

# **The Punjab Town Improvement Trust Betterment Contribution Rules, 1954**

PUNJAB

India

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### **Rule**

### **THE-PUNJAB-TOWN-IMPROVEMENT-TRUST-BETTERMENT-CONTRIBUTION RULES, 1954**

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#### **1.**

(i) These rules may be called the Punjab Town Improvement Trust Betterment Contribution Rules, 1954. (ii) They shall apply to all schemes so far framed by the Trust or may be framed hereafter. (iii) In these rules, unless there is anything repugnant in the subject or context- (a) "Act" means the Punjab Town Improvement Act, 1922. (b) "Assessee" means the owner of such properties on which betterment contribution is proposed to be levied under Section 50-A of the Punjab Town Improvement Act, 1922. (c) "Chairman" means the Chairman of the Trust. (d) "Lands Officer" means an officer appointed by this designation under the Land Disposal Rules of the Trust. (e) "Trust" means a Town Improvement Trust established under the Punjab Town Improvement Act, 1922.

#### **2.**

The Trust may provide in scheme for the levy of betterment contribution on any property or properties if in the opinion of the Trust the value of such properties has increased or is likely to increase by the making of the said scheme.

**3.**

The betterment contribution shall not exceed 10 per centum of the increase in value of a property in a particular year.

**4.**

The term of years for which the Trust shall charge betterment contribution shall not be more than 5 years.

**5.**

The Lands Officer shall, within 90 days from the date of submission of the scheme to the State Government prepare a list of all such properties the value of which is likely to increase by the making of a scheme and on which it is proposed to leave betterment contribution and submit the list, to the Chairman who will place it before the Trust for obtaining approval. After the approval of the Trust has been obtained the Lands Officer shall have all such properties entered in a register and initial each entry. The period of 90 days shall not be applicable in the case of scheme submitted to the Government prior to the framing of these rules.

**6.**

The Lands Officer shall within 60 days from the date of the sanction of the scheme by the State Government in consultation with the Land Acquisition Officer or any other competent authority assess the value in accordance with the principle given in clause (a) of section 50-B of the Act of individual properties entered in the register under rule 5 above and submit the same to the Chairman who shall place them before the Trust and obtain its approval with or without modifications.

**7.**

The Lands Officer shall within 60 days from the date of such approval by the Trust under rule 6 above serve notice on every owner of property entered in the register maintained under rule 5 above which shall :-(a) State that the Trust proposes to levy betterment contribution on his property under Section 50-A of the Punjab Town Improvement Act, 1922 as also the value assessed under clause (a) of Section 50-B of the Act, and (b) require such person to submit objections to the proposed levy of betterment contribution or to the value assessed by the Trust if he so desires within 30 days from the service of the notice. The period of 60 days prescribed under rule 6 shall not be applicable in the case of scheme sanctioned by the Government prior to the framing of these rules.

**8.**

The Trust shall meet as soon as possible after expiry of the date of receipt of objections received under rule 7 above to consider and dispose of all such objections and thereafter finally assess the value of each property.

**9.**

The Trust shall cause to be entered the value of each property as finally determined by it under rule 8 above against each property in the register maintained under rule 5 above.

**10.**

The Trust shall inform each assessee of the value of his property as finally assessed by it.

**11.**

The Trust shall within one year from the date of notification issued by the State Government under rule 106 of the Punjab Town Improvement Trust Rules, 1939 or within 60 days from the date of the first sale in a particular year of Trust land comprised in the scheme providing for levy of betterment contribution whichever period is less determine the value under clause (b) of Section 50-B of the Act of the properties in respect of which value under clause (a) of Section 50-B of the Act has already been assessed and communicate the same to every assessee and require him to state :-(a)Whether the value assessed by the Trust is acceptable to him;(b)Whether if the value assessed by the Trust is not acceptable to him what should be the value according to him and the reasons, if any, in support thereof; and(c)Whether the assessee would be prepared to part with his property at the value assessed by him under clause (b) above.

**12.**

The Trust shall on receipt of objections submitted by the assessee under rule 11 above decide whether to accept the assessment communicated by the assessee or to acquire the property as required by section 50-D (2) of the Act.

**13.**

The assessee, if he is not prepared to part with his property at the value assessed by him for the purpose of clause (b) of Section 50-B of the Act, will be served with a notice by the Lands Officer to make payment of the betterment contribution for the first year at the rate fixed in the scheme and the value assessed by the Trust under clause (b) of Section 50-B of the Act under such circumstances shall be deemed to be final and conclusive.

**14.**

The Trust having finally assessed the value of the property under clause (b) of Section 50-B of the Act for a particular year, it shall be deemed to be the value assessed under clause (a) of Section 50-B of the Act for subsequent years.

**15.**

The Trust when assessing the value under clause (b) of Section 50-B of the Act for the years subsequent to the first year shall follow the procedure as laid down under rules 11, 12 and 13 above.

**16.**

The Trust shall, for the collection of betterment contribution follow the procedure as laid down in the Punjab Municipal Act, 1911, and the rules made thereunder, for the collection of a tax imposed by a Municipal Committee in respect of immovable property.