



The Andhra Pradesh Tax on Professions, Trades, Callings and Employments Act, 1987

Act 22 of 1987

Keyword(s):

Assessing Authority, Employee, Employer, Local Authority, Profession Tax, Salary or Wages

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THE ANDHRA PRADESH TAX ON PROFESSIONS, TRADES,
CALLINGS AND EMPLOYMENTS ACT, 1987.

ACT No. 22 OF 1987.*

[18th April, 1987.]

An Act to provide for the levy and collection of
a Tax on Professions, Trades, Callings and
Employments.

Be it enacted by the Legislative Assembly
of the State of Andhra Pradesh in the Thirty-
eighth Year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra Short title
Pradesh Tax on Professions, Trades, Callings and extent and
Employments Act, 1987. commence-
ment.

*Received the assent of the Governor on the 16th April,
1987. For Statement of Objects and Reasons, please see the
Andhra Pradesh Gazette, Part IV-A, Extraordinary, dated the
27th March, 1987, at page 32.

(2) it extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on such date as the Government may, by notification, appoint.

Definitions. 2. In this Act, unless the context otherwise requires:—

(a) “appellate authority” means the appellate authority appointed under section 3 ;

(b) “assessee” means a person or employer by whom tax is payable under this Act ;

(c) “assessing authority” means an assessing authority appointed under section 3 ;

(d) “Commissioner” means the Commissioner of profession tax appointed under section 3 ;

(e) “employee” means a person employed on salary or wages and includes,—

(i) an employee of the Central Government or any State Government to whom the salary is paid either from the Consolidated Fund of India or of a State ;

(ii) a person in the service of a body, whether incorporated or not, which is owned or controlled by the Central Government or any State Government where the body operates in any part of the State, even though its head-quarters may be situated outside the State ; and

(iii) a person engaged in any employment of an employer, not covered by items (i) and (ii) above ;

(f) “employer” in relation to an employee earning any salary or wages on regular basis under him, means the person or the officer who is responsible for disbursement of such salary or wages ; and

includes the head of the Office or any establishment as well as the manager or agent of the employer ;

(g) "Government" means the State Government of Andhra Pradesh ;

(h) "local authority" means—

(i) in the City of Hyderabad and in the City of Secunderabad, excluding the Cantonment area, the Municipal corporation of Hyderabad and in the city of Vijayawada, the Municipal Corporation of Vijayawada and in the city of Visakhapatnam, the Municipal Corporation of Visakhapatnam and in any other Municipality, the Municipal Council concerned;

(ii) in any area which is comprised within the jurisdiction of Gram Panchayat, the Gram Panchayat concerned ; and

(iii) in any other area, the authority legally entitled to or entrusted by the Government with the control or management of a profession tax ;

(i) "notification" means a notification published in the Andhra Pradesh Gazette, and the word 'notified' shall be construed accordingly ;

(j) "person" means any person who is engaged in any profession, trade, calling or employment in the State of Andhra Pradesh and includes a Hindu undivided family, firm, company, corporation or other corporate body, any society, club or association, so engaged but does not include any person who earns wages on a casual basis.

Explanation : Every branch of a firm, company, corporation or other corporate body, any society, club or association shall be deemed to be a person ;

(k) "prescribed" means prescribed by rules made by the Government under this Act,

(l) "profession tax" means a tax leviable under this Act ;

(m) "salary or wages" includes pay or wages, dearness allowances and all other remunerations received by any assessee on regular basis, whether payable in cash or kind and also includes requisitions and profits in lieu of salary as defined in section 17 of the Income-tax Act, 1961, but does not include bonus in any form and on any account or gratuity ;

Central Act
43 of 1961.

(n) "Schedule" means a Schedule appended to this Act ;

(o) "year" means the twelve months ending on the 31st day of March.

Appointment
of a Commi-
ssioner and
other
officers.

3. (1) The Government may, by notification, appoint a Commissioner of Profession Tax to exercise the powers and perform the functions conferred on or entrusted to him by or under this Act.

(2) The Government may also appoint an assessing authority, appellate authority and such number of other officers as they deem fit for the purpose of exercising the powers and performing the functions respectively conferred on or entrusted to them by or under this Act.

Levy and
charge of
tax.

4. (1) There shall be levied and collected a tax on professions, trades, callings and employments for the benefit of the State.

(2) Every person engaged in any profession, trade, calling or employment in the State and falling under any one or other of the classes specified in column (2) of the First Schedule, shall be liable to pay a tax at the rate specified in the corresponding entry in column (3) thereof.

5. (1) The tax payable under this Act, by any person earning a salary or wage, shall be deducted by his employer from the salary or wage payable to such person, before such salary or wage is paid to him, and such employer shall, irrespective of whether such deduction has been made or not, when the salary or wage is paid to such persons, be liable to pay tax on behalf of all such persons :

Employer's liability to deduct and pay tax on behalf of employees.

Provided that, where the employer is an officer of the State Government or the Central Government, the manner in which such employer shall discharge the said liability shall be such as may be prescribed :

Provided further that, where any person earning a salary or wage—

(a) is also covered by one or more entries other than entry 1 in the First Schedule and the rate of tax under any such other entry is more than the rate of tax under entry 1 in that Schedule ; or

(b) is simultaneously engaged in employment of more than one employer ;

and such person furnishes to his employer or employers a certificate in the prescribed form declaring, inter-alia, that he shall get enrolled under sub-section (2) of section 6 and pay the tax himself ; then the employer or employers of such person shall not deduct the tax from the salary or wage payable

to such person and such employer or employers, as the case may be, shall not be liable to pay tax on behalf of such person.

Registration
and enrol-
ment.

6. (1) Every assessee (not being an officer of the State Government or the Central Government) liable to pay tax under section 5 shall obtain a certificate of registration from the assessing authority in the prescribed manner.

(2) Every assessee (other than a person earning salary or wages, in respect of whom the tax is payable by his employer), liable to pay tax under this Act, shall obtain a certificate of enrolment from the assessing authority in the prescribed manner.

(3) Every assessee required to obtain a certificate of registration or enrolment under this section shall,—

(a) within thirty days from the date of commencement of this Act ; or

(b) if he was not engaged in any profession, trade, calling or employment on the date of such commencement, within thirty days of his becoming liable to pay tax ;

apply for a certificate of registration or enrolment or a revised certificate of enrolment, as the case may be to the assessing authority in the prescribed form and, the assessing authority shall after making such enquiry as may be necessary within thirty days of the receipt of the application (which period in the first year from the commencement of this Act, shall be extended to ninety days) if the application is in order, grant him such certificate of registration or enrolment.

(4) The assessing authority, shall mention in every certificate of enrolment, the amount of tax payable by the holder according to the First Schedule and the date by which it shall be paid, and such certificate shall serve as a notice of demand for purpose of section 12.

(5) Where an assessee liable to registration or enrolment has wilfully failed to apply for such certificate within the time specified in sub-section (3), the assessing authority may, after giving him a reasonable opportunity of being heard, impose a penalty which shall not be less than rupees ten but which shall not exceed rupees twenty for each day of delay in case of an employer and not exceeding rupees five for each day of delay in case of others.

(6) Where an assessee liable to registration or enrolment has deliberately given false information in any application submitted under this section, the assessing authority may, after giving him a reasonable opportunity of being heard, impose a penalty which shall not be less than rupees one hundred but which shall not exceed rupees one thousand.

7. (1) Every assessee registered under this Act, ^{Returns.} shall submit to the assessing authority a return in such form, for such period or periods and by such dates as may be prescribed showing therein the salaries and wages paid by him and the amount of tax deducted by him in respect thereof.

(2) Every such return shall be accompanied by a treasury challan in proof of payment of full amount of tax due according to the return, and return without such proof of payment shall not be deemed to have been duly submitted.

(3) Where an assessee has without reasonable cause failed to submit such return within the specified

period, the assessing authority may, after giving him a reasonable opportunity of making representation impose upon him a penalty which shall not be less than rupees five but which shall not exceed rupees one hundred for each day of delay.

Assessment
of an
assessee.

8. (1) If the assessing authority is satisfied that the return submitted by an assessee is correct and complete, it may accept the return. If the return appears to it to be incorrect or incomplete it shall, after giving the assessee a reasonable opportunity of proving the correctness or completeness of the return submitted by him and making such enquiry as it deemed necessary, assess to the best of its judgment, the amount of tax due from the assessee.

(2) The amount of tax due from any assessee shall be assessed separately for each year within a period of four years from the expiry of the year to which the assessment relates.

(3) If any assessee has failed to get himself registered or having been registered, has failed to submit any return, the assessing authority shall, after giving the assessee a reasonable opportunity of making representation and after making such inquiry as he deems necessary pass an order assessing the amount of tax due, to the best of its judgment.

(4) The amount of tax so assessed shall be paid within fifteen days of receipt of the notice of demand from the assessing authority.

(5) In making an assessment under sub-section (1), the assessing authority if it is satisfied that the escaped assessment was due to wilful non-disclosure of information or attempt to evade the tax by the assessee, the assessing authority may also direct to pay in addition to the tax assessed, a penalty which

shall not be less than one and half times the tax so assessed but which shall not exceed three times the tax so assessed :

Provided that no penalty under this sub-section shall be imposed unless the assessee affected has had a reasonable opportunity of showing cause against the imposition of such penalty.

9. If for any reason any tax payable under this Act, has escaped assessment or has been under assessed or assessed at a lower rate than the rate at which it is assessable, the assessing authority may at any time within four years from the expiry of the year to which the tax relates, proceed to assess or reassess the tax, as the case may be, to the best of its judgment after issuing a notice to the assessee concerned and after making such enquiry as it considers necessary :

Assessment
of escaped
or under
assessed tax.

Provided that the tax shall be charged at the rate at which it would have been charged if such tax had not escaped assessment or, as the case may be, had not been under assessed or assessed at a rate lower than the rate at which it was assessable.

10. The amount of tax due from the assessee for each year as specified in their enrolment certificate shall be paid,—

Payment of
tax by certain
assessee.

(a) before 30th June, in respect of an assessee who stands enrolled before the commencement of a year or is enrolled on or before the 31st May of a year ; and

(b) within one month of the date of enrolment in respect of an assessee who is enrolled after the 31st May of a year ;
in the prescribed manner.

Consequences
of failure to
deduct or
to pay tax.

11. (1) If an assessee (not being an officer of the State Government or the Central Government) does not deduct the tax at the time of payment of salary or wages or after deducting, fails to pay the tax as required by or under this Act, he shall—

(a) be deemed to be an assessee in default in respect of the tax ; and

(b) be liable to pay such interest as may be prescribed on the amount of tax due for each month or part thereof for the period for which the tax remains unpaid.

(2) If an enrolled person fails to pay the tax as required by or under this Act, he shall be liable to pay interest at the rate and in the manner laid down in sub-section (1).

Penalty for
non-payment
of tax.

12. If any assessee fails, without reasonable cause to make payment of any amount of tax within the time specified in the notice of demand, the assessing authority may, after giving him a reasonable opportunity of making his representation, impose upon him a penalty which shall not be less than twenty-five per cent but not exceeding fifty per cent of the amount of tax due. This penalty shall be in addition to the interest payable under sub-section (1) or sub-section (2) of section 11.

Recovery of
tax, etc.

13. The arrears of tax, penalty, interest or any other amount due under this Act, shall be recoverable as an arrear of land revenue.

Appointment
of collecting
agents.

14. (1) The Government may, for carrying out the purposes of this Act, appoint any Government Department officer, or local authority as its agent (hereinafter called "the collecting agent") who shall be responsible for the collection of the tax under this

And, from such assessee or class of assessee as may be prescribed and thereupon it shall be the duty of such collecting agent to carry out the functions under this Act, in such manner as may be prescribed and to render full and complete account of the tax collected, to the Commissioner in such manner and at such time as may be prescribed.

(2) The collecting agent and every Officer authorised by it in this behalf shall, for the purposes of collection of the tax, have all the powers of the assessing authority and also any other powers that may be prescribed.

(3) A local authority appointed as a collecting agent under sub-section (1), shall be paid such collection charges as may be determined by the Government.

(4) It shall be lawful for the Commissioner or any Officer duly authorised by him, to have access to and to require production and examination of books, registers, accounts or documents maintained or required to be maintained by the collecting agent for the purposes of this Act and the collecting agent shall, whenever called upon so to do produce such books, registers, accounts or documents for inspection.

15. (1) Any assessee (not being an officer of Appeals, the State Government or the Central Government) aggrieved by any order passed by any authority under the provisions of this Act, not being an order passed under sub-section (3) of section 8, may within thirty days from the date on which the order was served on him, appeal to the appellate authority:

Provided that the appellate authority may for sufficient cause shown admit an appeal preferred after the expiry of the period of thirty days aforesaid.

(2) No appeal shall be entertained, unless the amount of tax or penalty or interest in respect of which the appeal has been preferred has been paid in full.

(3) The appeal shall be in such form and verified in such manner as may be prescribed and shall be accompanied by a fee calculated at the rate of two percent of the tax, penalty or interest under dispute, subject to a minimum of rupees fifty and a maximum of rupees one thousand.

(4) The appellate authority may after giving the appellant an opportunity of being heard and subject to such rules of procedure as may be prescribed:-

(a) confirm, reduce, enhance, or annul or otherwise modify the assessment, penalty or interest as the case may be ;

(b) set aside the assessment, penalty or interest as the case may be and direct the assessing authority to pass a fresh order after such further inquiry as may be directed ; or

(c) pass such other orders as it may think fit.

(5) Before passing orders under sub-section (4), the appellate authority may make such inquiry as it deems fit or remand the case to any subordinate officer or authority for an inquiry and report on any specified point or points.

(6) Every order passed in appeal under this section shall, subject to the provisions of section 16, be final.

Revision

16. (1) The Commissioner may, either suo-motu or on an application made to him, call for and examine the record of the assessing authority or as the

case may be, of the appellate authority in respect of any proceeding to satisfy himself as to the regularity of any such proceeding or the correctness, legality or propriety of any decision taken or order passed therein and may pass such order thereon as he deems fit.

(2) No application under sub-section (1) shall be entertained if it is not made within a period of four months from the date of receipt of the order and unless it is accompanied by a fee calculated at the rate of two per cent of the tax or penalty under dispute subject to a minimum of rupees one hundred and a maximum of rupees two thousand.

(3) The powers of revision shall be exercised within such period not exceeding four years from the date on which the order was served on the assessee.

(4) No order which adversely affects any assessee shall be passed under this section, unless such assessee has been given a reasonable opportunity of being heard.

(5) Where the Commissioner rejects any application for revision under this section, he shall record the reasons for such rejection.

17. (1) If the assessing authority is satisfied that the books of account and other documents maintained by an assessee in the normal course of his business are not adequate for verification of the returns submitted by the employer under this Act, it shall be lawful for the assessing authority to direct the employer to maintain the books of account or other documents in such manner as he may in writing direct, and thereupon the assessee shall maintain such books or other documents accordingly.

(2) Where an assessee wilfully fails to maintain the books of accounts or other documents as

directed under sub-section (1), the assessing authority may, after giving him a reasonable opportunity of being heard, impose a penalty not exceeding rupees five for each day of delay.

Special
mode.

18. (1) Notwithstanding anything contained in any law or contract to the contrary, the Commissioner may, by notice in writing, a copy of which shall be forwarded to the assessee at his last address known to the assessing authority, require,—

(a) any person from whom any amount of money is due, or may become due to an assessee on whom notice of demand has been served under this Act ; or

(b) any person who holds or may subsequently hold money for or on account of such assessee, to pay the assessing authority, either forthwith upon the money becoming due or being held or at or within the time specified in the notice (but not before the money becomes due or is held as aforesaid), so much of the money as is sufficient to pay the amount due by the assessee in respect of the arrears of tax, penalty or interest under this Act, or the whole of the money when it is equal to or less than that amount.

*Explanation:—*For the purpose of this section, the amount of money due to an assessee from, or money held for or on account of an assessee by any person shall be calculated after deducting therefrom such claims if any lawfully subsisting, as may have fallen due for payment by such assessee to such person.

(2) The Commissioner may amend or revoke any such notice, or extend the time for making any payment in pursuance of the notice.

(3) Any person making any payment in compliance with a notice under this section shall be

deemed to have made the payment under the authority of the assessee and the receipt of the assessing authority shall constitute a good and sufficient discharge of the liability of such a person, to the extent of the amount referred to in the receipt.

(4) Any person discharging any liability to the assessee after receipt of the notice referred to in this section, shall be personally liable to the assessing authority to the extent of the liability discharged, or the extent or the liability of the assessee for the amount due under this Act, whichever is less.

(5) Where any person to whom a notice under this section is sent proves to the satisfaction of the assessing authority that the sum demanded or any part thereof is not due by him to the assessee or that he does not hold any money for or on account of the assessee then nothing contained in this section shall be deemed to require such person to pay any such sum or part thereof, as the case may be, to the assessing authority.

(6) Any amount of money which a person is required to pay to the assessing authority or for which he is personally liable to the assessing authority under this section, shall if it remains unpaid be recoverable as an arrear of land revenue.

19. Where the ownership of the profession, trade, calling, or employment of an assessee liable to pay tax is transferred, any tax, penalty or interest or other amount payable under this Act, in respect of such business and remaining unpaid at the time of the transfer, may without prejudice to any action that may be taken for its recovery from the transferor, be recoverable from the transferee as if he were the assessee liable to pay such tax, penalty or interest or other amount.

Recovery of
tax where
trade, calling
etc. of em-
ployer is
transferred.

Production
and inspection
of accounts and
documents
and search
of premises.

20. Any officer or authority under this Act, may inspect and search any premises, where any profession, trade, calling or employment liable to tax under this Act, is carried on or is suspected to be carried on and may require production and examination of books, registers, accounts or documents relating thereto and may seize such books, registers, accounts or documents as may be necessary :

Provided that, if the said officer or authority removes from the said premises any book, register, account or document, he or it shall give to the person incharge of the place, a receipt describing the book, register, account or document so removed and retain the same only for so long as may be necessary for the purpose of examination thereof or for the prosecution.

Refund of
excess.

21. The assessing authority shall refund to the assessee the amount of tax, penalty, interest or other amount, if any, paid by such assessee in excess of the amount due from him. The refund may be made either by cash or, at the option of the assessee by deduction of such excess from the amount of tax, penalty, interest or other amount due in respect of any other period :

Provided that, the assessing authority shall first apply such excess towards the recovery of any amount due in respect of which a notice under section 8 has been served, and shall then refund the balance, if any.

Offences
and penalties

22. Any assessee who, without sufficient cause, fails to comply with any of the provisions of this Act or the rules made thereunder shall, on conviction, be punished with fine which shall not be less than five hundred rupees but shall not exceed five

thousand rupees, and, when the offence is a continuing one, with fine which shall not be less than ten rupees but shall not exceed fifty rupees per day during the period of the continuance of the offence.

23. (1) Where an offence under this Act, has been committed by a company, every person who at the time the offence was committed was in charge of and was responsible to the company for the conduct of the business of the company as well as the company shall be deemed to be guilty of the offence and shall, be liable to be proceeded against and punished accordingly :

Offences by
Companies.

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, Secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section:—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director” in relation to a firm means a partner in the firm.

Power to
transfer
proceedings.

24. The Commissioner may, after giving the parties a reasonable opportunity of being heard, wherever it is possible so to do, and after recording his reason for doing so, by order in writing transfer any proceedings or class of proceedings under any provision of this Act, from himself to any other officer, and he may likewise transfer any such proceedings (including a proceeding pending with any officer or already transferred under this section) from any officer to any other officer or to himself:

Provided that, nothing in this section shall be deemed to require any such opportunity to be given where the transfer is from any officer and the offices of both are situated in the same city, locality or place.

Explanation.—In this section, the word “proceedings” in relation to any assessee concerned is specified in any order issued thereunder means all proceedings under this Act, in respect of any year, which may be pending on the date of such order or which may have been completed on or before such date, and includes also all proceedings under this Act, which may be commenced after the date of such order in respect of any year in relation to such assessee.

Compound-
ing of offen-
ces.

25. (1) The assessing authority may, either, before or after the institution of proceedings for an offence under this Act, permit any assessee, charged with the offence to compound the offence on payment of such sum, not exceeding five thousand rupees or double the amount of tax recoverable, whichever is greater.

(2) On payment of such sum as may be determined by the assessing authority under sub-section (1), no further proceedings shall be taken against the person in respect of the same offence.

(3) Any order passed or proceeding recorded by the assessing authority under sub-section (1),

shall be final and no appeal or application for revision shall lie therefrom.

26. The Commissioner, and other authorities under this Act, shall have the same powers as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit, for the purpose of enforcing the attendance of and examining any person on oath or affirmation or for compelling the production of any document.

Powers to enforce attendance, etc. Central Act V of 1908.

27. No court shall entertain any suit, or other proceeding to set aside or modify, or question the validity of any assessment, order or decision made or passed by any officer or authority under this Act or the rules made thereunder or in respect of any other matter falling within its or his scope.

Bar of jurisdiction of courts.

28. No suit, prosecution, or other proceedings shall lie against the Government or any officer, authority or person empowered to exercise the powers and perform the functions by or under this Act, for anything which is in good faith done or intended to be done under this Act or the rules or orders made thereunder.

Protection of acts done in good faith.

29. The Commissioner may, subject to such conditions and restrictions as the Government may by general or special order impose, by order in writing delegate to any officer or authority subordinate to him, either generally or as respects any particular matter or class of matters any of his powers under this Act.

Power to delegate.

30. (1) The Government may, by notification, make rules to carry out all or any of the purposes of this Act.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may

provide for the fees payable in respect of any applications to be made, forms to be supplied, certificates to be granted and appeals and applications for revision to be made under this Act and also any applications for certified copies of documents filed and orders made under this Act.

(3) Every rule made under this Act shall immediately after it is made, be laid before the Legislative Assembly of the State if it is in session, and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions and if, before the expiration of the session in which it is so laid or the session immediately following the Legislative Assembly agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to
exempt.]

31. The Government may, by notification, make an exemption or reduction in the rate of tax payable under this Act by any specified class of assessee subject to such restrictions and conditions as may be specified in the notification.

Local authorities not to
levy profession tax.]

32. Notwithstanding anything in any enactment governing the constitution or establishment of a local authority, no local authority shall, on or after the commencement of this Act, levy any tax on professions, trades, callings or employments.

Amendment
of certain
enactments.

33. (1) The enactments specified in column (2) of the Second Schedule are hereby amended in the manner and to the extent specified in the corresponding entry in column (3) thereof :

Provided that, nothing in the said amendment shall affect or be deemed to affect,—

(i) any right, obligation or liability already acquired, accrued or incurred or anything done or suffered, in respect of any period preceding the date of coming into force of these amendments ;

(ii) any legal proceedings or remedy whether initiated or availed of before or after the date of coming into force of these amendments, in respect of any such right, obligation or liability.

(2) The levy, assessment or recovery of any tax or the imposition or recovery of any penalty in respect of such period, under the provisions of the relevant enactments and all proceedings under them in respect of all matters aforesaid shall be initiated and disposed of, or continued and disposed of, as the case may be, as if this Act had not been enacted.

34. Notwithstanding anything in any law for the time being in force no cess shall be levied, on tax on professions, trades, callings and employments under any such law and the provisions in such law authorising such levy and collection shall, on and from the date of commencement of this Act, stand repealed.

Cesses not
levied in
certain cases

35. Out of the proceeds of the tax, penalties, interest or other amounts recovered under this Act, there shall be paid annually to such local authorities as were levying a tax on professions, trades, callings and employments, immediately before the commencement of this Act, such amounts on the basis of the highest collections of such taxes, penalties and interest made by them in any year during the period of three years immediately preceding such commencement as may be determined by the Government in this behalf.

Grant to
local authorities
for loss
of revenue.

Power to
remove
difficulties.

36. If any difficulty arises in giving effect to the provisions of this Act, the Government may by notification, make such provisions, not inconsistent with this Act, as appears to them to be necessary or expedient for removing the difficulty.

Power to
amend
First Schedule.

37. (1) The Government may, by notification, alter, add to or cancel any item or entry in the First Schedule.

(2) Where a notification has been issued under sub-section (1), there shall, unless the notification is in the meantime rescinded, be introduced in the Legislative Assembly, as soon as may be, but in any case during the next session of the Legislative Assembly following the date of the issue of the notification, a Bill on behalf of the Government, to give effect to the alteration, addition or cancellation, as the case may be, of the said Schedule specified in the notification and the notification shall cease to have effect when such Bill becomes law, whether with or without modifications, but without prejudice to the validity of anything previously done thereunder :

Provided that if the notification under sub-section (1) is issued when the Legislative Assembly is in session, such Bill shall be introduced in the Legislative Assembly during that session :

Provided further that where for any reason a Bill as aforesaid does not become law within six months from the date of its introduction in the Legislative Assembly, the notification shall cease to have effect on the expiration of the said period of six months.

(3) All references made in this Act, to any items or entries of the said Schedule shall be construed as relating to the item of the Schedule as for the time being amended in exercise of the powers conferred by this section.

FIRST SCHEDULE

(Sec Section 3)

<i>Serial Number.</i>	<i>Class of Assessee.</i>	<i>Rate of Tax per Month.</i>
(1)	(2)	(3)
1.	Salary and Wage earners. Such persons whose monthly salaries or wages:—	Rs.
	(i) does not exceed Rs. 1,000/-	Nil
	(ii) exceeds Rs. 1,000/- but does not exceed Rs. 1,250/-	Rs. 6/-
	(iii) exceeds Rs. 1,250/- but does not exceed Rs. 1,500/-	Rs. 9/-
	(iv) exceeds Rs. 1,500/- but does not exceed Rs. 1,750/-	Rs. 12/-
	(v) exceeds Rs. 1,750/- but does not exceed Rs. 2,000/-	Rs. 15/-
	(vi) exceeds Rs. 2,000/- but does not exceed Rs. 2,250/-	Rs. 18/-
	(vii) exceeds Rs. 2,250/-	Rs. 20/-
2.	(a) Legal practitioners including solicitors and notaries public ;	
	(b) Medical Practitioners including Medical consultants, Dentists, Radiologists, Pathologists and persons engaged in similar other professions or callings of a paramedical nature ;	
	(c) Technical and professional consultants other than those mentioned in item (b), but including Architects, Engineers, R. C. C. Consultants, Plumbers, Electricians, Tax Consultants including Income-Tax and Sales Tax Practitioners, Chartered Accountants, Actuaries, Cost Accountants and Management Consultants ,	

(1)	(2)	(3)
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Where the standing in the profession of any of the persons mentioned above—

(A) In any local area comprised in any Municipal Corporation or Selection Grade or Special Grade Municipality is—

(i) less than three years	Nil
(ii) three years or more but less than five years	Rs. 150/- per annum
(iii) five years or more	Rs. 250/- do.

(B) In any other area in the State is :—

(i) less than three years	Nil
(ii) three years or more but less than five years	Rs. 100/- per annum
(iii) five years or more but less than ten years	Rs. 150/- per annum
(iv) ten years or more	Rs. 250/- per annum

Central Act IV of 1938. 3. Chief Agents, Principal Agents, Special Agents, Insurance Agents and Surveyors or Loss Assessors registered or licenced under the Insurance Act, 1938 whose annual income—

(i) does not exceeds Rs. 12,000/-	Nil
(ii) exceeds Rs. 12,000/- but does not exceed Rs. 15,000/-	Rs. 72/- per annum
(iii) exceeds Rs. 15,000/- but does not exceed Rs. 18,000/-	Rs. 102/- per annum
(iv) exceeds Rs. 18,000/- but does not exceed Rs. 21,000/-	Rs. 144/- per annum
(v) exceeds Rs. 21,000/- but does not exceed Rs. 24,000/-	Rs. 180/- per annum
(vi) exceeds Rs. 24,000/- but does not exceed Rs. 27,000/-	Rs. 216/- per annum
(vii) exceeds Rs. 27,000/-	Rs. 250/- per annum

(1)	(2)	(3)	
4. (a) Members of Associations recognised under the Forward Contracts (Regulation) Act, 1952.	Rs. 250/- per annum.	Central Act LXIV of 1952.	
(b) (i) Members of Stock Exchanges recognised under the Security Contracts (Regulation) Act, 1956.	Rs. 250/- per annum.	Central Act XLII of 1956.	
(ii) Remisers recognised by a stock exchange.	Rs. 150/- per annum.		
5. Estate Agents, Brokers, Commission Agents, Deccredare Agents, Advertising Agents, Clearing and Forwarding Agents, Auctioners, Contractors of all types and Suppliers of material on hire.	Rs. 250/- per annum.		
6. Directors (other than those nominated by the Government) of Companies registered under the Companies Act, 1956.	Rs. 250/- per annum.	Central Act I of 1956.	
7. (a) Book Makers and Trainers licensed by the Hyderabad Race Club or any other Race Club or turf club in the State.	Rs. 250/ per annum.		
(b) Owners of Race Horses	Rs. 250/ per annum.		
(c) Jakeys licensed by any Race Club or turf club in the State.	Rs. 150/ per annum.		
3. Self employed assesses in the motion picture industry as follows :—			
(a) Directors, Actors and Actresses (Excluding junior artists) Writers, Lyricists, Playback Singers, Cameramen, Recordists, Editors and still photographers.	Rs. 250/ per annum.		
(b) Film Producers, Film Distributors, owners of film processing laboratories.	Rs. 250/ per annum.		
(c) Junior Artists, Production Managers, Assistant Directors, Assistant Cameraman, Assistant Recordists, Assistant Editors, Musicians and Dancers:	Rs. 150/ per annum.		

	(1)	(2)	(3)
Act VI of 1957.	9. Dealers under the Andhra Pradesh General Sales Tax Act, 1957 whether registered or not whose total turnover in any year—		
	(i) does not exceed Rs. 1,00,000/		Nil
	(ii) exceeds Rs. 1,00,000/ but does not exceed Rs. 2,00,000/		Rs. 75/ per annum.
	(iii) exceeds Rs. 2,00,000/ but does not exceed Rs. 3,00,000/		Rs. 150/ per annum.
	(iv) exceeds Rs. 3,00,000/		Rs. 250/ per annum.
Central Act LXIII of 1948.	10. Occupiers of factories as defined under the Factories Act, 1948 who are not dealers covered by entry 9. Such occupiers of factories :—		
	(i) Where not more than fifteen workers are working.		Rs. 150/ per annum.
	(ii) where more than fifteen workers are working.		Rs. 250/ per annum.
Act 75 of 1966.	11. Employers of establishments as defined under the Andhra Pradesh Shops and Establishments Act, 1966 who are not dealers covered by entry 9—		
	(i) where there are no employees		Nil
	(ii) Where not more than five employees are employed.		Rs. 50/- per annum.
	(iii) where more than five but not more than ten employees are employed.		Rs. 150/- per annum.
	(iv) where more than ten employees are employed.		Rs. 250/- per annum.
	12. (a) Owners (or lessees) of diesel/ petrol filling stations (oil pumps), Service Stations, Garrages and workshop of Auto Mobiles.		
			Rs. 250/- per annum.

(1)	(2)	(3)
(b) Owners (or lessees) of Jute Mills Rice Mills, Oil Mills, Spinning Mills, Paper Mills, Dhall Mills, Powerlooms, Mini Steel Plants, Re-rolling Mills, Khandasari Sugar factories, Sugar Factories, Foundaries, Tanneries, Stone Crushers, Floor Mills, Bottling Units, Distilleries, Arrac Blending Units, Tiles Factories, Biscuit Factories, Chemical and Pharmaceutical Laboratories, Furniture making Units, Printing Presses (with power), Fruit Canning Units.		Rs. 250/- per annum.
(c) Owners (or lessees) of Nursing Homes, Hospitals, 'X' Ray Clinics, Beauty Clinics or Parlors, Pathological Laboratories, Tutorial Colleges or Institutions, Type- writing / or Shorthand Institutions.		Rs. 250/- per annum.
(d) Owners (or lessees) of Oil Gueries (with power), Oil Rotaries (with power) Huller Mills, Cashew Factories, Decorticat- ing Mills, Saw Mills, Cotton Ginning/ or Pressing Factories Small Floor Mills (work- ing on hire basis), Gun manufacturing Units, Bakeries, Hosiery Manufacturing Units, Cement Flooring or Stone Manufacturing Units		Rs. 200/- per annum.
(e) Owners or lessees of weighbridges, and Jute baling presses.		Rs. 150/- per annum.
13. (a) Licensed liquor Vendor. (b) Employers of residential Hotels (c) Proprietors of Cinemas Houses and theatres. (d) Proprietors of Video (e) Licensees of Arrackshops and toddy shops.		Rs. 250/- per annum.
14. (a) Holders of permits for transport vehicles granted under the Motor Vehicles Act, 1939 which are used or adopted to be used for hire or reward where any such asses- see holds permit or permits for any light motor vehicles, trucks or buses:-		Central Act IV of 1939.

	(1)	(2)	(3)
	(i) in respect of each light motor vehicle (used other than as private carrier);		Rs. 50/- per annum.
	(ii) in respect of each truck or bus provided that the total amount payable by the same holder shall not exceed Rs. 250/- per annum.		Rs. 100/- per annum.
	(b) Transport companies and Transport Contractors.		Rs. 250/- per annum.
	(c) Shippers, shipping companies, exporters and importers.		Rs. 250/- per annum.
	15. (a) Money lenders licensed under the law relating to money lenders for the time being in force in the State.		Rs. 250/- per annum.
	(b) Bankers who are financing the Trade against hundies or other securities by way of short term advance on interest.		Rs. 250/- per annum.
	16. Individuals or Institutions conducting Chit Funds.		Rs. 250/- per annum.
Act 7 of 1964.	17. Co-operative Societies registered under the Andhra Pradesh Co-operative Societies Act, 1964 and engaged in any professions, trades or callings :-		
	(i) State level societies.		Rs. 250/-per annum.
	(ii) Co-operative Sugar Factories, Spinning Mills, Rice Mills, Banks and Super Bazaars.		Rs. 250/- per annum.
	(iii) District level Societies.		Rs. 150/-per annum.
	(iv) any other societies.		Rs. 100/-per annum.
Central Act X of 1949.	18. Banking Companies as defined in the Banking Regulation Act, 1949—		
	(i) Scheduled Banks		Rs.250/-per annum.
	(ii) Other Banks		Rs.150/- per annum.
Central Act 1 of 1956.	19. Companies Registered under the Companies Act, 1956 and engaged in any profession, trade or calling.		Rs. 250/-per annum.

(1)	(2)	(3)	
20. Firms registered under the Indian Partnership Act, 1932 and engaged in any profession, trade or calling.	Rs. 250/- per annum		Central Act IX of 1932.
21. Persons, other than those mentioned in any of the preceding entries, who are engaged in any profession, trade or calling or employment.	Rs. 250/- per annum		

Explanation No. I—Notwithstanding anything contained in this Schedule where an assessee is liable to pay income tax, the rate of tax under this Act shall be Rs. 250/- per annum.

Explanation No. II—Notwithstanding any thing in the Schedule, every branch of any self-employed assessee enumerated in items 2 to 21 of the Schedule shall be deemed to be a separate assessee for the purpose of levy of profession tax specified in the Schedule.

Explanation No. III—Notwithstanding anything contained in this Schedule where an assessee is covered by more than one entry in this Schedule the highest rate of tax specified under any of those entries shall be applicable in this case.

Explanation No. IV—For the purpose of determining the liability and the rate of tax in regard to entries in Serial Nos. 10 and 11 in this Schedule, the higher number of workers or employees at any time during the year shall be reckoned as the basis

SECOND SCHEDULE

Sl. No.	Short title, number of enactments	Amendments
(1)	(2)	(3)
1.	The Hyderabad Municipal Corporation Act, 1955 (Act No. II of 1956)	(a) In section 197, in sub-section (1) clause (i), Sub-clause (e) shall be omitted. (b) Section 257 shall be omitted:

(1)	(2)	(3)
		(c) In section 277, in sub-section (1) the words "or profession tax" shall be omitted;
		(d) In section 278, the words "or profession tax" shall be omitted ;
		(e) Schedule I shall be omitted.
2. The Andhra Pradesh Gram Panchayats Act, 1954 (Act No. 2 of 1954.)	(a) In section 69 in sub-section (1), clause (b) shall be omitted ;	
	(b) section 72 shall be omitted ;	
	(c) In Section 79, in sub-section (2), in clause (i), the words "the profession tax" shall be omitted ;	
	(d) In Schedule II—	
	(i) the words "C-Profession tax Levy of Maximum and Minimum Rates" and rules 14 to 21 shall be omitted ;	
	(ii) In rule 27, for clause (b), the following clause shall be substituted namely :—	
	"(b) the imposition by the executive authority of tax on any vehicle; and;	
	(iii) in rule 33,—	
	(a) in sub-rule (2), the expression "rule 19 or" and the word "Occupation" shall be omitted.	
	(b) in sub-rule (3), the expression "rule 19 or" shall be omitted ;	
	(iv) in rule 34, the expression "rule 19 or" shall be omitted ;	
	(e) Appendix 'A' shall be omitted.	

(1)	(2)	(3)
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3. The Andhra Pradesh Municipalities Act, 1965 (Act No. 6 of 1965)

(a) In section 81, in sub-section (1), in clause (a), sub-clause (ii) shall be omitted;

(b) The heading "(ii) Profession Tax, and sections 96 to 102" shall be omitted;

(c) In section 326, in sub-section (2), in clause (m), the words "profession tax" shall be omitted.

(d) In Schedule II,

(i) the heading "Assessment of Profession tax" and rule 17 to 20 shall be omitted.

(ii) in rule 22, in sub-rule (1), clause (c) shall be omitted ;

(iii) In rule 25, in clause (a), in sub-clause (i) for the expression "in sections 99 and 109" the expression "in section 109" shall be substituted ;

(iv) In rule 29, the expression "section 99 or" in the two places where it occurs shall be omitted;

(v) In rule 30, in sub-rule (i), for the expression "in sections 99 and 109" the expression "in section 109" shall be substituted.

THE ANDHRA PRADESH TAX ON
PROFESSIONS, TRADES, CALLINGS AND
EMPLOYMENTS (AMENDMENT) ACT, 1996.

ACT No. 29 OF 1996.

[17th October, 1996.]

AN ACT TO AMEND THE ANDHRA PRADESH TAX ON
PROFESSIONS, TRADES, CALLINGS AND
EMPLOYMENTS ACT, 1987.

Be it enacted by the Legislative
Assembly of the State of Andhra Pradesh in
the Forty-seventh Year of the Republic of
India as follows:-

*Received the assent of the Governor on the 15th
October, 1996. For Statement of objects and Reasons,
Please see Andhra Pradesh Gazette, Part IV-A, Extra-
ordinary, dated the 24th September, 1996 at Page 16.

Short title 1. (1) This Act may be called the
and Commence- Andhra Pradesh Tax on Professions,
ment. Trades, Callings and Employments (Amend-
ment) Act, 1996.

(2) It shall be deemed to have come
into force on the 1st August, 1996.

Amendment of Section 10. 2. In section 10 of the Andhra Pradesh
Act 22 of 1987. Tax on Professions, Trades, Callings and
Employments Act, 1987 (hereinafter
referred to as the principal Act) after
clause (b) the following clause shall be
inserted, namely:-

(c) Notwithstanding anything
contained in clauses (a) and (b), the
amendment made to the First Schedule
except serial No. 1 relating to salary
and wage earners in the First Schedule,
shall be deemed to have come into force
from 1st April, 1996 and the tax paid by
any assessee for the year 1996-97 as per
the pre-amended schedule shall be deduc-
ted from the amount due from the
assessee as per the rates under the
amended schedule and the balance amount
shall be paid on or before 30th
September, 1996.

3. In the principal Act, for the Amendment of First Schedule the following shall be First substituted, namely:- Schedule

FIRST SCHEDULE

(See Section 3)

Sl. No.	Class of assessees	Rate of tax per month/ per annum Rs.
(1)	(2)	(3)

1. Salary and wage earners, such persons whose monthly salaries or wages.

i) Range upto Rs. 1,500	Nil
ii) Range from Rs. 1,500 to Rs. 2,000	Rs. 16/-PM
iii) Range from Rs. 2,000 to Rs. 3,000	Rs. 25/-PM
iv) Range from Rs. 3,000 to Rs. 4,000	Rs. 35/-PM
v) Range from Rs. 4,000 to Rs. 5,000	Rs. 45/-PM
vi) Range from Rs. 5,000 to Rs. 6,000	Rs. 60/-PM
vii) Range from Rs. 6,000 to Rs. 10,000	Rs. 80/-PM
viii) Range from Rs. 10,000 to Rs. 15,000	Rs. 100/-PM
ix) Range from Rs. 15,000 to Rs. 20,000	Rs. 150/-PM
x) Range above Rs. 20,000	Rs. 200/-PM

2. Legal Practitioners including solicitors and Notaries Public and Technical and

(1)	(2)	(3)
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Professional Consultants
other than those mentioned
elsewhere in the Schedule and
Tax Consultants
whose standing in the
profession.

(a) In the Hyderabad and
Secunderabad Urban Agglomera-
tion or within the Municipal
limits of District Head-
quarters/town is:-

i) Upto three years	Nil
ii) Three to Seven years	Rs. 500/-PA
iii) Above 7 years	Rs. 1000/-PA

(b) in any other area in the
State is:-

i) less than two years	Nil
ii) two years or more but less than seven years.	Rs. 300/-PA
iii) Seven years or more	Rs. 750/-PA

3. i) Chief Agents, Principal
Agents, Special Agents,
Insurance Agents, and
Surveyors or loss
Assessors registered or
licensed under

Central The Insurance Act 1938, whose
Act IV annual income is not less
of 1938, than Rs. 18,000/-

Rs. 550/-PA

ii) Pigmy Agents or UTI
Agents whose annual income
is not less than Rs. 18,000

Rs. 120/-PA

(1)	(2)	(3)
	(b). Book makers licensed by turf clubs of Hyderabad Race Club or any other Race Club	Rs. 2500/-PA
8.	Self-employed persons in the motion picture industry as follows:-	
	a) Writers, cameramen, still photographers	Rs. 1500/-PA
	b) Lyricists, directors, actors and actresses (excluding junior artists), play-back singers, recordists, editors and producers of films	Rs. 2500/-PA
	c) Junior artists, production managers, assistant directors, assistant cameramen, assistant recordists, assistant editors, musicians and dancers.	Rs. 500/-PA
9.	Dealers registered or liable to be registered under the Andhra Pradesh General Sales Tax Act, 1957 (other than those mentioned in item 19) whose total turnover in any year ranges-	
	a) upto Rs. 1,00,000	Nil
	b) from Rs. 1,00,000 to Rs. 2,00,000	Rs. 300/-PA
	c) from Rs. 2,00,000 to Rs. 5,00,000	Rs. 550/-PA
	d) from Rs. 5,00,000 to Rs. 10,00,000	Rs. 800/-PA
	e) from Rs. 10,00,000 to Rs. 25,00,000	Rs. 1200/-PA
	f) from Rs. 25,00,000 to Rs. 50,00,000	Rs. 1500/-PA
	g) above Rs. 50,00,000	Rs. 2500/-PA

1)	(2)	(3)
10.	Occupiers of factories as defined under the Factories Act, 1948 who are not covered by item 9.	Rs. 1000/-PA
11.	Employers of establishments as defined under the Andhra Pradesh Shops & Establishments Act, 1988 such employers of establishments who are not dealers covered by item 9.	
	i) where there are no employees	Nil
	ii) where not more than 5 employees are employed	Rs. 110/-PA
	iii) where more than 5, but not more than ten employees are employed.	Rs. 400/-PA
	iv) where there are more than 10 employees but not more than 20 are employed	Rs. 1000/-PA
	v) Where more than 20 employees are employed	Rs. 2500/-PA
12.	a) Owners or lessees of petrol/diesel filling stations and service stations, Garage and workshops of automobiles.	Rs. 2500/-PA
	b) Owners or lessees of Jute Mills, Rice Mills, Oil Mills, Spinning Mills, Paper Mills, Dhall Mills, powerlooms, Mini Steel Plants, Re-rolling Mills, Khandasari Sugar Factories, Sugar Factories,	Rs. 2500/-PA

(1)	(2)	(3)
Foundaries, Tanneries, Stone crushers, Bottling units, Distilleries, Tiles Factories Biscuit Factories, Chemicals and Pharamaceutical Labs, Printing Presses (with power) Fruit canning units.		
(c) Owners or lessees of Nursing Home and Hospital other than those run by the State or Central Government		Rs. 2500/-PA
(d) Owners or lessees of Pathological testing Lab and 'X' Ray Clinics.		Rs. 550/-PA
(e) Owners or lessees of Beauty Parlours, Dry Cleaners and Interior Decorators		Rs. 550/-PA
(f) Owners or lessees of Oil ghanies (with power) oil rotaries (with power) Huller mills, Cashew factories, decorticating Mills, Saw Mills, Cotton Ginning or Pressing Factories, Small Flour Mills, (working on hire-basis), gum manufacturing units, Bakeries Hosiery manufacturing units, Cement flooring or stone manufacturing units other than those covered by entry 9		Rs. 1500/-PA
13. a) Owners of residential Hotels or lodging houses having not less than 20 rooms		Rs. 2500/-PA

(1)	(2)	(3)
	(b) (i) Owners of theatres	Rs. 2500/-PA
	(ii) Owners of touring talkies	Rs. 1000/-PA
	(iii) Owners of Video Parlours	Rs. 500/-PA
	(iv) Cable T.V. Operators	Rs. 2500/-PA
14.	Holders of permits of transport vehicles (other than autorickshaws) granted under the Motor Vehicles Act, 1988	Rs. 750/-PA
15.	Money lenders, licensed under the law relating to Money lenders, for the time being in force in the State.	
	a) Those who had been sifted above in a year	Rs. 2500/-PA
	b) other than those specified at (a) above	Rs. 550/-PA
16.	Individuals or institutions conducting Chit Funds	Rs. 2500/-PA
17.	Co-operative Societies registered under the A.P. Co-operative Societies Act, 1964 and engaged in any Profession, trade or calling:-	
	(i) State level societies	Rs. 2500/-PA

(1)	(2)	(3)
	ii) Co-operative Sugar Factories, Spinning Mills, Banks	Rs. 2500/-PA
	iii) District level societies	Rs. 330/-PA
	iv) Mandal level societies	Rs. 220/-PA
18.	Banking companies as defined in the Banking Regulations Act, 1949	Rs. 2500/-PA
19.	All Companies Registered under the Companies Act, 1956 and engaged in a profession, trade or calling	Rs. 2500/-PA
20.	Each partner of a firm engaged in any profession, trade or calling	Rs. 500/-PA
20 (A)	Chartered Accountants where the standing in Profession is:	
	i) not less than 2 years but less than 5 years	Rs. 550/-PA
	ii) not less than five years	Rs. 2500/-PA
20 (B)	Medical Practitioners, including Medical consultants (other than practitioners of Ayurvedic, Homeopathic and Unani Systems of Medicines) Dentists, Radiologists, Pathologists and persons engaged in other similar professions or callings of a paramedical nature.	

(1)	(2)	(3)
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(a) in Hyderabad & Secunderabad Urban Agglomeration or other Corporation areas or in special grade, selection grade and first grade municipalities where the standing in profession is:-

- | | |
|---|--------------|
| i) less than 2 years | Nil |
| ii) two years or more but less than 5 years | Rs. 1000/-PA |
| iii) five years or more | Rs. 2500/-PA |

(b) in any other area in the State:-

- | | |
|--|--------------|
| i) less than two years | Nil |
| ii) two years or more but less than 5 years | Rs. 500/-PA |
| iii) five years or more but less than 10 years | Rs. 1000/-PA |
| iv) ten years or more | Rs. 1500/-PA |

20 (c) Engineers, R.C.C. Consultants Architects and Management consultants.

(a) in the Hyderabad and Secunderabad Urban Agglomeration or within the Municipal limits of the District Headquarters town, where the standing in profession is:-

(1)	(2)	(3)
	i) Less than two years	Nil
	ii) two years or more but less than five years	Rs. 550/-PA
	iii) five years or more but less than ten years	Rs. 1000/-PA
	iv) Ten years or more	Rs. 2500/-PA
	b) in any other area in the State is:-	
	i) less than two years	Nil
	ii) two years or more but less than five years	Rs. 330/-PA
	iii) five years or more but less than ten years	Rs. 750/-PA
	iv) Ten years or more	Rs. 1000/-PA
20.(d)	a) Film Distributors and travel agents not falling under sub-item (b) below	Rs. 550/-PA
	b) Air travel agents	Rs. 2500/-PA
20.(E)	Journalists	Rs. 550/-PA
20.(F)	Advertising firms/ Agencies	Rs. 2500/-PA
20.(G)	Persons using photocopying machines for job works.	Rs. 550/-PA
20.(H)	Video Cassette libraries	Rs. 660/-PA

(1)	(2)	(3)
20 (f)	Educational Institutions and Tutorial Colleges or Institutes other than those owned by the State or Central Government	Rs. 2500/-PA
20 (g)	Typewriting institutes teaching shorthand and typing	Rs. 750/-PA
20 (h)	Persons owning/running STD/ISD Hostels other than those owned/run by Govt. or physically handicapped persons	Rs. 250/-PA
20 (i)	Propaganda Developers including Land Developers and Building/Flat Developers	Rs. 2500/-PA
20 (j)	Persons owning/running	
	a) Computer Institutes selling time.	Rs. 1000/-PA.
	b) Computer Training Institutes	Rs. 2500/-PA.
	c) Driving Institutes/ Technical Training Institutes	Rs. 500/-PA.
20 (k)	Persons owning Marriage Halls/Kalyana Mantapams	PA. 2500/-PA
20 (l)	a) Cinematograph Film processors.	Rs. 2500/-PA
	b) Owners of outdoor film shooting units	Rs. 2500/-PA

(1)	(2)	(3)
20 (P)	a) Forest Contractors	Rs. 750/-PA
	b) Transport Companies and Transport contractors including forwarding and clearing agents	Rs. 2500/-PA
	c) Bankers who are financing the trade against hundies or other securities by way of short term advance on interest	Rs. 2500/-PA
20 (Q)	a) Authorised assistants recognised by Stock Exchange	Rs. 550/-PA
	b) Sub-brokers recognised by the Stock Exchange Board of India	Rs. 1000/-PA
	c) persons running weigh bridges	Rs. 500/-PA
	d) persons operating courier service	Rs. 1500/-PA
21.	Persons, other than those mentioned in any of the preceding entries, who are engaged in any profession, trade or calling or employment	Rs. 750/-PA

Explanation I: Notwithstanding anything contained in the Schedule, every branch of any self-employed assessee enumerated in items 2 to 21 of the Schedule shall be deemed to be a separate assessee for the purpose of levy of profession tax specified in the Schedule.

Explanation II: Notwithstanding anything contained in this Schedule where an assessee is covered by more than one entry in this Schedule, the highest rate of tax specified under any of those entries shall be applicable in his case.

Explanation III: For the purpose of determining the liability and the rate of tax in regard to entries in Serial No. 11 in this Schedule, the higher number of workers and/or employees at any time during the year shall be reckoned as the basis".

4. The Andhra Pradesh Tax on Professions, Trades, Callings and Employments (Amendment) Ordinance, 1996 is hereby repealed. Repeal of Ordinance 21 of 1996.

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

ANDHRA PRADESH ACTS, ORDINANCES AND REGULATIONS Etc.

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 7th April, 2003 and the said assent is hereby first published on the 9th April, 2003 in the Andhra Pradesh Gazette for general information.

ACT No. 3 OF 2003

AN ACT FURTHER TO AMEND THE ANDHRA
PRADESH TAX ON PROFESSIONS, TRADES,
CALLINGS AND EMPLOYMENTS ACT, 1987.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-fourth Year of the Republic of India, as follows:-

GCP-A

Short title, 1.(1) This Act may be called the
 extent and Andhra Pradesh Tax on Professions,
 commence- Trades, Callings and Employments (Amend-
 ment. ment) Act, 2003;

(2) It extends to the whole of the
 State of Andhra Pradesh;

(3) It shall come into force on such
 date as the Government may, by notifica-
 tion, appoint.

Amendment 2. In the Andhra Pradesh Tax on
 of sec- Professions, Trades, Callings and Employ-
 tion 18. ments Act, 1987 (hereinafter referred to
 Act 22 of as the principal Act), in section 18,-
 1987.

(i) in sub-section (1), for the words
 "the Commissioner may," the words "the
 Commissioner or the Deputy Commissioner
 (CT) or the Commercial Tax Officer or
 the Deputy Commercial Tax Officer or the
 Profession Tax Officer may," shall be
 substituted;

(ii) in sub-section (2), for the
 words "The Commissioner may", the words
 "The Commissioner or the Deputy Commis-
 sioner (CT) or the Commercial Tax
 Officer or the Deputy Commercial Tax
 Officer or the Profession Tax Officer
 may", shall be substituted;

3. After section 18 of the principal Act, the following new section shall be inserted, namely:-

Insertion
of new
section 18A
Act II
of 1864.

"Special
powers of
Deputy
Commissioner
under the
Revenue
Recovery
Act.

18 A. (1) A Deputy Commissioner shall have the powers of a Collector under the Andhra Pradesh Revenue Recovery Act, 1864 for the purpose of recovery of any amount due under this Act.

(2) Subject to the provisions of sub-section (3), all Deputy Commercial Tax Officers shall, for the purposes of recovery of any amount due under this Act, have the powers of the Mandal Revenue Officer under the Andhra Pradesh Rent and Revenue Sales Act, 1839 for the sale of property distrained for any amount due under this Act. Act VII of 1839.

(3) Notwithstanding anything contained in the Andhra Pradesh Rent and Revenue Sales Act, 1839, the Deputy Commercial Tax Officer in exercise of the powers conferred by sub-section (2) shall be subject to the control and superintendence of the Deputy Commissioner."

4. In the First Schedule of the principal Act,-

Amendment
of First
Schedule.

(a) in Sl.No.14, in column (3), for the expression "Rs.750/P.A.", the expression "Rs. 750/- per each vehicle", shall be substituted;

(b) for Sl.No. 20 (I), and the entries relating thereto, the following items shall be substituted, namely:-

"20(I). Educational Institutions and Tutorial Colleges or Institutes other than those owned by the State or Central Government as follows:-

- | | |
|---|-----------------|
| (i) Tutorials running classes upto 7th standard; | Rs. 750/- PA |
| (ii) Tutorials running classes upto 10th standard; | Rs.1,500/- PA |
| (iii) Junior Colleges and all other Educational Institutions and Tutorial Colleges running Classes above 10th standard; | Rs.2,500/- PA." |

(c) in Sl.No.20 (P), in column (2), in item (b), after the word "agents", the words "other than holders of permits of transport vehicles", shall be added.

K.G. SHANKAR,
Secretary to Government,
Legislative Affairs & Justice (FAC),
Law Department.

STATEMENT OF OBJECTS AND REASONS

In terms of sub-section (1) of Section 18 of the Andhra Pradesh Tax on Professions, Trades, Callings and Employments Act, 1987, the Commissioner of Profession Tax is alone empowered to issue notice in writing to any person from whom any amount of money is due or may become due. Under the provisions of sub-section (2) of the said section, the Commissioner is empowered to amend or revoke any such notice or extend time for making any payment in pursuance of the notice. As the above power is centralized with the Commissioner, it has become a bottle neck and therefore, it was decided to entrust the said powers of the Commissioner to the Deputy Commissioner or the Commercial Tax Officer or the Deputy Commercial Tax Officer or the Profession Tax Officer, by amending sub-sections (1) and (2) of Section 18 of the said Act suitably.

2. Opportunity has also been taken to entrust the powers of the Collector under the A.P. Revenue Recovery Act, 1864 to the Deputy Commissioner and to entrust the powers of the Mandal Revenue Officer under the A.P. Rent and Revenue Sales Act, 1839 to the Deputy Commercial Tax Officers, so as to collect Profession Tax effectively without requesting the District Collectors or the Mandal Revenue Officers, as the case may be, by way of inserting the new provision.

3. It is also observed that there is considerable noncompliance in case of Profession Tax payments vis-a-vis owners of Transport Vehicles. Transport Department is having interface and better equipped to bring about a quantum change in case of Profession Tax collections. It will be both effective and efficacious for the Transport Department to deduct Profession Tax at source from the Owners of Transport Vehicles when they approach the Transport Department for Registration/renewal of the vehicle. Therefore, Sl.No. 14 and 20 (P) of the Schedule has been amended suitably which empowers collection of Profession Tax at Rs. 750/- from each commercial vehicle.

4. Further, all the Educational Institutions and Tutorial Colleges and other than those owned by the State and Central Governments have to pay Profession Tax at the rate of Rs. 2,500/- per annum irrespective of their income. It has been represented that the Institutions, which are conducting tutorials upto 7th standard and where student strength is very small, they are finding it very difficult to pay Profession Tax @ Rs. 2,500/- on par with other Colleges and Institutions. As the Profession Tax is levied on the basis of salary earned by employees, it was suggested to adopt a graded levy of Profession Tax depending on the status of the Institution, so that the burden on the small institutions is not much and the compliance level goes up. Therefore, taking into consideration various representations received and to ensure better collection of Profession Tax from the Educational Institutions, Government have decided to prescribe slab rates by amending the Andhra Pradesh Tax on Professions Trades, Callings and Employments Act 1987 suitably.

This bill seeks to give effect to the above decisions.

K. VIJAYA RAMA RAO,
Minister for Commercial Taxes.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.**

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 31st October, 2003 and the said assent is hereby first published on the 6th November, 2003 in the Andhra Pradesh Gazette for General information:-

ACT No. 17 OF 2003

**AN ACT FURTHER TO AMEND THE ANDHRA
PRADESH TAX ON PROFESSIONS, TRADES,
CALLINGS AND EMPLOYMENTS ACT, 1987.**

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-fourth Year of the Republic of India as follows:

Short
title,
extent and
commence-
ment.

1. (1) This Act may be called the Andhra Pradesh Tax on Professions, Trades, Callings and Employments (Second Amendment) Act, 2003.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on such date as the Government may, by notification in the Andhra Pradesh Gazette, appoint.

Insertion of
new
section
5A. Act
22 of
1987.

2. In the Andhra Pradesh Tax on Professions, Trades, Callings and Employments Act, 1987 (hereinafter referred to as the principal Act), after section 5, the following new section shall be inserted, namely:-

“Licensing Turf Club’s liability to collect and pay tax on behalf of the licensed persons.

5A. The tax payable under this Act by the licensed horse owners, trainers, book-makers and jockeys shall be collected by the turf clubs, and such clubs shall, irrespective of whether such collection has been made or not, be liable to pay tax on

behalf of the above cases of persons licensed by it, and the tax so collected or due shall be received by the stewards of the club on behalf of the Government and remit the same in the Government Treasury as may be prescribed.”.

Amendment of
section
10.

3. In section 10 of the principal Act, after clause (c), the following clause shall be added, namely:-

“(d) in the case of licensed horse owners, trainers, jockeys, book-makers shall be paid within a week of the commencement of the racing at the turf-clubs in the prescribed manner.”.

K.G. SHANKAR,
Secretary to Government,
Legislative Affairs & Justice (FAC),
Law Department.

STATEMENT OF OBJECTS AND REASONS

The licensed horse owners, trainers, book makers and jockeys are liable to pay profession tax as per entry No. 7 of Schedule to the Andhra Pradesh Tax on Professions, Trades Callings and employments Act, 1987. Most of the licensed persons are residing outside the State and come to the State only during the season when the races are held in Hyderabad. As they do not have any permanent residence in the State it has become difficult to collect profession tax from them in order to recover the profession tax from them, the Government have decided to make the Hyderabad Race Club responsible to collect the tax and to pay to the Government.

To achieve the above object in view, the Government have decided to amend the Andhra Pradesh Tax on Professions, Trades, Callings and Employments Act, 1987 suitably.

This Bill seeks to give effect to the above decision.

K. VIJAYA RAMA RAO,
Minister for Commercial Taxes.

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THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 14] HYDERABAD, FRIDAY, APRIL 20, 2012

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.**

The following Act of the Andhra Pradesh Legislature, received the assent of the Governor on the 19th April, 2012 and the said assent is hereby first published on the 20th April, 2012 in the Andhra Pradesh Gazette for general information.

ACT No. 14 OF 2012.

**AN ACT FURTHER TO AMEND THE ANDHRA PRADESH TAX
ON PROFESSIONS, TRADES, CALLINGS AND
EMPLOYMENTS ACT, 1987.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the Sixty third Year of the Republic of India as follows:—

1. (1) This Act may be called the Andhra Pradesh Tax on Professions, Trades, Callings and Employments (Amendment) Act, 2012. Short title,
and com-
mencement.

(2) (a) clause (i) of section 4, shall be deemed to have come into force on 2nd December, 2010;

(b) clause (ii) of section 4, shall be deemed to have come into force on 15th June, 1987;

and

(c) other provisions shall come into force on such date as the Government may, by notification, appoint.

Amendment of Section 6 Act 22 of 1987.

2. In the Andhra Pradesh Tax on Professions, Trades, Callings and Employments Act, 1987 (herein after referred to as principal Act), in section 6, sub-section (4) shall be omitted.

Amendment of Section 15.

3. In the Principal Act, in section 15, in sub-section (1),-

(i) the expression "(not being an officer of the State Government or Central Government)", shall be omitted;

(ii) for the words "any authority", the words "any assessing authority" shall be substituted.

Amendment of First Schedule.

4. In the Principal Act, in the First Schedule,-

(i) for serial No. 14, and the entries relating thereto, the following shall be substituted, namely,-

Sl No.	Classes of Assesseees or description	Rate of Tax
(1)	(2)	(3)
"14.	Holders of Permits of transport vehicles (other than auto-rickshaws) granted under the Motor Vehicles Act, 1988, if possesses permit,-	
	(i) for one vehicle:	750/- per annum
	(ii) for two vehicles:	1,500/- per annum
	(iii) for three vehicles:	2,250/- per annum
	(iv) for more than three vehicles:	2,500/- per annum"

(ii) for serial No. 18, and the entries relating thereto, the following shall be substituted, namely,-

Sl No.	Classes of Assesseees or description	Rate of Tax
(1)	(2)	(3)
"18.	Banking Companies as defined in the Banking Regulations Act, 1949: Explanation:- For the purpose of this entry "banking companies" shall mean and include any bank, which come into existence after the year 1949 through separate Acts but whose operations are governed by the provisions of the Banking Regulations Act, 1949 (Central Act 10 of 1949) irrespective of how the bank (s) came into existence.	2,500/- per annum per each branch/ ATM/extension counter in addition to the Area Office/ Zonal Office/Head Office."

A. SHANKAR NARAYANA,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

RIGHT TO
INFORMATION

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THE ANDHRA PRADESH GAZETTE
PART IV- B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 3] AMARAVATI, FRIDAY, 3rd JANUARY, 2020.

**ANDHRA PRADESH ACTS, ORDINANCES AND
 REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 31st December, 2019 and the said assent is hereby first published on the 3rd January, 2020 in the Andhra Pradesh Gazette for general information :

ACT No. 3 of 2020.

**AN ACT FURTHER TO AMEND THE ANDHRA PRADESH TAX ON
 PROFESSIONS, TRADES, CALLINGS AND EMPLOYMENTS ACT, 1987.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventieth year of the Republic of India as follows,-

1. (1) This Act may be called the Andhra Pradesh Tax on Professions, Trades, Callings and Employments (Amendment) Act, 2019. Short title and
commencement..

(2) It shall be deemed to have come in to force with effect on and from the 1st July, 2017.

2. In the Andhra Pradesh Tax on Professions, Trades, Callings and Employments Act, 1987, in the First Schedule, in the Table,- Amendment
to the First
Schedule.

- (i) in column (2), against SI No.8, after the expression, "APVAT" the expression, the "and the Andhra Pradesh Goods and Services Tax Act, 2017 (APGST)" and after the expression, "APVAT Act, 2005" the expression, "and the Andhra Pradesh Goods and Services Tax Act, 2017 (APGST Act)" shall be inserted; Act No. 22 of
1987.

- (ii) in column (2), against Sl No.20 after the expression, "APVAT Act,2005" the expression, "and the Andhra Pradesh Goods and Services Tax Act,2017 (APGST Act)" shall be inserted.

GONTU MANOHARA REDDY,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.