# Rajasthan Land Tax Rules, 2006

RAJASTHAN India

## Rajasthan Land Tax Rules, 2006

#### **Rule RAJASTHAN-LAND-TAX-RULES-2006 of 2006**

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Rajasthan Land Tax Rules, 2006Published vide Notification No. G.S.R. 47, dated 25.9.2006Last Updated 21st May, 2019G.S.R. 47. - In exercise of the powers conferred by Section 61 of the Rajasthan Finance Act, 2006 (Act No. 4 of 2006) and all other powers enabling it in this behalf, the State Government hereby makes the following rules, namely:-

#### 1. Short title, extent and commencement.

(1) These rules may be called the Rajasthan Land Tax Rules, 2006.(2) They shall extend to the whole of the State of Rajasthan.(3) They shall come into force on the date of their publication in the Official gazette.

#### 2. Definitions.

(1)In these rules, unless the context otherwise requires,-(a)"Act" means the Rajasthan Finance Act, 2006.(b)"Agent" means a person authorised in writing by the land holder to appear on his behalf before any authority under the Act;(c)"District level Committee" means the committee constituted by the State Government for a district, from time to time under the Rajasthan Stamp Rules, 2004 for the purpose of determining the market value of the land.(d)"Form" means a form appended to these rules;(e)"Government" means the Government of Rajasthan;(f)"Inspector General of Stamps" means the Inspector General, Registration & Stamps, Rajasthan(g)"Local authority" shall mean a municipality/Municipal Council/Municipal Corporation/Zila Parishad/Panchayat Samiti/Gram Panchayat or any other authority legally entitled to or entrusted by the Government with the control or management of a municipal or local fund.(h)"Market value" means the value of land determined under Rule 24 of these rules, (i) "Section" means a section of the Act;(j)"Treasury" means a Government Treasury in the State of Rajasthan and includes a sub-treasury.(2)Words and expressions used but not defined, shall have the same meanings as assigned to them in the Act.

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#### 3. Powers and duties of Assessing Authority.

- Assessing Authority shall, in addition to the powers and duties conferred on him by the Act:-(a)have the powers to-(i)examine any document, relevant to the market value of, or the assessment of the amount of tax on the Lands or to the identity of the person liable to pay the tax, and(ii)get a survey made of all lands, with a view to ascertaining their liability to tax, and(iii)call for any factual statement or information regarding any land from the land holder, who shall comply with the same in the manner as laid down and within the time allowed by the Assessing Authority(iv)[ call for any factual statement or information regarding the land leased out or otherwise given by the Central Government or State Government or its Corporations or Local Authorities to any person, institution or form etc., and which is liable for land tax, from the officer authorized in this behalf by such Governments, Corporations or local Authorities.] [Added by Rajasthan Notification Np. S.O. 185, dated 26.3.2012.](b)have the duty to-(i)proper maintenance and safe custody of all registers, records and other documents required by or under the Act to be maintained, and(ii)carry out such general or special orders as may be issued by the State Government from time to time, in connection with the carrying out of the provisions of the Act.

## 4. Preparation of the provisional assessment list.

(1)After making such enquiry as deemed necessary, the provisional assessment list shall be prepared by the Assessing Authority in Form-1.(2)For the purpose of assessing the amount of tax on land, the assessing Authority may-(a)enter upon or into, inspect and measure any land, and(b)if necessary, make enquiries from the neighbourhood landholder and examine the previous record of the local authority in relation to such land.(3)When the name of the person primarily liable for the payment of tax cannot be ascertained, it shall be sufficient to designate him in the assessment list and in any notice which it may be necessary to serve upon him as the holder of the land, without any further description.(4)The valuation of the entire land shall be the guiding factor in determining the liability to the payment of the tax.

## 5. Public Notice, objections and authentication of the assessment list.

(1)When the provisional Assessment list has been prepared, the Assessing Authority shall give public notice in Form-2 in one daily newspaper circulating in the locality in which the land is situated.(2)The provisional Assessment list shall be affixed on the Notice Board of the Assessing Authority for inspection.(3)In all cases in which any land is for the first time assessed or the assessment is increased, the Assessing Authority shall also give notice thereof to the land holder of the land, if known and if the land holder of the land is not known he shall affix the notice on a conspicuous place of the land or the village/ Gram panchayat/ Tehsil concerned in which such land is situated.(4)All objections regarding the valuation and assessment shall be made to the Assessing Authority before the time fixed in the public notice, by application in written, stating the grounds on which the valuation and assessment are disputed, and all applications so made shall be registered in a book to be kept by the Assessing Authority for the purpose. The book to be kept by the Assessing Authority shall, after allowing the applicant an opportunity of being heard in person or by agent and producing evidence to the objector

:-(a)investigate and dispose of the objections;(b)cause the result thereof to be noted in the book kept under sub-rule (4); and(c)cause any amendment necessary in accordance with such result to be made in the assessment list.(6)When all objections made under this section have been disposed of and all amendments required by sub-rule (5) have been made in the assessment list, the said list shall be authenticated by the Assessing Authority.(7)The list so authenticated shall be kept in the office, and shall be open for inspection during office hours to all holders of land specified therein, or to the agents of such persons and a public notice that it is so open shall be forthwith published. The public notice required to be published shall be in form-4.

#### 6. Order of assessment.

- The Assessing Authority shall examine the relevant documents or record of the case and evidence produced by the landholder and after making such enquiry as deemed fit, he shall by detailed order in writing assess the market value of the land and determine the amount of tax payable in respect of such land.

#### 7. Service of notices, etc. addressed to individuals.

- The service of every notice on any person or to any person to whom it is by name addressed, shall be effected by an officer or any other person authorised by the Assessing Authority in this behalf:(a)by giving or tendering such notice, to the person to whom it is addressed; or(b)if such person is not found, by leaving the notice, at his last known place of abode with or by giving or tendering the notice to, some adult male member or servant of his family; or(c)if such person does not reside within the jurisdiction of the Assessing Authority and his address elsewhere is known to the Assessing Authority or other person directing the issue of the notice, then by forwarding the notice, to such person by registered post under cover bearing the said address; or(d)if none of the means aforesaid be available, then by causing notice to be affixed in the presence of two persons of the locality on some conspicuous part of the land or the village/ Gram panchayat/ Tehsil concerned in which such land is situated, if any, to which the notice relates; or(e)the notice shall be published in the two leading newspapers one in English and one in Hindi.

## 8. Escaped Assessment.

- Where the tax in respect of any land or any portion thereof has, for any reason escaped assessment, the Assessing Authority shall serve notice to the land holder in Form-5.

## 9. Notice regarding transfer of land.

- Whenever the title or right in a land liable to pay the tax is transferred, the land holder or in the event of death of the land holder, the legal representative of the deceased, shall give notice of such transfer or death, to the Assessing Authority in Form-6 or Form 7, as the case may be.

#### 10. Notice of demand.

(1)The Notice of demand of tax or penalty under Secs. 47 & 49 as the case may be, shall be in form-8.(2)The notice of demand shall call upon the assesse to pay the tax or penalty within the time specified under the Act.

#### 11. Mode of payment of tax etc.

- All payment of tax and penalty unless expressly provided otherwise in the Act or these rules, shall be made into the concerned treasury by means of a challan in Form-9 or through a demand draft or crossed cheque in favour of the Assessing Authority concerned, drawn on any bank Scheduled or approved by Reserve Bank of India.

#### 12. Reconciliation of accounts.

(1)In the first week of each month the tax authority concerned shall prepare a statement in Form-10 and shall forward it to the Treasury Officer for verification.(2)If any discrepancy is discovered by the Treasury Officer at the time of verification, he shall inform the tax authority concerned, who shall send the necessary records to the Treasury Officer for reconciliation of account.

#### 13. Form, contents and presentation of appeal.

(1)[The Memorandum of appeal under Section 48, 50 or 51] [Substituted 'The Memorandum of appeal under Section 48 or 50' by Rajasthan Notification No. S.O. 185, dated 26.3.2012 (w.e.f. 25.9.2006.).] shall be in Form-11 and shall be presented in duplicate, and in case the appeal is under Section 48 shall be accompanied by proof of payment of tax not less than one half of the amount of tax assessed and payable by the person preferring the appeal.(2)The Memorandum of appeal shall be signed by the appellant or by his agent and shall be verified in the manner given in the prescribed form and shall be accompanied by a certified copy.(3)The Memorandum of appeal shall be presented by the appellant or his agent to the Appellate Authority or such member of the ministerial staff as the Appellate Authority may appoint in this behalf or may be sent by registered post addressed to the Appellate Authority.

## 14. Order of appeal to be communicated.

- A copy of every order of the Appellate Authority disposing of an appeal shall be sent to the appellant, Assessing Authority concerned and the Inspector General, Registration & Stamps.

## 15. Hearing of appeals.

- No officer acting as Appellate Authority shall hear any appeal against any order made by him in another capacity.

#### 16. Giving opportunity for hearing in certain cases.

- No order against any person imposing penalty under Sec. 47 or 49 shall be passed unless he has been given a reasonable opportunity of being heard.

# 17. [ [Deleted by Rajasthan Notification No. S.O. 185, dated 26.3.2012 (w.e.f. 25.9.2006.).]

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17. Application for revisions.- (1) An application for revision under Sec. 51 shall be in Form-12.(2) The provisions of Rules 13 to 14 shall apply in respect of application for revision and other matters connected therewith in the same manner as they apply to the appeals with such modifications as may be necessary.

## 18. Notice for producing record etc.

- The notice required to be given under Section 54 shall be in Form-13.

#### 19. Notice for inspection of land.

- The notice required to be given under Section 55 shall be in Form-14.

## 20. Copying and Inspection.

(1)An owner or occupier who is a party to the proceedings of the assessment at any time, may obtain copy of any document filed by him, copy of assessment order or any other notices issued by the Assessing Authority or proceedings taken under the Act on payment of copying charges prescribed in Rule 21.(2)Every application for a copy shall be in Form 15.(3)Any deficiency of copying fee charges shall be communicated by the Assessing Authority in Form 16.(4)A register shall be maintained in Form 17 for the purpose of copying record.(5)A party to the proceedings of the assessment or his authorised agent may apply for an order to inspect the record in Form 18.(6)No person for inspection of the record shall be allowed to bring into the room in which the inspection is made, any pen or ink nor to use any pen or ink nor shall be allowed to make any entry or mark nor cause to mutilate any record or paper which is being inspected.

#### 21. Court Fees.

- Court fee stamps of the value indicated below shall be affixed on all documents in respect of appeals, revisions and other proceedings under the Act or these rules :-

S. Nature of Document

Value of Court fee stamp

Memo of appeal under Sec. 48 or 50 Rs. Twenty five
Application for revision under Sec. 51 Rs. Twenty five

Vakalatnama by an Agent of land holderauthorised to appear

When filed before-

(a) An appellate authority or an assessing authority
 (b) The Tax Board
 Rs. Two
 Application for adjournment of any proceedings
 Application for obtaining copies
 Rs. Two

6 Copy of any order or document For every page Re. One

7 Application for inspection of files Rs. Two for every one hour or

part thereof

Note. - In case of maps or plans or extracts thereof, the Assessing Authority shall charge actual cost with reference to the work done.

## 22. Who can represent.

- No person shall appear before any tax authority in any proceeding under the Act as an agent or any other person, unless he is;(a)an advocate duly registered under the Advocates Act, or(b)agent of land holder or a person holding a general or special power of attorney executed by the land holder; or(c)an officer concerned of the State Government duly authorised by a general or special order in this behalf.

## 23. Decision of question about jurisdiction.

- If any question or doubt arises in respect of the area or jurisdiction ad territorial or otherwise of any authority or officer functioning under "the Act or these Rules, it may be decided by an order by the Inspector General, Registration & Stamps, whose decision shall be final and meanwhile no proceedings under the Act shall be stayed on such account except by an order of the Government or the Inspector General, Registration & Stamps.

#### 24. Procedure for assessment of the market value of the land.

(1)The market value of land shall be assessed by the Assessing Authority on the basis of the rates recommended by the District Level Committee or the rates approved by the Inspector General, Registration and Stamps from time to time, whichever is higher.(2)If the rates of land recommended by the District Level Committee are not revised within one year from the date of such recommendation or if the market value of land in any area has extraordinarily increased or decreased, the State Government may suo-moto or on a reference made by the Inspector General, Registration and Stamps re-determine by order the rates of the land in such areas on the basis of the recommendations made by a committee consisting of Secretary Finance as Chairman and Inspector General, Registration and Stamps, Dy. Secretary Finance (Tax), Collector of the concerned District and a Public Representative of that District nominated by the Government, as member. The rates so

determined shall be the basis of assessment of the market value of the land with effect from the date								
specified in such order and be valid until the District Level Committee revises the rates so								
determined.Form 1[See Rule 4(1)]Provisional Assessment List/Final Assessment								
listVillageTehsilDistrictYear								

SINO	Particulars of Land	Name of the Village/Tehsil in which the landis situated	bynumber	and address of the Land		Taxable value of land	e Amount f of the	of the Assessing	Revising Amount of tax assessed, if any	R o a if
1	2	3	4	5	6	7	8	9	10	1

Assessing AuthorityCopy forwarded to :

- 1. Inspector General, Registration & Stamps for necessary action.
- 2. Deputy Inspector General, Registration & Stamp, Circle.....

Assessing AuthorityForm 2See Rule	5(1)]Office of the Asso	essing Authority
(Sub-registrar)	Tehsil	District
Notice under Section 40 of the Rajas	sthan Finance Act, 200	o6Notice is hereby given that the
provisional assessment list of the tax	κ on lands situate in th	1e
VillageTehsilDistri	icthave been	prepared and are open for inspection at
the aforesaid Office within a period o	of 30 days from the da	ate of publication of the notice during any
working day.Objections may be filed	by land holder in res	pect thereof before the Assessing
Authority within a period of thirty da	ays from the date of p	ublication of the notice.Assessing
AuthorityCopy forward to :-		

- 1. Inspector General, Registration & Stamps, Ajmer.
- 2. Notice Board of Assessing Authority.
- 3. Conspicuous place of village/Gram Panchayat/Tehsil in which such land situates.
- 4. Concerned Land Holder/ Occupier

Assessing AuthorityForm 3[See R	tule 5 (4)]Objections RegisterOffice	e of the Assessing Authority
(Sub-registrar)	Tehsil	District
Year	Objections	

S.No.	Receipt No.	Date of Receipt	owner or	of	of tax	Date of Decision of the date AssessingAuthority	Revision of Amount of tax assessed, if any	Signature	Remarks
1	2	3	4	5	6	7	8	9	10
Authorassess autheral	ority (Sulsment lisenticated	o-registra t of the ta by the As r their ag	ar)ax on the l ssessing A gents at th	Tehsil ands situate uthority and e Office, du	Distred within the distribution of the d	of the Rajasthan Fina rict Notice is h the jurisdiction of he Office and is open hours on all working	nereby give has bee for inspects days.This	on that the on tion by the s day	
1 1	G Rea	ietratio	n & Sta	mps Ajm	≙r				
				sessing <i>l</i>		y.			
	onspic	=		/illage/Gı	ram Pan	chayat/Tehsil co	oncerned	l in whic	h
Suci		situate.							
				r/Occupio	er				

G.I.R. No.)

# **Schedule**

A. Description of Lands
1. Khasra No./ Plot No
2. Name of the Colony
3. Survey No
4. Name of the Village
5. Name of the Gram Panchayat
6. Name of the Tehsil
7. District
B. Market value of the Lands
A. Description of Lands
1. Khasra No./Plot No
2. Name of the Colony
3. Survey No

4. Name of the Village
5. Name of the Gram panchyat
6. Name of the Tehsil
7. District
B. Market value of the Lands
S. No. Location of land Amount of tax/Penalty
1 2 3  1 2 3  1 2 3  3 4 5 6  The amount of tax/penalty shall be paid in following installments/ by theday of20 in the Treasury.A challan is enclosed for the purpose.Please note that if the amount of Tax is not paid within the time allowed you are liable to penalty under Sec. 49 of the Rajasthan Finance Act, 2006 and the amount of tax and/ or penalty is recoverable as arrears of land revenue.Assessing AuthorityDesignationNote
1. Rs(In words)already deposited by you onhave been adjusted.
2. Where the owner of any land is himself not the occupier thereof and is in default of payment of lands tax, the tax may be recovered from the occupier of such land and the occupier who has paid the tax shall be entitled to deduct the amount so paid from the amount of rent or any other sum due

Form - 9[See Rule 11]Government of Rajasthan

from time to time, to the owner.

#### Rajasthan Land Tax Rules, 2006

No D	ate	•••••				
Cash Challan						
Name and signature of person tending theamount	Name and designation of person on whose behalfmoney is paid	Full particulars of remittance and ofauthority	Complete classification	on whor	er by	Amount
Major & Minor Head	Detailed Head					
be recorded on thi Treasuries/Sub-Tr Treasury/Sub-Tre BankPlease Receiv	s) RupeesNote is challan in the space reasuriesReceived Rup asury Officer	provided for the peesFor Banking/T	ourpose.For	Non Bank Treasuro ıb-Treasu	ing/ er Account riesOrder	ant Dated to the
				•••••	Bank Seal	
Officer,	rm - 10[See Rule 12]St Amount of Land T treasuries of districts	ax/ penalty and fo	ee for appeal	and revis		•
Amount shown as Authorityregister	deposited in Assessin	ng Lan	d Tax	Penalty	Fee for A	ppeal
Amount shown as	deposited as per trea	suryaccounts				
Fee for Revision		Oth	er receipts	Total	Signature Assessing Authority	S
SealSignat Appeal under Sect of Appeal under S	Authority's registers As ure of Treasury Office tion 48, 50 or 51 of the ection 48 or 50 of the 0.3.2012 (w.e.f. 25.9.20	r Bank Seal Rajasthan Finan Rajasthan Financ	Form 11[S ce Act, 2006 e Act, 2006'	See Rule 1 [Substitu by Rajast	3][Memor ted 'Memo han Notifio	andum of orandum cation No.
1. Name(s) of	the Appellant(s)					

- 2. Address to which notice may be sent to the appellant.
- 3. G.I.R. No.

4.	Authority	passing	the	order	in	dispute.
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- 5. Date of order against which appeal is made.
- 6. Date of service of notice of demand
- 7. Amount of tax
- 8. Amount of penalty
- 9. Date of payment of tax with particulars of remittance.
- 10. Relief sought.....
- 11. Grounds of appeal.....

Signature of the AppellantVerificationI/We.....the appellant(s) do hereby declare that what is stated above is true to the best of my/our knowledge and belief. Verification today......day of......20PlaceSignature (Appellant)[Form 12 [Deleted by Rajasthan Notification No. S.O. 185, dated 26.3.2012 (w.e.f. 25.9.2006.).]]

[See Rule 17] Application for revision under Section 51 of the Rajasthan Finance Act, 2006Space for Court fee stamps(state the amount of the Court fee stamps affixed)To,The Tax Board, Ajmer1. Name(s) of the petitioner(s)2. Address to which notice may be sent to petitioner(s) and respondent(s).3. G.I.R. No. of the owner.4. Authority passing the order in dispute.5. Date of order sought to be revised.6. Date of payment of tax with particulars of remittance.7. Relief sought8. Grounds of revision. Signature of the PetitionerVerificationI/We.....the petitioners) do hereby declare that what is stated above is true to the best of my/our knowledge and belief. Verification today......day of......20{|

Place: Signature(Petitioner)

Form 13[See Rule 18]Notice to land holder to produce record etc.To,......Notice is hereby given that document/record/account etc. are to be produced within 30 days of the service of this notice before the undersigned authority for assessment of land. Particulars of land and documents in support are as under:-

S. No. Particulars of Land Description of documents etc. 3

2 1

Assessing Authority/Appellate AuthorityForm 14[See Rule 19]Notice under Section 55 of the 

are as under:-

S.No. Particulars of Land

#### 1 2

S. Description of document/ order of
No. which copy is required
1 2
Object for which copy is required or grounds upon which application should be granted
3

S. No.	Date of application	S.No. of application	Name of the applicant	File number or reference of file from whichcopy is required	Additional copying fee required	
1	2	3	4	5	6	7

 $Assessing\ Authority Form\ 17 [See\ Rule\ 20] Register\ of\ application\ for\ copies above Place:$ 

Designation of Date of Value of Value document Tota making Court fee Deficiency Name Date of S.No. Date of of which Date of of all of good the on of copying of the application applicable Court copy deficiency delivery fee application fee, if any copyist of copy of copying fee applied for paid for copy a No. of the fee record. 6 8 1 2 7 3 4 5 9 10 11

Form 18[See Rule 20]Application for inspection of RecordTo,The Assessing Authority,Sir,I apply for permission to inspect the record of the case mentioned belowFull particulars of the file number of reference to the Record if anyI am Occupier/Holder/Agent in the case and am party to the proceedings of assessment/ not party to the proceedings of assessment......(Full Name & Address)Particulars of the record of which inspection is sought Reason why inspection is needed. Place:Date: Signature of the applicant