TAX ON PROFESSION, TRADE, CALLING AND EMPLOYMENT.

274. Definitions.— In this part of this chapter, unless the context otherwise requires,-

(a) "average half-yearly income" means the average of the gross income derived by a person during the two half-years of the previous financial year;

(b) "drawing and disbursing officer" means an officer in Central or State Government departments, Quasi-Government or private company or organisation who is in-charge of passing of the pay bills and disbursement of pay to the employee;

(c) "general revision" means the revision of tax on profession, trade, calling and employment once in five years in a municipality;

(d) "place of work" means in relation to a person liable to pay tax, the place where such person ordinarily carries on his profession, trade, calling or employment, and may include residence of a person if the person works from his residence;

(e) "salary" or "wage" includes pay or wage, dearness allowance and all other remunerations received by any person on regular basis, whether payable in cash or kind, and also include perquisites and profits in lieu of salary as defined under the Income Tax Act, 1961 (Central Act 43 of 1961) but does not include any form of bonus or gratuity;

(f) words and expressions used but not defined in this part shall have the same meanings respectively assigned to them in the Act.

275. Levy of tax on profession, trade, calling and employment.— (1) A person shall be deemed to have transacted business or exercised a profession, trade, calling or employment within a municipality, if such person has an office or place of work within such municipality**.**

(2) Every person who is engaged actively or otherwise in any profession, trade, calling or employment within a municipality, shall be liable to pay the half-yearly tax to the municipality at the rates specified in the Table below, till such time as the next general revision of tax is carried out by the Council:

THE TABLE.

Sl. No.	Average Half-Yearly Income	Half-Yearly Tax
1	Upto Rs. 21,000/-	Nil
2	From 21,001/- to 30,000/-	Rs. 135/-
3	From 30,001/- to 45,000/-	Rs. 315/-
4	From 45,001/- to 60,000/-	Rs. 690/-
5	From 60,001/- to 75,000/-	Rs. 1025/-
6	From 75,001/- and above	Rs. 1250/-

Explanation.— Schedule outlines an illustrative (but not exhaustive) list of professions, trades, callings and employments liable to pay the said tax under this rule. The municipality may update the list of these classes to include any other profession, trade, calling and employment. All companies or persons engaged in a profession, trade, calling or employment covered in sub-rule (1), whether listed in the Schedule or not, shall be liable to pay profession tax other than those exempted under section 117-H of the Act.

276. Preparation of Master Register of traders and other professionals.— The Commissioner shall make arrangements for preparation of a master register containing the details relating to the traders, professionals and employers within the municipal limit in accordance with the guidelines issued by the Government or by the Director.

277. Mode of assessment and payment of tax by employers in respect of employees.— (1) Every employer liable to pay tax under the Act and these Rules shall file a return to the Commissioner, showing therein the salaries paid by him to the employees and the amount of tax deducted by him in respect of such employees.

(2) The tax payable by any person earning a salary or wage shall be deducted by his employer through the drawing and disbursing officer of the office concerned from the salary payable to such person from the respective pay bill for the month of August and January every year.

(3) The employer shall, irrespective of whether such deduction has been made or not when the salary or wage is paid to such person, be liable to pay the half-yearly tax on behalf of such person to the municipality by 30^{th} September and 31^{st} March every year along with the details in Form 14.

(4) The self-drawing officers of the Central or State Government Departments or Quasi-Government undertakings and organisations shall pay the tax fixed under rule 275 by way of online payment, cheque or demand draft drawn in favour of the Commissioner concerned. While presenting his pay-bill, he shall give a certificate for having paid the tax to the municipality indicating the details of payment in his pay-bill. The Pay and Accounts Officer or the Treasury or the Sub-Treasury Officer, as the case may be, shall honour the pay-bill of the self-drawing officers only if the said certificates are enclosed along with the pay-bill. Such receipts for online payments or cheques or demand drafts shall be sent to the municipality by the drawing and disbursing officer along with the cheque or demand draft relating to the employees of the department, undertaking, company, firm or organisation concerned.

(5) If the pay of an employee was not drawn during January or August of a year, tax shall be deducted when the pay of the individual is drawn subsequently and the challan for payment, cheque, demand draft, proof of online payment for the tax due shall be sent to the Commissioner together with Form 14 within fifteen days of the recovery of such tax.

(6) Even in instances where the drawing and disbursing officer recovers the half-yearly tax due in monthly installments from the employees, he shall make arrangements to remit the half-yearly tax due in one lump sum to the municipality within the time prescribed in sub-rule (2) of this rule.

278. Mode of assessment and payment of tax in respect of other persons.— (1) (a) Every person liable to pay tax to the municipality under the Act and these rules other than a person earning salary or wage, shall furnish a return to the Commissioner in Form 15 within thirty days from the date of commencement of the trade, profession or calling:

Provided that the Commissioner may extend the time limit for filing of returns for a further period not exceeding thirty days.

(2) The person filing a return under sub-rule (1) shall make a self-assessment on the basis of his average half-yearly income. The return shall be accompanied either with a challan for the payment of tax in the municipal office or cheque, demand draft or proof of online payment for the tax due for the first half-year for which the return is being filed. Any such return not accompanied with such challan, cheque, demand draft or proof of online payment shall be deemed to have not been duly filed.

(3) The Commissioner shall acknowledge receipt of such return and payment of tax.

(4) The tax for the subsequent half-years shall be paid by such persons before 30^{th} September for the first half-year and before 31^{st} March for the second half-year, respectively.

(5) The returns filed under sub-rule (1) shall be valid until the next general revision and if there is a change in the average half-yearly income or a change in the place of work, the person concerned shall file a fresh return in Form 15 which shall be accompanied with proof of payment along with proof of evidence for such changes. Such changes shall take effect from the date of filing of return which shall be valid untill the next general revision.

279. Deemed Assessment: The Commissioner shall not be required to issue a separate assessment order in respect of every assessee and the return filed under sub-rule (1) of rule 282 and sub-rule (1) of rule 281 shall be deemed to be the assessment by the Commissioner unless altered under rule 281.