



Dated: 13th January, 2015

NOTIFICATION

No. PRA/Orders.06/2012. - In exercise of the powers conferred under section 76 of the Punjab Sales Tax on Services Act, 2012 (XLII of 2012), the Punjab Revenue Authority, with the approval of the Government, is pleased to make the following rules:

1. Short title and commencement. - (1) These rules may be cited as the Punjab Restaurant Invoice Monitoring System Rules 2015.

(2) They shall come into force at once.

2. Definitions. - In these rules:

- (a) "Act" means the Punjab Sales Tax on Services Act 2012 (XLII of 2012);
- (b) "Authority" means the Punjab Revenue Authority established under the Punjab Revenue Authority Act 2012 (XLIII of 2012);
- (c) "Government" means Government of the Punjab;
- (d) "officer" means an officer of the Authority not below the rank of Assistant Commissioner or any official of the Authority authorized by such Assistant Commissioner to carry out any function under the rules;
- (e) "PRAL" means Pakistan Revenue Automation Limited;
- (f) "restaurant" means a restaurant of any kind or character whether or not located in; operating as part of; or in conjunction with hotel and includes any building, premises, place or space where services of any kinds, types and categories of eatables and drinkables are provided (including take-aways/home delivery); whether called restaurant *per se*, coffee house, food parlor, ice-cream parlor or such other business as is engaged in providing restaurant-type services to walk-in customers;
- (g) "RIMS" means Restaurant Invoice Monitoring System; where under the Authority shall, with the help of PRAL or otherwise, install, fix, attach, insert, embed or otherwise place such hardware or software system; or systems including cash registers, instrument or instruments, modem or modems, device or devices either in the existing system of recording sale transactions; issuing sale invoices or otherwise at the premises of the restaurant in such a way or manner that data about the transactions recorded or invoices issued by the restaurant is captured in or transferred to the Authority's computer system on real time basis and includes software as may be used or useable in respect thereof;
- (h) "taxable services" means services liable to sales tax under the Act readwith rules made thereunder; and



(2) A restaurant located in or working in conjunction with a hotel may issue composite invoices for both hotel and restaurant services provided to the same customers.

9. Bar on invoices. - The restaurant, operating under RIMS, shall not issue any invoice other than the system allowed to be used under the arrangements of RIMS.

10. Safety of the hardware used. - (1) The restaurant covered under RIMS shall ensure safety of the hardware and software system being used for the purpose of RIMS.

(2) The Authority or PRAL may take such measures including formal undertaking or guarantee from the restaurant, as may be deemed proper or necessary, to secure and maintain the required level of safety of the hardware and software system used for RIMS.

11. Surprise checks and inspections. - The officer with or without the help of PRAL, may conduct a surprise check and inspect the RIMS-covered system of any restaurant in order to ensure the propriety or accuracy of its operation or working.

12. Reporting of system's faults. - (1) In a situation, where a system covered under RIMS, has either stopped working; or is creating or facing problems in generating invoices or otherwise impacting the transmission of complete and correct invoice data to the Authority's computer system, the fact or event of such situation shall be reported to PRAL and to the Authority within twenty four hours of the occurrence of such situation.

(2) PRAL shall take necessary and immediate measures to fix the problem as urgently possible provided that the expenses, if any, in respect of repair, replacement or substitution of any hardware item (including software) shall be borne by the restaurant.

(3) Details of all invoices issued during the period of the operational inability or disability of the system to generate invoices required to be issued under RIMS shall be reported to the Authority within one week of the fixing or correction of the system's problem or fault and tax in respect of such invoices shall be paid as per law.

13. Intentional damage to or intervention in the system. - (1) Where any person has intentionally done or caused any damage to the system disabling it or making it unfit to issue invoices or otherwise intervenes with the system to issue incorrect or wrong invoices for the purpose of RIMS, he shall be liable to penalties and prosecution for tax fraud under section 48 of the Act.

(2) All other violations of any of the provisions of these rules shall be deemed to be obstruction in the performance of official duties by the officers.

Explanation: For the purpose of this sub-rule, obstruction in the work of PRAL or its officials for the purpose of RIMS shall be treated as obstruction in the work of officers.

14. Inami (reward) scheme for customers. - (1) Any customer who has consumed or availed taxable services of any restaurant operating under RIMS coverage (other than a restaurant located in a club or corporate sector hotel or corporate sector chain of restaurants) worth more than one thousand rupees (excluding tax) at a time may, produce in person or send by post or through system e-mail, to the Authority, original tax invoice issued to him through the

- (i) "video vigilance" includes video analytics, video tapping, video recording, video, video filming, video watch and close circuit television system in any manner.

3. Intimation for RIMS application. - Every restaurant in respect of which the Authority has decided to cover under RIMS shall be:

- (a) issued a notice giving reasonable time for allowing access to the designated officials of PRAL for the purpose of proper examination and verification of the existing sales-recording and invoicing system of the restaurant at all branches or outlets; and
- (b) under obligation to allow such access and disclose all the details, features and dimensions of the system to the officials of PRAL with a view to facilitate them in the conduct and completion of the said examination and verification.

4. Installation of hardware or software. - (1) After the completion of examination and verification as given in rule 3, the officials of PRAL shall prepare a brief report suggesting the nature of device and software etc., to be installed or added in the hardware of the restaurant.

(2) On the basis of report under sub-rule (1), the Authority shall authorize the proposed installation which shall be completed by the officials of PRAL on such date and time as may be agreed with the restaurant management and in such manner and subject to such safety measures as may be deemed necessary or proper by the said officials.

5. Video vigilance etc. - While covering any restaurant under RIMS, the Authority may install and use such other additional, ancillary, auxiliary or supplementary electrical and electronic systems, equipments, devices or instruments in such manner as may be deemed necessary for real time or other video vigilance of the business activities of a restaurant involving provision of taxable services including head-counting of visiting customers, occupancy of sitting space and regularity of the issuing of invoices etc.

6. Provision of invoicing hardware system. - (1) Where any restaurant selected for RIMS coverage does not already have any hardware system for the recording of sales or issuing of invoices, the Authority may either directly or through PRAL advise such restaurant to acquire and install such system of the required specifications within such time as may be specified.

(2) Every restaurant, to whom advice has been given under sub-rule (i), shall be under obligation to comply with the advice.

(3) A restaurant which has acquired and installed any hardware system under this rule, shall be entitled to adjust input tax paid on such system against the output tax payable by such restaurant on its taxable services.

7. Production of information and documents etc. - Every restaurant shall, where so required either by the Authority or PRAL provide information about its existing system and furnish documents including menu, price list as well as room rent list if required, details of eatables and drinkables etc., in such manner as may be specified in this behalf.

8. Formatting of invoice. - (1) The Authority, or as the case may be, PRAL may require any restaurant to include such additional or extra information including name, CNIC number and contact number etc., about the customers in the invoices to be issued through the system covered under RIMS.

system covered under RIMS alongwith a photocopy of his CNIC and personal contact number for participation in the Inami scheme.

(2) The Authority may, on the basis of computerized Inami (Reward Draw) scheme, give on monthly or bi-monthly basis, Inam in cash or kind (which may include goods like motorcycle and car etc) to each such customers whose names are randomly selected by the said automated program.

(3) The number of customers to whom Inam is to be given and the nature and extent of Inam to be given shall be in the discretion of the Authority.

15. Training and operational help etc. - Where considered necessary, the owners or employees of the restaurants covered under RIMS, may be trained or otherwise be given initial operational help by the Authority either through PRAL or otherwise with a view to enable them to operate the system covered under RIMS in such manner as deemed proper.


(IFTIKHAR QUTAB)
CHAIRPERSON

NO. & DATE EVEN

A copy is forwarded to the Superintendent, Government Printing Press, Lahore. He is requested to please publish this notification in the Punjab Gazette and supply twenty copies thereof to this department.


ADDITIONAL COMMISSIONER (HQ)

NO. & DATED EVEN

1. Secretary to Governor, Punjab, Lahore.
2. Secretary to Chief Minister, Punjab, Lahore.
3. Secretary, Finance Division, Government of Pakistan, Islamabad.
4. Chairman, Federal Board of Revenue, Government of Pakistan, Islamabad..
5. Finance Secretaries, Government of Sindh, Khyber Pakhtunkhwa and Balochistan.
6. Senior Member, Board of Revenue, Punjab, Lahore.
7. Registrar, Lahore High Court, Lahore.
8. All Administrative Secretaries, Government of the Punjab.
9. Accountant General, Punjab, Lahore.
10. Inspector General of Police, Punjab, Lahore.
11. Chairperson, Punjab Revenue Authority.
12. Chairman, Sindh Revenue Board.
13. All Commissioners in the Punjab.
14. Staff Officer to Chief Secretary, Punjab.
15. All District Coordination Officers in Punjab.
16. P.S to Finance Secretary, Finance Department.


BABAR NAWAZ RAJA
ADDITIONAL COMMISSIONER (HQ)