

GOVERNMENT OF PAKISTAN
REVENUE DIVISION
FEDERAL BOARD OF REVENUE

Islamabad, 31st October, 2008

NOTIFICATION
(Income Tax)

S. R. O. 1139 (I)/2008.- In exercise of the powers conferred by sub-section (1) of section 237 of the Income Tax Ordinance, 2001 (XLIX of 2001), the Federal Board of Revenue is pleased to direct that the following further amendments shall be made in the Income Tax Rules, 2002, the same having previously published as required by sub-section (3) of the said section, namely:-

In the aforesaid Rules,-

(a) in rule 40, after sub-rule (2), the following new sub-rules shall be added, namely:-

“(3) An application for a certificate under sub-section (1) of section 159 read with clause (v) of paragraph 1 of Notification No. S.R.O. 947(1)/2008, dated the 5th September, 2008, shall be in the form specified in Part VII(a) of the First Schedule to these rules.

(4) A system based exemption certificate issued by the Commissioner for goods specified under clause (v) of paragraph 1 of Notification No. S.R.O. 947(1)/2008, dated the 5th September, 2008 shall be in the form specified in Part-VIII(a) of the First Schedule to these rules.” ; and

(b) in the First Schedule,-

(i) after Part VII, the following shall be inserted, namely:-

“ PART VII (a) OF THE FIRST SCHEDULE

Application for Certificate of Exemption under section
159 of the Income Tax Ordinance, 2001

[See Rule 40(3)]

To,

The Commissioner of Income Tax _____

I, Principal Officer/Member of AOP/Individual Proprietor of M/s _____

_____ hereby declare that I am entitled to import goods without collection of tax at source on the following basis, in accordance with the provisions of

clause (v) of paragraph 1 of Notification No. S.R.O. 947(1)/2008, dated 05-09-2008 for the tax year_____:

- (i) The goods imported consist of plant, machinery, fixtures, fittings or its allied equipments for the purposes of setting up an industrial undertaking(including hotel) owned by me.
- (ii) Goods imported consist of plant, machinery, fixtures, fittings or its allied equipments are for the purpose of installation/utilization in an existing industrial undertaking (including hotel) owned by me.
(Tick whichever is applicable)

I, therefore, request that certificate may be issued to the Collector of Customs_____ not to collect tax at source on the value of imports.
Necessary details in this regard are given as under:-

- (a) Copy of Memorandum and Articles of the Association in case of Company /AOP owning industrial undertaking/Registration No._____
- (b). NTN_____
- (c) Location address of the industrial undertaking _____
- (d) Nature of the business of industrial undertaking _____
- (e) Copy of the balance sheet of the industrial undertaking for the latest Tax year_____
- (f) Description of goods imported _____
- (g) L.C. No. _____
- (h) Value of goods _____
- (i) Port of clearance _____

I, hereby declare that whatever is stated in the application is correct to the best of my knowledge and belief.

Signature_____

Name _____

Address_____

Dated_____"; and

- ii) after Part VIII, the following shall be inserted, namely:-

"PART VIII(a) OF THE FIRST SCHEDULE

GOVERNMENT OF PAKISTAN
Department of Income Tax
Office of the _____

**EXEMPTION CERTIFICATE UNDER SECTION 159
OF THE INCOME TAX ORDINANCE, 2001**
[See Rule 40(4)]

On an application made under Rule 40, the Commissioner of Income Tax may, subject to conditions laid down in sub rule (3) of the said rule, give a certificate authorizing the Collector of Customs not to collect tax on the import of goods from the person making the application in the following form specified herein namely:-

To,

The Collector of Customs _____

M/S _____ have applied for issuance of exemption certificate under section 159 of the Income Tax Ordinance, 2001. The relevant particulars are given hereunder:-

1. Certificate No. _____ Date of Issue _____
2. Validity period From: _____ To _____
3. N.T.N.: _____
4. Location address of the industrial undertaking: _____
5. Description of goods imported: _____

6. L.C. No.: _____
7. Value of goods: _____

I hereby authorize you to exempt the import of goods from collection of tax under section 148 of the Income Tax Ordinance, 2001 as specified in clause (v) of paragraph 1 of Notification No. S.R.O. 947 (1)/2008, dated 05-09-2008 for setting up of an industrial undertaking or for installation in an existing industrial undertaking. This authorization will remain in force until the date specified above or cancelled by me earlier.

Any Remarks _____

Commissioner of Income Tax
Enforcement Division _____
RTO/LTU _____".

[C.No.3(8)ITR/08]


(IRFAN NADEEM)
Member (Direct Taxes)/
Additional Secretary