

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 728, CUTTACK, MONDAY, APRIL 17, 2017/ CHAITRA 27, 1939

[No.10940–RDM-GOEB-MISC-0039/2015/RDM.]

REVENUE & DISASTER MANAGEMENT DEPARTMENT

RESOLUTION

The 31st March, 2017

Whereas, various circulars were issued, from time to time, supplementing the Odisha Miscellaneous Certificates Rules, 1984;

And, whereas, in order to consolidate such circulars and to bring clarity, it is felt necessary to frame a new set of rules;

Now, therefore, after careful consideration and in supersession of the Odisha Miscellaneous Certificates Rules, 1984 as amended from time to time and circulars so issued, the State Government do hereby make the following rules, namely:—

1. Short title, extent and commencement:— (1) These rules may be called the Odisha Miscellaneous Certificates Rules, 2017.

(2) They shall come into force from the date of publication in the *Odisha Gazette*.

2. Definitions:—In these rules, unless the context otherwise requires—

(a) "Certificate" means a miscellaneous certificate specified in rule 3; and

(b) "Revenue Officer" means the Chief Officer in charge of Revenue Administration in the District, Sub-Division or Tahasil and includes an Additional District Magistrate and an Additional Tahasildar.

3. Categories of miscellaneous certificates:— (1) Subject to the provisions hereinafter contained, a Revenue Officer shall be Competent to grant following categories of miscellaneous certificates, namely:—

- (i) Resident certificate (Form No. I)
- (ii) Legal heir certificate (Form No. II)
- (iii) Income certificate (Form No. III)
- (iv) Solvency certificate (Form No. IV)
- (v) Guardianship certificate (Form No. V)

(vi) Other certificates of miscellaneous nature, but does not include caste certificate:

(2) Save as otherwise provided, the Tahasildar and Additional Tahasildar shall be the Competent Revenue Officers to issue all certificates except Guardianship certificate.

(3) The solvency certificate for an amount exceeding five lakh rupees shall be granted by the Tahasildar and Additional Tahasildar subject to the approval of Sub-Collector.

(4) The Guardianship certificate shall be granted by the Collector.

Note:

(a) Resident certificate for a locality in the State of Odisha shall be granted to a person, subject to the conditions that—

(i) he has been residing in the village or town of the concerned tahasil for a period of at least one year continuously; or

(ii) he produces copy of Record of Rights (RoR) of residential plot where he has been residing, owned by him or his parents or ancestors:

Provided that where one does not produce copy of RoR of residential plot in the locality, he has to produce any documentary evidence in support of his residential address proof to the satisfaction of the Revenue Officer competent to grant resident certificate such as extract of Voter List, Voter's ID card, Ration Card, Driving licence, Aadhaar card, PAN Card, Passport or rent agreement with the landlords, address in bank pass book, bills for public utility services like PHED, electricity distribution company, land line telephone, NREGS job card, etc. in proof of his residing in such locality for a period of at least one year continuously;

(b) Legal heir certificate shall be granted for –

(i) drawal of pension, gratuity, arrear salaries, provident fund;

(ii) receipt of Government assistance, *ex gratia* payment;

(iii) withdrawal of money from financial institutions and post offices where the amount involved does not exceed one lakh rupees; and

(iv) transfer of name in case of basic amenities like electricity connection, water connection, etc.:

Provided that in disputed cases the applicants may be advised to approach the Civil Court for issue of succession certificate.

Provided further that the succession certificates, which are governed under the provisions of the Indian Succession Act, 1925 shall not be granted by the Revenue Officers.

(c) In case of income certificate,—

- (i) where income is accruable from immovable property, the income certificate shall be granted by the Revenue Officer within whose jurisdiction such property situates;
- (ii) where the income is accruable from movable property or from profession, trade or business or calling, occupation, the income certificate shall be granted either on the basis of income tax return or other documents, if any, to the satisfaction of the Revenue Officer by making such inquiry as he deems proper; and
- (iii) where income is accruable to a person byway of salary, wages or remuneration in whatever form from Government service / Public Sector Undertaking/ Local Authority or Private company or the like, the income certificate shall be granted , if such person produces the certificate issued by the employer ;

(d) While issuing solvency certificate immovable properties situated within the operational jurisdiction of the Revenue Officer concerned shall only be taken into account after careful verification.

(e)The Guardianship certificate shall be granted by the Collector for limited purposes such as receipt of pension, family pension, retirement/death Gratuity, etc. to the legal guardian of the minor or person incapable of managing his own affairs on application being made by the applicant.

(f) Certificate of character, which may be granted by a Gazetted Officer on the basis of his personal knowledge, is not covered under the provisions of these rules.

(g) While entertaining application for any other miscellaneous certificate except those specified in these rules, a Revenue Officer shall exercise his discretion after careful verification whether statutorily it comes within the jurisdiction of any other authority or court.

4. (1) Application for miscellaneous certificates:— A person desirous of obtaining a certificate shall file before a Revenue Officer an application,—

- (i) for issuance of Resident certificate, in Form No. 1;
- (ii) for issuance of Legal heir certificate, in Form No. 2;
- (iii) for issuance of Income certificate, in Form No. 3;
- (iv) for issuance of Solvency certificate, in Form No. 4; and
- (v) for issuance of Guardianship certificate, in Form No. 5,

by affixing court fee stamps of denomination of three rupees or such amount as may be prescribed by the State Government, from time to time:

Provided that where application is filed online, the application fee may also be realized through any electronic mode to be specified by the Government by an order.

(2) In case of minor or person incapable of managing his own affairs, parents or guardians of the minor can file application before the Revenue Officer for issue of certificates.

(3) An application for solvency certificate shall be accompanied by the list of immovable properties along with the encumbrance certificate.

(4) The particulars of the application received in accordance with sub-rule (1) shall be registered in Register No. 27 vide Form No. 51 of the Appendix-I of the Odisha Records Manual, 1964.

5. Institution of the case and inquiry:— (1) The Revenue Officer shall initiate a case record, scrutinize the documents furnished by the applicant, verify the relevant records, if any, in the office and wherever necessary, may himself inquire into the matter or call for a report of inquiry by a specified date from an officer subordinate in rank.

(2) Before issue of legal heir certificate, the Revenue Officer shall issue a proclamation in Form VI inviting objections from the public regarding list of the legal heirs of the deceased within fifteen days.

(3) In case of issue of solvency certificate, the Revenue Officer shall obtain the valuation of the immovable properties from the Competent Authority.

6. Order on the application:— (1) If on the basis of the documents, records, and the result of the inquiry conducted under rule 5, if any, the Revenue Officer is of the view that the certificate applied for may be granted, he shall pass necessary orders in the case record and sign the appropriate certificate.

(2) The certificate shall be handed over to the applicant or his duly authorized agent on due acknowledgement of receipt and in case of online mode of filing of application, the certificate shall be issued through electronic mode.

(3) If the Revenue Officer is of the view that the certificate applied for may not be granted, he shall pass necessary orders in the case record, briefly recording the reasons therefor.

(4) The time limit for disposal of applications (excluding the period taken for disposal of objections, if any) for issue of Miscellaneous Certificates shall be as follows:—

(i) Resident certificate	...	fifteen days
(ii) Income certificate	...	fifteen days
(iii) Legal heir certificate	...	thirty days
(iv) Solvency certificate	...	thirty days
(v) Guardianship certificate	...	forty five days

Note: Public holidays shall not be included in the given time limit for providing the services.

(5) The validity of resident, income and solvency certificate shall be one year from the date of its issue whereas legal heir and guardianship certificate shall be permanent in

nature unless modified or cancelled by orders of Competent Authority. The certificate issued by the Revenue Officers under these rules shall be accepted by all requiring authorities.

7. Rectification of clerical errors:— Notwithstanding anything contained in these rules, if it is revealed on subsequent verification or otherwise that the contents of the certificate require modification on account of clerical errors which are apparent on the face of case record, the Revenue Officer shall be competent to rectify the errors and issue the corrected certificate.

8. Review of the orders:— If it is revealed on subsequent verification or otherwise by the issuing officer or his successor or any officer superior to him in rank that the certificate should not have been granted, then the orders granting such certificate shall be set aside by the next higher authority above the revenue officer, who has issued the certificate and also cancel the certificate:

Provided that no order shall be passed without giving the person concerned a reasonable opportunity of being heard.

9. Appeal:— Any person aggrieved by an order passed by the Revenue Officer under rule 6 may prefer an appeal before—

- (a) the Sub-Divisional Officer concerned, if the order was passed by a Revenue Officer, below the rank of the Sub-Divisional Officer;
- (b) the Collector concerned, if the order was passed by the Sub-Divisional Officer; and
- (c) the Revenue Divisional Commissioner concerned, if the order was passed by the Collector:

Provided that no appeal under these rules shall be entertained unless it is preferred within a period of thirty days from the date of the said order.

Note: For the purpose of this rule, the Collector shall include an Additional District Magistrate.

10. Interpretation:— If any question arises relating to interpretation of these rules, it shall be referred to Government in Revenue & Disaster Management Department for decision.

Form No. 1
[See Rule 4 (1)]

APPLICATION FORM FOR ISSUANCE OF RESIDENT CERTIFICATE

1. Personal Details:

Name of Applicant _____
 Gender _____ Marital Status _____
 Age _____ Religion _____
 Father's Name _____
 Husband's Name _____
 Mobile No. _____ Aadhaar No. _____
 e-Mail ID _____

**Paste
Applicant's
Photo
(Passport size)**

2. Permanent Address:

Village/ Town: _____ Police Station: _____ Post Office: _____
 Tahasil: _____ District: _____ Pin: _____
 State: _____

3. Present Address:

Village/ Town: _____ Police Station: _____ Post Office: _____
 Tahasil: _____ District: _____ Pin: _____
 State: _____

4. Submitter's Details:

Submitter's Name (*in case the submitter is not the applicant*): _____
 Relation with applicant: _____

5. Purpose: _____

6. Since when the applicant has been residing in the above locality :- _____
 (mention the month & year)

7. List of Documents attached: [see note (a) of rule 3]

i) Copy of RoR

Mouza (Revenue Village) _____ Khata No. _____
 Recorded Tenant (Land Owner) _____

Relation of the applicant with Recorded Tenant _____

ii) Voter ID / Aadhaar Card / PAN card / Passport / etc.

iii) Electricity Bill / Telephone Bill / Land agreement with house owner / Bank Passbook / Driving Licence / Educational certificates, etc.

8. Declaration:

I, Shri/Miss/Mrs _____ age _____ of _____ (detailed address)
 PS _____ District _____ Odisha, do

hereby declare that the information given by me in this application form and its self-attested enclosures is true to the best of my knowledge and that the information furnished is exhaustive and I have not suppressed any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and liable for action under section 199 and 200 of the Indian Penal Code in case of wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of wrong declaration and information.

Place:

Date:

Signature of the Applicant /
Authorised representative

* *Strike out which is not applicable*

Form No. 2
[See Rule 4 (1)]

APPLICATION FORM FOR ISSUANCE OF LEGAL HEIR CERTIFICATE

1. Personal Details

Name of Applicant _____
 Gender _____ Marital Status _____
 Age _____ Religion _____
 Father's Name _____
 Husband's Name _____
 Mobile No. _____ Aadhaar No. _____
 e-Mail ID _____

**Paste
Applicant's
Photo
(Passport size)**

2. Permanent Address

Village/ Town: _____ Police Station: _____ Post Office: _____
 Tahasil: _____ District: _____ Pin: _____
 State: _____

3. Present Address

Village/ Town: _____ Police Station: _____ Post Office: _____
 Tahasil: _____ District: _____ Pin: _____
 State: _____

4. Submitter's Details

Submitter's Name (*in case the submitter is not the applicant*): _____
 Relation With Applicant: _____

5. Purpose: _____

6. Deceased Information:

Name of the Deceased person: _____
 Age: _____ Gender: _____ Place of Death: _____ Date of death: _____
 (on the date of death)

7. Legal heir details:

Sl. No.	Name	Age	Marital Status	Relationship with deceased
1				
2				
3				

8. List of Documents attached

- i) Voter ID / Aadhaar Card
- ii) Copy of death certificate
- iii) Copy of first page of Service Book if deceased was a Govt. employee
- iv) Copy of finally published settlement RoR / consolidation RoR

9. Declaration:

I, Shri/Miss/Mrs _____ Son of / Daughter of / wife of _____ age _____
 _____ of _____ (detailed address) _____ PS _____
 _____ District _____ Odisha, do hereby declare that the information given by

me in this application form and its self-attested enclosures is true to the best of my knowledge and that the information furnished is exhaustive and I have not suppressed any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and liable for action under section 199 and 200 of the Indian Penal Code in case of wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of wrong declaration and information.

Place:

Date:

Signature of the Applicant /
Authorised representative

* Strike out which is not applicable

Form No. 3
[See Rule 4 (1)]

APPLICATION FORM FOR ISSUANCE OF INCOME CERTIFICATE

1. Personal Details

Name of Applicant _____
 Gender _____ Marital Status _____
 Age _____ Religion _____
 Father's Name _____
 Husband's Name _____
 Mobile No. _____ Aadhaar No. _____
 e-Mail ID _____

**Paste
Applicant's
Photo
(Passport size)**

2. Permanent Address

Village/ Town: _____ Police Station: _____ Post Office: _____
 Tahasil: _____ District: _____ Pin: _____
 State: _____

3. Present Address

Village/ Town: _____ Police Station: _____ Post Office: _____
 Tahasil: _____ District: _____ Pin: _____
 State: _____

4. Submitter's Details

Submitter's Name *(in case the submitter is not the applicant)*: _____
 Relation With Applicant: _____

5. Purpose: _____

6. Annual Income Details [see note (c) of rule 3]

Sl. No.	Source	Income (in Rs)
1.	Agricultural land	
2.	Salary	
3.	Other sources	

7. Total Income (in Rs): _____

8. List of Documents attached:

- i) RoR copy
- ii) Voter ID / Aadhaar card
- iii) Copy of salary certificate, if any

9. Declaration:

I, Shri/Miss/Mrs _____ Son of / Daughter of / wife of
 _____ age _____ of _____ (detailed address)
 _____ PS _____ District _____ Odisha, do

hereby declare that the information given by me in this application form and its self-attested enclosures is true to the best of my knowledge and that the information furnished is exhaustive and I have not suppressed any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and liable for action under section 199 and 200 of the Indian Penal Code in case of wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of wrong declaration and information.

Place:

Date:

Signature of the Applicant /
Authorised representative

* Strike out which is not applicable

Form No. 4
[See Rule 4 (1)]

APPLICATION FORM FOR ISSUANCE OF SOLVENCY CERTIFICATE

1. Personal Details

Name of Applicant _____
 Gender _____ Marital Status _____
 Age _____ Religion _____
 Father's Name _____
 Husband's Name _____
 Mobile No. _____ Aadhaar No. _____
 e-Mail ID _____

**Paste
Applicant's
Photo
(Passport size)**

2. Permanent Address

Village/ Town: _____ Police Station: _____ Post Office: _____
 Tahasil: _____ District: _____ Pin: _____
 State: _____

3. Present Address

Village/ Town: _____ Police Station: _____ Post Office: _____
 Tahasil: _____ District: _____ Pin: _____
 State: _____

4. Submitter's Details

Submitter's Name (*in case the submitter is not the applicant*): _____
 Relation With Applicant: _____

5. Purpose: _____

6. List of Immovable Properties

Approximate value (in Rs.)

- (i) Land
 (ii) Buildings
 (iii) Any other immovable properties (to be specified)

7. Solvency Certificate for amount (*in Rs.*): _____

8. List of Documents attached:

- i) Voter ID / Aadhaar Card
 ii) Copy of RoR
 iii) List of immovable properties
 iv) Copy of Encumbrance Certificate

9. Declaration:

I, Shri/Miss/Mrs _____ Son of / Daughter of / wife of
 _____ age _____ of _____ (detailed address)
 _____ PS _____ District _____ Odisha, do

hereby declare that the information given by me in this application form and its self-attested enclosures is true to the best of my knowledge and that the information furnished is exhaustive and I have not suppressed any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and liable for action under section 199 and 200 of the Indian Penal Code in case of wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of wrong declaration and information.

Place:

Date:

Signature of the Applicant /
Authorised representative

* *Strike out which is not applicable*

Form No. 5
[See Rule 4 (1)]

APPLICATION FORM FOR ISSUANCE OF GUARDIANSHIP CERTIFICATE

1. Personal Details

Name of Applicant _____
 Gender _____ Marital Status _____
 Age _____ Religion _____
 Father's Name _____
 Mother's Name _____
 Mobile No. _____ Aadhar No. _____
 e-Mail ID _____

**Paste
Applicant's
Photo
(Passport size)**

2. Permanent Address

Village/ Town: _____ Police Station: _____ Post Office: _____
 Tahasil: _____ District: _____ Pin: _____
 State: _____

3. Present Address

Village/ Town: _____ Police Station: _____ Post Office: _____
 Tahasil: _____ District: _____ Pin: _____
 State: _____

4. Submitter's Details

Submitter's Name (*in case the submitter is not the applicant*): _____
 Relation With Applicant: _____

5. Purpose: _____

6. Legal Guardian:

Name: _____ Age: _____
 Father's Name: _____ Village/ Town: _____
 Police Station: _____ Tahasil: _____ District: _____
 Relation with the minor/person incapable of managing his/her own affairs _____

7. List of Documents

- i) Birth Certificate (If minor)
- ii) Certificate in support of physically / mentally challenged (if applicable)
- iii) Legal Heir Certificate
- iv) Voter ID / Aadhaar card
- v) Documentary evidence in support of receipt of pension, family pension, retirement/death gratuity, etc. of the deceased

8. Declaration:

I, Shri/Miss/Mrs _____ Son of / Daughter of / wife of
 _____ age _____ of _____ (detailed address)
 _____ PS _____ District _____ Odisha, do

hereby declare that the information given by me in this application form and its self-attested enclosures is true to the best of my knowledge and that the information furnished is exhaustive and I have not suppressed any fact. That, I am solely responsible for the accuracy of the declaration and information furnished and liable for action under section 199 and 200 of the Indian Penal Code in case of wrong declaration and information. Also, I am well aware of the fact that the certificate shall be summarily cancelled and all the benefits availed by me shall be summarily withdrawn in case of wrong declaration and information.

Place:
Date:

Signature of the Applicant /
Authorised representative

* *Strike out which is not applicable*

FORM No. I

(See Rule 3)

Office of the Tahasildar

Miscellaneous Certificate Case No.....of 20.....

RESIDENT CERTIFICATE

This is to certify that Shri/Smt./Miss son/daughter/wife of Shriis a native of the district of in the State of *Odisha / in the State of *..... (mention the name of the State in case he originally belongs to other State) and he/his family ordinarily has been residing in Village/TownP.S..... Tahasil..... in the District of in the State of Odisha since (mention the month and the year).

2.This certificate is being granted only for the purpose of

Signature of the Revenue Officer

Date

Designation (with seal of office)

Signature of the applicant

* Strike out which is not applicable

FORM No. II

(See Rule 3)

Office of the Tahasildar

Miscellaneous Certificate Case No.....of 20.....

LEGAL HEIR CERTIFICATE

This is to certify that the person/persons specified below is/are the legal heir/heirs of late Shri/Smt./Miss son/daughter/wife of Shri..... of Village/Town..... P.S..... Tahasilin the District of in the State of Odisha.

2. This certificate is being granted only for the purpose of

Name	Age	Marital Status	Relationship with the Deceased
1.			
2.			
3.			
4.			

Signature of the Revenue Officer

Date

Designation (with seal of office)

Signature of the applicant (s)

* Strike out which is not applicable

FORM No. III

(See Rule 3)

Office of the Tahasildar
Miscellaneous Certificate Case No.....of 20.....

INCOME CERTIFICATE

This is to certify that Shri/ Smt./ Miss..... son/ daughter/wife of
Shri..... of Village/TownP.S.....
Tahasil..... in the District of, in the State of Odisha has an
Annual income of Rs(Rupees) only
from the sources specified below.

Source

Annual income (in Rs.)

Agricultural land

Salaries

Any other source (s) (to be specified)

2. This certificate is being granted only for the purpose of

Signature of the Revenue Officer

Date

Designation (with seal of office)

Signature of the applicant

* Strike out which is not applicable

FORM No. IV

(See Rule 3)

Office of the Tahasildar

Miscellaneous Certificate Case No.....of 20.....

SOLVENCY CERTIFICATE

This is to certify that Shri/ Smt./ Missson/daughter / wife
of Shri of Village/Town
.....P.S.....Tahasilin the District
of..... in the State of Odisha is solvent to the extent of
Rs..... (Rupees) only.

Immovable Properties

Approximate value (in Rs.)

- (i) Land
- (ii) Buildings
- (iii) Any other immovable properties (to be specified)

Signature of the Revenue Officer

Date.....

Designation (with seal of office)

Signature of the applicant

* Strike out which is not applicable

FORM No. V

(See Rule 3)

Office of the Collector.....

Miscellaneous Certificate Case No.....of 20.....

GUARDIANSHIP CERTIFICATE

This is to certify that Sri/Smt./Miss son/
 daughter / wife ofof
 Village/Town.....P.S.....Tahasil.....
 in the District ofis the legal guardian of
 Sri/Smt./Miss..... aged..... years, son/daughter/wife of
 of
 Village/Town.....P.S.....Tahasil
in the District..... in the State of Odisha who is a
 minor/person incapable of managing his/her own affairs.

2. This certificate is being granted only for the purpose of

Signature of the Revenue Officer

Date.....

Designation (with seal of office)

Signature of the applicant

* Strike out which is not applicable

FORM No. VI

[See Rule 5(2)]

Office of the Tahasildar
Miscellaneous Certificate Case No.....of 20.....

PROCLAMATION

It is hereby informed to the general public that Shri/Smt./Miss.....
.....son / daughter / wife / father / brother
of.....of Village/Town.....
P.S..... Tahasil..... in the District of has
applied for issue of legal heir certificate of Late..... who died on
.....

As enquired by the RI....., the following persons are found to be legal
heir (s) of Late.....

- 1.
- 2.
- 3.
- 4.

Anybody having any objection to the list of legal heirs may file objection within a
period of fifteen days from the date of this publication.

No objection shall be entertained after expiry of the schedule period.

Signature of the Revenue Officer

Date

Designation (with seal of office)

ORDER

Ordered that this Resolution be published in the next issue of the *Odisha Gazette* and copies supplied to All Departments / All Heads of Department / All RDCs / All Collectors / All Sub-Collectors/ All Tahasildars.

By Order of the Governor

Dr. MONA SHARMA
Principal Secretary to Government