By e-mail

**Government of Odisha**

Board ofRevenue, Odisha, Cuttack

**(Rajaswa Bhawan, Chandini Chowk, Cuttack-2 : email: igrodisha2012@yahoo.com)**

(Registration Wing)

No. IX-73/2021 5673 / Regn. Date 17.11.2021

From,

Dr. Smita Mohanty,OAS(1)
Under Secretary(Regn.)

To,

The Sub-Registrar, Attabira
AT/PO-Attabira, District-Bargarh

Sub- Submission of clarification for realization of stamp duties in respect of lands accuired through e-auction.

Ref- Your Letter No.235/Regn. dated 16.11.2021.

Sir,

In inviting reference on the subject cited above, I am directed to clarify that the sale certificate issued by the Civil Court or Revenue Court upon completion of the auction sale process, itself has to be filed as per section-89 of the Registration Act after realization of stamp duty @5% on the purchase money. Law is well settled and explicit under Article 18 under Schedule IA of the stamp Act to the extent that stamp duty is chargeable on the purchase money but not on maket value. However, banks/financial institutions are not courts and so State Government has issued clarification to realize stamp duty and registration fees upon presentation of the document for its compulsory registration. But, registration of the document of "certificate of sale", whether compulsory or optional, can not be subjected to realization of stamp duty on the basis of market value unless and until the provision of Article 18 is suitably amended to that effect.

You are therefore requested to allow the document for registration on receipt of requisite stamp duty @5% and 2% registration fees on the auction value(i.e face value) of the document as per provisions under section-18 of schedule 1A of I.S Act an executed by the liquidator NCLT, Bangalore vide order dated 04.07.2019 in C.P(IB) No.154/BB/2017.

Yours faithfully,

Under Secretary (Regn.)

17/11/2021

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