

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

2/7/6

(2)

Edn. & P.H. Dept.
 Memorandum . No. 30185B2-1, Dated. 6.6.46.

Sub: District Board, North Area - Enhancement of rate of education tax - Resolution of the Board.

The attention of the P.D.B., North Area, is invited to para 5 of G.O. No. 9025 dated 20.4.46 and he is requested to expedite the submission of the resolution called for therein.

To the P.D.B.,
 North Area
 6.6.46

W. J. W. W.

Local Administration Department.
From Sri B. Parthavatsalu Naidu,
President, District Board,
North Arcot, Vellore.

Received..... Registered.....

To

The Secretary to Government,
Education & Public Health Department,
Government of Madras, Madras.

Roc.C9.No.19202-45 dated 11th June 1946.

dated..... 32303..... 194 .

Sir,

Sub: BUDGET--Elementary Education Fund--
1946-47--North Arcot District Board
Enhancement of Education Tax--
Resolution of the District Board
meeting convened--Informed.

Ref: Your No.30185-B-2-1 Education
dated 6-6-1946.

...00000...

A special meeting of the North Arcot
District Board is convened on 17-6-46
to consider the question of enhancing the
rate of Education Tax. The resolution will
be communicated to you immediately after.

ms.12/6.

PRESIDENT.

ETPH Dept

This copy is over

1.7.46. The

CX

19646

2

17/7/46

OSM
2/6/46

C.F. 32 (a).

Local Administration Department

From (Name) Sri B. Bakthavatsalu Naidu,

Designation President, District Board,

Station North Arcot, Vellore.

Received

To

The Secretary to Government,
Education & Public Health Department,
Fort St. George, M a d r a s.

Enclosures:

Roc.C9. No. 19202-45 dated 28th June 1946

One

Sir,

Sub: BUDGET--Elementary Education Fund--1946-47--North Arcot District
Board--Enhancement of Education Tax--Resolution of the District
Board--Communicated.

55006

....00 00....

I herein enclose a copy of the resolution of the District Board, requesting the Government not to enhance the rate of levy of Education Tax in this area from 50% to 58 $\frac{1}{2}$ percent of the Land Cess with effect from Fasli 1356.

2. The Government have resorted to the levy of several taxes in the course of the last year. The land cess was enhanced from 1 $\frac{1}{2}$ anna to 2 annas per Rupee of land revenue. Besides this the Government have laid a stamp duty on transfer of Immovable properties. On account of the enhancement of these local taxes, the Board painfully considered that any further enhancement of the Education Tax is not desirable. The present rate of Education Tax is one anna per rupee of Land Revenue which is already very heavy by the proposed additional levy of the Education Tax, a sum of Rs.40,000 is expected in a full year and Rs.30,000 during the course of the year 194 After all the amount that may be realised by this enhancement may not be considered
(P.T.O)

considerable compared to the expenditure that has to be incurred by the Government by the introduction of Compulsory Elementary Education and other allied measures.

3. I request that the Government may be pleased to take into the consideration the unanimous opinion of this Board and continue the present rate of the Education Tax.

4. The Board already suggested the levy of education tax on the house tax in ex-union areas in its resolution No.270 (b) III (V) dated 27-10-1945. The Board again reiterates its opinion on this matter and requests the Government to take suitable measures to levy education tax on house tax in ex-union areas. The municipalities have levied a similar tax on the house tax levied by them in their respective areas. Big educational institutions are located in ex-union areas and the full benefit of these educational institutions are derived by these semi-urban areas. The Government will re-consider the reasonableness of the proposal of the District Board and sanction the levy of education tax on the house tax in ex-union areas.

ms.28/6.

PROBATIONER.
PRESIDENT. 2876

Extract from the minutes of proceedings of the North Arcot District Board, Vellore, passed at its meeting held on 17-6-1946.

Resolution No. 72: ~~Red~~

Read G.O. No. 902 (Ms) Education dated 30-4-1946 directing the District Board, North Arcot, under sub-section (2) of section 35 of the Madras Elementary Education Act 1920 to alter the rate of levy of education tax in its area from 50% to 58 and $\frac{1}{8}$ of the land cess with effect from Fasli 1356 and to forward the Government a copy of the resolution of the Board resolving to levy education tax at the altered rates from Fasli 1356.

This Board protests against the proposed levy of enhanced rate of Education Tax from 50 to 58 and $\frac{1}{3}\%$ of the land cess and requests the Government to bear the deficit from the Provincial Funds and reiterates its request to levy the Education Tax on house tax in Ex-union areas after legalising the suggestion even if there be any technical difficulties.

(True extract.)

7070414
 2876
 PRESIDENT.

her
24/1/19

6 E & PH Dept Bd

29/288

Tax - Education - Dt Bd, North Arcot - Enhancement of Rate - Protest - orders passed.

C. no 35006 B2/46
p50

From the P.D.B, North Arcot, Rec. C9 No 19202-45 d 28/6/46

Order 1667 Ed. d. 28.8.1946
MS

p17CP 7 (I)

In para 5 of Go no 902 Ed. 30.4.46

p612, Bk 17

The Govt directed the Dt Board, North Arcot under Sub-Section (2) of Section 35 of the Madras E. & Edu. Act 1920, to increase the rate of education tax levied in the area of the Dt Bd from 12 pias to 14 pias in the pias of land revenue (ie from 50% to 58 and 1/3% of land cess) with effect from fasli 1356, and called for a resolution of the Board resolving to levy the tax at the altered rate. The Board has not only not passed a resolution in accordance with the direction of the Govt but has objected to the enhancement of the rate of edu. tax. The objections raised

p7CP

P.T.O

C. no. 35006 B2/46 From the P.D.B. North Arcot, Res. C. no 19202-45 d 28.6.46
Elementary Education - DC Board, North Arcot - Enhancement of Education Tax - Resolution of the DC Board.

p 16-18 C.F. 9 (J)

para 5 on 17 C.F. 9 (J)

J/9 NF

31.12.45

25.12.45

p 7 C.F.

5 C.F. 9 (Y)

25.12.45

28.7.46

X

may be dropped
 8.7.46

In passing orders on the Elementary Education Fund Budget of the DC Board, North Arcot for 1946-47, the Govt. directed an enhancement in the rate of Education tax from 12 pias to 14 pias with a view to meeting a portion of the deficit in the Budget. The total deficit was anticipated at Rs 2.45 lakhs of which a sum of Rs 20,000/- was to be met by enhancement of tax education tax. The intention was to meet the balance of the deficit by the payment of a subsidy from the Provincial funds.

2. The Board has since protested against the enhancement of education tax. It suggests the levy of education tax in panchayat areas as a surcharge on house tax. This proposal has already been considered and was decided in the negative. It does not appear that the question should be re-opened now. The point for consideration is whether the Govt. should enforce their orders regarding the enhancement of the education tax. It may be noted in this connection that H.T. (Edn.) has observed, in another file, that the land is overburdened with tax and that he will not increase the burden on land. In the circumstances it is for orders whether the question of enhancement of education tax may be dropped.

3. L.A. and Finance may see for remarks before circulation.

Ed PH no 30185 B2-2



4.7.46

4/7/46

6/7/46

L.A./Finance

9/9/47

Cannot be accepted.

2. The Board has made default in performing the duty imposed on it by the direction given by the Govt. under Section 35(2) of the E.E. Act.

3. Under sub-section (1) of Section 41 of the M.L.B. Act 1920, the Govt. fix 17.9.46 as the date by which the DC Bd, North Arcot should perform this duty, viz. levying edu. tax at 14 pias in the case of land revenue or 58 and 1/3% of land cess with effect from fasli 1356. If the DC Bd fails to do this, the Govt. will proceed to take action under sub-section (2) of Section 41 of the M.L.B. Act.

4. The P.D.B. North Arcot is requested to submit a report to Govt. by 21.9.46.

5. The Govt. desires to receive the order by 17.8.46. 17.8.46. 17.8.46. 17.8.46.

For precedent - vide pp 5-6 of 2242 Res 31.12.45

To The P.D.B. North Arcot.

This Dept may agree with the L.P.H. Dept that the question of enhancement of the Edu. tax may be dropped. The file may be passed on to Fin Dept.

10/7/46. *NS*
11.7.46
It is presumed that the revenue increase in deficit in the E.E. Fund will be met by a subsidy from Provincial funds.

13.7.46 *NS*
15/7

Finance (Exp. B.)

In the Coimbatore case referred to at X on p.1 above, the proposal was to enhance the rate of education tax from 14 pies to 15 pies. But the proposal was not approved in circulation. In the present case, no new proposal for increasing the rate of tax has been put forward. The question is whether the orders of Govt. already issued asking the North Arcot Dt. Bd to increase the rate of education tax from 12 pies to 14 pies should be enforced or withdrawn. It may be noted that E.P.H. considered that this Dt. Bd. could afford to enhance the rate and such enhancement was necessary to minimise the deficit in its E.E. Fund budget. The fact that the Dt. Board has now protested against the levy of an increased tax is no sufficient justification for withdrawing the order. If the tax is not be levied at the enhanced rate already by the Govt., an increased subsidy from provincial funds will have to be paid to cover the deficit in the Dt. Board's budget (E.E. Fund). In the circumstances, Finance may advise that the original orders may be enforced.

E.P.H. may be requested to circulate the to H.P.M. also.

15.7.46 *NS*
19.7.46

19.7.46 *NS*

19.7.46. E.P.H.



LA. 2002939-18

15.7.46
cf. also X on p.1 above



39077EB.

para 5, p.17 of J

B on p.3 of J

modifying J

para 5, p.17 of J

7/2/46

Orders may be

19.7.46 taken in circulation

19.7.46

39077EB

20/7/46

place of J

1 ante

2 ante

do 21

place of J

para 5, p.17 of J

7/2/46

Orders may be

19.7.46 taken in circulation

19.7.46

39077EB

20/7/46



M.

The proposal in this file is whether the Govt. should enforce their orders in para 5 of G.O. 902 Edu. d 30.4.46 regarding the enhancement of rate of education tax in the North Arcot District from 12 pies to 14 pies in the case of land revenue from 1956. Coming to the present policy of the Govt. that the education tax should not be enhanced any further as the land is overburdened with tax this Dept. has advised that the proposal to increase the rate of education tax may be dropped. The L.A. Dept. have concurred in this Dept's view. But the Finance Dept. are against this Dept's proposal and they suggest that the orders of the Govt. directing an increase of education tax from 12 pies to 14 pies should be enforced for the reason stated at A on p.2 ante.

2 The file may be circulated to H.M. (L.A.) and H.P.M. for orders as to whether the Govt. should enforce their orders in para 5 of G.O. 902 Edu. d 30.4.46 ^{whether} ~~at the proposal to enhance the~~ ^{or whether it} rate of education tax in North Arcot Dt. should be dropped. In the case of South Arcot the increase

24.7.46 ²⁹⁶ mark of the rate of ed. tax already ordered was cancelled subsequently. Please

see note on page 15-18 of J of 29.3.46. Memo on p.15 of J of 29.3.46.

24.7.46 *NS*
24.7.46 *NS*

in the circumstances of this particular case, the enhancement in the rate of education tax may be enforced.

26.7.46

26.7.46

26.7.46

26.7.46

26.7.46

In view of the orders at H on p 3 ante, action has
to be taken against the D.L. Board, North Arcot under
Sub-Section (2) of Section 41 of the M.L.P. Act, ^{issuing} p 662, BK 17.
an order in writing for the performance of the
duty within a period ^{of one} month. A draft order
is submitted. Legal officer see for ~~confirmation~~.

17.8.46

18/8/46

19.8.46

Seen in legal

Legal Dept

E.P.H. 30185-2-3
19.8.46

0.6202

ASSISTANT SECRETARY

22 AUG 1946

LEGAL DEPARTMENT.



Legal w.o. 6202-1
24.8.46

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