

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. Regn. 6-/2016 20508 dated 4-7-2016

From

Dr. Mona Sharma,
Principal Secretary to Government

To

Inspector General of Registration, Odisha, Cuttack

Sub: Clarification on chargeability of Stamp Duty and Registration fees on the instrument of lease at the time of registration.

Sir,

I am directed to invite a reference to the above noted subject and to say that it has come to the notice of the Government that the Registering officers are insisting on payment of stamp duty and registration fees on the basis of present market value guidelines of immovable properties during registration of an instrument of lease. It is clarified that the charging of stamp duty on an instrument of lease on the basis of market value guidelines of immovable properties is not contemplated under provisions of section 47-A of the Indian Stamp Act, 1899. The Registering officer has to simply calculate the stamp duty in accordance with the provisions of Article 35 of the Schedule I-A of the Indian Stamp Act on the consideration as set forth in the instrument of lease. Needless to mention here that such consideration means and includes (i) *rent fixed* or (ii) *a fine or premium or money advanced* or (iii) *both* as agreed upon and decided by the lessor and the lessee.

Therefore, the Registering officers are hereby instructed to assess the chargeability of stamp duty and Registration fees on the basis of consideration as set forth in the instrument of lease as hereinabove clarified.

By order of the Governor,



(Dr. Mona Sharma) 4/7

Principal Secretary to Government

Memo No. 20509 /R&DM .dated, 4.7.2016

Copy forwarded to all ADM-cum-District Registrars / all District Sub-Registrars / all Sub-Registrars for information and necessary action.

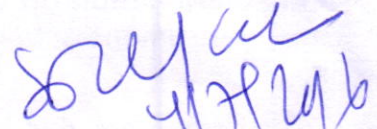


Joint Secretary to Government

FAX

Memo No. 20510 /R&DM .dated, 4.7.2016

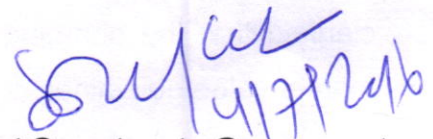
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Joint Secretary to Government

Memo No. 20511 /R&DM .dated, 4.7.2016

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Joint Secretary to Government