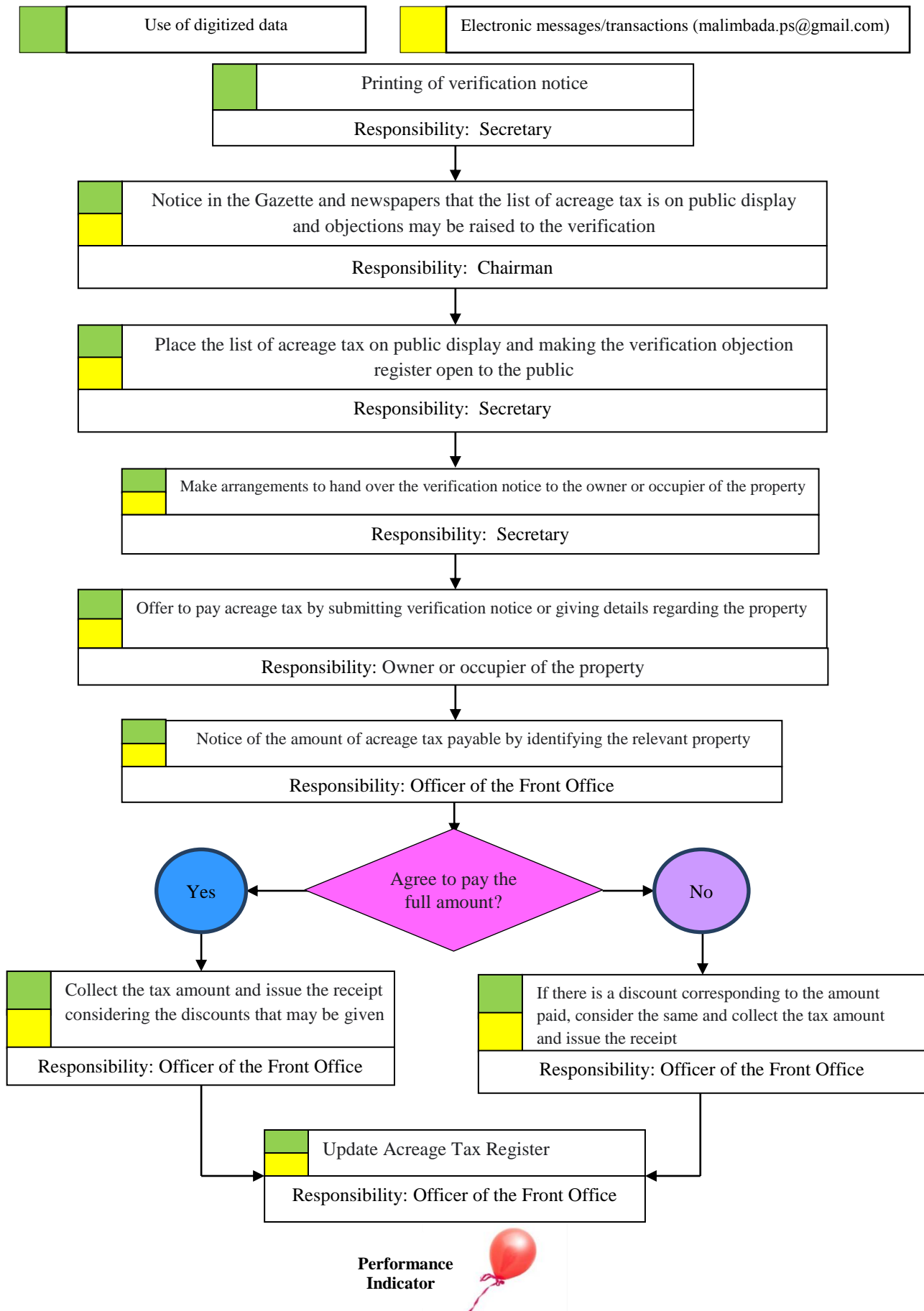


26. Levying Acreage Tax - Flow Chart



26. Levying Acreage Tax

1. Introduction

Under the powers vested in Parliament under Article 148 of the Constitution to delegate its powers to impose a tax to another authority under any law, the Pradeshiya Sabhas have been vested the powers to impose and levy a tax on lands subject to regular or permanent cultivation. This tax is introduced as the acreage tax.

2. Legal Authority

- (a) Sections 134 (3), 141, 158, 160 and 161 of the Pradeshiya Sabhas Act No. 15 of 1987
- (b) The orders made in the Gazette Notifications issued in respect of Pradeshiya Sabhas included in the Annex hereto.

3. Eligibility

- (a) Land under permanent or regular cultivation within the limits of the Pradeshiya Sabhas.
- (b) Should be a land of more than 5 hectares.
- (c) According to the terms set out in the Schedule hereto, only Pradeshiya Sabhas declared as special areas have been vested powers to levy acreage tax on lands more than 1 hectare and less than 5 hectares.

Note: Rates cannot be levied on acreage taxed property.

4. Fees

The amount in the acreage tax verification notice.

Note: 1. The rates of levy of this tax vary according to the extent of the land. Accordingly, the extent of land subject to acreage tax -

- (a) In case of five hectares or more, on each hectare of that land, an amount subject to a maximum of Rs. 10.00 each,
- (b) In case of not less than one hectare but less than five hectares, on each hectare of the land, an amount subject to a maximum of Rs. 50.00 each,

shall be considered as the amount charged in the manner prescribed by the Pradeshiya Sabha.

- 2. A Pradeshiya Sabha is vested powers to set and collect the acreage tax for land less than five hectares under paragraph (b) above, only if the area to which the Pradeshiya Sabha belongs has been designated and published in the Gazette by the Minister as a special area. (A list of Pradeshiya Sabhas declared as special area has been included in the Schedule)
- 3. Acreage tax fixed by the Pradeshiya Sabha is available to get a discount on payment to the Council either quarterly or at one time for the year itself. Those cases are given below.
 - (a) A discount of ten percent (10%) shall also be given if the relevant acreage tax for the year is paid within the month of January of the relevant year,
 - (b) A discount of five percent (5%) shall also be given if the acreage tax for a quarter is paid within the first month of the relevant quarter.

5. Documents to be submitted

- (a) Verification notice issued by the Pradeshiya Sabha.
- (b) In case there is no verification notice, indicating the location (road and address) of the relevant land will make it easier for the Officer of the Front Office to identify the information.

6. Procedure

Procedure	Duration	Authority
Printing of verification notice	Before 31 st October every year	Secretary
Notice in the Gazette and newspapers that the list of acreage tax is on public display and objections may be raised to Place the list of acreage tax on public display and making the verification objection register open to the public the verification	Before 31 st October every year	Chairman
	From 01 st November to 31 st January every year	Secretary
Make arrangements to hand over the verification notice to the owner or occupier of the property	Before 31 st December every year	Secretary
Offer to pay acreage tax by submitting verification notice or giving details regarding the property		Owner or occupier of the property
Notice of the amount of acreage tax payable by identifying the relevant property	At the time of offering to pay	Officer of the Front Office
After considering the discount commensurate with the amount agreed to be paid, collect the relevant tax amount and issue the receipt	At the time of receiving money	Officer of the Front Office
Update Acreage Tax Register	1. At the same time of the computer software 2. Otherwise within one week from the date of payment	1. Officer of the Front Office 2. Officer in charge of the subject

Note: 1. The owner or occupier of the land shall be liable to pay the acreage tax for the year, even if objections have been raised regarding the extent of the land.

7. Consequences of making default in payment of acreage tax

- (a) The owner or occupier of such land shall be liable to pay the acreage tax fixed by the Pradeshiya Sabha on any land subject to regular or permanent farming to the Pradeshiya Sabha, within such period as may be fixed by the said body. If any person fails to pay the acreage tax within the prescribed period, the Secretary of the Pradeshiya Sabha has the legal power to issue an assessment warrant in the name of an officer of the Council or any tax collector to collect the arrears.
- (b) When such a license is issued by the Secretary, it is also lawful for the licensee to seize all the movable property belonging to any person on the relevant property and collect the amount due and deposit it into the Pradeshiya Sabha Fund.
- (c) It is also authorized to levy an amount of 10% of the amount to be charged as the fee for issuing a license to encroach on any movable property.
- (d) As well, the person liable to pay acreage tax will also be subject to an additional charge of 10% of the amount of money to be charged by way of moratorium on immovable property.
- (e) Further, in case there is no movable property that can be attached, the relevant immovable property is also legally authorized to be attached and sold.

List of Pradeshiya Sabhas authorized to levy acreage tax on land less than five hectares as per the order published in the Gazette by the Minister

1. Page 238 of Gazette Part IV (b) dated 02.03.1989

(a) Gampaha District:

- | | |
|--|---|
| (01) Mahara Pradeshiya Sabha area | (02) Minuwangoda Pradeshiya Sabha area |
| (03) Attanagalla Pradeshiya Sabha area | (04) Dompe Pradeshiya Sabha area |
| (05) Mirigama Pradeshiya Sabha area | (06) Katana Pradeshiya Sabha area |
| (07) Gampaha Pradeshiya Sabha area | (08) Divulapitiya Pradeshiya Sabha area |

(b) Kandy District:

- | | |
|---|--|
| (01) Pathadumbara Pradeshiya Sabha area | (02) Yatinuvara Pradeshiya Sabha area |
| (03) Udalapaya Pradeshiya Sabha area | (04) Harispaththuwa Pradeshiya Sabha area |
| (05) Panwila Pradeshiya Sabha area | (06) Akurana Pradeshiya Sabha area |
| (07) Medadumbara Pradeshiya Sabha area | (08) Pasbage Korale Pradeshiya Sabha area |
| (09) Kundasale Pradeshiya Sabha area | (10) Kandy Four Gravets and Gangawata Korale Pradeshiya Sabha area |
| (11) Ganga Ihala Korale Pradeshiya Sabha area | (12) Patha Hewaheta Pradeshiya Sabha area |
| (13) Uda Dumbara Pradeshiya Sabha area | (14) Udunuwara Pradeshiya Sabha area |
| (15) Pujapitiya Pradeshiya Sabha area | (16) Thumpane Pradeshiya Sabha area |

(c) Galle District:

- | | |
|--|---|
| (01) Habaraduwa Pradeshiya Sabha area | (02) Nagoda Pradeshiya Sabha area |
| (03) Ambalangoda Pradeshiya Sabha area | (04) Bope-Poddala Pradeshiya Sabha area |
| (05) Bentota Pradeshiya Sabha area | (06) Niyagama Pradeshiya Sabha area |
| (07) Akmeemana Pradeshiya Sabha area | (08) Elpitiya Pradeshiya Sabha area |
| (09) Karadeniya Pradeshiya Sabha area | |

Note: The above Habaraduwa Pradeshiya Sabha area as two Pradeshiya Sabhas, Habaraduwa and Imaduwa, and Karadeniya Pradeshiya Sabha area as two Pradeshiya Sabhas,, Karadeniya and Welivitiya - Divithura have been re-established. Accordingly, the order is applicable in all these Pradeshiya Sabha areas.

(d) Hambantota District:

- | | |
|--|--|
| (01) Beliatta Pradeshiya Sabha area | (02) Tangalle Pradeshiya Sabha area |
| (03) Angunakolapellesa Pradeshiya Sabha area | (04) Weeraketiya Pradeshiya Sabha area |

(e) Ratnapura District:

- | | |
|--|--|
| (01) Atakalanpanna Pradeshiya Sabha area | (02) Ayagama Pradeshiya Sabha area |
| (03) Imbulpe Pradeshiya Sabha area | (04) Kuruwita Pradeshiya Sabha area |
| (05) Ratnapura Pradeshiya Sabha area | (06) Weligepola Pradeshiya Sabha area |
| (07) Balangoda Pradeshiya Sabha area | (08) Eheliyagoda Pradeshiya Sabha area |
| (09) Kolonna Pradeshiya Sabha area | (10) Kalawana Pradeshiya Sabha area |
| (11) Nivitigala Pradeshiya Sabha area | (12) Pelmadulla Pradeshiya Sabha area |

Note: The above Atakalanpanna Pradeshiya Sabha area has been re-established as two Pradeshiya Sabhas, Godakawela and Kahawatta. Accordingly, the order is also applicable in these Pradeshiya Sabha areas.

2. Page 478 of Gazette Part IV (b) dated 10.03.1989

(a) Kegalle District:

- | | |
|---|---|
| (01) Rambukkana Pradeshiya Sabha area | (02) Aranayaka Pradeshiya Sabha area |
| (03) Yatiyanthota Pradeshiya Sabha area | (04) Warakapola Pradeshiya Sabha area |
| (05) Mawanella Pradeshiya Sabha area | (06) Ruwanwella Pradeshiya Sabha area |
| (07) Galigamuwa Pradeshiya Sabha area | (08) Deraniyagala Pradeshiya Sabha area |
| (09) Dehiovita Pradeshiya Sabha area | (10) Kegalle Pradeshiya Sabha area |

(b) Kurunegala District:

- | | |
|---|---|
| (01) Pannala Pradeshiya Sabha area | (02) Panduwasnuwara Pradeshiya Sabha area |
| (03) Wariyapola Pradeshiya Sabha area | (04) Kurunegala Pradeshiya Sabha area |
| (05) Bingiriya Pradeshiya Sabha area | (06) Nikaweratiya Pradeshiya Sabha area |
| (07) Polgahawela Pradeshiya Sabha area | (08) Kuliyaipitiya Pradeshiya Sabha area |
| (09) Polpithigama Pradeshiya Sabha area | (10) Rideegama Pradeshiya Sabha area |
| (11) Kobeigane Pradeshiya Sabha area | (12) Mawathagama Pradeshiya Sabha area |
| (13) Ibbagamuwa Pradeshiya Sabha area | (14) Alawwa Pradeshiya Sabha area |
| (15) Mahawa Pradeshiya Sabha area | |

Note: The above Bingiriya Pradeshiya Sabha area as two Pradeshiya Sabhas, Bingiriya and Udubaddawa, and Alawwa Pradeshiya Sabha area as two Pradeshiya Sabhas, Alawwa and Narammala have been re-established. Accordingly, the order is applicable in all these Pradeshiya Sabha areas.

(c) Nuwara Eliya District:

- | | |
|--|---------------------------------------|
| (01) Hanguranketha Pradeshiya Sabha area | (02) Ambagamuwa Pradeshiya Sabha area |
|--|---------------------------------------|

Note: The above Ambagamuwa Pradeshiya Sabha area has been re-established as three Pradeshiya Sabhas, Ambagamuwa, Maskeliya and Norwood. The order is also applicable in all these Pradeshiya Sabha areas.

(d) Puttalam District:

- | | |
|--|---------------------------------------|
| (01) Nawagattegama Pradeshiya Sabha area | (02) Kalpitiya Pradeshiya Sabha area |
| (03) Vanathawilluwa Pradeshiya Sabha area | (04) Anamaduwa Pradeshiya Sabha area |
| (05) Puttalam Pradeshiya Sabha area | (06) Chilaw Pradeshiya Sabha area |
| (07) Arachchikattuwa Pradeshiya Sabha area | (08) Nattandiya Pradeshiya Sabha area |
| (09) Wennappuwa Pradeshiya Sabha area | |

(e) Matara District:

- | | |
|--|---------------------------------------|
| (01) Kamburupitiya Pradeshiya Sabha area | (02) Mulatiyana Pradeshiya Sabha area |
| (03) Hakmana Pradeshiya Sabha area | (04) Matara Pradeshiya Sabha area |
| (05) Akuressa Pradeshiya Sabha area | (06) Pasgoda Pradeshiya Sabha area |
| (07) Dickwella Pradeshiya Sabha area | (08) Kotapola Pradeshiya Sabha area |
| (09) Devinuwara Pradeshiya Sabha area | (10) Thihagoda Pradeshiya Sabha area |
| (11) Weligama Pradeshiya Sabha area | |

Note: The above Kamburupitiya Pradeshiya Sabha area as two Pradeshiya Sabhas, Kamburupitiya and Kirinda - Puhulwella, and Akuressa Pradeshiya Sabha area as two Pradeshiya Sabhas, Akuressa and Athuraliya have been re-established. Accordingly, the order is applicable in all these Pradeshiya Sabha areas.

3. Page 652 of Gazette Part IV (b) dated 28.04.1989

(a) Badulla District:

- | | |
|---|---|
| (01) Soranathota Pradeshiya Sabha area | (02) Uva Paranagama Pradeshiya Sabha area |
| (03) Rideemaliyadda Pradeshiya Sabha area | (04) Hali Ela Pradeshiya Sabha area |
| (05) Welimada Pradeshiya Sabha area | (06) Meegahakivula Pradeshiya Sabha area |
| (07) Passara Pradeshiya Sabha area | (08) Ella Pradeshiya Sabha area |
| (09) Bandarawela Pradeshiya Sabha area | (10) Kandaketiya Pradeshiya Sabha area |
| (11) Badulla Pradeshiya Sabha area | |