

2.2 Property Tax – General revision of property tax in all Municipal Corporations – Municipalities and Town Panchayats – Further Instructions – Issued.

MUNICIPAL ADMINISTRATION AND WATER SUPPLY (ELEC.) DEPT.

G.O. (Ms) No. 170

Dated:02.09.98

Read:

G.O.Ms.No.169 Municipal Administration and Water Supply Department, Dated: 02.09.98.

ORDER:

According to Rule 3 of the Chennai and Coimbatore Corporation Taxation Rules, the Commissioner shall assess the property tax having regard to (a) the annual value of the assessable item as on the 1st October, 1978; (b) the property tax payable by the owner or the occupier on the basis of the particulars filed in the return; and (c) the property tax payable by the owner or the occupier with reference to the guidelines, if any, issued by the council. the date of 1st October, 1978 was indicated to view of the fact that this rule was amended at the time of revision of property tax as on 1.10.1978. However, Property Tax was revised subsequent to 1978 in the year 1993 in these Corporations.

2. The Madurai Corporation Taxation rules , however provide that the Commissioner shall assess the property tax having regard to the annual value of the last general revision.

3. For the sake of uniformity and also to ensure that the spirit of the intention of the rule making authority is reflected correctly in the rules, it is ordered that the relevant Taxation Rules of Chennai, Madurai and Coimbatore Corporations incorporated under the relevant Acts may be amended as follows :

"3. The commissioner shall assess the property tax, having regard to :-

- (1) the annual value fixed for a building on the date of general revision of property tax.
- (2) the property tax payable by the owner or the occupier on the basis of the particulars filed in the return; and
- (3) the property tax payable by the owner or the occupier with reference to the guidelines, if any, issued by the council.

4. Since the Taxation rules form part of the corporation acts, for amending any provision in that rules, a resolution will have to be passed in the Tamil Nadu Legislative Assembly. the next session of the Legislative Assembly is likely to be commenced in the month of October 1998. Since it has been decided undertake the general revision of property tax with effect from 01.10.1998, pending amendment to the taxation rules, the Commissioners of all Corporations are hereby advised to take into account among others, the existing annual value fixed for a building on the date of general revision to the undertaken i.e., as on 01.10.98.

5. According to rule 14(2) of the Taxation and the Finance Rules under the Tamil Nadu District Municipalities Act, 1920, a general revision shall be deemed to have taken effect on the 1st day of half year following that in which the notice under rule 9 is published, or in case where a special notice is required to be served on the owner or occupier of the property under the first proviso to that rule on the first day of half-year following that in which such special notice is served on the owner or occupier of the property. Since, it has been decided to undertake the general revision with effect from 01.10.1998 and the time gap is too short, it will be practically difficult to give special notice on or before the 1st day of the half year in which the general revision is undertaken i.e., on 1.10.1998. It has therefore, been proposed to amend this rule to the effect that the special notice should be served on the owner or occupier of the property during the period of half-year in which the general revision of property tax is to be given effect to. Pending amendment to the rules, the Commissioner of Municipal Administration / Director of Town Panchayats are requested to issue suitable instruction/guidelines to all the executive authorities under their control that the special notice shall be issued to the owner or occupier of the property by all the executive authorities of Town Panchayats and municipalities during the half year period from 1.10.98 to 31st March 1999.

6. The commissioner of Municipal Administration and the Director of Town Panchayats are requested to send the copies of the instructions issued in this regard to the Government for information.

(By order of the Governor)

S. MALATHI
Secretary to Government