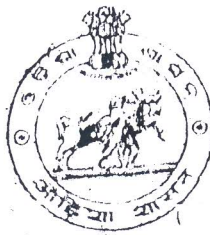


The Orissa



Gazette

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REVENUE DEPARTMENT

NOTIFICATION

The 19th November 2001

S. R. O. No. 824/01—In exercise of the powers conferred by Section 75 read with Section 47-A of the Indian Stamp Act, 1899 (No. II of 1899), the State Government do hereby make the following rules further to amend the Orissa Stamp Rules 1952, namely:—

1. (1) These rules may be called the Orissa Stamp (Amendment) Rules, 2001.
(2) They shall come into force on the date of their publication in the *Orissa Gazette*.
2. In the Orissa Stamp Rules, 1952 (hereinafter referred to as the said rules), after clause (f) of rule 2, the following clauses shall be inserted, namely:—
 - (g) "Appendix" means an Appendix to these rules ;
 - (h) "Committee" means committee constituted under rule 37 ;
 - (i) "Form" means a form appended to these rules ; and
 - (j) "Market value guideline" means the set of values of immovable properties in different villages, N. A. C. Municipalities, Corporation and other local areas in the State prepared under rule 40".
3. In the said rules, in rule 23, after the words "in the instrument" the words "as per the market value guidelines under clause (j) of rule 2" shall be inserted.
4. In the said rules, after rule 36 of the chapter V, the following new Chapter along with the rules shall be inserted namely:—

"CHAPTER VI

OF ASSESSMENT OF GUIDELINE VALUE

37. Constitution of District Level Committee and Sub-District (Tahasil Level) Valuation Committee.—The District and Sub-District (Tahasil Level) Valuation Committee shall be constituted with the following members, namely:—

- | | |
|---|-----------------|
| (a) The District Valuation Committee shall consist of:— | |
| (i) Collector | Chairman |
| (ii) Additional District Magistrate (Revenue) | Member |
| (iii) District Sub-Registrar | Member-convenor |
| (iv) Tahasildar | Member |

- (v) Executive Engineer, (Roads & Buildings) .. Member
- (vi) Nominee of Municipality/Corporation .. Member
- (vii) Nominee of Development Authority/Town Planning .. Member
- (viii) Two public persons to be nominated by the Chairman .. Member

(N. B:—One of the nominees of the Chairman be preferably an expert valuer or an expert familiar with principles and practices of valuation of land, buildings and other immovable properties).

(b) Sub-District (Tahasil level) Valuation Committee shall consist of—

- (i) Sub-Collector .. Chairman
- (ii) Sub-Registrar .. Member-Convenor
- (iii) Tahasildar .. Member
- (iv) Assistant Engineer(Roads & Buildings) .. Member
- (v) Nominee of N. A. C./Municipality/Panchayat Samitee. ... Member
- (vi) Two public persons to be .. Member
nominated by the Chairman

38. Functions to be performed by the District Valuation Committee—The District Level valuation Committee shall,—

- (a) Collect information of property value in relation to areas coming under jurisdiction of the respective planning authorities as notified under Orissa Development Authorities Act, 1982, Orissa Town Planning and Improvement Trust Act, 1956 from time to time.
- (b) Analyse the proposed values in forms No. 5, 6 and 7 as the case may be along with other information received from Sub-District valuation Committee under rule 39 and information collected from appropriate authorities.
- (c) Collect information and project values and property trends which shall be compiled in the term of primary data along with existing data.
- (d) Compile and analyse the data, fix the guideline value.
- (e) Send these guideline values for approval of Government. After approval by Government, the Committee shall issue the market value guidelines for different areas of his own district without prejudice to the powers conferred on Collector under Section 47 of the Act.

39. Functions to be performed by the Sub-District Valuation Committee—The Sub-District Valuation Committee shall,—

- (a) Collect and compile data pertaining to property values. For this purpose the data of average value on the basis of documents registered in the Sub-Registrar office shall be provided by the concerned Sub-Registrar in Forms 5, 6, 7 and 8. In absence of any sale transaction the sale instances of comparable land/adjacent land would be taken into account as the basis of valuation of land. The information regarding the prevalent market value of the property shall be provided by the Revenue Inspector through Tahasildar. The other information like cost of construction, official sales, auction sale would be collected by the Committee from the concerned authorities.
- (b) Analyse the data collected and propose value in the prescribed form and forward the same to the respective District Valuation Committee along with the data and information collected.

40. Periodicity of revision—(1) The market value guidelines prepared under this Chapter shall be issued as soon as they are prepared and shall thereafter be revised biennially from the 1st April.

(2) In case the Committee fails to revise the valuation, the Collector as Chairman would enhance the value by ten per cent of the value so fixed.

41. Procedure to prepare Market value guidelines—While working out the values of immovable properties, the respective Committee shall take into account the principle of valuation mentioned in the Appendix II and such other instructions issued/to be issued by Government from time to time.

42. Forms—The market value guidelines pertaining to Urban properties and agricultural lands shall be in forms No. 5, 6, 7 and 8.

43. Supply of Market value guidelines—The market value guidelines shall be made available to each Registering officer by the Convenor of the District valuation Committee and to the Public

44. Powers of Special Revision—Notwithstanding anything contained in these rules the Chairman of the District Committee may order for a special revision of market value guidelines in any specified area under his jurisdiction in the following circumstances leading to sudden changes of property value.

- (a) Setting up of an Industry or group of Industries or infrastructure projects
- (b) Development of large scale housing projects
- (c) Any other special circumstances having an impact on the values of immovable property in any specified area.

45. Summons to the public, Public Officers and recording statement by the Committee—The Committee after serving of the notices, if they think fit to do so, record the statement of the persons and for the purpose of enquiry :—

- (a) May call for any information or record from any public office or officers or Authority under the State/Central Government or any local authority or Statutory authority.
- (b) May record statement from any Member of the public office or authority as mentioned under clause (a).
- (c) May call the parties to be present on the date specified in the notice and on such other date as may be fixed by it.

46. The Authority competent for rectification of anomalies—If any representation is received from parties aggrieved by the rates shown in the market value guideline or if any officer of the department notices anomaly, the same shall be referred to the Committee by the Chairman for final decision.

47. General control and supervision—It shall be within the competency of Inspector General of Registration to issue such administrative instructions of general nature as may be required from time to time for the effective implementation of the rules under the said Chapter VI.

48. Transitional provision—Till the market value guidelines are issued by the Committee constituted under these rules the instructions of Government and Inspector General of Registration issued/to be issued shall remain in force for assessment of Market Value by Registering Officers."

5. In the said rules, after Form No. 4, the following Forms shall be inserted, namely :—

"FORM NO. 5

(See Rule 38)

Name of Tahasil

Name of Registration office

Market value guideline of Urban Pl

Name of the City/Town	Ward No.	Name of locality/Street	Value per Sqr. Feet and per Dec.		All other projects per decimal
			Residential	Commercial	
(1)	(2)	(3)	(4)	(5)	(6)

Signature of Competent Authority

FORM No. 6

(See Rule 38)

Name of the Tahasil :

Market value guideline for Agricultural land

Name of Registration Office :

Name of the Village :

Irrigated land	Value per acre	Class I land (Sarad I & II)	Non-irrigated	Class II (all other agricultural land)
			Value per acre	
(1)	(2)	(3)	(4)	(5)

Value per acre	All other land	Value per acre	Ghar Bari	Value per acre	Bari	Value per acre
(6)	(7)	(8)	(9)	(10)	(11)	(12)

48. Provisional provision—(1) The market value guidelines are issued by the Committee constituted under these rules the instructions of Government and Inspector General of Registration. (2) The market value guidelines shall remain in force for assessment of Market Value by Registering Officers.

FORM No. 7
(See Rule 38)

at
a Name of the Tahasil
Name of Registration Offices

GUIDELINE VALUE FOR BUILDING

Name of the City/Town	Value per Sqr foot			
	R. C. C.	Asbestos	Tin Sheets	Other Types
(1)	(2)	(3)	(4)	(5)

FORM No. 8
(See Rule 42)

Name of the Tahasil
Name of Registration Offices

**SALE STATISTICS TO BE SUBMITTED BY REGISTERING OFFICERS FOR
RURAL PROPERTIES**

Name of the Village	Kissam of land	Value per acres for last 3 (three) years (average)	Remarks
(1)	(2)	(3)	(4)

“Signature of Competent Authority”

6. In the said rules, after Appendix I, the following Appendix shall be inserted, namely—

APPENDIX II

(See Rule 41)

PRINCIPLES FOR DETERMINATION OF MARKET VALUE

As a first part at providing some principles for the valuation of property, some characteristics are listed below for consideration. Once a particular property is classified accordingly, bench mark value can be assigned with relatively greater assurance. While the characterisation preferred below can not be called exhaustive of the various facts of a property, it must be noted that it is necessary to be **selective** in choosing a few characteristics out of many for the system to be practicable.

- (a) In the case of land, the following may be considered—
- (i) classification of the land as dry, wet and the like;
 - (ii) classification (kisam) in the settlement register;
 - (iii) value of adjacent land or lands in the vicinity;
 - (iv) the number or crops, the nature of crops raised in a year on the land average yield from the land;
 - (v) proximity to road, railway station village and market;
 - (vi) facilities available for irrigation such as tank, wells and pump sets and;
 - (vii) the level of land;
- (b) In the case of house sites, the following may be considered—
- (i) whether the site is landlocked or as approach to it;
 - (ii) the general value of house sites in the locality;
 - (iii) proximity to roads, railway station and bus routes;
 - (iv) proximity to market, shops and commercial centres;
 - (v) amenities available in the areas like water-supply, electricity, sewerage, hospitals and educational institutions;
 - (vi) developmental activities and industrial scenario in the vicinity, and
 - (vii) land tax and valuation of sites with reference to taxation records of the local authorities concerned.
- (c) In the case of buildings, the following may be considered—
- (i) type and structure;
 - (ii) locality in which constructed;
 - (iii) plinth area, covered area and carpet area;
 - (iv) Year of construction;
 - (v) kind of materials used;
 - (vi) property tax with reference to taxation records of local authority concerned; and
 - (vii) the purpose for which the building is being used as well as potential use and the income if any, by way of rent per annum secured on the building.
- (d) In case of properties other than lands, house sites and buildings—
- (i) the nature, age and condition of the property;
 - (ii) purpose for which the property is being put to use; and
 - (iii) market price of comparable property if similar goods are regularly bought and sold in the market.

In all the cases, special features relevant for valuation will have to be considered, either reported by the concerned parties or learnt of otherwise.—

[No. 53226—Stamp-56/2000 (PT)-R.]

By order of the Governor

S. RATH

Principal Secretary to Government