ii) Unirrigated	Rs. 250/- per acre

(2) An owner who holds matured orchard not exceeding $7^1/_2$ acres computed as irrigated land by treating one irrigated acre as equal to two unirrigated acres shall not be required to pay tax for the orchard, provided his total cultivated land, including non-orchard land, does not exceed $12^1/_2$ acres computed as irrigated land as aforesaid. In case his total cultivated land, including non-orchard land, exceeds $12^1/_2$ acres computed as irrigated land, he shall pay tax for matured orchard at the rate given in sub-paragraph (1) and for non-orchard land at the rate given in paragraph 1 applicable to him provided that if his non-orchard land does not exceed $12^1/_2$ acres computed as irrigated land, the rate of tax for such land shall be Rs. 100/- per acre."

6. ASSESSMENT AND COLLECTION OF LAND-BASED TAX

(1) Land-based tax is assessed and collected by the Collector of the Tehsil.

(2) In case cultivated land of an owner is situated in two or more Tehsils, tax is assessed and collected by Collector of that Tehsil as is opted by the owner.

(3) The Punjab Agricultural Income Tax Rules 1997 envisage assessment and collection of land-based tax twice a year as under:-

(a) Advance tax, after the completion of Khasra Girdawari for Kharif season of the agricultural year; and

(b) Final assessment of tax, after completion of Khasra Girdawari for Rabi season of the agricultural year. While determining the tax payable, advance tax already paid is adjusted.

(4) Owner whose cultivated land is situated only in one patwar circle in the Punjab is not required to furnish statement of cultivated land. Tax is provisionally assessed on the basis of statements on prescribed forms (Forms A.I.T.1/A.I.T. 1-A) prepared by the Mahal Patwari and checked and verified by circle Qanungo and circle Revenue Officer. Tax so assessed is intimated to the owner by the Collector of the Tehsil, in the form of demand notice, alongwith challan, requiring the owner to pay the tax in case he has no objection against the assessment, or file Objection Application within the period specified in the notice, in case he has any objection against the assessment. The Objection Application is heard and disposed of by the Collector of the Tehsil and assessment is finalized accordingly. Assessment order passed by the Collector of the Tehsil, after hearing Objection Application, is subject to appeal, review or revision, under the law.

(5) Owner whose cultivated land is situated in two or more patwar circles in the Punjab is required to furnish statements in the prescribed forms (Forms A.I.T.5/A.I.T. 5-A) showing location of cultivated land. These statements are required to be filed by dates as may be specified by the Board of Revenue. Date in respect of statement regarding advance tax falls after the completion of Khasra Girdawari for Kharif season of the tax year, while date in respect of statement regarding annual tax falls after the completion of Khasra Girdawari for Rabi season of the tax year.

Failure to furnish statement, within the time allowed for the purpose, is punishable with penalty of rupees twenty-five for each day of default, subject to maximum of rupees one thousand.

Procedure for filing a statement is as under:-

(a) (1) One copy of the statement shall be delivered personally or through an authorized agent, by such date as may be specified by the Board of Revenue, to a Mahal Patwari within whose circle part of the land shown in the statement is situated and such circle is within the jurisdiction of the Collector of the Tehsil who has to assess and collect the tax.

(2) The owner shall send by post a copy of the statement to the Mahal Patwari of every other patwar circle in which part of the land shown in the statement is situated and to every Collector of the Tehsil within whose jurisdiction the land shown in the statement is situated.

(b) (1) In the alternative, one copy of the statement shall be delivered personally or through an authorized agent, by such date as may be specified by the Board or Revenue, to the Collector of the Tehsil who has to assess and collect the tax.

(2) The owner shall send by post a copy of the statement to every other Collector of the Tehsil within whose jurisdiction part of the land shown in the statement is situated and to every Mahal Patwari within whose circle part of the land shown in the statement is situated.

7. CERTAIN EXAMPLES OF CALCULATION OF LAND-BASED TAX

Example-I. An owner has 16 acres of land, of which 8 acres are irrigated and 8 acres unirrigated. All 16 acres were sown during the year 2000-2001, there being no matured orchard.

(i)	His total cultivated land, computed as irrigated land, by treating one irrigated acre as equal to two unirrigated acres;	12 acres
(ii)	Tax :	Nil

Example-II. An owner has 16 acres of land, of which 8 acres are irrigated and 8 acres unirrigated. During the year 2000-2001, 8 irrigated acres consisted of matured orchard and the remaining 8 acres of unirrigated land were also sown.

(i)	His matured orchard:	8 acres of irrigated land.
(ii)	Tax for matured orchard:	8 x 500 = Rs. 4,000/-
(iii)	Tax for non-orchard cultivated land:	Nil
(iv)	Total tax (total of (ii) and (iii)) :	Rs. 4,000/-

Example - III. An owner has 16 acres of non-orchard land, of which 10 acres are irrigated and 6 acres unirrigated. All 16 acres were sown during 2000-2001.

(i)	His total cultivated land, computed as irrigated land, by treating one irrigated acre as equal to two unirrigated acres:	13 acres
(ii)	Tax:	13x100 = Rs. 1,300/-

Example-IV. An owner has 20 acres of land, of which 6 irrigated acres consist of matured orchard and the remaining 14 acres unirrigated non-orchard. Non-orchard area of 14 acres was also sown during 2000-2001.

(i)	His total cultivated land, computed as irrigated land, by treating one irrigated acre as equal to two unirrigated acres, excluding matured orchard:	7 acres
(ii)	His matured orchard:	6 acres
(iii)	Total of (i) and (ii)	13 acres
(iv)	Tax for matured orchard:	6 x 500 = Rs. 3,000/-
(v)	Tax for non-orchard cultivated land:	7 x 100 = Rs. 700/-
(vi)	Total tax (total of (iv) and (v)) :	Rs. 3,700/-

Example - V An owner has 110 acres of land, of which 10 irrigated acres consist of matured orchard; 40 irrigated acres and 60 unirrigated acres are non-orchard land. During Kharif, 2000, 40 irrigated acres of non-orchard land were sown. During Rabi 2000-2001, 40 irrigated acres of non-orchard land were again sown and 60 unirrigated acres were also sown.

(i)	His total cultivated land, computed as irrigated land, by treating one irrigated acre as equal to two unirrigated acres, excluding matured orchard, during Kharif 2000:	40 acres
(ii)	His matured orchard during Kharif 2000:	10 acres
(iii)	Advance tax-	
	(a) in respect of 40 acres of non-orchard land:	40 x 300 = Rs. 12,000/-
	(b) in respect of matured orchard of 10 acres:	10 x 500 = Rs. 5,000/-
	Total of (a) and (b):	Rs. 17,000/-
(iv)	His total cultivated land, computed as irrigated land, by treating one irrigated acre as equal to two unirrigated acres, excluding matured orchard, during 2000-2001:	70 acres
(v)	His matured orchard during 2000-2001:	10 acres

(vi) Tax for the year 2000-2001-

(a) in respect of 70 acres of non-orchard land:	70 x 350 = Rs. 24,500/-
(b) in respect of matured orchard of 10 acres:	10 x 500 = Rs. 5,000/
Total of (a) and (b):	Rs. 29,500/-
(vii) Advance tax already paid:	Rs. 17,000/-
(viii) Balance tax payable:	Rs. 12,500/-

8. TAX ON AGRICULTURAL INCOME

Tax on agricultural income is payable only by such persons who are required to file return of total agricultural income, on account of having cultivated land during an income year more than the limit specified by Government by means of a notification published in the official Gazette. By a notification, Government has directed that every person holding during an income year cultivated land measuring-

(i) fifty acres or more of irrigated land; or
(ii) one hundred or more of unirrigated land; or
(iii) irrigated and unirrigated land the aggregate area of which is equal to or more than fifty acres of irrigated land, one acre of irrigated land being reckoned as equivalent to two acres of unirrigated land,

shall file a return of total agricultural income.

Not only owners of cultivated land, but also lessees/tenants of cultivated land are required to furnish returns of total agricultural income and one and the same cultivated land may be counted both in the name of owner and his lessee/tenant.

Return is required to be filed on or before the thirtieth day of September next following the income year. The Collector who has to assess and collect the tax may extend the time upto thirty days in deserving cases. Failure to furnish return, within the time allowed for the purpose, is punishable with penalty of rupees twenty-five for each day of default, subject to maximum of rupees one thousand.

9. WHAT IS AGRICULTURAL INCOME?

By virtue of its definition in the Punjab Agricultural Income Tax Act 1997, agricultural income consists of any rent or revenue derived from land which is situated in the Punjab and is used for agricultural purposes; any income derived from such land by agriculture and agricultural processes; and any income from buildings on or in the immediate vicinity of the land.

10. PERMISSIBLE ALLOWANCES AND DEDUCTIONS FOR COMPUTING TAXABLE AGRICULTURAL INCOME

In computing agricultural income of an assessee, the following allowances and deductions can be made:-

(a) any expenditure on account of labour for-

(i) tilling the land;

(ii) sowing the seed;

(iii) ploughing/planting;

(iv) tending/pruning;

(v) rendering the produce fit to be taken to market;

(vi) any other agricultural operation;

(b) any expenditure incurred on purchase of-

(i) seed;

(ii) fertilizers an pesticides;

(c) any expenditure incurred on-

(i) hiring animals, tractors, agricultural machinery and implements used for earning agricultural income;

(ii) repair and maintenance of water-courses;

(d) any expenditure incurred on-

(i) harvesting of agricultural produce;

(ii) marketing of agricultural produce;

(e) any sum paid on account of-

(i) ushr;
(ii) local cess and other cesses;
(iii) water-rate (Abiana);

(iv) electricity bills in respect of tubewells and lift pumps used for agriculture;

(v) fuel charges in respect of tubewells and lift pumps used for agriculture;

(vi) rent of land used for agriculture;

(vii) obtaining of agricultural loans;

(viii) mark-up on agricultural loans;

(f) in respect of depreciation of such buildings, machinery and plant being the property of the assessee used for the purpose of earning agricultural income, allowance at the rate of 15 percent of the written down value; and

(g) any other expenditure not being in the nature of capital expenditure or personal expenses of the assessee laid out or expended wholly and exclusively for the purposes of agriculture.

11. ALLOWANCES TO BE TREATED AS DEDUCTION FROM INCOME

Any allowance admissible under the Punjab Agricultural Income Tax Act 1997 shall be included in the total agricultural income, but may be deducted from such income for the purpose of computing the tax payable by an assessee under the Act.

12. RATES OF TAX ON AGRICULTURAL INCOME

The rates of tax on total agricultural income are as under:-

(1) Where the total income does not exceed Rs. 1,00,000/-	5% of total income
(2) Where the total income exceeds Rs. 1,00,000/- but does not exceed Rs. 2,00,000/-	Rs. 5,000/- plus $7^1/_2$% of the amount exceeding Rs. 1,00,000/-
(3) Where the total income exceeds Rs. 2,00,000/- but does not exceed Rs. 3,00,000/-	Rs. 12,500/- plus 10% of the amount exceeding Rs. 2,00,000/-
(4) Where the total income exceeds Rs. 3,00,000/-	Rs, 22,500/- plus 15% of the amount exceeding Rs. 3,00,000/-

Provided that no tax shall be payable on the first eighty thousand rupees of aforementioned income.

13. ASSESSMENT AND COLLECTION OF TAX ON AGRICULTURAL INCOME

Tax on agricultural income is assessed and collected by the Collector of the Tehsil in accordance with the provisions of the Punjab Agricultural Income Tax Rules, 2001.

14. CERTAIN EXAMPLES OF CALCULATION OF TAX ON AGRICULTURAL INCOME

Example-I. A person has total agricultural income of Rs. 5,00,000/- for the year ended on 30th June, 2001. His cost of cultivation for the said income year, including depreciation charges in respect of agricultural tractor amounting to Rs. 1,20,000/-, works out to Rs, 3,50,000/-.

The tax on his total agricultural income for the assessment year 2001-2002 will be calculated as under:-

(1)	Total agricultural income:	Rs. 5,00,000/-
(2)	Less cost of cultivation, agricultural operations, and allowances:	Rs. 3,50,000/-
(3)	Total agricultural income for the purpose of computing tax:	Rs. 1,50,000/-
(4)	Less basic exemption:	Rs. 80,000/-
(5)	Taxable agricultural income:	Rs. 70,000/-
(6)	Income tax payable: 70,000 x 5/100 = Rs. 3,500/-	

Example-II. A person has total agricultural income of Rs. 25,00,000/- for the year ended on 30th June, 2001. His cost of cultivation for the said income year, including depreciation charges in respect of buildings amounting to Rs. 3,00,000/-, works out to Rs. 10,00,000/-.

The tax on his total agricultural income for the assessment year 2001-2002 will be calculated as under:-

(1)	Total agricultural income:	Rs. 25,00,000/-
(2)	Less cost of cultivation, agricultural operations, and allowances:	Rs. 10,00,000/-
(3)	Total agricultural income for the purpose of computing tax:	Rs. 15,00,000/-

(4)	Less basic exemption:	Rs. 80,000/-
(5)	Taxable agricultural income:	Rs. 14,20,000/-
(6)	Income tax payable:	Rs. 22,500/- plus 15% of Rs. 11,20,000/- = Rs. 1,90,500/-

15. CLAIMS OF REFUND

Claims of refund of the amount paid in excess of the amount due can be made by making application in this behalf to the Collector of the Tehsil.

THE PUNJAB AGRICULTURAL INCOME TAX ACT, 1997

(I OF 1997)

(As amended upto date)

AN ACT

to provide for the imposition of a tax on agricultural income in the Punjab.

Preamble. – Whereas the Constitution of the Islamic Republic of Pakistan envisages the creation of an egalitarian society based on the Islamic principles of social justice;

And whereas for achieving the object it is expedient to provide for the imposition of a tax on agricultural income in the Punjab;

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Punjab Agricultural Income Tax Act 1997.

(2) It shall come into force on the first day of July 1997.

2. Definitions. - (1) In this Act, unless there is anything repugnant in the subject or context-

(a) "agricultural income" means-

(a) any rent or revenue derived from land which is situated in the Punjab and is used for agricultural purposes;

(b) any income derived from such land by-

(i) agriculture; or

(ii) the performance by a cultivator or receiver of rent-in-kind of any process ordinarily employed by a cultivator or receiver of rent-in-kind to render the produce raised or received by him fit to be taken to market; or

(iii) the sale by a cultivator or receiver of rent-in-kind of the produce raised or received by him, in respect of which no process has been performed other than a process of the nature described in paragraph(ii);

(c) any income derived from any building owned and occupied by the receiver of the rent or revenue of any such land,or occupied by the cultivator or the receiver of rent-in-kind of any land with respect to which,or the produce of which,any operation mentioned in paragraphs (ii) and (iii) of sub-clause (b) is carried on:

Provided that the building is on,or in the immediate vicinity of the land, and is a building which the receiver of the rent or revenue or the cultivator,the receiver of the rent-in-kind by reason of his connection with the land, requires as a dwelling-house,or a store-house, or other out-building;

(aa) "assessee" means a person by whom any tax or any other sum of money is payable under this Act and includes-

(i) every person in respect of whom any proceeding under this Act has been taken for the assessment of his total cultivated land or for the assessment of his agricultural income or the agricultural income of any other person in

respect of which he is assessable or of the amount of refund due to him or to such other person;

(ii) every person who is required to file a statement of his total cultivated land or return of total agricultural income under section 4 read with section 3 of this Act; and

(iii) every person who is deemed to be an assessee, or an assessee in default under this Act;

(ab) "assessment" includes reassessment and additional assessment and the cognate expressions shall be construed accordingly;

(ac) "assessment year" means the period of twelve months beginning on the first day of July next following the income year;

(ad) "Collector" means Collector of a district appointed under the Punjab Land Revenue Act 1967 (XVII of 1967) and includes a Deputy District Officer (Revenue) and any officer specially appointed by Government to perform the functions and exercise the powers of a Collector under this Act;

(b) "cultivated land" means any area of land which was sown at least once during the tax year,including land under matured orchard which bore fruit during the tax year,but excluding land under planted forest or forest nursery;

(c) "matured orchard" means orchard of the age of seven years or more in the case of mango orchard and of the age of five years or more in the case of other orchards;

(d) "Government" means the Government of the Punjab;

(da) "income year", in relation to any assessment year (hereafter in this clause referred to as the 'said assessment year'), means the financial year next preceding the said assessment year;

(e) (omitted).

(f) "owner" includes a member of a joint hindu family whether owning land individually or jointly with any other person and includes mortgagee in possession,or tenant of Government land;

Explanation I. -Where any land is owned by more than one person whether as member of a firm or association or otherwise,every one of those persons individually, to the extent of his share in the said land,shall be deemed to be an owner.

Explanation II. - Every 'ward' whose estate is managed by a Court of Wards shall be deemed to be the owner of such estate.

Explanation III. - A member of a co-operative farming society shall be deemed to be the owner of such portion of the land possessed by the society as is proportionate to his share or interest as a member;

(g) "prescribed" means prescribed by rules;

(ga) "return" means the return of total agricultural income in the prescribed form setting forth such particulars and accompanied by such statements, certificates, and other documents, and verified in such manner, as may be prescribed;

(h) "rules" means rules made under this Act;

(i) "tax" means tax leviable under the provisions of this Act and includes any penalty leviable under this Act;

(j) "tax year" means agricultural year as defined in the Punjab Land Revenue Act, 1967 (XVII of 1967); and

(k) "total agricultural income" means the total amount of agricultural income, computed in the manner laid down in this Act.

(2) All words and expressions in this Act used or defined in the Punjab Land Act 1967 (XVII of 1967) and not hereinbefore defined shall be deemed to have meanings respectively attributed to them by that Act.

3. Charge of agricultural income tax.– (1) Subject to the other provisions of this Act,there shall be levied, assessed and collected each year a tax in respect of agricultural income of a tax year of an owner at the rate specified in the First Schedule to this Act.

Explanation. -For the purposes of this sub-section,the cultivated land during a tax year shall be deemed to be agricultural income.

(2) The Government may, by a notification in the official Gazette require every person having cultivated land above a certain limit of file a return of his total agricultural income.

(3) Subject to the other provisions of this Act,there shall be levied, assessed and collected for each assessment year commencing on or after the first day of July, 2001 agricultural income tax in respect of the total agricultural income of the income year of every person who is required to file a return of his total agricultural income under sub-section (2), at the rate specified in the Second Schedule:

Provided that where by virtue of an amendment in the Second Schedule,the rate of income tax, for the purposes of assessment in respect of any assessment year, is altered,the rate of income tax,existing prior to the said alteration shall continue to apply in respect of any assessment year to which the said existing rate is applicable.

(4) Out of the two taxes assessed under sub-sections (1) and (3), an assessee shall be liable to pay one tax the amount of which shall be greater.

4. Assessment and collection of tax. -(1) The tax shall be assessed and collected by the Collector in such manner as may be prescribed.

(2) In the case of assessment regarding an owner holding land in more than one patwar circle, the owner shall file a statement regarding the location of his land in the Punjab, in such manner as may be prescribed.

(3) Every person whose case falls under sub-section (2) of section 3, shall file the return of his total agricultural income in the prescribed form.

(4) No assessment on the basis of return shall be made by the Collector after the expiration of two years from the end of the assessment year in which the total agricultural income was first assessable.

4-A. Computation of agricultural income.– In computing agricultural income of an assessee, the following allowances and deductions shall be made, namely;-

(a) any expenditure on account of labour for-

(i) tilling the land;
(ii) sowing the seed;
(iii) ploughing/planting;

(iv) tending/pruning;
(v) rendering the produce fit to be taken to market;
(vi) any other agricultural operation;

(b) any expenditure incurred on purchase of -

(i) seed;
(ii) fertilizers and pesticides;

(c) any expenditure incurred on-

(i) hiring animals, tractors, agricultural machinery and implements used for earning agricultural income;

(ii) repair and maintenance of water-courses;

(d) any expenditure incurred on-

(i) harvesting of agricultural produce;
(ii) marketing of the agricultural produce;

(e) any sum paid on account of -

(i) ushr;
(ii) local cess and other cesses;
(iii) water-rate (Abiana);
(iv) electricity bills in respect of tubewells and lift pumps used for agriculture;
(v) fuel charges in respect of tubewells and lift pumps used for agriculture;
(vi) rent of land used for agriculture;
(vii) obtaining of agricultural loans;
(viii) mark-up on agricultural loans;

(f) in respect of depreciation of such buildings, machinery and plant being the property of the assessee used for the purpose of earning agricultural income, allowance at the rate of 15 percent of the written down value; and

(g) any other expenditure not being in the nature of capital expenditure or personal expenses of the assessee laid out or expended wholly and exclusively for the purposes of agriculture.

4-B. Allowances to be treated as deduction from income.-Any allowance admissible under this Act shall be included in the total agricultural income, but may be deducted from such income for the purpose of computing the tax payable by an assessee under this Act.

4-C. Liability in the case of a deceased person .-(1) Where a person dies, his legal representatives shall be liable to pay tax which the deceased would have been liable to pay if he had not died, in the like manner and to the same extent as the deceased.

(2) For the purpose of making an assessment of the agricultural income of the deceased and recovery of tax -

(a) any proceeding taken against the deceased before his death shall be deemed to have been taken against the legal representatives and may be continued against the legal representatives from the stage at which it stood on the date of the death of the deceased; and

(b) any proceeding which could have been taken against the deceased if he had survived may be taken against the legal representatives,

and all the provisions of this Act shall,so far as may be, apply accordingly.

(3) The legal representatives of the deceased shall, for the purposes of this Act be deemed to be an assessee.

Explanation. - For the purposes of this section, "legal representative" includes an executor, administrator and any person administering the estate of a deceased person.

4-D. Liability of agents representing assessee. - (1) every agent shall, in respect of the agricultural income for which he is, or is declared to be, or is treated as, an agent, be deemed to be an assessee for the purposes of this Act and shall be subject to the same obligations and liabilities as if he were the assessee, and shall be liable to assessment in his own name in respect of that income.

(2) Every agent who pays any tax under this Act shall be entitled to recover the tax so paid from the person on whose behalf it is paid,or to retain an equivalent amount out of any moneys due or belonging to the said person which may be in his possession or come into his possession at any time.

(3) Nothing in this Act shall prevent either the direct assessment of the person on whose behalf or for whose benefit, any such income is receivable, or the recovery from such person of the tax payable in respect of such income.

Explanation. - For the purposes of this section, "agent" includes-

(i) in respect of the income of a minor, lunatic or idiot,the guardian or manager who is entitled to receive, or is in receipt of, such income, on behalf of such minor, lunatic or idiot;

(ii) in respect of income,which the Court of Wards, the Administrator General, the Official Trustee or any receiver or manager appointed by or under any order of a Court receives or is entitled to receive on behalf of, or for the benefit of,any person, such Court of Wards, Administrator General, Official Trustee, receiver or manager; and

(iii) in respect of income which a trustee, appointed under a trust declared by a duly executed instrument in writing whether testamentary or otherwise including any Wakf deed which is valid under the Mussalman Wakf Validating Act, 1913 (VI of 1913), receives or is entitled to receive on behalf, or for the benefit, of any person, such trustee or trustees.

5. Refund. - Refund of tax where due shall be made in such manner as may be prescribed.

6. Maintenance of accounts. - Accounts regarding demand and recovery of of tax shall be maintained in such manner as may be prescribed.

7. Application of Act XVII of 1967. - (1) Subject to the other provisions of this Act, the provisions of sections 13 and 14 of the Punjab Land Revenue Act 1967 (XVII of 1967) shall apply to cases under this Act.

(2) For the purposes of appeal, review or revision, an order passed under this Act shall be deemed to be an order of a Revenue Officer within the meanings of Sections 161, 162, 163 and 164 of the Punjab Land Revenue Act 1967 (XVII of 1967):

Provided that proceeding of suo motu review or revision of an order in respect of any income year shall not be initiated after the expiration of two years from the end of the assessment year in which the total agricultural income of the said income year was first assessable.

8. Penalty for failure to furnish statement etc, - (1) Where any person has, without reasonable cause, failed to furnish,within the time allowed for the purpose, the statement or, as the case may be, the return, under section 4, the Collector may impose upon such person a penalty of rupees twenty five for each day of default, subject to maximum of rupees one thousand.

(2) No penalty under sub-section (1) shall be imposed on any person unless such person has been given a reasonable opportunity of being heard.

9. Penalty for concealment of cultivated land etc.- (1) Where in the course of any proceedings under this Act, the Collector or the appellate or revisional authority is satisfied that any person has, either in the said proceedings or in any earlier proceedings relating to an assessment in respect of the same tax year, concealed his cultivated land or furnished inaccurate particulars of such cultivated land,or concealed his agricultural income or furnished inaccurate particulars of such income, he or, as the case may be, it may impose upon such person a penalty equal to the amount of tax which the said person sought to evade by concealment of his cultivated land or furnishing inaccurate particulars of such cultivated land, or by concealment of his agricultural income or furnishing inaccurate particulars of such income as aforesaid.

(2) for the purposes of sub-section (1),concealment of cultivated land or the furnishing of inaccurate particulars of cultivated land, concealment of agricultural income or furnishing of inaccurate particulars of such income shall include suppression of information regarding any cultivated land liable to tax or , as the case may be, suppression of any item of receipt of agricultural income or failure to disclose agricultural income chargeable to tax under this Act or claiming any deduction for, or showing any expenditure not actually incurred.

(3) No penalty under sub-section (1) shall be imposed on any person unless such person has been given a reasonable opportunity of being heard.

10. Penalty for default in payment of tax. - (1) Where any assessee is in default in making payment of any tax, the Collector may impose on him a penalty at the rate of five percent per annum of the amount of tax overdue for the period of defualt:

Provided that the total amount of penalty imposed under this section shall not exceed fifty per cent of the amount of such tax.

(2) No penalty under sub-section (1) shall be imposed on any assessee unless such assessee has been given a reasonable opportunity of being heard.

10-A. Bar of jurisdiction. - No Civil Court shall have jurisdiction in any manner relating to the assessment or collection of the tax leviable under this Act and no order passed or proceedings taken by any authority under this Act shall be called in question in any Civil Court.

11. Rules.- The Government may frame rules to carry out the purposes of this Act.

12. Repeal. - The Punjab Agricultural Income Tax Ordinance 1997 (XXII of 1997) is hereby repealed.

THE FIRST SCHEDULE
(see section 3(1))

1.	Slab of total cultivated land, computed as irrigated land, by treating one irrigated acre as equal to two unirrigated acres, excluding matured orchards.	Rate of tax per acre
(i)	Not exceeding $12\frac{1}{2}$ acres	Nil
(ii)	Exceeding $12\frac{1}{2}$ acres but not exceeding 25 acres.	Rs. 100/-

(iii)	Exceeding 25 acres but not exceeding 50 acres	Rs. 300/-
(iv)	Exceeding 50 acres	Rs. 350/-
2.	Matured orchards.- (1) The rate of tax shall be as follows:-	
(i)	Irrigated	Rs. 500/- per acre
(ii)	Unirrigated	Rs. 250- per acre.

(2) An owner who holds matured orchard not exceeding $7\frac{1}{2}$ acres computed as irrigated land by treating one irrigated acre as equal to two unirrigated acres shall not be required to pay tax for the orchard provided his total cultivated land including non-orchard land,does not exceed $12\frac{1}{2}$ acres computed as irrigated land as aforesaid. In case this total cultivated land, including non-orchard land, exceeds $12\frac{1}{2}$ acres computed as irrigated land,he shall pay tax for matured orchard at the rate given is sub-paragraph (1) and for non-orchard land at the rate given in paragraph 1 applicable to him provided that if his non-orchard land does not exceed $12\frac{1}{2}$ acres computed as irrigated land, the rate of tax for such land shall be Rs. 100/- per acre.

THE SECOND SCHEDULE
(see section 3(3))

RATES OF TAX ON TOTAL AGRICULTURAL INCOME

The rate of tax on total agricultural income shall be as under:-

(1)	Where the total income does not exceed Rs. 1,00,000/-	5% of total income
(2)	Where the total income exceeds Rs. 1,00,000/- but does not exceed Rs. 2,00,000/-	Rs. 5,000/- plus $7\frac{1}{2}$% of the amount exceeding Rs. 1,00,000/-
(3)	Where the total income exceeds Rs. 2,00,000/- but does not exceed Rs. 3,00,000/-	Rs. 12,500/- plus 10% of the amount exceeding Rs. 2,00,000/-
(4)	Where the total income exceeds Rs. 3,00,000/-	Rs. 22,500/- plus 15% of the amount exceeding Rs. 3,00,000/-

Provided that no tax shall be payable on the first eighty thousand rupees of aforementioned income.

GOVERNMENT OF THE PUNJAB
REVENUE DEPARTMENT

Lahore, dated the 30th July, 2001

NOTIFICATION

No. 3359-2001/56-A.III.In exercise of the powers conferred upon him under Section 3(2) of the Punjab Agricultural Income Tax Act 1997 (I of 1997), the Governor of the Punjab is pleased to direct that every person, during an income year, having cultivated land measuring–

(i) fifty acres or more of irrigated land; or

(ii) one hundred acres or more of unirrigated land; or

(iii) irrigated and unirrigated land the aggregate area of which is equal to or more than fifty acres of irrigated land, one acre of irrigated land being reckoned as equivalent to two acres of unirrigated land,

shall file a return of his total agricultural income.

SHAHZAD HASSAN PERVEZ
SECRETARY TO GOVERNMENT OF THE PUNJAB,
REVENUE DEPARTMENT.

THE PUNJAB AGRICULTURAL INCOME TAX RULES 1997

(Punjab Government Revenue Department notification No. 1571-97/89-A-III dated 3rd June, 1997 as amended upto date)

In exercise of the powers conferred upon him by section 11 of the Punjab Agricultural Income Tax Act 1997 (I of 1997) the Governor of the Punjab is pleased to make the following rules :-

1. Short title and commencement.- (1) These rules may be called the Punjab Agricultural Income Tax Rules 1997.

(2) They shall come into force at once.

2. Definitions.- (1) In these rules unless the context otherwise requires ,-

(a) "Form" means the form appended to these rules ;

(b) "Act" means the Punjab Agricultural Income Tax Act 1997 (I of 1997); and

(c) "section" means section of the Punjab Agricultural Income Tax Act 1997 (I of 1997).

(2) Words and expressions used but not defined in these rules shall have the same meanings as are respectively assigned to them in the Act.

3. Assessment and collection of tax in case of an owner who holds land only in one patwar circle in the Punjab.- (1) In the case of an owner whose entire cultivated land during a tax year is situated only in one patwar circle in the Punjab, the tax under the Act shall be assessed and collected by the Collector of the Tehsil within whose jurisdiction the patwar circle is situated. Such assessment and collection shall be made in two stages, firstly as advance tax in respect of cultivated land during Kharif season and secondly as tax due in respect of cultivated land during Kharif and Rabi seasons of the tax year, after allowing credit to the owner of the advance tax already paid, if any.

(2) The following procedure shall be followed for the assessment and collection of advance tax in respect of cultivated land during Kharif season of a tax year :-

(i) For the purpose of assessment of tax, the Mahal patwari of each patwar circle shall prepare, by such date as may be specified by the Board of Revenue, a statement in Form A.I.T. 1.

(ii) If before the preparation of the statement in form A.I.T. 1, the Mahal patwari receives a statement under section 4(2) from an owner then in the statement in form A.I.T. 1 the following note should be recorded by the Mahal patwari against the name of such owner :-

"The owner holds cultivated land in more than one patwar circle and according to the choice of the owner the assessment of tax is to be made by the Collector of Tehsil ----- ----- (name of Tehsil)".

The original statement furnished by such owner should be attached with the statement in Form A.I.T. 1.

(iii) The statement prepared by the Mahal patwari in accordance with clauses (i) and (ii) shall be verified by the circle Kanungo and the circle Revenue Officer and submitted to the Collector of the Tehsil by such date as may be specified by the Board of Revenue.

(iv) On receipt of verified statement in Form A.I.T. 1 the Collector of the Tehsil shall assess and record on the statement the amount of tax payable by each owner, excepting cases, if any, where the tax is to be assessed and collected by the Collector of another Tehsil.

(v) After the tax has been assessed and recorded by the Collector of the Tehsil on statement in Form A.I.T. 1 he shall issue to the owner, by such date as may be specified by the Board of Revenue, a demand notice in Form A.I.T. 2 requiring that -

(a) he should pay the assessed tax on or before 31st December of the tax year to which the tax relates, in case he has no objection against the assessment;

(b) if he has any objection against the assessment of the tax he should either personally or through an authorized agent file in the office of Collector of the Tehsil, by such date as may be specified by the Board of Revenue, Objection Application on plain paper, stating his objections and furnishing documentary evidence (copy of judgement, decree, order or other document) in support of objections.

The demand notice in Form A.I.T. 2 shall be served on the owner by such date as may be specified by the Board of Revenue.

(vi) The office of the Collector of Tehsil in which an Objection Application is filed under clause (v) shall issue to the owner Objection Application Acknowledgement Receipt in Form A.I.T. 3 specifying therein the date (not being a date later than such date as may be specified by the Board of Revenue) on which the Objection Application will be heard and disposed of by the Collector of the Tehsil.

(vii) All Objection Applications filed under clause (v) shall be finally disposed of by the Collector of the Tehsil by such date as may be specified by the Board of Revenue.

(viii) After decision on an Objection Application the Collector of the Tehsil shall enter in the Remarks column of Form A.I.T. 1 the revised assessment and date of order on which it is based and shall issue, by such date as may be specified by the Board of Revenue, a demand notice in form A.I.T. 4 requiring the owner to pay, on or before 31st

December of the tax year to which the tax relates, the amount of tax found due from him as a result of decision on his Objection Application. The demand notice in form A.I.T. 4 shall be served on the owner by such date as may be specified by the Board of Revenue.

(ix) No appeal or petition for review or revision shall lie against an order passed under clause (vii) unless the whole amount of tax payable in accordance with the notice served under clause (viii) has been paid.

(3) The following procedure shall be followed for the assessment and collection of tax due in respect of cultivated land during Kharif and Rabi seasons of the tax year, after allowing credit to the owner of the advance tax already paid, if any :-

(i) For the purpose of assessment of tax, the Mahal patwari of each patwar circle shall prepare, by such date as may be specified by the Board of Revenue, a statement in Form A.I.T. 1-A.

(ii) If before the preparation of the statement in Form A.I.T. 1-A the Mahal patwari receives a statement under section 4(2) from an owner then in the statement in Form A.I.T. 1-A the following note should be recorded by the Mahal patwari against the name of such owner :-

"The owner holds cultivated land in more than one patwar circle and according to the choice of the owner the assessment of tax is to be made by the Collector of the Tehsil - ---------- (name of Tehsil)".

The original statement furnished by such owner shall be attached with the statement in Form A.I.T. 1-A.

(iii) The statement prepared by the Mahal patwari in accordance with clauses (i) and (ii) shall be verified by the circle Kanungo and the circle Revenue Officer and submitted to the Collector of the Tehsil by such date as may be specified by the Board of Revenue.

(iv) On receipt of the verified statement in Form A.I.T. 1-A the Collector of the Tehsil shall assess and record on the statement the amount of tax payable by each owner, excepting cases, if any, where the tax is to be assessed and collected by Collector of another Tehsil.

(v) After the tax has been assessed and recorded by the Collector of the Tehsil on statement in Form A.I.T. 1-A he shall issue to the owner, by such date as may be specified by the Board of Revenue, a demand notice in Form A.I.T. 2 requiring that :-

(a) he should pay the assessed tax on or before 30th June of the tax year to which the tax relates, in case he has no objection against the assessment;

(b) if he has any objection against the assessment of the tax he should either personally or through an authorized agent file in the office of Collector of the Tehsil, by such date as may be specified by the Board of Revenue, Objection Application on plain paper, stating his objections and furnishing documentary evidence (copy of judgement, decree, order or other document) in support of objections.

The demand notice in Form A.I.T. 2 shall be served on the owner by such date as may be specified by the Board of Revenue.

(vi) The office of Collector of the Tehsil in which an Objection Application is filed under clause (v) shall issue to the owner Objection Application Acknowledgement Receipt in Form A.I.T. 3 specifying therein the date (not being a date later than such date as may be specified by the Board of Revenue) on which the Objection Application will be heard and disposed of by the Collector of the Tehsil.

(vii) All Objection Applications filed under clause (v) shall be finally disposed of by the Collector of the Tehsil by such date as may be specified by the Board of Revenue.

(viii) After decision on an Objection Application the Collector of the Tehsil shall enter in the Remarks column of Form A.I.T. 1-A the revised assessment and the date of order on which it is based and shall issue, by such date as may be specified by the Board of Revenue, a demand notice in form A.I.T. 4 requiring the owner to pay on or before 30th June of the tax year to which the tax relates, the amount of tax found due from him as a decision on his Objection Application. The demand notice in Form A.I.T. 4 shall be served on the owner by such date as may be specified by the Board of Revenue.

(ix) No appeal or petition for review or revision shall lie against an order passed under clause (vii) unless the whole amount of tax payable in accordance with the notice serviced under clause (viii) has been paid.

4. Assessment and collection of tax in case of an owner who holds land in more than one patwar circle in the Punjab. (1) In the case of an owner liable to assessment of the tax whose land cultivated during Kharif season of a tax year is situated in more than one patwar circle or whose land cultivated during Kharif season of a tax year is situated in one patwar circle while land cultivated during Rabi season of the same tax year is situated in different patwar circle or circles, the assessment and collection of tax shall be made in accordance with the procedures provided in the succeeding sub-rules.

(2) The following procedure shall be followed for the assessment and collection of advance tax in respect of land cultivated during Kharif season of a tax year :-

(i) The owner shall furnish statement in Form A.I.T. 5. In case the land shown in the statement in Form A.I.T. 5 is situated in more than one Tehsil, the owner shall give choice regarding Collector of the Tehsil within whose jurisdiction a part of the cultivated land of the owner during Kharif season of the tax year is situated and who shall assess and collect the tax. The owner shall have choice to submit statement in Form A.I.T. 5 in either of the following manners :-

(a) (1) One copy of the statement shall be delivered personally or through an authorized agent, by such date as may be specified by the Board of Revenue, to a Mahal patwari within whose circle part of the land shown in the statement is situated and such circle is within the jurisdiction of Collector of the Tehsil who has to assess and collect the tax in accordance with these rules.

(2) The owner shall send by post a copy of the statement to the Mahal patwari of every other patwar circle in which part of the land shown in the statement is situated and to every Collector of the Tehsil within whose jurisdiction the land shown in the statement is situated.

(b) (1) In the alternative one copy of the statement shall be delivered personally or through an athorized agent, by such date as may be specified by the Board of Revenue, to the Collector of the Tehsil who has to assess and collect the tax in accordance with these rules.

(2) The owner shall send by post a copy of the statement to every other Collector of the Tehsil within whose jurisdiction part of the land shown in the statement is situated and to every Mahal patwari within whose circle part of the land shown in the statement is situated.

(ii) Printed blank Forms A.I.T. 5 will be made available by Government on payment of fixed price. However, if printed forms are not available, the statement can be filed in typed or hand-written form prepared on the lines of prescribed Form A.I.T. 5.

(iii) In the case of an owner who holds cultivated land in more than one Tehsil during Kharif season of a tax year, the tax shall be assessed and collected by the Collector of the Tehsil selected by the owner in accordance with the provisions of clause (i):

Provided that where no such choice is given by the owner the tax shall be assessed and collected by Collector of the Tehsil within whose jurisdiction the owner holds major portion of cultivated land.

(iv) The Mahal patwari or the official in the office of Collector of the Tehsil to whom statement in Form A.I.T. 5 is delivered personally or through an authorized agent in accordance with the provisions of clause (i) shall issue to the owner Statement Acknowledgment Receipt in Form A.I.T. 6.

(v) The statement in Form A.I.T. 5 shall, on the date of receipt by the Mahal patwari or in the office of Collector of the Tehsil, be entered in Register in Form A.I.T. 7.

(vi) The Mahal patwari to whom statement in Form A.I.T. 5 is delivered personally or through an authorized agent in accordance with the provisions of clause (i) shall take further action in accordance with clause (ii) of sub-rule (2) of rule 3.

(vii) Subject to the provisions of the Punjab Agricultural Income Tax Act 1997 and these rules, a statement in Form A.I.T. 5 furnished by an owner shall be accepted by the Collector of the Tehsil who has to assess and collect the tax and the Collector of the Tehsil shall record on the statement order of assessment of tax.

(viii) After the tax has been assessed and recorded by the Collector of the Tehsil in accordance with clause (vii) he shall issue, by such date as may be specified by the Board of Revenue, a demand notice in Form A.I.T. 8 requiring the owner to pay the tax on or before 31st December of the tax year to which the tax relates. Such notice shall be served on the owner by such date as may be specified by the Board of Revenue.

(3) The following procedure shall be followed for the assessment and collection of tax due in respect of land cultivated during Kharif and Rabi seasons of a tax year, after allowing credit to the owner of the advance tax already paid, if any :-

(i) The owner shall furnish statement in Form A.I.T. 5-A. In case the land shown in the statement in Form A.I.T. 5-A is situated in more than one Tehsil, the owner shall give choice regarding Collector of the Tehsil within whose jurisdiction a part of the land of the owner cultivated during Kharif and Rabi seasons of the tax year is situated and who shall assess and collect the tax: provided that choice under this clause shall not be available to an owner to whom the provisions of sub-rule (2) of rule 3 or sub-rule (2) of this rule apply and assessment of advance tax thereunder has already been made and the assessment and collection of tax shall be made by the Collector of the Tehsil who had assessed advance tax. Subject to the aforesaid provision, the owner shall have choice to submit statement in Form A.I.T. 5-A in either of the following manners:-

(a) (1) One copy of the statement shall be delivered personally or through an authorized agent, by such date as may be specified by the Board of Revenue, to a Mahal patwari within whose circle part of the land shown in the statement is situated and such circle is within the jurisdiction of the Collector of the Tehsil who has to assess and collect the tax in accordance with these rules.

(2) The owner shall send by post a copy of the statement to the Mahal patwari of every other patwar circle in which part of the land shown in the statement is situated and to every Collector of the Tehsil within whose jurisdiction the land shown in the statement is situated.

(b) (1) In the alternative one copy of the statement shall be delivered personally or through an authorized agent, by such date as may be specified by the Board of Revenue, to the Collector of the Tehsil who has to assess and collect the tax in accordance with these rules.

(2) The owner shall send by post a copy of the statement to every other Collector of the Tehsil within whose jurisdiction part of the land shown in the statement is situated and to every Mahal patwari within whose circle part of the land shown in the statement is situated.

(ii) Printed blank Forms A.I.T. 5-A will be made available by Government on payment of fixed price. However, if printed forms are not available, the statement can be filed in typed or hand-written form prepared on the lines of prescribed Form A.I.T. 5-A.

(iii) In the case of an owner who holds cultivated land in more than one Tehsil during Kharif and Rabi seasons of a tax year, the tax shall be assessed and collected by the Collector of the Tehsil selected by the owner in accordance with the provisions of clause (i):

Provided that where no such choice is given by the owner the tax shall be assessed and collected by the Collector of the Tehsil within whose jurisdiction the owner holds major portion of cultivated land.

(iv) The Mahal patwari or the official in the office of Collector of the Tehsil to whom statement in Form A.I.T. 5-A is delivered personally or through an authorized agent in accordance with the provisions of clause (i) shall issue to the owner Statement Acknowledgement Receipt in Form A.I.T. 6.

(v) The statement in Form A.I.T. 5-A shall, on the date of receipt by the Mahal patwari or in the office of Collector of the Tehsil, be entered in Register in Form A.I.T. 7.

(vi) The Mahal patwari to whom statement in Form A.I.T. 5-A is delivered personally or through an authorized agent in accordance with the provisions of clause (i) shall take further action in accordance with clause (ii) of sub-rule (3) of rule 3.

(vii) Subject to the provisions of the Punjab Agricultural Income Tax Act 1997 and these rules, a statement in Form A.I.T. 5-A furnished by an owner shall be accepted by the Collector of the Tehsil who has to assess and collect the tax and the Collector of the Tehsil shall record on the statement order of assessment of tax.

(viii) After the tax has been assessed and recorded by the Collector of the Tehsil in accordance with clause (vii) he shall issue, by such date as may be specified by the Board of Revenue, a demand notice in Form A.I.T. 8 requiring the owner to pay the tax on or before 30th June of the tax year to which the tax relates. Such notice shall be served on the owner by such date as may be specified by the Board of Revenue.

5. Notice for furnishing statement in Form A.I.T. 5.- (1) The Collector of the Tehsil concerned may, at any time after the expiry of the date specified under sub-rule (2) of rule 4 in respect of a tax year, hereinafter referred to as the said tax year and before 15th January of the said tax year, by notice in Form A.I.T. 9 require any owner who, in his opinion based on existing entries in the revenue records, is chargeable to advance tax for the said tax year, to furnish, within fifteen days from the service of such notice, statement in Form A.I.T. 5 regarding land of the owner in more than one patwar circle cultivated during Kharif season of the said tax year.

(2) On receipt of statement in Form A.I.T. 5 from an owner in compliance with notice under sub-rule (1), the Collector of the Tehsil shall take further action, as far as may be, in accordance with sub-rule (2) of rule 4.

5-A. Notice for furnishing statement in Form A.I.T. 5-A.- (1) The Collector of the Tehsil concerned may, at any time, subject to the other provisions of this rule, by notice in Form A.I.T. 9, require any owner who, in his opinion based on existing entries in the revenue records, is chargeable to tax for any tax year, to furnish statement in Form A.I.T.5-A for such year within thirty days from the service of such notice or such longer period as may be specified in the notice or as the Collector of the Tehsil may allow.

(2) One receipt of statement in Form A.I.T. 5-A from an owner in compliance with notice under sub-rule (1) the Collector of the Tehsil shall take further action, as far as may be, in accordance with sub-rule (3) of rule 4.

(3) No order of assessment of tax under this rule shall be made in respect of a tax year after the expiry of three years from the end of the tax year in which the total cultivated land was first assessable.

6. Furnishing of statement in Form A.I.T. 5 after due date and amendment of statement in Form A.I.T. 5.-(1) If any owner has not furnished statement in Form A.I.T. 5 within the time allowed under rule 4 or rule 5, or having furnished statement in Form A.I.T. 5 discovers any omission or a wrong statement therein, he may furnish statement in Form A.I.T. 5 or a revised statement in Form A.I.T. 5, as the case may be, at any time before assessment is made by the Collector of the Tehsil.

(2) On receipt of statement in Form A.I.T. 5 or revised statement in form A.I.T. 5 under sub-rule (1), the Collector of the Tehsil shall take further action, as far as may be in accordance with sub-rule (2) of rule 4.

6-A. Furnishing of statement in Form A.I.T. 5-A after due date and amendment of statement in Form A.I.T 5-A.- (1) If any owner has not furnished statement in Form A.I.T. 5-A within the time allowed under sub-rule (3) of rule 4 or rule 5-A, or having furnished statement in Form A.I.T. 5-A discovers any omission or a wrong statement therein, he may furnish statement in Form A.I.T. 5-A or a revised statement in Form A.I.T. 5-A, as the case may be, at any time before the assessment is made by the Collector of the Tehsil.

(2) On receipt of statement in Form A.I.T. 5-A or revised statement in Form A.I.T. 5-A under sub-rule (1), the Collector of the Tehsil shall take further action, as far as may be, in accordance with sub-rule (3) of rule 4.

7. Best judgement assessment.- Where any owner fails to furnish statement in Form A.I.T. 5 or statement in Form A.I.T. 5-A under these rules Collector of the Tehsil concerned may by an order in writing, assess and determine to the best of his judgement the amount of advance tax or, as the case may be, the tax payable by him for the relevant tax year. The amount of tax so determined shall be collected, as far as may be, in accordance with rule 4.

8. Additional assessment.- (1) If in any tax year, for any reason, any cultivated land chargeable to tax under the Act has escaped assessment or the tax has been assessed at low rate or has been the subject of excessive refund under these rules, the Collector of the Tehsil may, at any time, subject to the provisions of sub-rules (2) and (3), issue a notice to the owner containing all or any of the requirements of a notice under rule 5-A and may proceed to assess or determine, by an order in writing, the cultivated land of the owner and/or the tax payable by him, as the case may be, and all the provisions of these rules shall, so far as may be, apply accordingly.

(2) No proceedings under sub-rule (1) shall be initiated unless reliable information has come into the possession of the Collector of the Tehsil.

(3) No order under sub-rule (1) shall be made in respect of any tax year after the expiry of three years from the end of the tax year in which the total cultivated land was first assessable.

9. Collection of penalty.- The amount of penalty imposed on an owner under the Act shall be collected alongwith the tax.

10. Collection of tax through Lambardars.- (1) Except in cases where owners themselves or through their agents pay the tax under these rules directly in Treasury/Sub-Treasury, the tax shall be collected through Lambardars.

(2) For every payment on account of tax under the Act made by the owner to Lambardar, the latter shall forthwith give to the former receipt in Form A.I.T. 10 and retain the counter-foil.

(3) Immediately after receipt of payment, the Lambardar shall deposit the amount in Treasury/Sub-Treasury/State Bank of Pakistan/National Bank of Pakistan at Tehsil and deliver copy of the receipted challan in the office of Collector of the Tehsil who had ordered payment of the amount of tax.

11. Remuneration of Lambardar.- The Lambardar shall be paid remuneration for his services for collection of the tax at the rate of five per cent of the amount of tax actually collected through him.

Explanation.- The remuneration for collection of the tax is a surcharge and is to be recovered from the owner in addition to the tax.

12. Collection of tax and penalty as arrears of land revenue.- The amount of tax and penalty which is not paid within the due date specified in the demand notice issued under these rules shall be recoverable as arrears of land revenue.

13. Refund of tax.- (1) Where any owner satisfies the Collector of the Tehsil that the amount of tax paid by him under the Act for any tax year exceeds the amount with which he was properly chargeable under the Act for that tax year, he shall be entitled to refund of the amount so paid in excess.

(2) An application for refund of tax shall be made by the owner in Form A.I.T. 11 within two years of the end of the tax year to which the refund relates.

(3) Printed blank Forms A.I.T. 11 will be made available by the Government on payment of fixed price. However, if printed forms are not available, the application can be filed on typed or hand-written form prepared on the lines of prescribed Form A.I.T. 11.

(4) Where an application for refund is made under sub-rule (2), the Collector of the Tehsil shall determine, by an order in writing, the amount of refund on being satisfied that such amount is due to the applicant, and, where he is not so satisfied, he may, by an order in writing, reject the application.

(5) The Collector of the Tehsil may, before making an order under sub-rule (4), call for such particulars, documents or evidence as he may require.

(6) Where as a result of an order passed in appeal, review or revision under the Act, refund of any amount becomes due to the owner, Collector of the Tehsil shall refund the amount to the owner irrespective of whether he has or has not made any claim in that behalf.

(7) Where refund of any amount becomes due to an owner, the Collector of the Tehsil shall order refund in accordance with the provisions of the Treasury Rules (Punjab) and the same shall be paid through voucher on Form S.T.R. 34.

14. Suspension and remission of tax.- Government may, in areas declared calamity affected, suspend or remit the whole tax or part thereof in respect of a tax year where corresponding suspension or remission of other Government taxes in respect of the agricultural land has been given.

15. Maintenance of accounts.- (1) The accounts of demand and recovery of tax under the Act shall be maintained by the Collector of the Tehsil in register in Form A.I.T. 13. A separate register in form A.I.T. 13 shall be maintained for each Kanungoi circle.

(2) Where as a result of decision on appeal or review or revision petition, the initial assessment of tax by the Collector of the Tehsil is altered the alteration should be incorporated in register in Form A.I.T. 13 and copies of the relevant decisions should be attached to the record of the case.

FORM A.I.T. 1
(see rule 3 (2) (i))

STATEMENT SHOWING CULTIVATED LAND OF OWNERS DURING KHARIF SEASON OF THE TAX YEAR.....IN PATWAR CIRCLE.....TEHSIL.....DISTRICT..... LIABLE TO ADVANCE TAX UNDER THE PUNJAB AGRICULTURAL INCOME TAX RULES 1997

To be filled in by the Mahal Patwari

Sr. No.	Name, parentage and address of owner	Cultivated land of the owner during Kharif.....							Rate of tax per acre	Amount of advance tax chargeable from the owner	Signa-ture of Patwari
		Khewat No./ Khata No.	Share in Khewat No./ Khata No.	Cultivated land excluding matured orchards			Matured orchards				
				irrigated Acres-K-M	un-irrigated Acres-K-M	Total computed into irrigated acres Acres-K-M	irrigated Acres-K-M	un-irrigated Acres-K-M			
1	2	3	4	5	6	7	8	9	10	11	12

To be filled in the office of Collector of the Tehsil

Verification by the circle Kanungo	Verification by the circle Revenue Officer	Amount of advance tax assessed by the Collector of the Tehsil	Signature of Collector of the Tehsil	Remarks
13	14	15	16	17

FORM A.I.T. 1-A
(see rule 3 (3) (i))

STATEMENT SHOWING CULTIVATED LAND OF OWNERS DURING THE TAX YEAR..... IN PATWAR CIRCLE.....TEHSIL.....DISTRICT.....LIABLE TO TAX UNDER THE PUNJAB AGRICULTURAL INCOME TAX ACT 1997 (I OF 1997)

To be filled in by the Mahal Patwari

Sr. No.	Name, parentage and address of owner	Cultivated land of the owners during the year.....							Rate of tax per acre	Amount of tax chargeable from the owner	Signa-ture of Patwari
		Khewat No./ Khata No.	Share in Khewat No./ Khata No.	Cultivated land excluding matured orchards			Matured orchards				
				irrigated Acres-K-M	un-irrigated Acres-K-M	Total computed into irrigated acres Acres-K-M	irrigated Acres-K-M	un-irrigated Acres-K-M			
1	2	3	4	5	6	7	8	9	10	11	12

To be filled in the office of Collector of the Tehsil

Verification by the circle Kanungo	Verification by the circle Revenue Officer	Amount of tax assessed by Collector of the Tehsil for the whole tax year	Amount of advance tax in respect of the tax year already paid by the owner, if any.	Balance amount payable by the owner.	Signature of Collector of the Tehsil.	Remarks
13	14	15	16	17	18	19

FORM A.I.T. 2

(see rule 3 (2) (v) & (3) (v))

NOTICE OF DEMAND OF TAX ASSESSMENT ON
STATEMENT PREPARED BY MAHAL PATWARI

No.
OFFICE OF
COLLECTOR TEHSIL
.....

Dated .....

To

.....

.....

1. Take notice that a sum of Rs. ..... (rupees .....) has been assessed to be payable by you as advance tax/tax due after allowing credit for the advance tax paid under the Punjab Agricultural Income Tax Rules 1997, in respect of the tax year ..... on statement prepared by the Mahal patwari in respect of your under mentioned land during ..... in patwar circle .....tehsil .....

(a) Matured orchards

(i) irrigated	..... Acres	..... Kanals	.....Marlas
(ii) unirrigated	..... Acres	..... Kanals	.....Marlas

(b) Other land

(i) irrigated	..... Acres	..... Kanals	.....Marlas
(ii) unirrigated	..... Acres	.....Kanals	.....Marlas

2. You are required to pay the above mentioned amount on or before ..... (31st December of the tax year in the case of advance tax and 30th June of the tax year in the case of tax due after allowing credit for the advance tax paid) to the Treasury Officer/Sub-Treasury Officer/State Bank of Pakistan/National Bank of Pakistan at ..... when you will be given a receipt. A challan is enclosed for the purpose.

3. You can also pay the above mentioned amount through Lambardar of your area in the above mentioned patwar circle when you will be granted a receipt.

4. If you have any objection against the assessment of the advance tax/tax due after allowing credit for the advance tax paid, you should either personally or through an authorized agent file in the office of under-signed on or before ..... Objection Application on plain paper, stating your objections and furnishing documentary evidence (copy of judgment, decree, order or other document) in support of objections. If you fail to do so and also do not pay the amount of the tax given above on or before the date specified in para 2 above, you will be treated as defaulter and dealt with accordingly.

COLLECTOR TEHSIL

.....

FORM A.I. T. 3

(see rule 3 (2) (vi) & (3) (vi))

OBJECTION APPLICATION ACKNOWLEDGEMENT RECEIPT

Serial No. .....

Date .....

Received Objection Application against assessment of advance tax/tax due after allowing credit for the advance tax paid, under the Punjab Agricultural Income Tax Rules 1997 in respect of the tax year .....from owner named ..... son/daughter/wife of .....National Identity Card No. ..... resident of .....tehsil ..... district .....

The Objection Application will be heard and disposed of by the Collector Tehsil on .....

The owner applicant is directed to attend the office of Collector Tehsil on the said date of hearing viz ..... at ..... failing which the matter will be decided ex-parte.

Signature and name of the
receiving official
with office stamp of
Collector of the Tehsil.

FORM A.I.T. 4

(see rule 3 (2) (viii) & (3) (viii))

NOTICE OF DEMAND OF TAX ASSESSED UNDER THE PUNJAB AGRICULTURAL INCOME TAX RULES 1997 AFTER CONSIDERING OBJECTION APPLICATION OF OWNER AGAINST ASSESSMENT ON STATEMENT PREPARED BY MAHAL PATWARI

No.
OFFICE OF
COLLECTOR TEHSIL
.....

Dated .....

To

.....

.....

1. Take notice that for the tax year .....a sum of Rs. ..... (rupees .....) has been assessed to be payable by you as advance tax/tax due after allowing credit for the advance tax paid under the Punjab Agricultural Income Tax Act 1997 (I of 1997) in respect of your cultivated land:

(a)	Matured orchards			
	(i) irrigated	..... Acres	..... Kanals	.....Marlas
	(ii) unirrigated	..... Acres	..... Kanals	.....Marlas
(b)	Other land			
	(i) irrigated	..... Acres	..... Kanals	.....Marlas
	(ii) unirrigated	..... Acres	.....Kanals	.....Marlas

in patwar circle ..... tehsil .....after considering your Objection Application against assessment on statement prepared by Mahal Patwari.

2. You are required to pay the above mentioned amount on or before ..... (31st December of the tax year in the case of advance tax and 30th June of the tax year in the case of tax due after allowing credit for the advance tax paid) to the Treasury Officer/Sub-Treasury Officer/State Bank of Pakistan/National Bank of Pakistan at ..... when you will be given a receipt. A challan is enclosed for the purpose.

3. You can also pay the above mentioned amount through Lambardar of your area in the above mentioned patwar circle when you will be granted a receipt.

4. If you fail to pay the above mentioned amount on or before the due date given in para 2 above you will be treated as defaulter and dealt with accordingly.

5. No appeal of petition for review or revision shall lie against the relevant assessment order unless the whole amount specified above has been paid.

COLLECTOR TEHSIL

.....

FORM A.I.T. 5

(see rule 4 (2) (i))

STATEMENT SHOWING CULTIVATED LAND OF OWNER (INCLUDING LAND HELD AS MORTGAGEE IN POSSESSION OR TENANT OF GOVERNMENT LAND) SITUATED IN TWO OR MORE PATWAR CIRCLES IN THE PUNJAB, DURING KHARIF SEASON OF THE TAX YEAR ..... LIABLE TO ADVANCE TAX UNDER THE PUNJAB AGRICULTURAL INCOME TAX RULES 1997.

Name of owner (in block letters) .....

Father's/Husband's Name .....

National Identity Card No. .....

Permanent address .....

.....

Address to which notices and .....

other communications should be sent .....

PART I

Particulars of cultivated land held during Kharif seasson of the tax year .....

District/ Tehsil	Patwar circle/ village	Khasra No. (if available with owner)	Matured orchards		Other land	
			irrigated Acres-K-M	unirrigated Acres-K-M	irrigated Acres-K-M	unirrigated Acres-K-M
1	2	3	4	5	6	7

PART II

Choice of owner regarding Collector of the Tehsil who should assess and collect the agricultural income tax

Name of Tehsil	District

VERIFICATION

I solemnly affirm that to the best of my knowledge and belief the information given in this statement is accurate and complete in all respects.

Dated: _____

Signature/Thumb impression
of owner.

FORM A.I.T. 5-A

(see rule 4 (3) (i))

STATEMENT SHOWING CULTIVATED LAND OF OWNER (INCLUDING LAND HELD AS MORTGAGEE IN POSSESSION OR TENANT OF GOVERNMENT LAND) SITUATED IN TWO OR MORE PATWAR CIRCLES IN THE PUNJAB, DURING THE TAX YEAR ..... LIABLE TO TAX UNDER THE PUNJAB AGRICULTURAL INCOME TAX ACT 1997.

Name of owner (in block letters) .....

Father's/Husband's Name .....

National Identity Card No. .....

Permanent address .....

.....

Address to which notices and .....

other communications should be sent .....

PART I

Particulars of cultivated land held during the tax year .....

District/ Tehsil	Patwar circle/ village	Khasra No. (if available with owner)	Matured orchards		Other land	
			irrigated Acres-K-M	unirrigated Acres-K-M	irrigated Acres-K-M	unirrigated Acres-K-M
1	2	3	4	5	6	7

Advance tax assessed and paid, if any

Tehsil the Collector of which assessed the advance tax	Amount assessed	Amount paid	Date of payment
8	9	10	11

PART II

Choice of owner regarding Collector of the Tehsil who should assess and collect the agricultural income tax

---

Name of Tehsil | District

VERIFICATION

I solemnly affirm that to the best of my knowledge and belief the information given in this statement is accurate and complete in all respects.

Dated: _____

Signature/Thumb impression
of owner.

FORM A.I.T. 6

(see rule 4 (2) (iv) & (3) (iv))

STATEMENT ACKNOWLEDGEMENT RECEIPT

Serial No. .....

Date. .....

Received Statement in Form A.I.T. 5 for Kharif season of the tax year ...../ Statement in Form A.I.T. 5-A for the tax year .....from

Name of owner, with parentage .....

National Identity Card No. .....

declaring cultivated land :

(a) Matured orchards

(i) irrigated	..... Acres	..... Kanals	.....Marlas
(ii) unirrigated	..... Acres	..... Kanals	.....Marlas

(b) Other land

(i) irrigated	..... Acres	..... Kanals	.....Marlas
(ii) unirrigated	..... Acres	.....Kanals	.....Marlas

Signature and name of Mahal patwari,
with the name of patwar circle
who received the statement or

Signature and name of official of
the office of Collector of the Tehsil, who
received the statement, with office
stamp of Collector of the Tehsil.

FORM A.I.T. 7

(see rule 4 (2) (v) & (3) (v))

REGISTER OF STATEMENTS DELIVERED TO MAHAL PATWARI/COLLECTOR OF TEHSIL BY OWNER LIABLE TO ASSESSMENT OF TAX UNDER THE PUNJAB AGRICULTURAL INCOME TAX ACT 1997 (I OF 1997)

Patwari Mahal .....

Collector Tehsil .....

Sr. No.	Date of receipt of state-ment	Name parentage and address of owner who filed the statement	Total cultivated land shown in the statement				Remarks if any
			Matured orchards		Other land		
			irrigated Acres-K-M	unirrigated Acres-K-M	irrigated Acres-K-M	unirrigated Acres-K-M	
1	2	3	4	5	6	7	8

FORM A.I.T. 8

(see rule 4 (2) (viii) & (3) (viii))

NOTICE OF DEMAND OF TAX ASSESSED UNDER THE PUNJAB AGRICULTURAL INCOME TAX RULES 1997 ON THE BASIS OF STATEMENT FURNISHED BY OWNER SHOWING CULTIVATED LAND

No.
OFFICE OF
COLLECTOR TEHSIL
.....

Dated .....

To

.....

.....

1. Take notice that for the tax year ..... a sum of Rs. ..... (rupees .....) has been assessed to be payable by you as advance tax/tax due after allowing credit for the advance tax paid under the Punjab Agricultural Income Tax Act 1997 (I of 1997) in respect of your cultivated land:

(a) Matured orchards

(i) irrigated	..... Acres	..... Kanals	.....Marlas
(ii) unirrigated	..... Acres	..... Kanals	.....Marlas

(b) Other land

(i) irrigated	..... Acres	..... Kanals	.....Marlas
(ii) unirrigated	..... Acres	.....Kanals	.....Marlas

on the basis of statement furnished by you.

2. You are required to pay the above mentioned amount on or before ..... (31st December of the tax year in the case of advance tax and 30th June of the tax year in the case of tax due after allowing credit for the advance tax paid) to the Treasury Officer/Sub-Treasury Officer/State Bank of Pakistan/National Bank of Pakistan at ..... when you will be given a receipt. A challan is enclosed for the purpose.

3. You can also pay the above mentioned amount through Lambardar of your area in patwar circle .....when you will be granted a receipt.

4. If you fail to pay the above mentioned amount on or before the due date given in para 2 above you will be treated as defaulter and dealt with accordingly.

5. No appeal or petition for review or revision shall lie against the relevant assessment order unless the whole amount specified above has been paid.

COLLECTOR TEHSIL

.....

FORM A.I.T. 9

(see rule 5 (1) & 5-A (1))

NOTICE TO OWNER TO FURNISH STATEMENT OF CULTIVATED LAND HELD IN TWO OR MORE PATWAR CIRCLES

No.
OFFICE OF
COLLECTOR TEHSIL
.....

Dated .....

To

.....

.....

1. Take notice that according to verification reports of revenue field staff, in the light of existing entries in the revenue records of patwar circles .....tehsil .....alone you held during the Kharif season of tax year ..... /tax year ..... cultivated land:

(a) Matured orchards

(i)	irrigated	..... Acres	..... Kanals	.....Marlas
(ii)	unirrigated	..... Acres	..... Kanals	.....Marlas

(b) Other land

(i)	irrigated	..... Acres	..... Kanals	.....Marlas
(ii)	unirrigated	..... Acres	.....Kanals	.....Marlas

You were therefore prima facie required to furnish statement of cultivated land in Form A.I.T. 5/A.I.T. 5-A under the Punjab Agricultural Income Tax Rules 1997 but failed to do so.

2. You are therefore directed to furnish statement in Form A.I.T. 5 in respect of Kharif season of the tax year ...../ in Form A.I.T. 5-A in respect of the tax year ..... on or before 19

3. If you fail to furnish the said statement within the period prescribed in para 2 above you will be liable to pay penalty for each day during which the default continues and the undersigned will pass best judgment assessment order under the Punjab Agricultural Income Tax Rules, 1997.

COLLECTOR TEHSIL
.....

FORM A.I.T. 10

(see rule 10 (2))

TAX BILL AND RECEIPT (COUNTERFOIL)

Book No. ..... Receipt No. .....

Dated .....

1. Serial No. in demand register with year .....
2. Date by which the tax is/was payable .....
3. Amount Agricultural income tax Rs. .....
   Penalty imposed, if any Rs. .....
   Total Rs. .....
4. Particulars of cultivated land in respect of which due .....
5. Particulars of owner from whom due .....

Collector Tehsil

Date of receipt .....

Amount received Rs. .....

Signature and name of Lambardar.

FORM A.I. T. 10

(see rule 10 (2))

TAX BILL AND RECEIPT (FOIL)

Book No. ..... Receipt No. .....

Dated .....

1. Serial No. in demand register with year .....
2. Date by which the tax is/was payable .....
3. Amount Agricultural income tax Rs. .....
   Penalty imposed, if any Rs. .....
   Total Rs. .....
4. Particulars of cultivated land in respect of which due .....
5. Particulars of owner from whom due .....

Collector Tehsil

Date of receipt .....

Amount received Rs. .....

Signature and name of Lambardar.

FORM A.I.T. 11

(see rule 13 (2))

APPLICATION FOR REFUND OF TAX UNDER THE PUNJAB AGRICULTURAL INCOME TAX RULES 1997

To

The Collector Tehsil .....

I ..... son/daughter/wife of ..... hereby declare:

(a) that my total cultivated land during the tax year was–

(1) Matured orchard

(i)	irrigated	..... Acres	..... Kanals	.....Marlas
(ii)	unirrigated	..... Acres	..... Kanals	.....Marlas

(2) Other land

(i)	irrigated	..... Acres	..... Kanals	.....Marlas
(ii)	unirrigated	..... Acres	.....Kanals	.....Marlas

(b) that the total agricultural income tax in respect of (a) above is Rs. .....

(c) that the total amount of agricultural income tax paid by me in respect of (a) above is Rs. .....

I therefore request that a refund of Rs. .....may be allowed to me.

Signature
Name .....
National Identity Card No. .....
Address .....
.....

VERIFICATION

I hereby declare that what is stated in this application is correct.

Signature

Dated .....

Notes:

1. The application should be accompanied by a statement of total cultivated land unless it has already been filed.
2. The application should be made to the Collector of the Tehsil who assessed the agricultural income tax.
3. The application may be presented in person or through an authorized agent or may be sent by post.

FORM A. I. T. 13

(see rule 15 (1))

AGRICULTURAL INCOME TAX DEMAND AND RECOVERY REGISTER

Kanungoi Circle ..... Tehsil ..... Tax year .....

Sr. No.	Patwar circle	Name, parentage and address of owner	Amount of Tax				
			Balance tax and penalty, if any, from last year	Advance tax for Kharif season of the current tax year and due date for payment	Tax demand for current tax year after allowing credit for advance tax paid and due date for payment	Penalties imposed during the current tax year	Total
1.	2	3	4	5	6	7	8

Recoveries		Remission or refund allowed		Balance at the close of the tax year carried forward	Remarks
Date with receipt No.	Amount	Date of order	Amount remitted or refunded		
9	10	11	12	13	14

THE PUNJAB AGRICULTURAL INCOME TAX RULES, 2001

(Punjab Government Revenue Department Notification No. 3537-2001/1199-A-III dated 17th August, 2001 as amended upto date)

In exercise of the powers conferred by section 11 of the Punjab Agricultural Income Tax Act 1997 (I of 1997), the Governor of the Punjab is pleased to make the following rules:--

1. Short title and commencement.- (1) These rules may be called the Punjab Agricultural Income Tax Rules, 2001.

(2) They shall come into force at once.

2. Definitions.- (1) In these rules unless the subject or context otherwise requires-

(a) "Act" means the Punjab Agricultural Income Tax Act 1997 (I of 1997);

(b) "Form" means the Form appended to these rules; and

(c) "section" means section of the Punjab Agricultural Income Tax Act 1997 (I of 1997)

(2) All other expressions used but not defined in these rules shall have the meaning assigned thereto in the Act.

3. Method of accounting.- (1) Agricultural income shall be computed for the purposes of the Act in accordance with the method of accounting regularly employed by the assessee.

(2) Notwithstanding anything contained in sub-rule (1), Government may-

(a) require, by a general or special order published in the official Gazette, that the accounts shall be maintained in such form and in such manner as may be prescribed; and

(b) prescribe the manner in which payment of commercial nature shall be made or commercial transactions recorded and thereupon the agricultural income of the assessee shall be computed on the basis of the accounts or records maintained or payments made accordingly.

(3) Where no method of accounting has been regularly employed, or if the method employed is such that in the opinion of the Collector, the agricultural income cannot be property deducted therefrom or where in any case to which sub-rule (2) applies, the assesse fails to maintain accounts, make payments or record transactions in the form or manner, as the case may be, prescribed under the said sub-rule, the agricultural income of the assessee shall be computed on such basis and in such manner as the Collector thinks fit.

4. Payment of tax with return of total agricultural income.- Every person who is required under the Act to furnish a return of total agricultural income and who is liable to pay tax in respect of the agricultural income of the income year, instead of land based tax under the Act, shall pay, by means of a challan, into the relevant head of account of the Government, on or before the date on which he is so required to furnish such return, the amount of the tax due from him, after adjusting the amount of tax already paid by him in respect of the same income year under the Punjab Agricultural Income Tax Rules 1997.

5. Return of total agricultural income.–(1) Every person who is required under the Act to furnish a return of total agricultural income for any income year shall furnish such return in Form 'A' on or before the thirtieth day of September next following the income year:

Provided that the Collector who has to assess and collect the tax under these rules may on sufficient cause being shown, extend the date for the delivery of the return so however that no extension of time for a period or periods amounting in all to thirty days shall be allowed.

(2) In case total agricultural income of an assessee in respect of the income year pertains to one tehsil only in the Punjab, return under sub-rule (1) shall be furnished to the Collector of that Tehsil. In case the total agricultural income of an assessee in respect of the income year pertains to more than one Tehsil in the Punjab, he shall indicate in his return under sub-rule (1) his choice regarding Collector of the Tehsil, within whose jurisdiction a part of cultivated land of the assessee during the income year was situated and who shall assess and collect the tax and the return shall be furnished to the Collector of that Tehsil:

Provided that such choice shall not be different from the one given by the assessee in respect of the same income year under the Punjab Agricultural Income Tax Rules 1997:

Provided further that where no such choice is given by the assessee, the tax shall be assessed and collected by the Collector of that Tehsil within whose jurisdiction the assessee held during the relevant income year major portion of the cultivated land.

(3) The assessee shall deliver personally or through an authorized agent, the return under sub-rule (1) in the office of the Collector of the Tehsil who has to assess and collect the tax under these rules. The office of the Collector of the Tehsil at which the return is so delivered shall issue acknowledgement receipt in Form 'B'.

(4) The assessee shall also send by post a copy of the return to every other Collector of the Tehsil within whose jurisdiction the assessee held during the relevant income year part of the cultivated land.

(5) The return in Form 'A' shall, on the date of receipt in the office of Collector of the Tehsil be entered in register in Form 'C'.

6. Notice for furnishing return of total agricultural income.-The Collector of the Tehsil concerned may at any time, by notice in writing, require any owner who in his opinion is chargeable to tax or is required to file return of total agricultural income under rule 5 for any income year, to furnish a return of total agricultural income for such year within thirty days from the date of service of such notice or such longer or shorter period as may be specified in the notice or as the Collector of the Tehsil concerned may allow:

Provided that no such notice shall be issued after the expiration of two years from the end of the assessment year in which the total agricultural income was first assessable.

7. Revised return of total agricultural income.- If any person has not furnished a return of total agricultural income as required under the Act and these rules (hereinafter in this rule referred to as 'return'), or having furnished a return, discovers any omission or wrong statement therein, he may, without prejudice to any liability incurred by him under any provision of the Act, furnish a return or revised return, as the case may be, at any time before the assessment is made.

8. Self-assessment;-- (1) Where the return of total agricultural income for any income year furnished by the assessee under rule 5 qualifies for acceptance in accordance with the provisions of a scheme of self-assessment made by the Board of Revenue, with the approval of Government, for

that year, or under any instructions or orders issued thereunder, the Collector of the Tehsil shall assess by an order in writing the total agricultural income of the assessee on the basis of such return and determine the tax payable on the basis of such assessment.

Explanation.- For the removal of doubt it is hereby declared that a return of total agricultural income furnished under rule 5 does not include a return of total agricultural income furnished under rule 7.

(2) Notwithstanding anything contained in sub-rule (1), the Board of Revenue or the Collector if he is so authorized by the Board of Revenue in this behalf, may in accordance with a scheme referred to in sub-rule (1) select out of the returns referred to in that sub-rule the cases or classes of cases or assessees or classes of assessees howsoever determined, for assessment under rule 11 and the Collector of the Tehsil shall proceed to make the assessment under that rule or if the circumstances so warrant, under rule 12 accordingly.

9. Assessment on the basis of return.-If the Collector of the Tehsil is satisfied without requiring the presence of the assessee or the production by him of any evidence that a return furnished under rule 5 is correct and complete he shall by an order in writing assess the total agricultural income of the assessee and determine the tax payable on the basis of such return.

10. Notice for production of books of account, etc.-The Collector of the Tehsil may serve upon any assessee who has furnished a return of total agricultural income for any income year or upon whom a notice has been served to furnish such return, a notice requiring him, on a date specified therein to attend the Collector's office or to produce or cause to be produced any evidence on which such assessee may rely in support of the return if furnished and such accounts documents or evidence (including accounts or documents relating to any period prior or subsequent to the said income year) as the Collector of the Tehsil may require:

Provided that the Collector of the Tehsil shall not require the production of any document relating to a period more than two years prior to the income year.

11. Assessment on production of accounts, evidence, etc.-The Collector of the Tehsil after considering the evidence on record (including evidence if any produced under rule 10) and such other evidence as the Collector of the Tehsil may require on specific points, shall by an order in writing assess the total agricultural income of the assessee and determine the tax payable by him on the basis of such assessment:

Provided that where the assessee produces books of accounts as evidence in support of the return the Collector of the Tehsil shall before disagreeing to such accounts, give a notice to the assessee of defects in the accounts and provide an opportunity to the assessee to explain his point of view about such defects and record such explanation and the basis of computation of total agricultural income of the assessee in the assessment order.

12. Best judgment assessment.- Where any assessee fails to furnish a return of total agricultural income required to be furnished by him under rule 5 or fails to comply with any of the terms of notice issued under rule 10 the Collector of the Tehsil may, by an order in writing assess the total agricultural income of the assessee to the best of his judgment and determine the amount of tax payable by him.

13. Limitation for assessment.- (1) No assessment under rules 9, 11 or 12 shall be made after the expiration of two years from the end of the assessment year in which the total agricultural income was first assessable.

(2) Notwithstanding anything contained in sub-rule (1) where a return of total agricultural income has been filed after the end of the financial year in which the last date of filing of such return specified in rule 5 falls, no assessment under rules 9, 11 or 12 shall be made after the expiration of two years from the end of financial year in which the said return is filed.

(3) Notwithstanding anything contained in sub-rule (1) where for any income year, an assessee has failed to furnish return of total agricultural income no assessment under rules 11 or 12 shall be made after the expiration of two years from the end of the financial year in which the notice under rule 6 was served.

14. Additional assessment.-(1) If in any year, for any reason,-

(a) any agricultural income chargeable to tax under the Act has escaped assessment; or

(b) the total agricultural income of an assessee has been under assessed or assessed at too low a rate or has been the subject of excessive relief or refund under the Act or these rules, the Collector of the Tehsil may at any time subject to the provisions of sub-rules (2) and (3) issue a notice to the assessee containing all or any of the requirements of a notice under rule 6 and may proceed to assess or determine by an order in writing, the total agricultural income of an assessee or the tax payable by him as the case may be and all the provisions of the Act and these rules shall, so far as may be, apply accordingly:

Provided that the tax shall be charged at the rate applicable to the assessment year for which the assessment is made.

(2) No proceedings under sub-rule (1) shall be initiated unless reliable information has come into the knowledge of the Collector of the Tehsil.

(3) No order under sub-rule (1) shall be made after the expiration of two years from the end of the assessment year in which the total agricultural income was first assessable.

15. Payment of tax on demand.-Where any tax is payable in consequence of any assessment or an order made under these rules, the Collector of the Tehsil shall serve upon the assessee or any other person liable to pay such tax on behalf of the assessee, a notice of demand (assessment) in Form 'D' and if warranted notice of demand (penalty) in Form 'D-1' specifying the sum payable and thereupon the sum so specified shall be paid to the credit of Government within the time mentioned in the said notice.

16. Collection of tax as arrears of land revenue.- The amount of tax and penalty which is not paid within the due date specified in the demand notice under rule 15 shall be recoverable as arrears of land revenue.

17. Suspension and remission of tax.- Government may in areas declared calamity affected, exempt or remit the whole tax or part thereof in respect of an assessment year where corresponding suspension or remission of other Government taxes in respect of agricultural land has been given.

18. Refund of tax.- (1) Where any assessee satisfies the Collector of the Tehsil that the amount of tax paid by him under the Act and these rules for any income year exceeds the amount with which he was properly chargeable under the Act and these rules for that income year, he shall be entitled to refund of the amount so paid in excess.

(2) An application for refund of tax shall be made by the assessee in form 'E' within two years of the end of the assessment year to which it relates.

(3) Where an application for refund is made under sub-rule (2) the Collector of the Tehsil shall determine by an order in writing the amount of refund on being satisfied that such amount is due to the applicant and where he is not so satisfied he may by an order in writing reject the application.

(4) The Collector of the Tehsil may before making an order under sub-rule (3) call for such particulars, documents and evidence as he may require.

(5) Where as a result of an order passed in appeal, review or revision under the Act, refund of any amount becomes due to the assessee the Collector of the Tehsil shall refund the amount to the assessee irrespective of whether he has or has not made any claim in that behalf.

(6) Where refund of any amount becomes due to an assessee the Collector of the Tehsil shall order refund in accordance with the provisions of the Treasury Rules (Punjab) and the same shall be paid through voucher on Form S.T.R. 34.

19. Maintenance of Accounts.– (1) The accounts of demand and recovery of tax under these rules shall be maintained by the Collector of the Tehsil in register in Form 'F'. A separate register in Form 'F' shall be maintained for each Tehsil.

(2) Where as a result of decision of appeal or review or revision, the initial assessment of tax by the Collector of the Tehsil is altered, the alteration should be incorporated in register in Form 'F' and copies of the relevant decision should be placed on the file of the assessee.

FORM 'A'

(see rule 5(1))

FORM OF RETURN OF TOTAL AGRICULTURAL INCOME UNDER THE PUNJAB AGRICULTURAL INCOME TAX ACT 1997 (I OF 1997)

Assessment year _____

1. Name (in block letters) _____
2. Father's/Husband's name _____
3. National Identity Card No. (attach photo copy) _____
4. National Tax No. (if assessee under the Federal Income Tax Ordinance 1979) _____
5. Permanent residential address _____
6. Postal addrss _____

PART I

STATEMENT OF TOTAL AGRICULTURAL INCOME DURING THE INCOME YEAR WHICH ENDED ON _____.

(please see guide book)

1. Total income from rent derived from land which is situated in the Punjab and is used for agricultural purposes and other income derived from such land by agriculture or performance of any process ordinarily employed by a cultivator or receiver of rent-in-kind to render the produce raised or received by him fit to be taken to market or the sale of produce raised or received in respect of such land. Rs. _____
2. Less cost of cultivation and agricultural operations. Rs. _____
3. Total agricultural income for the purpose of tax (amount at No. 1 minus amount at No. 2). Rs. _____

PART - II

COMPUTATION OF TAX

1.	Total agricultural income for the purpose of tax (as per column No. 3 of Part I)	Rs. _____
2.	Less basic exemption	Rs. 80,000
3.	Taxable agricultural income (amount at S. No. 1 minus amount at S. No. 2)	Rs._____
4.	Agricultural income tax payable (in respect of amount at S. No. 3)	Rs. _____
5.	Amount of land-based tax assessed on the basis of area net sown during the same income year	Rs. _____
6.	In case of tax on agricultural income at S. No. 4 being more than the tax at S. No. 5, balance agricultural income tax payable with return under rule 4, after adjusting the amount of tax at S. No. 5 already paid, if any (attach photo copy of the relevant receipted challan).	Rs. _____
7.	Agricultural income tax paid with return (attach photo copy of receipted challan)	Rs._____
8.	Choice of assessee regarding Collector of the Tehsil who should assess the agricultural income tax.	Name of Tehsil

VERIFICATION

I solemnly affirm that to the best of my knowledge and belief, the information given in this return is accurate and complete in all respects.

Signature/Thumb impression

Dated: _____

Name (in block letters) _____

FORM 'B'

(see rule 5 (3))

ACKNOWLEDGEMENT RECEIPT
(Counterfoil)

ASSESSMENT YEAR _____

Name _____

Address _____

_____

National Identity Card No. _____

National Tax No. _____

Date of filing return in Form 'A' _____

Signature of the person receiving
the return

Name _____

Seal of the
Collector of the Tehsil

FORM 'B'

(see rule 5 (3))

ACKNOWLEDGEMENT RECEIPT
(Foil)

ASSESSMENT YEAR _____

Name _____

Address _____

_____

National Identity Card No. _____

National Tax No. _____

Date of filing return in Form 'A' _____

Signature of the person receiving
the return

Name _____

Seal of the
Collector of the Tehsil

FORM 'C'

(see rule 5 (5))

REGISTER OF RETURNS IN FORM 'A' IN RESPECT OF ASSESSMENT YEAR_____RECEIVED.

Office of the Collector Tehsil_____

Sr. No.	Date of receipt of return	Name parentage and address of assessee who filed the return	Total agricultural income shown in the return (Rs.)	Total cost of cultivation etc. shown in in the return (Rs.)	Net agricultural income (Rs.)
1	2	3	4	5	6

FORM 'D'

(see rule 15)

NOTICE OF DEMAND UNDER RULE 15 OF THE PUNJAB AGRICULTURAL INCOME TAX RULES, 2001.

(ASSESSMENT)

No.
OFFICE OF THE COLLECTOR, TEHSIL

_____

Dated_____

Assessment year _____

To

_____

_____

1. This is to give you notice that the sum of Rs. _____ (rupees_____(as specified on the reverse) has been determined to be payable by/refundable to you for the assessment year_____

2. You are required to pay the amount on or before_____to the Treasury Officer/Sub-Treasury Officer/National Bank/State Bank of Pakistan at_____ and you will be granted a receipt. A challan is enclosed for the purpose.

3. Failure to pay the said amount by the date specified above will entail a penalty under section 10 of the Punjab Agricultural Income Tax Act 1997 (I of 1997).

4. If you intend to appeal against the assessment, you may file an appeal under sections 161 and 162 of the Punjab Land Revenue Act 1967 (XVII of 1967) within sixty days from the date of the order appealed against.

COLLECTOR, TEHSIL

_____

FORM 'D-1'

(see rule 15)

NOTICE OF DEMAND UNDER RULE 15 OF THE PUNJAB AGRICULTURAL INCOME TAX RULES, 2001.

(PENALTY)

No.
OFFICE OF THE COLLECTOR, TEHSIL
_____
Dated_____

Assessment year _____

To

_____

_____

1. Whereas you have not paid the sum of Rs. _____ as required in the previous notice of demand served on_____, a penalty of Rs. _____(rupees _____) has been imposed on you under section 10 of the Punjab Agricultural Income Tax Act 1997 (I of 1997).

2. You are required to pay the amount on or before_____to the Treasury Officer/Sub-Treasury Officer/National Bank of Pakistan/State Bank of Pakistan at _____ when you will be granted a receipt. A challan is enclosed for the purpose.

3. If you fail to pay the total amount of arrears and this penalty by the date specified in para 2 above, you will be treated as defaulter and dealt with accordingly.

4. If you intend to appeal against the penalty, you may file appeal under sections 161 and 162 of the Punjab Land Revenue Act 1967 (XVII of 1967) within sixty days from the date of the order appealed against.

COLLECTOR, TEHSIL

_____

FORM 'E'

(see rule 18 (2))

APPLICATION FOR REFUND OF TAX UNDER THE PUNJAB AGRICULTURAL INCOME TAX RULES, 2001

To

The Collector, Tehsil _____

I, _____son/daughter/wife of _____

hereby declare-

(a) that may taxable agricultural income computed in accordance with the provisions of the Punjab Agricultural Income Tax Rules, 2001, during the income year which ended on _____amounted to Rs._____ ;

(b) that the total tax chargeable in respect of such taxable agricultural income is Rs._____;

(c) that the total land based tax chargeable from me for the income year mentioned at (a) above under the Punjab Agricultural Income Tax Rules 1997 is Rs._____ ;

(d) that the total amount of tax paid by me for the income year is more than the tax at (b) above and also (c) above and photo copy of the relevant receipted challan is enclosed.

I therefore request that a refund of Rs. _____may be allowed to me.

Signature

Name _____

N.I.C. No. _____

Address _____

VERIFICATION

I hereby declare that whatever is stated in this application is correct.

Dated: Signature

Notes:

1. The application should be accompanied by a statement of total cultivated land and also by a return of total agricultural income if the same has already been filed.

2. The application should be made to the Collector of the Tehsil who assessed/collected the tax.

3. The application should be presented in person or through an authorized agent or may be sent by post. .

FORM 'F'

(see rule 19)

AGRICULTURAL INCOME TAX DEMAND AND RECOVERY REGISTER

Tehsil _____ Assessment year _____

Sr. No.	Name parentage and address of assessee	Amount of tax payable				Recoveries		Remission or refund allowed		Balance recoverable	Remarks
		Balance of tax and penalty, if any, from last year	Tax demand for the assessment year	Penalty imposed if any	Total	Date with receipt No	Amount	Date of order	Amount remitted or refunded		
		(Rs.)	(Rs.)	(Rs.)	(Rs.)		Rs.		Rs.	Rs.	
1	2	3	4	5	6	7	8	9	10	11	12