

Section	Subsection	Clause	Amendment of Ordinance, XLIX of 2001 - NEW / inserted <del>Omitted and deleted</del> substituted Gazette Finance Act, 2024
			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

2			Definitions
		(8)	"Board" means the Central Board of Revenue established under the Central Board of Revenue Act, 1924 (IV of 1924), and on the commencement of Federal Board of Revenue Act, 2007, the Federal Board of Revenue established under section 3 thereof and includes a Member of the Federal Board of Revenue to whom powers of the Board have been delegated under section 8 of the Federal Board of Revenue Act, 2007;
		(11B)	Chief Commissioner" means a person appointed as Chief Commissioner Inland Revenue under section 208 and includes a Chief Investigator, Regional Commissioner of Income Tax and a Director-General of Income Tax and Sales Tax;
4AB			Subject to this Ordinance, a surcharge shall be payable by every individual and association of persons at the rate of ten percent of the income tax imposed under Division I of Part I of the First Schedule where the taxable income exceeds rupees ten million.

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			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

7F			Tax on builders and developers.
	(1)		A tax shall be imposed at the rate specified in Division I or II of Part-I of the First Schedule on the taxable profit of every person deriving income from the business of - (a) construction and sale of residential, commercial or other buildings; (b) development and sale of residential commercial or other plots; or (c) activities as mentioned in (a) and (b) above.
	(2)		For the purpose of this section, taxable profit shall be - (a) ten percent of gross receipts in respect of activities specified in clause (a) of sub-section (1); (b) fifteen percent of gross receipts in respect of activities specified in clause (b) of sub-section (1); and (c) twelve percent of gross receipts in respect of activities specified in clause (c) of sub-section (1).  Explanation.- For the removal of doubt, it is clarified that the provisions of this section shall only apply in respect of income accruing from gross receipts from activities specified in sub-section (1) and shall not be applicable to income or incomes from any other source or under any head of income.
	(3)		Where a taxpayer, while explaining the nature and source of the amount credited or the investment made, money or valuable article owned or the funds from which the expenditure was made, takes into account any source of income which is subject to tax under this section, the taxpayer shall not be allowed to take credit of any sum as is in excess of taxable profit:  Provided that where taxable income under section <sup>19</sup> is more than the taxable profit under this section, taxpayer shall be entitled to take credit of such taxable income subject to the payment of tax at the rate specified in Division I or II of Part- I of First Schedule.
	(4)		The provisions of this section shall not apply to a builder or developer established by an Act of the Parliament or a Provincial Assembly or by a Presidential Order and who is engaged in activities for the benefit of its employees or otherwise including activities for the planning and development of and for providing and regulating housing and ancillary facilities in a specified or notified area.

<sup>1</sup> Taxable Income

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			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

37			Capital gains.—
	(6)		The person acquiring a capital asset, being shares of a company, shall deduct advance adjustable tax from the gross amount paid or payable as consideration for the shares at the time of payment or at the time of registration of shares by the Securities and Exchange Commission of Pakistan or by the State Bank of Pakistan, whichever is earlier at the rate of ten percent of the fair market value of the shares which shall be paid to the Commissioner by way of credit to the Federal Government, within fifteen days of the payment.
57			Carry forward of business losses.—
	(2C)		Where a loss, referred to in sub-section (2), relating to a tax year commencing on or after the first day of January, 2017 is sustained by Pakistan International Airlines Corporation Limited, the said loss shall be carried forward for a period of ten years.
65F			Tax credit for certain persons.—
	(1)		Following persons or incomes shall be allowed a tax credit equal to one hundred per cent of the tax payable under any provisions of this Ordinance including minimum, alternate corporate tax and final taxes for the period, to the extent, upon fulfillment of conditions and subject to limitations detailed as under:-
		(a)	persons engaged in coal mining projects in Sindh supplying coal exclusively to power generation projects;
		(b)	a startup as defined in clause (62A) of section 2 for the tax year in which the startup is certified by the Pakistan Software Export Board and the next following two tax years; and
			"Explanation. - For the removal of doubt it is clarified that tax credit under clause (a) shall only be available to the income derived from the operations of coal mining projects in Sindh supplying coal to power generation projects.

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			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

92			Principles of taxation of associations of persons.
	(1)		<p>An association of persons shall be liable to tax separately from the members of the association and where the association of persons has paid tax the] amount received by a member of the association in the capacity as member out of the income of the association shall be exempt from tax:</p> <p>Provided that if at least one member of the association of persons is a company, the share of such company or companies shall be excluded for the purpose of computing the total income of the association of persons and the company or the companies shall be taxed separately, at the rate applicable to the companies, according to their share.</p> <p>Explanation.- For removal of doubt it is clarified that if the income of association of persons is exempt and no tax is payable under the Ordinance due to this exemption, the share received in the capacity as member out of the income of the association shall remain exempt.</p> <p>Provided further that the share of a member of an association of persons having turnover of three hundred million rupees or above during the tax year or any of the preceding tax years shall not be exempt if financial statements duly audited by a firm of Chartered Accountants as defined under the Chartered Accountants Ordinance, 1961 (X of 1961), or a firm of Cost and Management Accountants as defined under the Cost and Management Accountants Act, 1966 (XIV of 1966) have not been filed along with return of income by the association of persons to whom he is a member:</p>
100BA			Special provisions relating to persons not appearing in active taxpayers' list.-
	(1)		The collection or deduction of advance income tax, computation of income and tax payable thereon in respect of a person not appearing on the active taxpayers' list or persons appearing on the active taxpayers' list who have not filed return by the due date specified in section 118 or by the due date as extended under section 119 or 214A shall be determined in accordance with the rules in the Tenth Schedule.

Section	Subsection	Clause	Amendment of Ordinance, XLIX of 2001 - NEW / inserted <del>Omitted and deleted</del> substituted Gazette Finance Act, 2024
			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

101			Geographical source of income.
	(3A)		For the purposes of clause (d) of sub-section (3), business connection in Pakistan shall include —significant economic presence in Pakistanl of a non-resident.
	(3B)		significant economic presence in Pakistan shall mean—
		(a)	transaction in respect of any goods, services or property carried out by a non-resident with any person in Pakistan including provision of download of data or software in Pakistan, if the aggregate of payments arising from such transaction or transactions during the tax year exceeds such amount as may be prescribed; and
		(b)	systematic and continuous soliciting of business activities or engaging in interaction through digital means with such number of users in Pakistan as may be prescribed, irrespective of whether or not—  (i) the agreement for such transactions or activities is signed in Pakistan; (ii) the non-resident has a residence or place of business in Pakistan; or (iii) the non-resident renders services in Pakistan:  Provided that only so much of income as is attributable to the transactions or activities referred to in clause (a) or clause (b) shall be deemed to accrue or arise from a business connection in Pakistan.
108			Transactions between associates
	(6)		Notwithstanding the provisions of sub-section (1), for the tax year 2024 and onwards, where any amount is claimed as deduction for the tax year or for any of the two preceding tax years on account of royalty paid or payable to an associate directly or indirectly in respect of use of any brand name, logo, patent, invention, design or model, secret formula or process, copyright, trademark, scientific or technical knowledge, franchise, license, intellectual property or other like property or right or contractual right, twenty five percent of the total expenditure for the tax year in respect of sales promotion, advertisement and publicity shall be disallowed and allocated to the said associate.
111			Unexplained income or assets.
	(2A)		For the purposes of clause (ii) of sub-section (2) of this section, the —year of discovery of foreign assets or expenditure or concealed income, shall mean the year in which the Commissioner has issued a notice requiring the person to explain the nature and source of such foreign assets, expenditure or concealed income.
114B			Powers to enforce filing of returns.—
	(2)		The income tax general order issued under sub-section (1) may entail any or all of the following consequences for the persons mentioned therein, namely:-
		(d)	restriction on foreign travel from the country for a citizen of Pakistan, excluding persons holding National Identity Card for Overseas Pakistanis (NICOP), minors, students and such other classes of persons as notified by the Board.

Section	Subsection	Clause	Amendment of Ordinance, XLIX of 2001 - NEW / inserted Omitted and deleted substituted Gazette Finance Act, 2024
			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

116			Wealth statement.—
	(1)		The Commissioner may, by notice in writing, require any person being an individual to furnish, on the date specified in the notice, a statement (hereinafter referred to as the "wealth statement") in the prescribed form and verified in the prescribed manner giving particulars of
		(a)	the person's total assets including foreign assets and liabilities as on the date or dates specified in such notice;
		(b)	the total assets including foreign assets and liabilities of the person's spouse, minor children, and other dependents as on the date or dates specified in such notice;  Explanation.— For removal of doubt, it is clarified that assets of spouse shall only be included in the wealth statement of the person if the spouse is dependent; and
		(c)	any assets including foreign assets transferred by the person to any other person during the period or periods specified in such notice and the consideration for the transfer;
		(d)	the total expenditures incurred by the person, and the person's spouse, minor children, and other dependents during the period or periods specified in the notice and the details of such expenditures; and
		(e)	the reconciliation statement of wealth.
121			Best judgement assessment.—
	(1)		Where a person fails to —
		(ac)	furnish return of income in response to notice under sub-section (3) of section 117; or
	(1A)		For the purposes of making a best judgment assessment under sub-section (1), the Commissioner may determine taxable income on the basis of sectoral benchmark ratios prescribed by the Board.  Explanation.—The expression —sectoral benchmark ratios means standard business sector ratios notified by the Board on the basis of comparative cases and includes financial ratios, production ratios, gross profit ratio, net profit ratio, recovery ratio, wastage ratio and such other ratios in respect of such sectors as may be prescribed.
122A			Revision by the Commissioner.—
	(1)		The Commissioner may, suo moto, call for the record of any proceeding under this Ordinance or under the repealed Ordinance in which an order has been passed by any Officer of Inland Revenue other than the Commissioner (Appeals) <sup>2</sup> if the value of the assessment or, as the case may be, refund of the tax does not exceed twenty million rupees..
126A			Pecuniary jurisdiction in appeals.—
	(1)		Subject to other provisions of this Act Ordinance,-
		(b)	an appeal to the Appellate Tribunal Inland Revenue shall lie where the value of assessment of tax or, as the case may be, refund of tax exceeds twenty million rupees.  "Explanation. - For the purposes of this section value of assessment of tax means the net increase in tax liability of a person as a result of order sought to be assailed and value of refund means net reduction in refund as a result of order sought to be assailed."

<sup>2</sup> Amended by Tax Laws (Amendment) Act 2024

Section	Subsection	Clause	Amendment of Ordinance, XLIX of 2001 - NEW / inserted <del>Omitted and deleted</del> substituted Gazette Finance Act, 2024
			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

	(4)		The cases pending before the Commissioner (Appeals) having the value of assessment of tax or, as the case may be, refund of tax exceeding twenty million rupees shall on and from the 16th day of <del>June</del> <sup>3</sup> <del>September</del> , 2024 stand transferred to the Appellate Tribunal Inland Revenue.
	(5)		All cases transferred from the Commissioner (Appeals) to the Appellate Tribunal under sub-section (4) shall be decided by the Appellate Tribunal within the period provided for under section 132 which period shall commence from the 16th day of June, 2024 <del>the date of transfer under sub-section (4)</del> .
127			Appeal to the Commissioner (Appeals).
	(1)		<del>Any</del> <del>Subject to section 126A, any</del> person dissatisfied with any order passed by a Commissioner or an Officer of Inland Revenue under sub-section (2A) of section 120, section 121, 122, 143, 144, 162, 170, 182, or 205, or an order under sub-section (1) of section 161 holding a person to be personally liable to pay an amount of tax, or an order under clause (f) of sub-section (3) of section 172 declaring a person to be the representative of a non-resident person or an order giving effect to any finding or directions in any order made under this Part by the Commissioner (Appeals), Appellate Tribunal, High Court or Supreme Court, or an order under section 221 refusing to rectify the mistake, either in full or in part, as claimed by the taxpayer or an order having the effect of enhancing the assessment or reducing a refund or otherwise increasing the liability of the person may prefer an appeal to the Commissioner (Appeals) against the order.
131			Appeal to the Appellate Tribunal.—
	(1)		Subject to section 126A, any person, other than an SOE, aggrieved by any order passed by an officer of Inland Revenue or Commissioner or Chief Commissioner or the Board <del>or Commissioner (Appeals)</del> under this Ordinance or the rules made thereunder may, within thirty days of the receipt of such order, prefer an appeal to the Appellate Tribunal or, as the case may be, a reference to the High Court:  Provided that where sub-section (11) of section 134A apply, an SOE may prefer an appeal under this sub-section.

<sup>3</sup> shall be deemed to have taken effect on and from the 16th day of June, 2024

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			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

133 <sup>4</sup>			Reference to High Court.—
	(1)		<p><del>Within</del> Subject to section 126A, within thirty days of the communication of the order of the Appellate Tribunal or, as the case may be, the Commissioner (Appeals), the aggrieved person or the Commissioner may file a reference, in the prescribed form along with a statement of the case, before the High Court, stating any question of law or a mixed question of law and facts arising out of such order:</p> <p>Provided that the applicant shall also file complete record of the Appellate Tribunal <del>or, as the case may be, the Commissioner (Appeals)</del> within fifteen days of preferring an application under this section.</p> <p>“Explanation.— For the removal of doubt it is clarified that reference against order of the Commissioner (Appeals), communicated after the date of commencement of the Tax Laws (Amendment) Act, 2024 (V of 2024), shall lie before the High Court notwithstanding the proceedings pending prior to the date of commencement of the said Act.</p>
	(2)		The statement to the High Court referred to in sub-section (1), shall set out the facts, the determination of the Appellate Tribunal <del>or, as the case may be, the Commissioner (Appeals)</del> and the question of law or a mixed question of law and facts which arises out of its order.
	(7)		The High Court upon hearing a reference under this section shall decide the question of law or a mixed question of law and facts raised by the reference and pass judgment thereon specifying the grounds on which such judgment is based and the Appellate Tribunal's order <del>or, as the case may be, the Commissioner (Appeals)'s order</del> shall stand modified accordingly.
	(10)		On an application filed in a particular reference and after affording an opportunity of being heard to the Commissioner, the High Court may stay recovery of tax, subject to deposit with the assessing authority of not less than thirty percent of the tax determined by the Appellate Tribunal <del>or, as the case may be, the Commissioner (Appeals)</del> . Where recovery of tax has been stayed by the High Court by an order, such order shall cease to have effect on the expiration of a period of six months following the day on which it was made unless the reference is decided or such order is withdrawn by the High Court earlier.
	(12)		An application under sub-section (1) , <del>by the aggrieved person other than the Commissioner</del> , shall be accompanied by a fee of fifty thousand rupees.

<sup>4</sup> Tax Laws (Amendment) Act, 2024



Section	Subsection	Clause	Amendment of Ordinance, XLIX of 2001 - NEW / inserted <del>Omitted and deleted</del> substituted Gazette Finance Act, 2024
			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

147			Advance tax paid by the taxpayer.—
	(4)		Where the taxpayer is an association of persons or a company, the amount of advance tax due for a quarter shall be computed according to the following formula, namely:- (A x B/C) -D Where - A is the taxpayer's turnover for the quarter:  Provided that where the taxpayer fails to provide turnover or the turnover for the quarter is not known, it shall be taken to be one-fourth of one hundred and <del>ten</del> <b>twenty</b> percent of the turnover of the latest tax year for which a return has been filed;  B is the tax assessed to the taxpayer for the latest tax year. Explanation.- For removal of doubt it is clarified that tax assessed includes tax under sections 4C, 113 and 113C.
	(6B)		Where an estimate of the amount of tax payable has been filed by the taxpayer under sub-section (6) as the case may be, the estimate shall contain turnover for the completed quarters of the relevant tax year, estimated turnover for the remaining quarters, supporting evidence of expenses or deductions in computing income, evidence of tax payments and tax credits and computation of estimated taxable income:  Provided that where the Commissioner is not satisfied with the documentary evidence provided or where an estimate of the amount of tax payable is not accompanied by details mentioned in this sub-section, the Commissioner may reject the estimate after providing an opportunity of being heard to the taxpayer and the taxpayer shall pay advance tax according to the formula set out in sub-section (4) or subsection (4B), as the case may be.
	(6C)		Notwithstanding anything contained in this Ordinance, the persons specified in sub-sections (1), (3), (3A), (3B) and (3C) of section 154 shall, at the time of realization of foreign exchange proceeds, or realization of the proceeds on account of sale of goods, or export of goods, or at the time of making payment to an indirect exporter, or clearing of goods exported, respectively, deduct or collect, as the case may be, advance income tax under this section at the rate of one percent of such foreign exchange proceeds, or export proceeds, or exports, or payment, in addition to tax collectable or deductible under section 154 of this Ordinance.

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			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

148			Imports.
	(6)		The <del>Subject to sub-section (6A), the</del> provisions of the Customs Act, 1969 (IV of 1969), in so far as relevant, shall apply to the collection of tax under this section.
	(6A)		The Board may, by notification in the official Gazette, determine the minimum value of goods for the purpose of collection of advance tax under this section.”; and
	(9)		In this section - “Collector of Customs” means the person appointed as Collector of Customs under section 3 of the Customs Act, 1969 (IV of 1969), and includes a Deputy Collector of Customs, an Additional Collector of Customs, or an officer of customs appointed as such under the aforesaid section; “Value of goods means---
		(a)	in case of goods chargeable to tax at retail price under the Third Schedule of the Sales Tax Act, 1990, the retail price of such goods increased by sales tax payable in respect of the import and taxable supply of the goods; <del>and</del>
		(b)	in case of <del>all other goods</del> goods other than those specified in clauses (a) and (c) ; the value of the goods as determined under the Customs Act, 1969 (IV of 1969), as if the goods were subject to ad valorem duty increased by the custom-duty, federal excise duty and sales tax, if any, payable in respect of the import of the goods.; and
		(c)	minimum value as notified by the Board under subsection (6A) as if such goods were subject to ad valorem duty as increased by the custom-duty, federal excise duty and sales tax, payable in respect of the import of the goods.
149			Salary.
	(1)		Every person responsible for paying salary to an employee shall, at the time of payment, deduct tax from the amount paid at the employee’s average rate of tax computed at the rates specified in Division I of Part I of the First Schedule on the estimated income of the employee chargeable under the head “Salary” for the tax year in which the payment is made <del>including tax under section 54AB</del> after making adjustment of tax withheld from employee under other heads and tax credit admissible under section 61 and 63 during the tax year after obtaining documentary evidence, as may be necessary, for:
	(2)		The average rate of tax of an employee for a tax year for the purposes of sub-section (1) shall be computed in accordance with the following formula, namely:- A/B where - A is the tax that would be payable if the amount referred to in component B of the formula were the employee’s taxable income for that year <del>plus tax chargeable under section 4AB</del> ; and B is the employee’s estimated income under the head “Salary” for that year.

<sup>5</sup> surcharges

Section	Subsection	Clause	Amendment of Ordinance, XLIX of 2001 - NEW / inserted <del>Omitted and deleted</del> substituted Gazette Finance Act, 2024
			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

152			Payments to non-residents.—
	(4A)		The Commissioner may, on application made in the prescribed form by the recipient of payment referred to in sub-section (1A) having permanent establishment in Pakistan, or by a recipient of payment referred to in sub-section (2A), as the case may be, and after making such inquiry as the Commissioner thinks fit, allow by order in writing, in cases where the tax deductible under sub-section (1) or sub-section (2A) is not minimum tax, any person to make the payment <del>without deduction of tax or deduction of tax at a reduced rate</del> after deduction of tax at a reduced rate but such reduction shall not exceed eighty percent of the rate specified in the said Division.
153			Payments for goods, services and contracts.—
	(4)		<p><del>The Commissioner may, on application made by the recipient of a payment referred to in sub-section (1) and after making such inquiry as the Commissioner thinks fit, may allow in cases where tax deductible under subsection (1) is not minimum, by an order in writing, any person to make the payment,—</del></p> <p><del>(a) without deduction of tax; or</del> <del>(b) deduction of tax at a reduced rate ;</del></p> <p>The Commissioner may, on application made by the recipient of a payment referred to in sub-section (1) and after making such inquiry as the Commissioner thinks fit, may allow in cases where tax deductible under sub-section (1) is not minimum, by an order in writing, any person to make the payment after deduction of tax at reduced rate:</p> <p><del>Provided that the Commissioner shall issue certificate for payment under clause (a) of sub-section (1) without deduction of tax within fifteen days of filing of application to a company if advance tax liability has been discharged:</del></p> <p>Provided that the Commissioner shall issue reduced rate certificate within fifteen days of filing of application to a company if advance tax liability has been discharged:</p> <p><del>Provided further that the Commissioner shall be deemed to have issued the exemption certificate upon the expiry of fifteen days to the aforesaid company and the certificate shall be automatically processed and issued by Iris:</del></p> <p>Provided further that the Commissioner shall be deemed to have issued the reduced rate certificate upon the expiry of fifteen days to the aforesaid company and the certificate shall be automatically processed and issued by Iris:</p> <p><del>Provided also that the Commissioner may modify or cancel the certificate issued automatically by Iris on the basis of reasons to be recorded in writing after providing an opportunity of being heard.</del></p> <p>Provided also that the Commissioner may modify or cancel the certificate issued automatically by Iris on the basis of reasons to be recorded in writing after providing an opportunity of being heard.</p>

Section	Subsection	Clause	Amendment of Ordinance, XLIX of 2001 - NEW / inserted <del>Omitted and deleted</del> substituted Gazette Finance Act, 2024
			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

154			Exports.
	(1)		Every authorised dealer in foreign exchange shall, at the time of realisation of foreign exchange proceeds on account of the export of goods by an exporter, deduct tax including advance tax from the proceeds at the rate specified in Division IV of Part III of the First Schedule.
	(4)		The tax deductible under this section shall be a final minimum tax on the income arising from the transactions referred to in this section
	(5)		<del>The provisions of sub-section (4) shall not apply to a person who opts not to be subject to final taxation:</del>  <del>Provided that this sub-section shall be applicable from tax year 2015 and the option shall be exercised every year at the time of filing of return under section 114:</del>  <del>Provided further that the tax deducted under this sub-section shall be minimum tax.</del>
168			Credit for tax collected or deducted.
	(3)		No tax credit shall be allowed for any tax collected or deducted that is a final tax under— (ca) sub-section (1E) of section 152; (cb) sub-section (2) of section 152A; <del>(e) sub-section (4) of section 154;</del> (ea) sub-section (2) of section 154A; (f) sub-section (3) of section 156; (g) sub-section (2) of section 156A; (k) sub-section (7) of section 236Z.
169			Tax collected or deducted as a final tax.—
	(1)		This section shall apply where —
		(b)	the tax required to be deducted is a final tax under subsection (1E) of section 152, 152A, <del>sub-section (4) of section 154</del> , sub-section (2) of section 154A sub-section (3) of section 156, sub-section (2) or section 156A or subsection (7) of section 236Z on the income from which it was deductible.

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			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

182					Offences and penalties.—			
S.No		Offences		Penalties		Section of the Ordinance to which offence has reference		
(1)		(2)		(3)		(4)		
1B		Where any person fails to furnish a return of income as required under sub-section (3) of section 117 within the time specified in the notice		Such person shall pay a penalty equal to higher of -  (a) 0.1% of the tax payable in respect of that tax year for each day of default; or  (b) Rs. 1,000 per day of default:  Provided that minimum penalty shall be Rs.10,000 in case of an individual and Rs.50,000 in all other cases.		117(3)		
3A		Where any person being a trader or a shopkeeper who is required to apply for registration under this Ordinance but fails to register or fails to pay advance tax as specified in a scheme of special procedure prescribed under section 99B.		The shop of such person shall be sealed for seven days for first default and for twenty one days for each subsequent default		99B		
10A		Any person who fails to comply with income tax general order issued by the Board within fifteen days of issue of such order.		Such person shall pay penalty of one hundred million rupees for first default and two hundred million for each subsequent default.		6114B		
12A		Where any person fails to pay tax at the time of making payment as consideration of shares or at the time of registration of shares by the Securities and Exchange Commission of Pakistan or the State Bank of Pakistan, whichever is earlier.		Such person shall pay a penalty equal to fifty percent of the amount of tax involved		37(6)		

<sup>6</sup> Powers to enforce filing of returns.—

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			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

	35	Any company and an association of persons who - (a) fails to fully state all the relevant particulars or information as specified in the form of return, including a declaration of the records kept by the taxpayer;  (b) furnishes any annexure, statement or document specified in the return of income as blank or with incomplete or irrelevant particulars; or  (c) attaches blank or incomplete annexures, statements or documents where such annexures, statements or records were required to be filed.	Such company, including a banking company and an association of persons shall pay a penalty of Rs.500,000 or 10% of the tax chargeable on the taxable income, whichever is higher."	114(2)
191			Prosecution for non-compliance with certain statutory obligations.	
	(1)		Any person who, without reasonable excuse, fails to —	
		(a)	comply with a notice under sub-section (3) and sub-section (4) of section 114 , sub-section (3) of section 117 or sub-section (1) of section 116;	
191A			Prosecution for failure to furnish information in return of income.	
			Any company including a banking company and an association of persons who -	
		(a)	fails to fully state all the relevant particulars or information as specified in the form of return, including a declaration of the records kept by the taxpayer;	
		(b)	furnishes blank or incomplete particulars or information as specified in the return of income; or	
		(c)	attaches blank or incomplete annexures, statements or documents where such annexures, statements or records were required to be filed, shall commit an offence punishable on conviction with a fine or imprisonment for a term not exceeding one year or both.	
191B			Prosecution for non-registration.- Any person specified in section 99B who is required to apply for registration but fails to do so shall commit an offence punishable on conviction with imprisonment for a term not exceeding six months or fine or both.	

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			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

205			Default surcharge.
			default surcharge at a rate equal to twelve percent or KIBOR plus three percent per annum, whichever is higher
216			Disclosure of information by a public servant.-
	(3)		Nothing contained in sub-section (1) shall preclude the disclosure of any such particulars -
		(kc)	to National Database and Registration Authority to process and analyze such data for the purposes of broadening of tax base;
230K			Tax Fraud Investigation Wing Inland Revenue.
	(1)		There shall be established a wing to be known as Tax Fraud Investigation Wing Inland Revenue.
	(2)		The functions of the Tax Fraud Investigation Wing Inland Revenue shall be to detect, analyze, investigate, combat and prevent tax evasion and fraud.
	(3)		The Tax Fraud Investigation Wing Inland Revenue shall comprise Fraud Intelligence and Analysis Unit, Fraud Investigation Unit, Legal Unit, Accountants Unit, Digital Forensic and Scene of Crime Unit, Administrative Unit or any other Unit as may be approved by the Board or the Federal Government.
	(4)		The Tax Fraud Investigation Wing Inland Revenue shall consist of a Chief Investigator and as many following officers, as may be notified by the Board -  (a) Senior Investigators, Investigators, Junior Investigators or any other officer of Inland Revenue with any other designation; (b) a Senior Forensic Analyst and as many Forensic Analysts and Junior Forensic Analysts; and (c) a Senior Data Analyst and as many Data Analysts and Junior Data Analysts.
	(5)		The Board may, by notification in the official Gazette,— (a) specify the functions and jurisdiction of the Tax Fraud Investigation Wing Inland Revenue and its officers; and (b) confer the powers of authorities specified in section 207 upon the Tax Fraud Investigation Wing Inland Revenue and its officers in clause (a) of sub-section 4.
	(6)		Nothing contained in this section shall prevent the authorities appointed under sections 207 and 208 or any other authority or officer conferred with the power of authorities under sections 207 and 208 from conducting prosecution Part XI of Chapter X of the Ordinance.

Section	Subsection	Clause	Amendment of Ordinance, XLIX of 2001 - NEW / inserted <del>Omitted and deleted</del> substituted Gazette Finance Act, 2024
			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

236C			Advance Tax on sale or transfer of immovable Property.
	(1)		<p>Subject to sub-section (2A), any person responsible for registering, recording or attesting transfer of any immovable property shall at the time of registering ,recording or attesting the transfer shall collect from the seller or transferor advance tax at the rate specified in Division X of Part IV of the First Schedule 5:</p> <p>Explanation,—For removal of doubt, it is clarified that the person responsible for registering, recording or attesting transfer includes person responsible for registering, recording or attesting transfer for local authority, housing authority, housing society, co-operative society, public and private real estate projects registered/governed under any law, joint ventures, private commercial concerns] and registrar of properties.</p> <p>Provided that this sub-section shall not apply to a seller, being the dependant of a Shaheed belonging to Pakistan Armed Forces or a person who dies while in the service of the Pakistan Armed Forces or the service of Federal or Provincial Government or a war wounded person while in service of Pakistan Armed Forces or Federal or Provincial Government or an ex-serviceman and serving personnel of armed forces or ex-employees or serving personnel of Federal and Provincial Government , in respect of first sale of immovable property acquired from or allotted by the Federal Government or Provincial Government or any authority duly certified by the official allotment authority, and the property acquired or allotted is in recognition of or for services rendered by the Shaheed or the person who dies in service or a war wounded person while in service of Pakistan Armed Forces or Federal or Provincial Government or an exserviceman and serving personnel of armed forces or exemployees or serving personnel of Federal and Provincial Government from such persons shall be final discharge of tax liability in lieu of capital gains taxable under section 37 earned by the seller or transferor from the property so disposed of.</p>
236G			Advance tax on sales to distributors, dealers and wholesalers.—
	(1)		Every manufacturer or commercial importer <del>of pharmaceuticals, poultry and animal feed, edible oil and ghee, auto-parts, tyres, varnishes, chemicals, cosmetics, IT equipment, electronics, sugar, cement, iron and steel products, fertilizer, motorcycles, pesticides, cigarettes, glass, textile, beverages, paint or foam sector,</del> at the time of sale to distributors, dealers and wholesalers, shall collect advance tax at the rate specified in Division XIV of Part IV of the First Schedule, from the aforesaid person to whom such sales have been made.



Section	Subsection	Clause	Amendment of Ordinance, XLIX of 2001 - NEW / inserted <del>Omitted and deleted</del> substituted Gazette Finance Act, 2024
			In the Income Tax Ordinance, 2001 (XLIX of 2001), the following further amendments shall be made, namely:-

236H			Advance tax on sales to retailers.—
	(1)		Every manufacturer, distributor, dealer, wholesaler or commercial importer <del>of pharmaceuticals, poultry and animal feed, edible oil and ghee, auto-parts, tyres, varnishes, chemicals, cosmetics, IT equipment, electronics, sugar, cement, iron and steel products, motorcycles, pesticides, cigarettes, glass, textile, beverages, paint or foam sector</del> , at the time of sale to retailers”, and every distributor or dealer to another wholesaler in respect of the said sectors”, shall collect advance tax at the rate specified in Division XV of Part IV of the First Schedule, from the aforesaid person to whom such sales have been made.
239			Savings.
	(18)		The period of limitation provided in clause (d) of sub-section (2) of section 131 and sub-section (1) of section 133 shall continue to apply where any decision of the Commissioner (Appeals) or the Appellate Tribunal is received prior to the date of commencement of the Tax Laws (Amendment) Act, 2024.