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Scott. II-27-37,004-19-11-65.

1946
E & P. H. (1946) Department.

MS

SERIES.

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G.O. No.

666 Educ
(666)

Dated

27-3-1946

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[Despatch Abstract.]

Tax - Education - Municipal Council, Cuddalore - Agricultural
Lands - Levy at increased rates - Ordered.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	
Go	202	L.A.	38/1/46				

Farther Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Go	552	Edm	19/3/47				

Copy of letter No. Rec. 5673.44 dated 13-2-1946 from the Commissioner, Cuddalore Municipality, Cuddalore.

TAX - Property - Cuddalore Municipality - Lands used exclusively for agricultural purposes. - Levy under sub-section (4) of Section 81 of the District Municipalities Act V of 1920 - alteration in the rate. - sanction - requested. Ref: G.O.No.Ms.202.L.A. dated 30-1-46.

The Council on further consideration of the matter has resolved in its resolution No.88 dated 9-2-46 (copy enclosed) to levy the tax on lands used exclusively for agricultural purposes under sub-Section (4) of Section 81 of the Madras District Municipalities Act, instead of under sub-section (2) of Section 81 and to fix the rate of such tax at 3 1/2 per cent per half year of the annual value of such lands as calculated in accordance with the provisions of Section 79 of the Madras Local Boards Act 1920 with effect from 1-4-46, as proposed by Government in their Memorandum No.26787.2.A.L.A. dated 16-11-45 and to issue necessary notification under Section 78 of the Madras District Municipalities Act 1920.

The rate of tax leviable on agricultural lands was fixed by Government under sub-Section (1) of Section 81-A of the Madras District Municipalities Act. (Vide G.O.No.696.L.A. dated 28th March 1944). Under sub-section (3) of Section 81-A of the Madras District Municipalities Act, the council shall not alter the rate at which the property tax is levied in pursuance of an order of Government under sub-section (1) of the said section except with the previous sanction of the Government.

As there is no sufficient time for the publication of the notification under Section 78 of the Act with the previous sanction of the Government, I am issuing the notification in anticipation of such sanction as resolved by the Council. If the issue of the notification under Section 78 without the previous sanction of the Government is considered to be not in order, the advisability of taking action under Section 81-A (1) of the Madras District Municipalities Act may kindly be considered.

Early orders are solicited in the matter.

p.t.o.

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Extract from the proceedings of the Municipal Council, Cuddalore, passed at its meeting held on Saturday the 9th February 1946.

88. Read the following:

1. Municipal Council's resolution No. 207 dated 23-7-45 resolving to levy tax on agricultural lands under sub-section (4) of section 81 of the Madras District Municipalities Act instead of under sub-section (2) of section 81 and to raise the rate of percentage of such tax from 35/8% to 12% per half year with effect from 1-4-46.

2. Government Memo. No. 26767 L.A. dated 16-11-45 requesting to show cause before the 15th December 1945 why the rate of tax for general purposes on agricultural lands should not be raised to 31 1/2% per half year so as to avoid a loss of revenue.

3. Municipal Council's resolution No. 458 dated 10-12-45 suggesting to Government to levy the tax at 31 1/2% for the whole year instead of per half year.

4. G.O. Ms. No. 202 L.A. dated 30-1-46 declining to sanction council's proposal and directing to continue to levy the tax under section 81(2) of the Madras District Municipalities Act at the rate fixed in G.O. No. 696 L.A., dated 28-3-44.

On a further consideration of the matter the council is of opinion that instead of levying the tax on agricultural lands under Section 81(2) it would be advisable and consistent with the council's policy and reasons already communicated to Government, to accept the proposal of the Government contained in Government Memorandum No. 26767 L.A. dated 16-11-45 and to levy the tax as suggested by the Government. The Council therefore resolves to levy the tax on agricultural lands under Section 81(4) with effect from 1-4-46 at the rate of 31 1/2% per half year, education tax of 2% remaining the same. Necessary notifications under section 78 of the Act will be published forthwith accordingly. Thirty days' time is allowed, for objections. The notification shall be published in the "Swadesamitran" and on the notice board of Sanitary Inspector's Offices in all the divisions and by beat of tom tom throughout the municipality.

/True copies/

③ E.H.H.(C-1)3
Tax - Education - M. C. Cuddalore -
Agricultural lands - Levy at increased
rates - Ordered.

Read again G.O. 202 L.A. d/30.1.46
From the Commissioner, Cuddalore Mty.

Roc. No. 5673/44, d/13.2.46

G.O. (M3) 666 Edn. d/27.3.46

The Cuddalore M. C. in its
resolution No. 88, d/9.2.46, has resolved to
levy tax on lands used for agri. exclusively for
agricultural purposes under sub-section (4) of
Section 81 of the M.D.M. Act, instead of under sub-
section (2) of Section 81 of the Act. ^{where} the above
resolution is given effect to, the C. will have to
forego an annual income of Rs 2,010 under
education tax. The Gnt. considers that the
Council's financial position is such that

with out increasing
the rate of education
tax on such lands
X on p2 of (J)

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Cannot afford this reduction in income.
They therefore direct, under Section 35 of
the M.E.F. Act, 1920, that education tax
shall be levied on lands used exclusively
for agricultural purposes in the Cuddalore
Mty, at nine per cent of their annual
value, per half-year with effect from 1.4.46.

p 612 of Book No. 17

22.3.46
27/3/46
To the Commissioner
Cuddalore Mty
(thru the C.M.C.)
D.P.I.
in n Exr of L.F.A.

Copy of L.A. Department notes regarding Tax - Property - Cuddalore
Municipal Council - Lands exclusively used for agricultural purposes -
Levy under sub-section (4) of section 81 of the M.D.M. Act, 1920 .
Sanctioned.

In its resolution No. 88, dated 9-2-1946, the Cuddalore Muni-
cipal Council has agreed to levy tax on lands used exclusively
for agricultural purposes, at 3 1/2% per half year on the annual value -
the education tax remaining the same. ~~There~~ This is in accordance with
the suggestion in Memorandum No. 26767.2.A.L.A. dated 16-11-45, which
the council did not accept originally in December 1945. There is
no objection to the Council's present proposal to implement which
the Commission has taken necessary action in anticipation of the
sanction of the Government under section 81-A(3). The Council's
proposal may be agreed to.

As regards the education tax which is to remain at half
a per cent, please see the note of the E. & P.H. Dept. on p. 11 of (J).

[The draft order on p. 1. ante may be sent to E. & P.H. for
perusal before issue.]
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p.t.o.

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Edn. & P.H. (C.1) Dept.

In September 1945, the Commissioner had reported that the council would forego an income of Rs.2,010/- under education tax, if the council's resolution to revise the basis of assessment was given effect to.

The B.E. for 1946-47 of the E.E. Fund as approved by Govt. is expected to close with a balance of Rs.634/-. The council cannot afford to forego the income referred to above. The council should, it seems be asked to raise the rate of education tax on agricultural lands to 9 p.c. per half year as suggested by the Commissioner.

Necessary extracts may be taken for further action and the file returned to L.A.

I.B.M(enon)
11-3-46.

'X' on p2 of (J)

p20e of (F)

'X' on p2 of (J)

15912

⑤ E.P.H.(C-1)

The M.L. Ch. Andalore has resolved to assess tax on agricultural lands under section 81(4) of the M.D.M.A. Act instead of under section 81(2) and to fix the rate of property tax at 31½ p.c. per half year, the rate of edn. tax (½ p.c. per half year) remaining unaltered. In September 1945, the Commr. had reported that the Council would forego an income of Rs.2,010 under education tax, if the Council's resolution to revise the basis of assessment was given effect to and that the education tax will have to be raised to 9 p.c. per half year if the cl is to avoid the loss.

The B.E. for 1946-47 of the E.E. fund

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of the cl., as approved by Govt, is expected to be
with only a balance of Rs 634. The cl. cannot
(F)
afford to lose the income consequent on the change of
the basis of assessment. The cl. may be directed
to levy edr. tax on agricultural lands at 9 p.c. per
half year with effect from 1-4-46.

A draft order is submitted.

22.3.46

RM
28.3/46 S

26/4/46