



PAKISTAN – March 2020

Contents

DC EMPOWERED TO FIX PROPERTY TAX IN CANTT, SC HOLDS	1
--	----------

DC empowered to fix property tax in cantt, SC holds

The Supreme Court on Thursday declared illegal the powers of executive officers cantonment boards by fixing the property tax in the cantonment areas with the ruling that as per law the deputy commissioner is the competent authority to fix the property tax.

A three-member bench of the apex court headed by Justice Umar Ata Bandial dismissed the appeals filed by the executive officers of cantonment boards, Rawalpindi, Chaklala, Wah Cant and Abbottabad, challenging the verdicts of Lahore High Court (LHC) and Peshawar High Court (PHC).

The court while upholding the verdicts of the two high courts held that the rate fixed by the deputy commissioner for the property tax in cantonments will be considered final and the executive officer of the cantonment board is not authorised to fix the said rate.

The court held that as per law, only the deputy commissioner is competent to fix the property rate hence property tax could only be collected in view of the rates, fixed by the deputy commissioner.

Counsel for the cantonment boards claimed that the rate fixed by the deputy commissioner is low in the market hence he contended that the cantonments used to collect the said tax as per its rates.

Justice Umar Ata Bandial observed that the concerned institutions could solve the instant problem in close coordination while examining the values of the property and fixing tax rates.