

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE AND PARLIAMENTARY AFFAIRS DEPARTMENT,
MUZAFFARABAD**

Dated the 28th December, 2001

No. LD/Leg/1525-32/2001. The following Act of the Assembly received the assent of the President on the 10th December, 2001 is hereby published for general information:-

(ACT XXIV OF 2001)

**AN
ACT**

to provide for levy of sales tax on services rendered or provided in Azad Jammu and Kashmir

WHEREAS it is expedient to provide for levy of sales tax on services rendered or provided in Azad Jammu and Kashmir and for matters ancillary thereto or connected therewith;

It is hereby enacted as follows:

- 1. Short title and commencement.**- (1) This Act may be called the Azad Jammu and Kashmir Sales Tax (Tax on Services) Act, 2001.
(2) It extends to whole of the Azad Jammu and Kashmir.
(3) It shall come into force at once and shall be deemed to have taken effect on the 1st day of July, 2000.
- 2. Interpretation.**- In this Act, unless there is anything repugnant in the subject or context, the words and expression used but not defined shall have same meaning as in the Sales Tax Act, 1990;
- 3. Scope of Tax.**- (1) Subject to the provisions of this Act, there shall be charged, levied and paid a tax

known as sales tax at the ¹[rate specified in column (4) of the schedule to this Act] of the value of the taxable services rendered or provided in the Azad Jammu and Kashmir.

(2) The tax shall be charged and levied on the services specified in ²[column (2)] the schedule to this Act in the same manner and at the same time, as if it were a sales tax leviable under Section ³[xxx] the Sales Tax Act, 1990.

⁴“(2-A) The following provisions of sales tax Act, 1990, shall apply, mutatis mutandis, to the services rendered or provided under this Act, namely:-

1 subsection (1) of Sec. 3 amended four time. the original extract of subsection (1) of Act XXIV of 2001 is reproduced as under:-

“(1) Subject to the provisions of this Act, there shall be charged, levied and paid a tax known as sales tax at the rate of fifteen percent of the value of the taxable services rendered or provided in the Azad Jammu and Kashmir.”

A. In subsection (1) for the words “fifteen” the words “sixteen” subs. by the AJ&K Finance Act, 2008 (Act VI of 2008) dt. 21.07.2008.

B. In subsection (1) of Sec. 3 for the words “sixteen” the words “seventeen” subs. by the

C. In subsection (1) for the words “seventeen” the words “sixteen” subs. By the AJ&K Finance Act, 2012 (Act I of 2012) dt. 10.07.2012.

D. In subsection (1) for the words “sixteen” the words “seventeen” subs. By the AJ&K Finance Act, 2013 (Act I of 2013) dt. 06.08.2013.

E. In subsection (1) for the words “rate of fifteen percent” the words “rate specified in column (4) of the schedule to this Act” subs. By the AJ&K Finance Act, 2015 (Act VI of 2015) dt. 14.07.2015.

2 Added by Ibid.

3 In subsection (2) the comma, figures and wards, “3, 3A or 3AA as the case may be” omitted by the AJ&K Finance Act, 2008 (Act VI of 2008) dt. 21.07.2008.

4 Added by the AJ&K Finance Act, 2016 (Act XXVI of 2016) dt.02.08.2016.

- a) clause b of sub-section (2), sub-section (6) and (7) of Section 3;
- b) serial number 2, in column (1) and the entries relating thereto of the fifth schedule read with Section 4;
- c) sub-section (2), (3), (6), and (7) of Section 13; and
- d) serial number 48, in column (1) and the entries relating thereto of table-1 of sixth schedule read with Section 13.

(2-B) The tax lived under sub-section (1) shall not be applicable to regulatory and licensing services rendered or provided by an organization established by or under a Federal statues.”]

(3) All the provisions of the Sales Tax Act, 1990 and rules and notifications, orders, and instructions issued thereunder shall, mutatis mutandis, apply to the collection and payment of tax under this Act in so far as they relate to-

- (a) manner, time and mode of payment;
- (b) registration and de-registration;
- (c) keeping of records and audit;
- (d) enforcement and adjudication;
- (e) penalties and prosecution; and
- (f) all other allied and ancillary matters.

1[“THE SCHEDULE

1 Schedule was subs./amended three time. The original extract of the schedule is reproduced as under:-

“SCHEDULE

-
1. **Services provided or rendered by hotels, marriage halls, lawns clubs and caterers:-**
 - (a) Services provided or rendered by hotels;
 - (b) Services provided or rendered by marriages halls and lawns;
 - (c) Services provided or rendered by clubs; and
 - (d) Services provided or rendered by caterers.
 2. **Advertisement on T.V and radio excluding advertisement:-**
 - (a) If sponsored by a Government Agency for health education;
 - (b) if sponsored by population welfare Division relating to Sathi Educational promotion campaign funded by USAID; and
 - (c) Public Service messages if telecast on television by World Wildlife Funds for Nature and UNICEF.
 3. Services provided or rendered by persons authorized to transact business on behalf of others:-
 - a) Customs agents;
 - b) Ship chandlers; and
 - c) Stevedores.
 4. Courier Services.
 5. Services provided or rendered for personal care by beauty parlours, beauty clinics, and slimming clinics.
 6. Services provided or rendered by laundries and dry cleaners.”
- A. following amendments made by the AJ&K Finance Act, 2008 (Act VI of 2008) dt. 21.07.2008:-
- (i) Cl. (b) under serial No. 1 shall be omitted.
 - (ii) Serial No. 5 and 6 omitted.
- B. The existing schedule subs. by the AJ&K Finance Act, 2015 (Act VI of 2015) dt. 14.07.2015 as under:-

“THE SCHEDULE

[See section 3(2)]

S. #	Description	Pakistan Custom Tariff (PCT) Heading if applicable	Rate of Tax
-------------	--------------------	---	--------------------

(1)	(2)	(3)	(4)
1	Services provided or rendered by hotels, motels, guest houses, marriage halls and lawns (by whatever name called) including “pandal” and “shamiana” services, clubs including race clubs, and caterers.	9801.1000 9801.3000 9801.4000 9801.5000 9801.6000	Sixteen Percent
2	Advertisement on television and radio, excluding advertisements,- (a) sponsored by an agency of the Government of Pakistan or Government for health education; (b) sponsored by the Population Welfare Division relating to educational promotion campaign; (c) financed out of funds provided by any of the Government under grant-in-aid agreement; and (d) conveying public service messages, if telecast on television by the World Wide Fund for Nature (WWF) or United Nations Children’s Fund (UNICEF)	9802.1000 and 9802.2000	Sixteen Percent
3	Services provided by persons authorized to transact business on behalf of others,- (a) stevedore; (b) customs agents; and (c) chandlers	9805.2000 9805.4000 and 9805.8000	Sixteen Percent
4	Courier Services and cargo services by road provided by courier companies.	9808.0000 9804.9000	Sixteen Percent

5	<p>Constructions services, excluding,-</p> <p>(i) construction projects (industrial and commercial) of the value (excluding actual and documented cost of land) not exceeding Rs.50 million per annum;</p> <p>(ii) the cases where sales is otherwise paid as property developers or promoters;</p> <p>(iii) Government civil works including Cantonment Boards;</p> <p>(iv) construction of industrial zones, consular buildings and other organizations exempt from income tax;</p> <p>(v) construction work under international tenders against foreign grants in aid;</p> <p>(vi) Residential construction projects where the covered area does not exceed 10,000 square feet for houses and 20,000 square feet for apartments</p>	<p>9824.0000 and 9814.2000</p>	<p>Sixteen Percent</p>
6	<p>Services provided by property developers and promoters (including allied services) excluding the actual purchase value or documented cost of land</p>	<p>9807.000 and respective sub- headings of heading 98.14</p>	<p>Rs.100 per square yard for land developme nt and Rs.50 per square feet for building constructio n</p>

7	Services provided by persons engaged in contractual execution of work, excluding,- (i) annual total value of the contractual works or supplies not exceeding Rs.50 million,- (ii) the contract involving printing or supplies of books.	9809.0000	Sixteen Percent
8	Services provided for personal care by beauty parlours, clinics and slimming clinics, body massage centers, pedicure centers; including cosmetic and plastic surgery by such parlours / clinics, but excluding,- (i) annual turnover not exceeding Rs.3.6 million; or (ii) the facility of air-conditioning not installed or available in the premises	9810.0000 9821.4000 and 9821.5000	Sixteen Percent
9	Management consultancy services.	9815.4000 9819.9300	Sixteen Percent
10	Services provided by freight forwarding agents, packers and movers	9805.3000 9819.1400	Sixteen percent or Rs.400 per bill of lading whichever is higher
11	Services provided by software or IT based system development consultants	9815.6000	Sixteen Percent
12	Services provided by technical, scientific and engineering consultants	9815.5000	Sixteen Percent
13	Services provided by other consultants including but not limited to human resource and personnel development services; market research services and credit rating services	9815.9000 9818.3000 9818.2000	Sixteen Percent

14	Services provided by tour operators and travel agents including all their allied services or facilities (other than Hajj and Umrah)	9805.5100 9805.5000 9803.9000	Sixteen Percent
15	Manpower recruitment agents including labour and manpower supplies	9805.6000	Sixteen Percent
16	Services provided by security agencies	9818.1000	Sixteen Percent
17	Services provided by advertising agents	9805.7000	Sixteen Percent
18	Share transfer or depository agents including services provided through manual or electronic book entry system used to record and maintain securities and to register the transfer of shares, securities and derivatives	9805.9000	Sixteen Percent
19	Business support services	9805.9200	Sixteen Percent
20	Services provided by fashion designers, whether relating to textile, leather, jewellery or other product regimes, including allied services, marketing, packing, delivery and display etc.	9819.6000	Sixteen Percent
21	Services provided by architects, town planners and interior decorators	9814.1000 9814.9000	Sixteen Percent
22	Services provided in respect of rent-a-car.	9819.3000	Sixteen Percent
23	Services provided by specialized workshops or undertakings (auto-workshops; workshops for industrial machinery, construction and earth-moving machinery or other special purpose machinery etc; workshops for electric or electronic equipments or appliances etc including computer hardware; car washing or similar service stations and other workshops).	98.20	Sixteen Percent

24	Services provided for specified purposes including fumigation, services, maintenances and repair (including building and equipment maintenance and repair including after sale services) or cleaning services, janitorial services, dredging or desilting services and other similar services etc.	98.22	Sixteen Percent
25	Services provided by underwriters, indenters, commission agents including brokers (other than stock) and auctioneers	9819.1100 9819.1200 9819.1300 and 9819.9100	Sixteen Percent
26	Services provided by laboratories other than services relating to pathological or diagnostic tests for patients.	98.17	Sixteen Percent
27	Services provided by health clubs, gyms, physical fitness centers, indoor sports and games centers and body or sauna massage centers	9821.1000 and 9821.2000 9821.4000	Sixteen Percent
28	Services provided by laundries and dry cleaners.	9811.0000	Sixteen Percent
29	Services provided by cable TV operators. Technical analysis and testing services.	9819.9000 9819.9400	Sixteen Percent
30	Services provided by TV or radio program producers or production houses.	--	Sixteen Percent
31	Transportation through pipeline and conduit services.	--	Sixteen Percent
32	Fund and asset (including investment) management services	--	Sixteen Percent

33	Services provided by Inland port operators (including airports and dry ports) and allied services provided at ports and services provided by terminal operators including services in respect of public bonded warehouses, excluding the amounts received by way of fee under any law or by-law.	--	Sixteen Percent
34	Technical inspection and certification services and quality control (standards certification) services.	--	Sixteen Percent
35	Erection, commissioning and installation services.	--	Sixteen Percent
36	Event management services	--	Sixteen Percent
37	Valuation services including competency and eligibility testing services.	--	Sixteen Percent
38	Exhibition or convention services.	--	Sixteen Percent
39	Services provided in respect of mining of mineral, oil and gas including related surveys and allied activities	--	Sixteen Percent
40	Services provided by property dealers and realtors.	--	Sixteen Percent
41	Call centers	--	Eighteen and a half percent
42	Services provided by car / automobile dealers.	--	Sixteen Percent"]

C. following amendments made by the AJ&K Finance Act, 2018 (Act IV of 2018) dt. 20.06.2018.

(i) Serial No.1 and entries relating thereto in column (2), (3) and (4) subs.

(ii) a new Serial No. 1-A and entries relating thereto in columns (2), (3) and (4) added.

(iii) against Serial No. 5, 8, 14, 23, 27, 28, 40 and 42, in column (4), for the words "Sixteen Percent", the words "Five Percent

[See section 3(2)]

S.	Description	Pakistan Custom Tariff (PCT) Heading if applicable	Rate of Tax
(1)	(2)	(3)	(4)
1	Services provided or rendered by hotels, motels, guest houses and clubs including race clubs.	9801.1000 9801.4000	Sixteen Percent
“1	Services provided or rendered by marriage halls, lawns (by	9801.3000 9801.5000	Five Percent subject to

subject to the condition that no input tax adjustment or refund shall be admissible” subs. and shall be deemed to have been so substituted with effect from 25.05.2017.

- (iv)** against Serial No. 10, in column (4), for the words, figures and expressions “Sixteen percent or Rs.400 per bill of lading whichever is higher”, the words, figures and expression “Five percent or Rs.1000/- per bill of lading whichever is higher subject to the condition that no input tax adjustment or refund shall be admissible” subs. and shall be deemed to have been so substituted with effect from 25.05.2017.
- (v)** against Serial No. 5, in column (2), after cl. (vi), new cl. (vii) added and shall be deemed to have been so added with effect from 30.01.2018.
- (vi)** after Serial No. 5, new Serial No. 5-A, and entries relating thereto in columns (2), (3) and (4) added and shall be deemed to have been so added with effect from 30.01.2018.
- (vii)** after Serial No. 42, new serial no 43 and corresponding entries in column (2), (3) and (4) added.

	whatever name called) including “pandal” and “shamiana” services and caterers.	9801.6000	the condition that no input tax adjustment or refund shall be admissible”
2	<p>Advertisement on television and radio, excluding advertisements,-</p> <p>(a) sponsored by an agency of the Government of Pakistan or Government for health education;</p> <p>(b) sponsored by the Population Welfare Division relating to educational promotion campaign;</p> <p>(c) financed out of funds provided by any of the Government under grant-in-</p>	<p>9802.1000</p> <p>and</p> <p>9802.2000</p>	Sixteen Percent

	aid agreement; and (d) conveying public service messages, if telecast on television by the World Wide Fund for Nature (WWF) or United Nations Children's Fund (UNICEF)		
3	Services provided by persons authorized to transact business on behalf of others,– (a) stevedore; (b) customs agents; and (c) handlers	9805.2000 9805.4000 and 9805.8000	Sixteen Percent
4	Courier Services and cargo services by road provided by courier companies.	9808.0000 9804.9000	Sixteen Percent
5	Constructions services, excluding,– (i) construction projects (industrial and commercial) of	9824.0000 and 9814.2000	Five Percent subject to the condition that no

	<p>the value (excluding actual and documented cost of land) not exceeding Rs.50 million per annum;</p> <p>(ii) the cases where sales is otherwise paid as property developers or promoters;</p> <p>(iii) Government civil works including Cantonment Boards;</p> <p>(iv) construction of industrial zones, consular buildings and other organizations exempt from income tax;</p> <p>(v) construction work under international tenders against foreign grants in aid;</p>		input tax adjustment or refund shall be admissible
--	---	--	--

	<p>(vi) Residential construction projects where the covered area does not exceed 10,000 square feet for houses and 20,000 square feet for apartments</p> <p>“(vii) Construction Services for hydro power projects in Azad Jammu and Kashmir under China Pakistan Economic Coridoor (CPEC) arrangements that shall be charged to tax under Serial No. 5-A.”</p>		
“5	Construction Services for hydro power projects in AJ&K under CPEC arrangements.	9824.0000 and 9814.2000	One Percent subject to the condition that no input tax adjustmen

			t or refund shall be admissible .”
6	Services provided by property developers and promoters (including allied services) excluding the actual purchase value or documented cost of land	9807.000 and respective sub-headings of heading 98.14	Rs.100 per square yard for land development and Rs.50 per square feet for building construction
7	Services provided by persons engaged in contractual execution of work, excluding,- (i) annual total value of the contractual works or supplies not exceeding Rs.50 million,- (ii) the contract involving printing or supplies of books.	9809.0000	Sixteen Percent
8	Services provided for personal care by beauty parlours, clinics and slimming	9810.0000 9821.4000 and	Five Percent subject to the

	clinics, body massage centers, pedicure centers; including cosmetic and plastic surgery by such parlours / clinics, but excluding,- (i) annual turnover not exceeding Rs.3.6 million; or (ii) the facility of air-conditioning not installed or available in the premises	9821.5000	condition that no input tax adjustment or refund shall be admissible
9	Management consultancy services.	9815.4000 9819.9300	Sixteen Percent
1	Services provided by freight forwarding agents, packers and movers	9805.3000 9819.1400	Five percent or Rs.1000/- per bill of lading whichever is higher subject to the condition that no input tax adjustment

			t or refund shall be admissible
1	Services provided by software or IT based system development consultants	9815.6000	Sixteen Percent
1	Services provided by technical, scientific and engineering consultants	9815.5000	Sixteen Percent
1	Services provided by other consultants including but not limited to human resource and personnel development services; market research services and credit rating services	9815.9000 9818.3000 9818.2000	Sixteen Percent
1	Services provided by tour operators and travel agents including all their allied services or facilities (other than Hajj and Umrah)	9805.5100 9805.5000 9803.9000	Five Percent subject to the condition that no input tax adjustment or refund shall be admissible

1	Manpower recruitment agents including labour and manpower supplies	9805.6000	Sixteen Percent
1	Services provided by security agencies	9818.1000	Sixteen Percent
1	Services provided by advertising agents	9805.7000	Sixteen Percent
1	Share transfer or depository agents including services provided through manual or electronic book entry system used to record and maintain securities and to register the transfer of shares, securities and derivatives	9805.9000	Sixteen Percent
1	Business support services	9805.9200	Sixteen Percent
2	Services provided by fashion designers, whether relating to textile, leather, jewellery or other product regimes, including allied services, marketing, packing, delivery and	9819.6000	Sixteen Percent

	display etc.		
2	Services provided by architects, town planners and interior decorators	9814.1000 9814.9000	Sixteen Percent
2	Services provided in respect of rent-a-car.	9819.3000	Sixteen Percent
2	Services provided by specialized workshops or undertakings (auto-workshops; workshops for industrial machinery, construction and earth-moving machinery or other special purpose machinery etc; workshops for electric or electronic equipments or appliances etc including computer hardware; car washing or similar service stations and other workshops).	98.20	Five Percent subject to the condition that no input tax adjustment or refund shall be admissible
2	Services provided for specified purposes including fumigation, services, maintenances and	98.22	Sixteen Percent

	repair (including building and equipment maintenance and repair including after sale services) or cleaning services, janitorial services, dredging or desilting services and other similar services etc.		
2	Services provided by underwriters, indenters, commission agents including brokers (other than stock) and auctioneers	9819.1100 9819.1200 9819.1300 and 9819.9100	Sixteen Percent
2	Services provided by laboratories other than services relating to pathological or diagnostic tests for patients.	98.17	Sixteen Percent
2	Services provided by health clubs, gyms, physical fitness centers, indoor sports and games centers and body or sauna massage centers	9821.1000 and 9821.2000 9821.4000	Five Percent subject to the condition that no input tax adjustment or refund shall be

			admissible
2	Services provided by laundries and dry cleaners.	9811.0000	Five Percent subject to the condition that no input tax adjustment or refund shall be admissible
2	Services provided by cable TV operators. Technical analysis and testing services.	9819.9000 9819.9400	Sixteen Percent
3	Services provided by TV or radio program producers or production houses.	--	Sixteen Percent
3	Transportation through pipeline and conduit services.	--	Sixteen Percent
3	Fund and asset (including investment) management services	--	Sixteen Percent
3	Services provided by Inland port operators (including airports and dry ports) and	--	Sixteen Percent

	allied services provided at ports and services provided by terminal operators including services in respect of public bonded warehouses, excluding the amounts received by way of fee under any law or by-law.		
3	Technical inspection and certification services and quality control (standards certification) services.	--	Sixteen Percent
3	Erection, commissioning and installation services.	--	Sixteen Percent
3	Event management services	--	Sixteen Percent
3	Valuation services including competency and eligibility testing services.	--	Sixteen Percent
3	Exhibition or convention services.	--	Sixteen Percent
3	Services provided in respect of mining of mineral, oil and gas	--	Sixteen Percent

	including related surveys and allied activities		
4	Services provided by property dealers and realtors.	--	Five Percent subject to the condition that no input tax adjustment or refund shall be admissible
4	Call centers	--	Eighteen and a half percent
4	Services provided by car / automobile dealers.	--	Five Percent subject to the condition that no input tax adjustment or refund shall be admissible
4	Telecommunication Services	98.12 (all sub-headings)	Nineteen and a half percent”

3. **Repeal.**- The Azad Jammu and Kashmir Sales Tax (Tax on Services) Ordinance, 2001 (Ordinance XLVI of 2001) is hereby repealed.

Sd/-(Irshad Ahmed
Qureshi)
Deputy Secretary