

GOVERNMENT OF NCT OF DELHI
OFFICE OF THE CHIEF CONTROLLING REVENUE AUTHORITY, DELHI.
REVENUE DEPARTMENT, STAMPS & REGN. BR. ROOM NO 204
'B' BLOCK, 5 SHAM NATH MARG, DELHI-110054.

11252

No. F1(65)/Regn. Br./Div. Com./HQ/11/600

Dated:- 10/09/2012

ORDER


Whereas Hon'ble Chairman PGC in his order dated 21/01/2010 in the case titled Sh. D.C. Tuteja V/S Dy. Commissioner (Central) has directed as under "The Inspector General Registration (Divisional Commissioner) as a systemic reform may examine whether a mandatory referral to Collector of Stamps u/s 47 of the India Stamp Act, 1899, by the concerned sub-registrar is warranted, especially in the areas where commercial/mixed land use has been allowed by MCD. A list of such colonies/roads can be obtained from MCD and circulated to all Sub-Registrars so as to curb the tendency of false declaration. This will enhance government revenues as well".

And, whereas it has come to the notice that the property which are being sold and purchased are not properly evaluated, as per the market value as mentioned under section 47-A of the Indian Stamp Act, 1989, as the properties under sale/transfer are commercial or industrial in nature but stamp duty is assessed/being paid on the basis of duty rate of residential premises and there is a substantial loss caused to the government exchequer and such shortcoming have been observed by the PGC in its annual report.

And, whereas the above intentional loss caused by the parties to the government in respect of the transfer of properties mentioned above makes it urgent that the sub Registrar must ensure that form-A required to be submitted with the document of sale deed/transfer deed are properly filled and nature of the property whether residential/industrial/commercial is mentioned or not and they must also ensure that the form-A has been given in a prescribed Performa.

It is, therefore, made mandatory for the concerned sub registrar to refer all such documents of transfer of properties, which fall under the said category of commercial/mixed land use as notified by UD department, Govt. NCT of Delhi to the concerned Collector of stamps for further examination, inspection, evaluation and collection of proper stamp duty and penalty if any. At the same time all the Collector of Stamps on receipt of such lists must get these premises inspected for taking action for realization of deficient stamp duty in view of the provision of section 47-A and Delhi Stamps(Under valuation of Instrument) rule , 2007 as amended from time to time.

This issues with approval of Pr. Secretary (Revenue).


(B.M. Mishra)
SPL. IGR-II

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