PUNJAB India

Punjab State Development Tax Rules, 2018

Rule PUNJAB-STATE-DEVELOPMENT-TAX-RULES-2018 of 2018

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G.S.R.71/P.A.11/2018/S.23/2018, dated 14.9.2018Government of PunjabDepartment of Excise and TaxationNo.G.S.R.71/P.A.11/2018/S.23/2018. - In exercise of the powers conferred by section 23 of the Punjab State Development Tax Act, 2018 (Punjab Act No.11 of 2018), and all other powers enabling him in this behalf, the Governor of Punjab, is pleased to make the following rules for carrying out the purposes of the said Act, namely:

1. Short title and commencement.

(1) These rules may be called the Punjab State Development Tax Rules, 2018.(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires;(a)"Act" means the Punjab State Development Tax Act, 2018 (Punjab Act No.11 of 2018);(b)"Form" means a Form appended to these rules;(c)"place of work" in relation to a person or employer means the place where such person or employer ordinarily carries on his profession, trade, calling or employment;(d)"section" means a section of the Act; and(e)"treasury" in respect of a person or an employer enrolled or registered within the jurisdiction of a designated officer, means the branch of a scheduled bank transacting business of the Government of Punjab or any Government Treasury or sub-treasury, as the case may be, located within the jurisdiction of the said officer.

3. Grant of certificate of registration.

(1)An application for obtaining a certificate of registration under sub-section (1) of section 6 shall be made in Form PSDT-1.(2)An application for obtaining a certificate of enrolment under sub-section (2) of section 6 shall be made in Form PSDT-2.(3)Where an employer or person has more than one

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place of work within the State of Punjab, he shall make a single application in respect of all such places, declaring therein one of such places as the principal place of work and others as additional places of work for the purpose of these rules. (4) An application for registration or enrolment shall be submitted in Form PSDT-1 or PSDT-2, as the case may be, either electronically or through an agency authorised by the Government. (5) On receipt of application from the employer for registration, a temporary registration number shall be issued immediately either electronically or through an agency authorised by the Government.(6)The authorized agency shall send the application for registration or enrolment, as the case may be, to the designated officer in whose jurisdiction the principal place of work is situated. In case, the application is filed electronically, it shall be forwarded to the login of the designated officer for processing. (7) On receipt of an application for registration or enrolment, as the case may be, the designated officer shall, if satisfied that the application is in order and the necessary particulars have been furnished, grant permanent registration number in a certificate of registration or enrolment, as the case may be, in Form PSDT-3 in respect of an application filed under sub-rule (1) and in Form PSDT-4 in respect of an application filed under sub-rule (2).(8)If the designated officer finds that the application is not in order or that all necessary particulars have not been furnished, he shall direct the applicant to furnish such additional information, as may be considered necessary. After considering the additional information, the designated officer shall grant a certificate of registration or enrolment in Form PSDT-3 or PSDT-4, as the case may be.(9) If a person is simultaneously engaged in employment of more than one employer, such person shall furnish a certificate to each of his employer in Form PSDT-5 to the effect that he shall get enrolled under the Act and pay the tax himself or the person shall choose any one employer for the purpose of payment of tax under the Act and furnish this information to other employers and the designated officer in Form PSDT-5.

4. Amendment of certificate of registration or enrolment.

- Where an employer or a person holding a certificate of registration or enrolment, as the case may be, granted under rule 3 desires it to be amended, he shall submit an application to the designated officer specifically stating the amendments desired with reasons thereof, together with the certificate of registration or enrolment, as the case may be, and thereupon such officer shall, if satisfied with the reasons given therein, amend the certificate of registration or enrolment, as the case may be, accordingly.

5. Intimation regarding cessation of liability to pay tax.

- In the event of cessation of liability to pay tax because of closure of business or for any other reason, the employer or the person holding the certificate of registration or enrolment, as the case may be, shall send an intimation in writing to that effect to the designated officer within thirty days of the cessation of liability to pay tax.

6. Cancellation of certificate.

- On receipt of an intimation under rule 5, he certificate of registration or enrolment, as the case may be, granted under rule 3, may be cancelled by the designated officer after satisfying himself that

the liability to pay tax of the employer or the person to whom such certificate was granted, has ceased.

7. Exhibition of certificate.

- The employer or the person holding a certificate of registration or enrolment, as the case may be, shall display conspicuously at his place of work, the certificate of registration or enrolment, as the case may be, or a copy thereof.

8. Issue of a duplicate copy of certificate.

- If a certificate of registration or enrolment, as the case may be, granted under these rules is lost, destroyed or defaced or becomes illegible, the holder of the certificate shall apply to the designated officer for grant of a duplicate copy of such certificate along with the proof of payment of fee of fifty rupees and thereupon, such officer shall, after such verification as he may consider necessary, issue to the holder of certificate, a copy of the original certificate after stamping thereon the words "Duplicate Copy".

9. Shifting of place of work.

(1) If the holder of certificate of registration or enrolment, as the case may be, in one area, shifts his place of work to another area, he shall within fifteen days of such shifting, give notice thereof to the designated officer by whom the certificate was issued and shall, at the same time, send a copy of such notice to the designated officer exercising jurisdiction over the area to which the place of work is being or has been shifted.(2) With effect from the commencement of the quarter immediately following the quarter in which the notice is given, the designated officer having jurisdiction over the area to which the place of work has been shifted, shall exercise all powers and perform all functions pertaining to the determination and recovery of tax and matters ancillary thereto in respect of the sender of such notice.

10. Furnishing of returns and payment of tax by employer.

(1)Every employer registered under the Act, shall furnish annual return in Form PSDT-6 for the financial year on or before the thirtieth day of April of the following financial year.(2)Every return to be furnished under sub-rule (1) shall be accompanied by receipted challans in token of the payment of tax made in accordance with the provisions of sub-rule (1) of rule 12.

11. Furnishing of return and payment of tax by persons.

(1) Every enrolled person required to furnish return under sub-section (1) of Section 7, shall furnish annual return in Form PSDT-7 to the designated officer along with a copy of challan as proof of payment of tax.(2) An enrolled person who derives income from any profession, trade or calling other than agriculture at places located within the territorial jurisdiction of more than one

designated officer, shall file the return under sub-rule (1) to the designated officer having jurisdiction over his principal place of work so declared by him under sub-rule (3) of rule 3.

12. Deduction of tax by employers from the salaries and wages.

(1) Every employer, other than an officer of the Central Government or a State Government responsible for deduction of the due amount of tax from the salary or wages of the employees as defined in clause (e) of Section 2, shall deduct every quarter from the salaries or wages payable to the employees, an amount specified in the Schedule.(2)In the case of the employees of the Central Government or a State Government, the drawing and disbursing officer shall be responsible for the deduction of the amount of tax payable from the salaries or wages of the employees as defined in clause (e) of Section 2. The deduction shall be made every quarter from the salaries or wages payable to the employees and the amount of tax to be so deducted in each quarter, shall be equal to the amount specified in the Schedule.(3)The drawing and disbursing officer in the case of employees, shall enclose a statement with the salaries or wages for the month of February showing deductions of the tax due for the period from March to February or part thereof or from the month in which the employees have become liable to pay the tax upto the month of February, as the case may be. In case any deduction in respect of any employee has not been made, the salary or wage of such employee for the month of February shall not be drawn without deducting the amount of tax that remains to be deducted for the aforesaid period.(4)The designated officer may, if he considers necessary, require any drawing and disbursing officer to furnish to him a statement relating to the payment of salaries or wages to the Government employees during any specific period. Such statement shall show the name of the employee, the details of salary drawn, the amount of tax deducted therefrom and the period to which the tax relates.

13. Employer to keep account of deduction of tax from the salary of the employees.

- Every employer responsible to deduct and pay tax, shall maintain a register in which the amount of salary and wages paid to each of the employees in his employment and the amount deducted from the salary and wages of the employee on account of tax, shall be entered.

14. Method of payment.

(1)Every employer and every person shall deposit the amount of tax, penalty or any other amount due from or imposed upon him direct into the treasury. No payment of any such amount, shall be accepted in the office of the designated officer or any other Authority appointed under the Act.(2)Every payment under sub-rule (1), shall be made by challan in Form PSDT-8 under the head o28-Other Taxes on Income and Expenditure B-Taxes on Professions, Trade, Callings and Employments. The challan shall be in quadruplicate.

15. Notice for giving reasonable opportunity.

- Notice for giving reasonable opportunity for not applying for registration/enrolment and providing false information under section 6, not filing the returns under section 7 and non-payment of tax under section 10 shall be issued by the designated officer in Form PSDT-9.

16. Notice under sections 8, 9 and 15.

(1) The notice under sub-section (3) of section (8), shall be issued by the designated officer in Form PSDT-10.(2) The notice under sub-section (4) of section 8, sub-section (3) of section 9 and section 15, shall be issued by the designated officer in Form PSDT-11.

17. Order of assessment/re-assessment.

- The order of assessment under sections 8 or 9 and the order of re-assessment under section 15, shall be passed in Form PSDT-12.

18. Notice of demand.

- The notice of demand relating to any tax, interest or penalty payable in consequence of any order passed or in pursuance of any provision of the Act, shall be issued by the designated officer in Form PSDT-13.

19. Appeal.

(1)An appeal under section 13 shall, (a)be made in Form PSDT-14;(b)be presented to the appropriate Appellate Authority by the appellant in person or by his duly authorised agent or legal practitioner or be sent by registered post to such Authority;(c)contain a clear statement of the relevant facts and state precisely the relief prayed for;(d)be accompanied by an authenticated copy of the order against which appeal is being filed, as well as other relevant papers;(e)be duly signed and verified by the appellant; and(f)be accompanied by a treasury receipted challan as proof of having made the payment as per sub-section (4) of section 13.(2)An appeal may be summarily rejected on any of the following grounds, namely:-(a)non-compliance of the provisions of section 13; and(b)non-compliance of any requirement of sub-rule (1).(3)If the Appellate Authority does not reject the appeal summarily under sub-rule (2), it shall fix a date for hearing the appellant or his duly authorised agent.(4)If on the date fixed for hearing or any other date to which the hearing may be adjourned, the appellant does not appear before the said Authority either in person or through a person duly authorised by him, the said Authority may dismiss the appeal or may decide it ex-parte, as it may deem fit.(5)A copy of the order passed in appeal shall be sent to the appellant and another copy shall be sent to the Authority who had passed the impugned order.

20. Service of Notices.

(1) Notices may be served by any of the following methods, namely:-(i) by delivering or tendering a copy of the notice to the addressee or any adult member of his family residing with him or to a person regularly employed by him; or(ii)through e-mail; or(iii)by post: Provided that if upon an attempt being made to serve any such notice by any of the above mentioned methods, the Authority under whose orders the notice was issued is satisfied that the addressee is keeping out of the way for the purpose of avoiding service or that, for any other reason, notice cannot be served by any of the above mentioned methods, the said Authority shall order the service of the notice to be effected by affixing a copy thereof on some conspicuous part of the addressee s office or the building in which his office is located or where he ordinarily resides, or upon any conspicuous part of any place of profession, trade, calling or employment last notified by him and such service, shall be deemed to have been duly served on the addressee personally.(2)When the serving officer delivers or tenders a copy of the notice to the addressee personally or to any of the persons referred to in clause (i) of sub-rule (1), he shall require the signature or thumb impression of the person to whom the copy is so delivered or tendered as an acknowledgment of service endorsed on the original notice. (3) When a notice is served by affixing a copy thereof in accordance with the proviso to sub-rule (1), the serving officer shall return the original to the Authority which issued the notice with the report endorsed thereon or annexed thereto stating that he so affixed the copy, the circumstances under which he did so and the name and the address of the person, if any, by whom the addressee s office or building in which his office is or was located or his place of profession, trade, calling or employment or residence was identified and in whose presence the copy was affixed. The serving officer shall also state in his report how the signature or thumb impression of the person identifying the addressee s office or building in which his office is or was located or his place of profession, trade, calling or employment or residence was obtained.(4)When service is made by post, the service shall be deemed to be effective if the notice has been properly addressed and sent by registered post acknowledgment due and unless the contrary is proved, the service shall be deemed to have been effected at the time at which the notice would have been delivered in the ordinary course of postal business.(5)The Authority under whose orders the notice was issued shall, on being satisfied from the report of the serving officer or the postal acknowledgement or by taking such evidence as it deems proper that the notice has been served in accordance with the provisions of this rule, record the fact and make an order to that effect.(6)If the Authority is not satisfied that the notice has been properly served, it may, after recording reasons to that effect, direct the issue of a fresh notice. (7) If common e-portal is prepared at any stage, the notice served through such portal electronically, shall be deemed to be the valid service of notice.

21. Use of Electronic Media.

certificate of registration under The Punjab StateDevelopment Tax Act, 2018 as per particulars given below: -

Name of the applicant

Address of the principal place of work(building/street/ road/municipal ward/ town/ city /tehsil/district)

Status of the person signing the form (Whetherproprietor / partner /principal / officer/ agent /manager /director/ secretary)

Name of the employer

Class of the employer (whether individual /firm/company /corporation/ society /club / association)

If registered under the Punjab GST Act, 2017/Central GST Act, 2017, the number of registration certificate

Names and addresses of other places of work in Punjab

PAN

AADHAR

e-mail id

below:-

Contact No.

Name of the applicant

Profession/trade/calling

Address of the principal place of work (building /street/road/municipal ward/town/city/tehsil/district).

Date of commencement of profession /trade/ calling

Average number of employees during a year employed in the establishment

Average number of workers during a year.

Annual gross turnover

Income during the previous year

If carrying on a profession, trade or calling other than agriculture in addition to an employment, the particulars thereof or if simultaneously engaged in employment of more than one employer, the names and addresses of all such employers and the monthly salary received from each of them.

Names and addresses of additional places of work if any, in the State of Punjab
If registered under the Punjab GST Act, 2017/ Central GST Act, 2017 the number of the registration certificate
The above statements are true to the best of my knowledge and belief.
PlaceStatusSignature
*Fill in whichever is applicable.Acknowledgement(Particulars of name and address to be filled in by the applicant)Received an application for registration in Form PSDT-2.From: - Name of the applicant
Tax Act, 2018. The holder of the certificate has additional place of work at the following address: -
1
3
Seal;PlaceDateSignatureStatus
Form PSDT - 4[See rule 3(7) and 3(8)]Certificate of enrolment (for persons)
No District
This is to certify that engaged in * profession/trade/calling known as
*/simultaneously in a profession, trade or calling other than agriculture in addition to employment with the principal place of work located at
SealPlaceDateSignatureDesignation
*Strike out whichever is not applicableForm PSDT- 5[See Rule 3(9)]Certificate to be furnished by a person who is simultaneously engaged in employment of more than one employerI(Name of the person) engaged in employment with the following employers, namely:
Name of employer(1)(2). Address of the employer(1)
(3)(2)(3)
And that I shall get myself registered and pay the tax/I have got myself registered under the registration certificate Nodatedand shall pay the tax/*have paid tax stated therein myself.Place
the period fromto

employer	Address		•••••	.Reg
certificate No				
Number of employees wh	no are income tax payee	es Rate of tax per month Amo	ount of tax deducted	
Amount of tax payable	Amount paid	l with challan No. and Date	The above	
statements are true to the	e best of my knowledge	and belief.		
Place Sign				
Date Sta				
		ess to be filled in by the employ	ver)Received a return	
-		with challan Noda		
=		Full postal address.		
		teSignature wit		
		7[See rule 11 (1)]Annual Return		
-	-	toName of the	-	
	Address	Registration certificat	e No.	
	Total income during the	e yearTax payable	Amount	
paid with challan No. and	l date	The above statements a	re true to the best of	
my knowledge and belief.				
Place Sign	nature			
Date Sta	tus			
Acknowledgement(Partic	ulars of name and addi	ress to be filled in by the person)Received a return	
for the period from	to	with challan Noda	atedfor	
Rsfrom,-Nan	ne of the person	Full postal		
address	Place	DateSignature	with full name and	
designation of the receivi	ng officialForm PSDT	8[See rule 14(2)]Challan (Origi	inal to be sent to	
-		pment Tax Act, 2018(Head 002	8-Other Taxes and	
Expenditure Sub-head oc	0-107)			
	Name, Address,			
	Registration No.			
By whom rendered	·	Payment on account of	Amount	
	whose behalf the			
	money is paid			
1	2	3	4	
		(a) tax according to return for		
		theperiod from		
		(b) tax	ValueRs.(in	
		demanded after assessmentfor	words)Rs	
		the period fromto		
		(c) Penalty		
TotalRs(in				
figures) Rs.				
(in words)				
Date		Signature of thedepositor		

(for use in the Treasury or the Bank)			
1. Received payment ofRs (in figures) Rs (in words)			
2. Date of			
entry			
Treasury	Accountant	Treasury Officer	
	· -	re to be retained in the Treasu Faxes and Expenditure Sub-hea	•
	Name, Address,		
By whom rendered	Registration No. andcase No. if any on	Payment on account of	Amount
	whose behalf the money is paid		
1	2	3	4
		(a) tax according to return for theperiod from	
		(b) tax demanded after assessmentfor the period	ValueRs. (in words)Rs
		from(c) Penalty	
TotalRs(in figures) Rs(in words)			
Date		Signature of thedepositor	
(for use in the Treasury or the Bank)			
1. Received payment			
ofRs (in			
figures) Rs			
(in words)			
2. Date of entry			
•			
Treasury	Accountant	Treasury Officer	
•		te to be given to the payer for	being sent to the

Designated Officer) The Punjab State Development Act Act, 2018 (Head 0028-Other Taxes and

Indian Kanoon - http://indiankanoon.org/doc/3097739/

Expenditure Sub-head o	0-107)		
By whom rendered	Name, Address, Registration No. andcase No. if any on whose behalf the money is paid	Payment on account of	Amount
1	2	3	4
		(a) tax according to return for theperiod from(b) tax demanded after assessmentfor the period from(c) Penalty	ValueRs. (in words)Rs
TotalRs(in figures) Rs(in words)			
Date		Signature of thedepositor	
(for use in the Treasury or the Bank)			
1. Received payment ofRs (in figures) Rs (in words)			
2. Date of			
entry			
•••••		•••••	
Treasury	Accountant	Treasury Officer	
	· -	oo28-Other Taxes and Expend	
By whom rendered	Name, Address, Registration No. andcase No. if any on whose behalf the money is paid	Payment on account of	Amount
1	2	3	4
		(a) tax according to return for theperiod from(b) tax demanded after assessmentfor the period fromto	ValueRs.(in words)Rs

		(c) Penalty
TotalRs(in figures) Rs(in words)		
Date		Signature of thedepositor
(for use in the Treasury or the Bank)		
1. Received payment		
ofRs (in figures) Rs (in words)		
2. Date of		
entry		
Treasury	Accountant	Treasury Officer
2018Name	dress	6, 7 or 10 of The Punjab State Development Tax Act, ion No
section 8 of The Punjab S 2018NameAdd that the return(s) filed by complete, you are hereby	State Development Tax dressRegistrat you in respect of the p directed to appear in p	10[See rule 16(1)]Notice under sub-section (3) of Act, ion No

accounts in respect of *employees employed under you/profession, trac	•		
PlaceDateSigns			
designation of the receiving official*Strike out whichever is not applical		_	
16(2)]Notice under sub-section (4) of section 8, sub-section (3) of section 8.			
Punjab State Development Tax Act, 2018To, NameAddress	Ü		
*You being an employer/person liable to obtain registration			
State Development Tax Act, 2018 or you being registered employer/per			
the said Act, have failed to file return for the period from to		tnereby	
rendered yourself liable under sub-section (3) of Section 9 to be assessed			
judgment.OR*You being an employer/person liable to pay tax under Th	•	-	
Tax Act, 2018 have not been assessed/have been under assessed for the	-		
have thereby rendered your order liable to be reviewed/ rectified under			
you are hereby called upon to show cause on why you should be accessed to tay to the best of judgment. Further, you are hereby directly			
re-assessed to tax to the best of judgment. Further, you are hereby directly person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and to person authorised by you in writing in that behalf before me and the person authorised by you in writing in that behalf before me and the person authorised by you in writing in that behalf before me and the person authorised by the person authorised by you in writing in the person authorised by the person aut		-	
accounts relating to the *employees employed under you/ profession, to	-		
the aforesaid period and any evidence on which you rely in support of y	· ·	-	
(place)(time) (date) and further required to present y	•		
authorized agent person on the said place, date and time to be heard in		-	
PlaceDateSign:			
designation of the receiving official*Strike out whichever is not applical			
17)Order of assessment/re-assessment of an employee/person		_(
Name of the employer/ person			
Address of the employer/person			
Registration Certificate No			
Period of assessment			
Assessment case No			
As returned	As determined		
715 Teturned	715 determined	•	No.
		Amount	ofemp
No. ofemployeeswho areincome taxpayees	Rate of Tax	oftax to	areince
		bededucted	taxpay
1	2	3	4
	Amount of tax		
Amount of tax as returned	as determined		
2. Particulars of profession/trade/calling			
3. Penalty under section			
(i)			
(ii)			
(iii)			
()			

4. Total amount of tax/penalty	
5. Amount paid alongwith returns	
6. Balance payable/excess payment	
SealDate	
	Signature
	Designation
*Strike out whichever is not applicable	
Form PSDT-13(See rule 18)Notice of demand for payment of	
tax/penaltyTo,NameAddressRegistration No	*You have been
assessed/your order No dated has been reviewed/rect	ified under the Punjab State
Development Tax Act, 2018.* You having failed to pay the tax for the per	riod to
has been determined under section 15 of the said Act. You are hereby dir	rected to deposit the
following amount in the treasury within thirty days from the due date of	-
send a copy of the receipt challan in token of such payment within	days of the date of
deposit.	
(1) Tax assessed	
(2) Penalty	
	Total
	Challan No.
(1)	
(2)	•••••
(3)	
(4)	
	Net demand rupees
	(infigures)
	(in words)
SealDate	SignatureDesignation
*Strike out whichever is not applicable	
Form PSDT-14[See rule 20]Memorandum of appealTo,The Designated	
OfficerI, hereby appeal and furnis	sh the necessary particulars
:(1)Registration Certificate No(2)Name of the Employer	r/person
(3)Style of profession/trade/calling(4)Ac	ddress
(5)Period involved under impugned order against which	appeal is
preferred(6)(a)Name of the authority who passed the in	
(c)Date of service of den	
(d)Amount demanded :(i)Tax(ii)Penalty	
(e)Amount of admitted tax(f)Amount pa	
(ii)Penalty(g)Amou	
(7)Grounds on which appeal has been preferred.	
the impugned order and a copy of challan in proof of payment of tax/pe	naity are enclosed. The

above statements are	true to the best of my knowledge and belief.
Place	Signature
Date	Status