



GOVERNMENT OF JAMMU & KASHMIR
Housing & Urban Development Department
Civil Secretariat – Jammu/ Srinagar

Notification

Jammu, the 21st February, 2023

S.O. 87 : In exercise of the powers conferred by Section 71A of the Jammu and Kashmir Municipal Act, 2000 (hereinafter referred to as the Act), read with Sub-Section 1 of Section 65 and Sub-Section 1 of Section 73 thereof, the Government hereby notifies the following rules for levy, assessment and collection of property tax in the Municipalities and Municipal Councils of Union Territory of Jammu and Kashmir.

1. Short title and commencement. (1) These rules shall be called Jammu and Kashmir Property Tax (Other Municipalities) Rules, 2023.
(2) These shall come into force from 1st of April, 2023.

2. Definitions. Unless the context otherwise requires, a reference to the "Act" shall mean a reference to the Jammu and Kashmir Municipal Act, 2000, and "Form" shall mean a Form appended to these Rules. Words and expressions used herein shall have the same meaning as given to them in the Act. For words and expressions not defined therein, the definition, if any, in the Jammu and Kashmir Municipal Act, 2000, the Jammu and Kashmir Development Act, 1970, the Jammu and Kashmir Property Tax Board Act, 2013, or in the General Clauses Act, 1897, in that order of precedence, shall be used as an aid to interpretation. For other words and expressions, the meaning shall be construed according to their customary usage appropriate to the context.

3. Manner of calculation of property tax. (1) The Taxable Annual Value (TAV) of a property under the Act and the property tax due thereon for a financial year shall be calculated in accordance with the formula given in Schedule-I to these rules.

(2) The property tax calculated in respect of a building calculated in accordance with sub-Rule (1) above shall hold for a block of three years unless any change to such calculation is necessitated on account of the circumstances envisaged in the Act for allowing revision in such calculation.

(3) The first block shall commence from 1st April 2023, and shall continue to remain in force till 31st March 2026. The blocks shall be similarly calculated thereafter.

(A) New buildings coming up after the commencement of the block shall have their property tax liability calculated with reference to the 1st day of the relevant block, and irrespective of their having completed three years; their liability to tax shall be calculated anew from the date of commencement of the new block of three years for the Corporation as a whole.

(B) Where a building is liable to property tax for only a part of the year, the tax due shall be proportional to the number of completed months and parts of month not completed shall be ignored.

4. **Procedure for assessment and collection of property tax.** The procedure prescribed in Chapter VI of the Act, except insofar as it relates to the calculation of the tax due on a property, shall regulate the assessment and collection of property tax.

5. **Form of return under sub-section 5 of Section 73 of the Act.** A person liable to property tax shall furnish to the Executive Officer or any officer authorized by him in this behalf the particulars of the property and the tax due thereon in Form-1 by 30th May of the financial year to which the return pertains. It shall be accompanied by a proof of payment in Form-2. Acknowledgment of filing of return shall be in Form-3. A copy of the acknowledgment along with the proof of payment of the second installment of tax shall be furnished by 30th November in cases where the payment is made in two installments.

6. **Penalty for delay in filing of return.** Failure to file return in due time, unless prevented by sufficient cause, shall, without prejudice to the interest due for delay in payment, make the person from whom it is due liable to a penalty of Rs 100/- or 1% of the tax due, whichever is higher, for every month of default. The maximum penalty shall not exceed Rs 1000/-.

7. **Notice for inspection.** The notice in terms of sub-section 8 of Section 73 of the Act shall be in Form-4 and the date of inspection shall, unless there are reasons to recorded in writing for giving a shorter notice, not be less than 14 days from the date of notice.

8. **Notice for assessment on best judgment basis.** The notice in terms of sub-section 9 of Section 73 of the Act shall be in Form-5 clearly mentioning the liability of property tax proposed to be determined and the basis thereof, and the date of hearing shall, unless there are reasons to recorded in writing for giving a shorter notice, not be less than 21 days from the date of notice.

9. **Notice for re-assessment.** The notice in terms of sub-section 10 of Section 73 of the Act shall be in Form-5A clearly mentioning the additional amount of property tax proposed to be levied and the basis thereof, and the date of hearing shall, unless there are reasons to recorded in writing for giving a shorter notice, not be less than 21 days from the date of notice.

10. Notice of demand. The notice of demand in pursuance of assessment or reassessment under sub-section 11 or sub-section 13 of Section 73 of the Act, as the case may be, shall be in Form-6.

11. Appeal. Till such time the Jammu and Kashmir Property Tax Board in terms of the Jammu and Kashmir Property Tax Board Act, 2013 is constituted, the reference thereto in Section 90, 91 and 92 of the Act shall be deemed as a reference to the Director Urban Local Body of the concerned division.

12. Exemption from payment of property tax.

Vacant lands, not appurtenant to a structure/building shall be exempt from property tax if there's a Master Plan in force in the area, under which any construction/development on such vacant land is disallowed or if they have been put to agricultural use as per 6-monthly cropping surveys of the Revenue department.

Similarly, all the properties of the Municipality and all places of worship, including temples, masjids, gurudwaras, churches, ziarats, etc and cremation and burial grounds shall be exempt from payment of property tax.

All properties owned by Government of India / UT Government shall be exempted from payment of Property Tax. However, service charge at the rate 3% of the taxable annual value shall be payable to the Municipality in respect of such properties.

By order of the Government of Jammu and Kashmir

Sd/-

(H. Rajesh Prasad) IAS

Principal Secretary to the Government

Housing and Urban Development Department

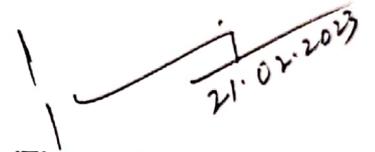
Dated: 21.02.2023

No.HUD- LSG0SMC/52/2022-01(C.No 7074401)

Copy to the:

1. Additional Chief Secretaries.
2. All Financial Commissioners.
3. Director General of Police, J&K.
4. All Principal Secretaries to the Government.
5. Director General, IMPARD, J&K.
6. Joint Secretary (Jammu, Kashmir & Ladakh), MHA, Gol.
7. All Commissioner/ Secretaries to the Government.
8. Principal Resident Commissioner, J&K Government, New Delhi.
9. Chief Electoral Officer, J&K.
10. Director, Anti Corruption Bureau, J&K.
11. Divisional Commissioner, Kashmir/Jammu.
12. Chairperson, J&K Special Tribunal.
13. All Deputy Commissioners
14. Commissioner Municipal Corporation Jammu/Srinagar.
15. Director Information, J&K.
16. Director Urban Local Bodies Jammu/ Kashmir.
17. All Heads of Departments/ Managing Directors/Secretary, Advisory Boards.

18. Registrar General, J&K High Court, Jammu.
19. Secretary, J&K Public Service Commission/ BoPEE/SSB.
20. Director, Estates, J&K.
21. Director, Archives, Archaeology and Museums, J&K.
22. Secretary, J&K Academy of Art, Culture & Languages.
23. Director, IT& SS, University of Kashmir.
24. General Manager, Government Press, Srinagar/Jammu.
25. Private Secretary to Hon'ble Lieutenant Governor.
26. Private Secretary to Advisor (B) to the Lieutenant Governor.
27. Private Secretary to the Chief Secretary, J&K.
28. Private Secretary to Principal Secretary to the Government, HUDD.
29. Private Secretary to Commissioner/ Secretary to the Government, GAD.
30. I/c Website, HUDD.
31. Stock file.


21.02.2023

(Thannaji Bhat)
Under Secretary to the Government
Housing and Urban Development Department

Schedule-I

Formula for levy of Property Tax

Property Tax on Residential Property = 5% of Taxable Annual Value (TAV)
Property Tax on Non-Residential Property = 6 % of Taxable Annual Value (TAV)

$$\text{Taxable Annual Value (TAV)} = \text{MTF} \times \text{LVF} \times \text{ARF} \times \text{FF} \times \text{UTF} \times \text{CTF} \times \text{AGF} \times \text{SF} \times \text{OSF}$$

Where:

1. **MTF is Municipality Type Factor.** Its value shall be entered in the formula as follows:
- | | | |
|------------------------|---|------|
| a. Municipal Council | : | 0.75 |
| b. Municipal Committee | : | 0.5 |

2. **LVF is Land Value Factor.** It is one tenth of the unit area value of land in Rs lakh per kanal of land as notified under J&K Preparation and Revision of Market Value Guideline Rules, 2011 as on 1st April of the base year of that block of three years. e.g. for the first block from 1st April, 2023 to 31st March, 2026, if the per kanal value of land as on 1st April, 2023 as per the aforementioned value guidelines is Rs 60 lakh, it be entered as 6 in the above calculation and shall continue to be entered as 6 during the three financial years of the block.

3. **ARF is the Area Factor.** It is the built area or the vacant area in respect of which the tax liability is being calculated, as the case may be, in square feet. In the case of Property tax on built area, it refers to the total covered area of that floor in square feet. In case of areas with winter snowfall, the area of the attic shall not be counted in built-up area. In the case of Property tax on vacant land not appurtenant to a building, the area of the vacant land in square feet shall be entered. In the case of Property tax on vacant land appurtenant to a building, the area to be entered in the formula shall be the area, in square feet, in excess of two times the built-up area of the ground floor.

4. **FF is floor factor.** For calculating the liability of different floors and vacant land abutting the building, the floor factor shall be entered in the formula as follows.

a. Residential buildings including flats:	:	1
b. Other buildings:	:	1
1. Ground floor	:	0.8
2. First floor	:	0.7
3. Second floor	:	0.5
4. Third floor and above	:	

5.	Vacant land	:	0.1
	Basements for all types of buildings:	:	0.5

6. **UTF is Usage Type factor.** For vacant land appurtenant to a building, it shall be the same as that of the building itself. Where different portions of a building are put to different uses, property tax for the built-up area as well as the taxable vacant appurtenant area shall be separately calculated, proportionately, for each area under a particular use. The value to be entered in the formula for different usage types shall be as follows:

a.	Residential apartment/ flat	:	2
b.	Residential house	:	2.5
c.	Industrial (Manufacturing)	:	5
d.	Institutional/Public/ Semi Public	:	7
e.	Commercial, except 3 star and above Hotels:	:	12
f.	towers & hoardings 3 star and above hotels, towers & hoardings.	:	15

6. **CTF is the Construction Type Factor.** Its value shall be entered in the formula as follows, based on the predominant and substantive nature of the construction:

a.	RCC construction	:	1
b.	Pucca (without RCC) construction	:	0.9
c.	Prefabricated structure	:	0.8
d.	Kuccha/Bamboo/Wood/Tin Structure	:	0.6

7. **AGF is Age Factor.** The value for this factor shall be entered in the formula as follows:

a.	0-20 years old	:	1.00
b.	20-30 years old	:	0.90
c.	30-40 years old	:	0.80
d.	40-50 years old	:	0.70
e.	50-60 years old	:	0.60
f.	More than 60 years old	:	0.50

8. **SF is Slab Factor.** The value of slab factor shall be entered in the formula as follows based on the total built-up area calculated as indicated at 3 above.

a.	Residential houses/ apartments	:	0
i.	Upto 1000 sft	:	0.75
ii.	Above 1000 sft upto 1500 sft	:	1.0
iii.	Above 1500 sft upto 2000 sft	:	1.15
iv.	Above 2000 sft upto 2500 sft	:	1.30
v.	Above 2500 sft upto 5000 sft	:	1.5
vi.	Above 5000	:	
b.	Other usage types	:	0.50
i.	Upto 100 sft	:	

ii.	Above 100 sft upto 250 sft	:	0.75
iii.	Above 250 sft upto 500 sft	:	1.00
iv.	Above 500 sft upto 1000 sft	:	1.15
v.	Above 1000 sft upto 2500 sft	:	1.30
vi.	Above 2500 sft upto 5000 sft	:	1.5
vii.	Above 5000 sft	:	2.0

9. OSF is occupancy status. The value of this factor for built-up properties shall be entered in the formula as follows:

a.	Self-occupied for more than 6 months	:	0.75
b.	Others	:	1.0

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ry
as

[Type here]

Form-1

Form of Return

[See Rule 5] (Sub-section 5 of section 73 Municipal Act, 2000)

To,

CEO/EO

Municipal Council/ Committee

.....

Subject: Filing of return for assessment of properties for Property taxes

Sir/Madam,

I am submitting the details of property known asbearing UPN Ward
 No.....in Municipal Council/Municipal Committee (F1)as under:

Property type: Central Government asset/ UT Government asset/ Municipality Assets/ Place of worship/ Others

Property type	Floor wise details of property	Factor							Total Taxable value F1 to F9 (Multiply)	Total Tax payable @ Tax rate/Service Charge payable @ rate	Advance Tax /Service Charge paid	Penalty/Interest; if any	Rebate; if any	Net Tax / Service charge payable
		Land Value Factor (F2)	Area Factor (F3)	Floor Factor (F4)	Usage Type Factor (F5)	Construction Type factor (F6)	Age Factor (F7)	Slab Factor (F8)						
(a) Residential apartment /flat	(i) Basement (ii) GF (iii) FF (iv) SF													
(b) Residential House	Vacant land (i) Basement (ii) GF (iii) FF (iv) SF													

Form-2

Proof of payment

[See Rule 5] (Sub-section 5 of section 73 Municipal Act, 2000)

UPN:	
Name of applicant:	
Address:	
Type of payment (Advance tax/Tax on Self assessment/Tax on Re-assessment/Interest & Penalty)	
Amount paid	
Receipt no.	
Dated	

11

Form-3

Acknowledgement of filing of return

[See Rule 5] (Sub-section 5 of section 73 Municipal Act, 2000)

Return No. _____ Name of Owner/Occupant _____ Address _____	Return No. _____ Date _____ Amount paid _____ Receipt No. _____
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Receipt Clerk,
Municipal
Council/Committee

1/1

Form-4

Notice for Inspection

[See Rule 7] (Sub-section 8 of section 73 Municipal Act, 2000)

.....

.....

.....

Notice for Inspection

.....
In accordance to subsection 8 of section 73 of Municipal Act, 2000 it is hereby ordered that
..... to conduct the inspection of the land/building with UPN.....for the purpose of survey/
..... on.....of said building in order to assess the property tax to be levied.

Executive Officer

Municipal Council/Committee

1

Form-5

Record the refusal/ Notice for Assessment of tax on best judgment basis
 [See Rule 8] (sub-section 9 of section 73 Municipal Act, 2000)

Occupier

Area	Taxable Value with factor F1 to F9	Property Tax/ Service charge payable	Tax/ service charge already paid	Penalty/Rebate ; if any	Net payable

I hereby declared that the occupier/owner has refused the undersigned/ authorized officer to enter into the premises for inspection (Survey/measurement) so the assessment is made to the best of my knowledge. Occupier is given an opportunity of being heard to furnish response along with supporting document by or before failing which it shall be presumed that Tax so assessed has been accepted and reassessed tax shall be paid within

Executive officer /Authorized Officer
 Municipal Council/Committee

Form 5-A

Re-Assessment of Property Tax

[See Rule 9] (sub-section 10 of section 73 Municipal Act, 2000)

Zone. _____ Bill(s) details _____

Owner/occupier _____

Property			ZONE	
		PAN No.	Owner Name	
		Email Id	Address	

	Self Assessed Area	Property Tax / Service charges assessed	Area Reassessed	Property Tax / Service charges Reassessed	Amount of Tax/ service charge Paid	Difference	Penalty	Net payable
Residential								
Commercial								
Industrial								
Special (including)								
Municipal/semi public								
Commercial								
Water and sewerage, streets, etc.								
Land above								
Water and sewerage								
Land								

On random scrutiny, the Property Tax return is found to be incorrect/under assessed to the tune of _____ and Property Tax is reassessed and is payable along with Penalty. Owner/occupier is given an opportunity of being heard to respond along with supporting document by or before failing which it shall be presumed that Tax so assessed is accepted and reassessed tax shall be paid within 30 days.

Executive officer /Authorized Officer
Municipal Council/Committee

Form-6

Notice of demand

[See Rule10] (sub-section 11 &13 of section 73 Municipal Act, 2000)

For the Financial Year _____ Bill No. _____ Dated. _____

Owner/occupier _____
 30 days from the date of receipt of Bill/33 days if by post from the date of dispatch of Bill

No.	Area	Taxable Value with factor F1 to F9	Property Tax/ Service charge payable	Tax/ service charge already paid	Penalty/Rebate ; if any	Net Property Tax/ Service charge payable
Commercial property						
Commercial flat						
Commercial House						
Commercial (dwelling)						
Commercial/Public						
Commercial except above						
Commercial above						
Commercial						

Details of Demand for Property Tax for the year _____ period _____

S.No	Description of Tax	Amount
1.	Property Tax / Service charge	
2.	(a) Rebate@10%	
	(b) Remission	
3.	Previous Arrear Amount for the period	
4.	Interest Amount	
5.	Previous Credit	

(Type here)

6.	Amount Payable on due date	
7.	Amount Payable after Due Date	
8.	Amount still at credit	

Terms & Conditions

1. The Treasury is open from 10.00 to 01.30 PM on all working Days.
2. Cheques should be drawn in favour of Executive Officer of the Municipal Council/Committee.
3. Out Stations cheques should be including the discount charged in such cheques.
4. Rebate @ 25% is given on the taxes claimed for the current year or a bill raised for the first time, if the amount specified in the bill is paid within 15 days from the presentation thereof. Bills sent under postal certificate shall be constructed to have been received within three days from the date the posting and accordingly this rebate is given if payment of the bill is made within 18 days from the date of posting.
5. If the payment of the tax/return is not made within the due time the person is liable to a penalty of Rs.100 max to Rs.1000/- or 1% of the tax due whichever is higher for every month of default financial years in which the bill is an interest@ 1% per month shall be payable after one month of the close of the financial year to which the bill relates.
6. The notice of demand/recovery of property tax will not confer any right on the person paying the tax or anyone else to claim validation of unauthorized use/construction at a later date and the same is without any prejudice to the rights of the Municipality to take any legal action including that of demolition in respect of such unauthorized use/construction.
7. In case any your payments have not been adjusted, please do come with original receipt given by the Municipality.
8. Please always mention Unique property No. /date name of house and demand No. in all correspondence.
9. It is requested that this bill be presented while tendering payment.

Bill Prepared By

Bill Checked By

Authorized Officer

[Type here]