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REVENUE & DISASTER MANAGEMENT DEPARTMENT

NOTIFICATION

The 27th October, 2018

S.R.O. No. 433/2018— In exercise of the powers conferred by Section 75 read with Section 47-A of the Indian Stamp Act, 1899, (No.2 of 1899), the State Government do hereby make the following rules further to amend the Odisha Stamp Rules,1952, namely:—

1. Short title and Commencement.— (1) These rules may be called the Odisha Stamp (Amendment) Rules, 2018.

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

2. In the Odisha Stamp Rules, 1952 (hereinafter referred to as the said rules), in rule 2,—

(a) after clause (h), the following clause shall be inserted, namely:—

“(h-1)“Engineering Department” means the office of the Executive Engineer (Rural Development), Executive Engineer (Roads and Building), Assistant Executive Engineer (Roads and Building), Assistant Executive Engineer (Rural Development), Assistant Executive Engineer (Panchayat Samiti) and any other such offices as notified by the Government, from time to time”;

(b) for clause (j), the following clause shall be substituted, namely:—

“(j) “Set of Market value” means the set of values of immovable properties in different villages, Notified Area Council, Municipalities, Municipal Corporation and other local areas in the State prepared under rule 41”; and

(c) after clause (j), the following clauses shall be inserted, namely:—

“(k) “rural area” means the area which is not urban; ”

“(l) “urban area” means the area covered under Notified Area Council, Municipalities or Municipal Corporation as notified by the Government, from time to time;”.

3. In the said rules, in rule 4, for the heading appearing in CHAPTER VI, the following heading shall be substituted, namely:—

“MANNER OF DETERMINATION OF MARKET VALUE”

4. In the said rules, in rule 37,—

(i) for clause (a), the following clauses shall be substituted, namely:—

“(a) The District Valuation Committee shall consist of —

(i)	The Collector;	-	Chairman
(ii)	Additional District Magistrate (District Registrar);	-	Member-Convener
(iii)	All Sub-Collectors of the District;	-	Member
(iv)	All Sub-Registrars of the District;	-	Member
(v)	All Tahasildars of the District;	-	Member
(vi)	Executive Engineer, (Rural Development);	-	Member
(vii)	Executive Engineer, (Roads and Building);	-	Member
(viii)	Representative of Municipality or Corporation;	-	Member
(ix)	Representative of Development Authority or Town Planning;	-	Member
(x)	Two public persons to be nominated by the Chairman;	-	Member

(a-i) One of the nominees of the Chairman shall be preferably an expert valuer or an expert familiar with principles and practices of valuation of land, buildings and other immovable properties and the tenure of such nominated members shall be two years”;

(ii) in clause (b),—

(a) for item (iv), following item shall be substituted namely:—

“(iv) “Assistant Executive Engineer” (Roads and Building) Member”;
and

(b) after item (vi) the following items shall be inserted namely:—

“(vii) Assistant Executive Engineer (Rural Development); Member
(viii) Assistant Executive Engineer (Panchayat Samiti); Member.”.

5. In the said rules, for rule 38, the following rule shall be substituted, namely:—

“38. Function to be performed by the District Valuation Committee.—
The District Level Valuation Committee shall,—

(a) analyze the proposed values in Form Nos. 5, 6 and 7 along with other information received from the Sub-District Valuation Committee under rule 39 and information collected from appropriate authorities;

(b) compile and analyze the data from statistics in the respective Forms and determine the market value of the property; and

(c) after determination of the market value, send the same to the Government for approval and after approval by the Government, the Committee shall publish the market values of the property for different areas of its own District without prejudice to the powers conferred on Collector under section 47 of the Act.

6. In the said rules, for rule 39, the following rule shall be substituted, namely:—

“39. Function of the Sub-District Valuation Committee.— The Sub-District Valuation Committee shall perform the following functions, namely:—

(a) it shall compile the data pertaining to the property values received from concerned Sub-Registrar and for this purpose, at least the data of average value shall be calculated taking into account fifty per centum of documents having highest sale instances registered in the Sub-Registrar office during the last two years;

(b) in case of single sale instance during the last two years, the extent of land involved in the transaction shall be taken into account for determining the market value of the property;

(c) in case of urban area, the extent of land involved in transaction shall be not less than one twenty-fifth of an acre when it is homestead land and not less than one-tenth of an acre when it is agricultural land;

(d) in case of rural area, the extent of land involved in transaction shall be not less than one fifth of an acre when it is homestead land and not less than one-half of an acre when it is agricultural land;

(e) if no sale instance of last two years is available, the average value of the property shall be arrived at making ten per centum increase of the existing valuation;

(f) the valuation of buildings and structures Reinforced Cement Concrete (RCC) per square feet shall be calculated as per the rate provided by the Chief Engineer (Buildings), from time to time, as approved by the Government;

(g) in case of other buildings, like Autoclaved Cellular Concrete (ACC) roof etc, the Committee shall obtain report from the Assistant Executive Engineer (Roads and Building), Assistant Executive Engineer (Rural Development) or Assistant Executive Engineer of Panchayat Samiti, as the case may be, on square feet construction cost and submit the report in Form No. 7;

(h) in case of purchase of lands or plots or houses from Development Authorities or Housing Board Societies etc., the average value of the property shall be calculated on the basis of the purchase price of such plots or land, as the case may be;

(i) it shall analyze the data collected and shall propose value in the prescribed form and forward the same to the respective District Valuation Committee along with the data and information collected.”.

7. In the said rules, for rule 41, following rule shall be substituted, namely:—

“41. Procedure for preparation of set of market value.— While working out the values of immovable properties, the respective Committee shall take into account the principle of valuation mentioned in clause (a) of rule 39 and Appendix II and such other instructions issued by the Government and Inspector General of Registration, from time to time.”.

8. In the said rules, for rule 42, the following rule shall be substituted, namely:—

“42. Forms.— (1) The sale statistics of the property for urban area and rural area shall be prepared in Form Nos. 5 and 6 respectively and shall be submitted by the Registering Officer to the Sub-District Valuation Committee.

(2) The Engineering Department shall prepare the sale statistics of the property in Form No.7 and submit the same to the District Committee as well as Sub-District Committee.”.

9. In the said rules, for rule 43, following rule shall be substituted, namely:—

“43. Supply of set of market value.— Set of market value of the property shall be made available to each Registering Officer by the convener of the District Valuation Committee.”.

10. In the said rules, in rule 44, for the expression “market value guidelines”, the expression “Set of market value of the properties”, shall be substituted.

11. In the said rules, in rule 46, for the expression “market value guidelines”, the expression “set of market value of the properties”, shall be substituted.

12. In the said rules, rule 48 shall be omitted.

13. In the said rules, for Form Nos. 5, 6, 7 and 8 following Forms shall, respectively, be substituted, namely:—

Form No.5

(See rule 42)

Sale statistics of the property for urban area

Name of Tahasil:

Name of Registration office:

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

Signature of Competent Authority

Form No.6**(See rule 42)**

Sale statistics of the property for rural area

Name of Tahasil:

Name of Registration office:

Name of the Village:

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

Non-irrigated						
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)

Signature of Competent Authority

Form No.7**(See rule 39 and 42(2))**

Sale statistics of the property by the Engineering Departments

Name of Tahasil:

Name of Registration office:

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

Signature of Competent Authority”

14. In the said rules, for Appendix II, following Appendix shall be substituted, namely:—

“APPENDIX II

(See rule 41)

PRINCIPLES FOR DETERMINATION OF MARKET VALUE

For the purpose of providing some principles for the valuation of property, some characteristics are listed below for consideration. Once a particular property is classified, set of market value can be assigned with relatively greater assurance. While the characterization preferred below cannot 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 namely:—

- (i) Classification (Kisam) in the settlement register;
- (ii) value of adjacent land or lands in the vicinity;
- (iii) the number of crops, the nature of crops raised in a year on the land, average yield from the land;
- (iv) proximity to road, railway station, village and market;
- (v) creation of any new irrigation project, providing the patch assured irrigation;
- (vi) proximity to newly notified National High Way or State High Way or roads made under Pradhan Mantri Grama Sadak Yojana, Growth centers, sub-urban centers etc;
- (vii) if any plot / plots are converted to house sites or otherwise, its market value will be at par the category after conversion';
- (viii) facilities available for irrigation such as tank, wells and pump sets and;
- (ix) the level of land;

(b) In the case of house sites, the following may be considered, namely:—

- (i) the general value of house sites in the locality;
- (ii) proximity to roads, railway station and bus routes;
- (iii) proximity to market, shops and commercial centers;
- (iv) amenities available in the areas like water-supply, electricity, sewerage, hospitals and educational institutions,
- (v) developmental activities and industrial scenario in the vicinity, and

(c) In case of properties other than lands, house sites and buildings, the following may be considered, namely:—

- (i) the nature, age and condition of the property;
 - (ii) propose 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.
- (d) In all the cases, special features relevant for valuation shall have to be considered, either reported by the concerned parties or learnt otherwise.”.

[No.40066–RDM-Reg-STAMP-0009/2018/R&DM.]

By Orders of the Governor

Dr. C. S. KUMAR

Principal Secretary to Government