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भारत संचार निगम लिमिटेड
(भारत सरकार का उपक्रम)
BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)

TAX/30-48/PROPERTY TAX/2011-2012/51

DATED AT CHENNAI-2 THE 16-07-2011

To

PGM/GM, PCE (CIVIL/ELECTRICAL), BSNL
SSA: Coimbatore/Coonore/Cuddalore/Dharmapuri/Erode/Karaikudi/Kumbakonam/
Madurai/Nagercoil/Pondicherry/Salem/Thanjavore/Trichy/Tirunelveli/Tuticorin
Vellore, Virudhunagar and CMTS, Trichy.
Units:- Accounts Officer, Electrical and Civil Divisions.

Sub: Payment of Property Tax to Local Bodies for Departmental Buildings - reg.,

Ref: 1. BSNL Hq. letter no. BSNL/15-1/SR/ND dated 14-08-2001 from DDG.

2. BSNL hq. Letter no. 19-45/2005/LR&BT dated 26-07-2005 from Jt. DDG (BW)

3. BSNL Hq. letter no. 19-67/2005 -LR &BT dated 16-05-2005 from Jt. DDG (BW-

II).

Number of references has been received from SSAs seeking guidelines for payment of property tax on Departmental Buildings after formation of BSNL to Local Bodies.

In this connection, letter referred under reference no. 3 (copy enclosed) may kind be seen, wherein it was stated that the case has been examined in consultation with CS & GM (Legal), Corporate Office, and considered opinion has emerged that challenging the imposition of property taxes by Local Bodies in a Court of Law may not yield success, and the payment of property tax appears to be imminent, and therefore to be paid. Since the calculation of Property tax is complex matter involving engineering calculations of land and building areas including evaluation of cost, where applicable. Further, it was instructed that Circles/SSA Heads to get all the property tax assessment done through CE (Civil)/SE (Civil) as enunciated in the letter referred under reference no. 2 and also to send the statement of Taxes paid/to paid to BSNL Corporate Office.

Hence, SSAs are requested to pay the property tax, wherever claims are raised by Local Bodies.

This issues with the approval of General Manager (Finance).

(T.K. ANANTHAKRISHNAN)
Deputy General Manager (P&EF)
O/o CGM, TN Circle, Chennai-2.

Encl: as above



A copy of BSNL Head Quarters Lr.No.BSNL/15-1/SR/ND dated 14.8.2001 addressed to the CGM Rajasthan circle jaipur,

Sub: Payment of local tades under article 285 of the constitution of Land & Building.

Kindly refer to Yr D.O.Lr.No.BLDG/171-RLG/IV/14 Dated 21.6.2001 addressed to Shri.S.P.Purwar, Director (Finance) BSNL regarding payment of taxes for various land and building situated at Jodhpur in Rajasthan Circle.

The case has been examined in the BSNL Head Quarters and it has been decided that BSNL cannot claim exemption of local taxes under Article 285 of the constitution and therefore the taxes may be paid subject to availability of funds in the relevant head of account .

COPY TO:
ALL CGMS BSNL

Signed
(A.K.PATHAK)
DDG



BHARAT SANCHAR NIGAM LIMITED
(Govt Of India Enterprises)
Unit Corporate Office
1st Floor Bhanderlok Building
36, Janpath New Delhi

No 19-67/2005-LR&BT

Dated 16/05/2006

To
All Chief General Manager Telecom
Bharat Sanchar Nigam Limited
Tamilnadu. Telecom Circle
Chennai.....

*Principal
MST*

Subject - Payment of property taxes after formation of BSNL - clarification regarding

A number of references have been received from CGM's Telecom seeking guidelines for payment of property tax on departmental buildings after formation of BSNL to local bodies.

The case has been examined in consultation with CS & GM (Legal) Corporate Office. A considered opinion has emerged that challenging imposition of property taxes by local bodies in a Court of Law may not yield success. DOT has already stated that conveyance of properties to BSNL is complete and thus expressed its inability to issue document to the effect that properties are still in the name of DOT. It has also been stated by DOT that conveyance deed, when executed, shall be effective from retrospective date.

In view of above, the payment of property tax appears imminent and, therefore, to be paid. Since it is a complex matter involving engineering calculations of land & building areas including evaluation of cost, where applicable, it is enjoined upon all Circles/SSA Heads to get all property tax assessment done through CE (C)/SE (C) as enunciated in this office letter No 19-45/2005-LR&BT dated 26.07.2005 (copy enclosed) before making payment.

The concerned CGMs shall send a statement of taxes paid / to be paid every year.

Incl. As above

SDE (LR&B)
[Signature]

[Signature]
(D.S.DESHWAL) 16.S.
Jt DDG (BW-II)

BHARAT SANCHAR NIGAM LIMITED
(A Govt. Of India Enterprises)
BW Unit Corporate Office
10th Floor Chanderniok Building
36, Janpath New Delhi

No. 19-45/2005-LR&BT

Dated 26/07/05

To

All CGMT
BSNL

Sub: Property / service tax on BSNL properties - processing of tax claims

It has been decided by competent authority that tax claims - property tax/service tax - on BSNL properties are to be scrutinised by civil wing before payment is made in the following manner:

1. In case of SSA, the tax claims will be scrutinized by SE (C) concerned.
2. In case of CGM office, the tax claims will be scrutinized by CE (C) concerned.

In each case, the concerned officer shall furnish the following certificate:

"The tax demanded by (name of local body) for the period (period) as the asset (name of asset) situated in BSNL premises (name of premises) located at (name of locality) in (name of town/city) has been scrutinized in accordance with the applicable byelaws on the asset. It is found correct for Rs"

(Signature)
CE (C) / SE (C)

The above instructions may kindly be brought to notice of all concerned and may be followed strictly. The Civil Wing unit under your control may also be asked to comply with the instructions.

(A K GUPTA)
JI DDG (BW)

Copy to: All PCE (C) / CE (C) BSNL for information and compliance

I issued to all CGMT
All PCE (C)
CE (C)
5-7-05



A copy of BSNL Head Quarters Lr.No.BSNL/15-1/SR/ND dated 14.8.2001 addressed to the CGM Rajasthan circle jaipur,

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COPY TO:
ALL CGMS BSNL

Signed
(A.K.PATHAK)
DDG