

En (1950) Department.

Ms SERIES.

G.O. NO. 2536 En

clerk
of

Dated

9-9-1950

[Despatch Abstract.]

Tax - Education - Municipal
Council, Salem - Levy of Education tax
as surcharge on profession tax - Directive
issued -

4. I request that Government may be pleased under clause (b) of sub-section(1) of Section 35 of the Madras Elementary Education Act 1920, as amended, to issue a revised direction to the effect that the rates of levy of education tax in Salem Municipality shall be 25% of the rates of profession tax proposed to be levied by this Municipal Council with effect from 1-4-50 so that a separate notification under section 78(3) of the Madras District Municipalities Act might not be necessary and the council might, simultaneously with the levy of profession tax at the revised rates specified in paragraph 3 above, give effect from 1-4-50 to the rates of education tax also as follows:

RATES OF PROFESSION TAX & EDUCATION TAX.

Class.	Half yearly income.	Half yearly Prof. Tax.	Half yearly Edn. Tax.
I	More than Rs.15,000	Rs.100	Rs.25
II	" 12,000 but not more than Rs.15,000	80	20
III	" 9,000 -do- 12,000	60	15
IV	" 6,000 -do- 9,000	40	10
V	" 4,800 -do- 6,000	20	5
VI	" 3,000 -do- 4,800	9-10-0	2-6-0
VII	" 1,800 -do- 3,000	4-13-0	1-3-0
VIII	" 1,200 -do- 1,800	3--4-0	0-12-0
IX	" 600 -do- 1,200	1-10-0	0--6-0
X	" 300 -do- 600	0-13-0	0--3-0

5. I request Government may be pleased to issue orders within a week directing the Municipal Council to levy education tax as a surcharge on profession tax at 25% of the rates of profession tax proposed to be levied in this Municipality from 1-4-50 so that a final and combined notification for the revised levy of both the profession tax and the education tax proposed by this Council may be published in the District Gazette for September 1950.

SS/-16.8.p

C. V. Subbalam
COMMISSIONER. 16/8

Copy to Director of Public Instruction, Madras. 16.8.50
Copy to the Inspector of Municipal Councils and Local Boards, Madras. 1. 16/8/50

FORWARDED.

H. Jayaraman
CHAIRMAN. 16/8/50

C. no. 24092/50

Edn (D)
Tax - Education - Municipal Council, Salem -
levy of Edn. Tax as surcharge on profession
tax - Alteration in the rate.

From the Commr., Salem Municipality
No. 7808/50 dt. 16-8-1950.

Memo. No. 24092/50-1D Edn. dt. 25-8-1950.

To
The D. P. I. ✓
The Insp. L. B. ✓

The D. P. I. and the Insp. of M. C. S. and
local Boards are requested to offer their
remarks ~~at an~~ urgently on the letter of
the Commr. Salem Municipality ~~sent~~ (copies
sent to them direct.)

Mm
24.8.50
16/8/50

16/8/50

D.O.

C. Vedachalam, B.A., B.L.
COMMISSIONER.

Municipal Office,
Salem,
18/8/1950.

Dear Sir,

33854

This Council has to sanction the levy of education tax as a surcharge on profession tax with effect from 1-4-50 and applied for a direction from Government to levy it at 25% of the rate of profession tax. But in the resolution of the Council adopted in this connection sanction of Government was requested for levying "the education tax at 25% of profession tax from 1-4-50 on companies and persons for every half year - etc., at 33-1/3% of the revised rate of profession tax proposed to be levied in this Municipality". You will find the rate of 25% mentioned first is in contradiction with the rate of 33-1/3% mentioned next. This unfortunate mistake resulted in Government sanctioning the levy of education tax as a surcharge on profession tax at 33-1/3% of profession tax in G.O. Ms. No. 2216 Education dated 7-8-50. Until this defect is rectified, no notification can be made. The proposal of the Council is only to levy education tax at 25% of the revised rates of profession tax proposed to be given effect to from 1-4-50 so that both the profession tax and the education tax levied as a surcharge on it will together not exceed the permissible maxima specified in the Schedule IV/ revised by G.O. No. 340 L.A., dated 12-4-50.

I have requested Government, to issue a direction under clause (b) of sub-section (1) of Section 35 of the Madras Elementary Education Act that this Council shall levy education tax as a surcharge on profession tax at 25% of the proposed rates of profession tax as follows:

Class.	Half yearly income.	H.Y. Prof. Tax.	H.Y. Edn. Tax.
I	More than Rs. 15,000.	Rs. 100	Rs. 25
II	" 12000 but not more than Rs. 15,000	80	20
III	" 9000 -do- 12,000	60	15
IV	" 6000 -do- 9,000	40	10
V	" 4800 -do- 6,000	20	5
VI	" 3000 -do- 4,800	9-10-0	2-6-0

VII	More than Rs.1800 but not more than Rs.3,000	4-13-0	1-3-0
VIII	" 1200 -do- 1,800	3--4-0	0-12-0
IX	" 600 -do- 1,200	1-10-0	0--6-0
X	" 300 -do- 600	0-13-0	0--3-0

A copy of the letter has been ^{addressed} sent to the Secretary to Government, Education Department, Madras,

This direction ^{is} required is to obviate the need for the publication of a preliminary notification inviting objections etc., as there is not much time available for getting a correct resolution of the council and then publishing a notification allowing a month's time for objections, etc., and finally notifying the levy.

I shall be obliged if you could kindly speak to the Assistant Secretary, Education Department and expedite the issue of orders in the matter by Government.

Yours sincerely,

Ch. Annabalu

To

Sri R. Krishnamurthi, B.A.,
Assistant Secretary,
Local Administration Department,
Fort St. George,
Madras.

26
18-78 x 765
130

Sri C. Vedachalam Pillai, B.A., B.L.,
Commissioner,
Salem Municipality.

Salem Municipal Office,
dated 31.8.50.

D.O.

Dear Sir,

Education Tax - Levy of as surcharge on Profession
tax - Direction requested - Government Memo
No. 25237-50-1-D Education dated 26.8.'50.

Dear Sir,

The levy of education tax at 33 1/3% mentioned
in the resolution of the Salem Municipal Council (approved
in G.O. No. MS 2216 Education dated 7.8.'50) is a mistake for
25% as explained in my letter dated 16.8.'50. I have therefore
requested Government to issue a direction to the Council to
levy the education tax at 25% of the profession tax levied
by the Council as a surcharge on profession tax with effect
from 1.4.'50 so that the profession tax and the surcharge
(education tax) thereon together do not exceed the maximum
of half yearly tax prescribed by rule 16 of Section IV to
the Madras District Municipalities Act, as amended. A direction
has been requested as there is not time for publishing a
notification inviting objections or suggestions allowing the
prescribed time and then getting it confirmed by the Council
and publishing the final notification before 1-10-'50.

I shall be grateful if you could kindly
look into the matter and arrange to issue orders giving a
direction to the Municipal Council to levy education tax
as surcharge on profession tax at 25% for the profession
tax levied by the council so that after formally placing
the matter before the next meeting of the council to be
held about the tenth of September, 1950, a notification
can be published in the District Gazette for September
and by beat of tom-tom before expiry of the current half-
year. If orders of Government are received before 7th
September, it would be possible to have it placed before

Contd:



L. A. Dept (A)

Education U.O. in Continuation

dept. U.O. No. 29914/50-1A dated 26.7.50.

recd 17.50 Edn
9.25/8

24/8/50 24/8/50

24.00 33854/50-1A
15/8/50

placed before the Council and issue a joint notification in the Gazette for the levy of both profession and education tax (surcharge) and proceed to levy them together.

Yours sincerely,

C. Venkatesh

To
Sri A. Govinda Menon,
Asst. Secretary to Government,
Education Department,
M A D R A S.

cr/-31.8.

C. no : 24092/50

*Issue at
MADRAS
6/9/50*

pn/k

plef

115-10-4

1
Edn (2)
Tax - Education - Municipal
Council, Salem - Levy of Education
tax as surcharge on profession tax
- Erratum - Issued -

Read again :

Go : 2216 En of the 7th August 1950
From the Council, Salem Mplg -
No : 7808/50 of 16.8.50
From the Council, Salem Mplg -
D.O of 18.8.50 and 31.8.50

Copy to Memo No : 24092/50-28 En of 6.9.50

Copy to The Council, Salem *(K)*
Mplg - (Through the C.O.) 7th August 1950, for the words "33 1/2% of
the D.P." ✓ *profession* tax, substitute "25% of *profession*
a Exr of H. Accts ✓ *tax*"
a I. L. B ✓
38/4.
—

M
24/9/50
of
24/9/50

My
6/9/50

to dg
b
9/8/80
p11 / (K) =
p11 / (J) =

M on p2 (J)

To
The Commr, Salem 4494
(through the CMC)
The D. P. I.
The Exr of the Act.
The I. C. B.
28/5 And
9/9/50

(6)

En (2)

Tax - Education - Municipal
Council, Salem - Levy of Education
tax as surcharge on profession tax -

Direction - (same)
Read again: 90:2216 En D 7-8-1950
Memo no: 24092/10-20 En D 6-9-1950.

Order No: 2536 En D 9-9-50

Ms
(Clause (b) of
under Sub-section (1) of
Section 35 of the Madras Elementary
Education Act, 1920, as amended, the
Govt direct the municipal Council,
Salem to levy Education tax at 25% +
profession tax with effect from 1-4-1950.

9/9/50.
9/9/50.
9/9/50.
9/9/80.

Em (D)

The Inspector's letter asking
may be passed ^{in the dispatch}

2. Orders have been issued

in Go: No: 2836 Em & 9-9-1950
on the lines iii: to 'M' asking.

~~No~~ ^{Further} action is necessary on
the Inspector's reference. This may
be filed with the G.O. at (J).

Kd
17/10/50

OP
22/11/50

mm
25/10/50