

# **U.P. Stamp (Valuation of Property) (Third Amendment) Rules, 2015**

UTTAR PRADESH

India

## **U.P. Stamp (Valuation of Property) (Third Amendment) Rules, 2015**

### **Rule**

### **U-P-STAMP-VALUATION-OF-PROPERTY-THIRD-AMENDMENT-RULES of 2015**

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U.P. Stamp (Valuation of Property) (Third Amendment) Rules, 2015 Published vide Notification No. 1322/94-S.R.-2-2015-700(81)-13 T.C., dated 1.12.2015, published in the U.P. Gazette, Extraordinary, Part 4, Section (Kha), dated 1.12.2015, pp. 7-13 No. 1322/94-S.R.-2-2015-700(81)-13 T.C., dated 1.12.2015, published in the U.P. Gazette, Extraordinary, Part 4, Section (Kha), dated 1.12.2015, pp. 7-13. - In exercise of the powers under Sections 27, 47-A and 75 of the Indian Stamp Act, 1899 (Act No. II of 1899) as amended from time to time, in its application in Uttar Pradesh, read with Section 21 of the General Clauses Act, 1897 (Act No. 10 of 1897), the Governor is pleased to make, the following rules with a view to amending the Uttar Pradesh Stamp (Valuation of Property) Rules, 1997 -

### **1. Short title and commencement.**

(1) These rules may be called the Uttar Pradesh Stamp (Valuation of Property) (Third Amendment) Rules, 2015. (2) They shall come into force with effect from the date of their publication in the Gazette.

### **2. Amendment of Rule 3.**

- In the Uttar Pradesh Stamp (Valuation of Property) Rules, 1997 (1997-LLT-V-90[91]) hereinafter referred to as said rules, in Rule 3 in sub-rule (3) for sub-clause (II) of clause (g), the following sub-clause shall be substituted, namely - "3. (i) In case of single unit shop and commercial establishment, minimum land rate per square metre and minimum construction rate per square

metre of single unit shop and commercial building as fixed by the Collector of the district.(ii)In case of shops and commercial establishment situated in buildings, other than single unit commercial building, carpet area rate per square metre as fixed by the Collector of the district, and".

### 3. Amendment of Rule 4.

- In the said rules in Rule 4 for sub-rules (1), (2) and (3) the following sub-rules shall be substituted, namely -"4. (1) The Collector of the district shall yearly, as far as possible in the month of August, fix the minimum value per hectare/per square metre of agriculture/non- agriculture land, the minimum value per square metre of construction of non commercial building and single unit shops and commercial establishments and the minimum value of carpet area per square metre for shops and commercial establishment situated in building, other than single unit commercial buildings, situated in different parts of the district taking into consideration the following facts:(a)in case of agriculture land -(i)Classification of soil;(ii)availability of irrigation facility;(iii)proximity to road, market, bus station, railway station, factories, educational institutions, hospitals and Government offices; and(iv)location with reference to its situation in urban area, semi-urban area or country-side;(v)potentiality as distance from developed area;(b)In case of non-commercial building -(i)location of building;(ii)kind of constructions and value of building;(c)in case of commercial building:(i)location of building;(ii)nature of economic activity in the locality;(iii)nature of commercial building; and(iv)floor wise location of property.(2)The Collector of the district may, suo motu or on an application made to him in this behalf, on being satisfied about the incorrectness of the minimum value of land or per square metre rate of construction of non-commercial or single unit shops and commercial establishments and the minimum value of carpet area per square metre in case of shops and commercial establishments situated in buildings other than single unit commercial buildings fixed by him under sub-rule (1), for reasons to be recorded in writing, revise the same within a period of one year from the date of fixation of minimum value, as the case may be.Explanation. - (1) The revision in the rates of immovable property does not only mean to increase the rates but also to reduce the rates if fixed more than the rates prevailing in such locality.(2)The nature of commercial building means economic activities in it.(3)The direction issued by Government/Commercial of stamps shall have the same effect as if it were issued under these rules.(4)Single unit shop and commercial establishment shall denote such commercial building where land and total construction situated upon such land is being transferred by a single transaction.(5)Shops and commercial establishments situated in commercial buildings other than single unit commercial building shall denote such commercial property where a part of construction on a land is being transferred along with proportionate land and common area.(3)The Collector of the district shall after fixing the minimum value per hectare/per square metre of agriculture/non-agriculture land and the minimum rate of construction per square metre of non-commercial buildings and single unit shops and commercial establishments and per square metre rate of carpet area of shops and commercial establishments situated in buildings other than single unit commercial building under sub-rule (1) send a statement in three parts to the Registrar, the first part of such statement shall contain the division of district under his jurisdiction, into urban area, semi urban area and the country side, second part shall specify the minimum value of land situated in different parts of the sub-district and the third part shall contain, in the case of non-commercial building and single unit shops and commercial establishments situated in

commercial buildings, the minimum value of construction and in case of shop and commercial establishment situated in the building other than single unit commercial building the minimum rate of carpet area per square metre."

#### **4. Amendment of Rule 5.**

- In the said rules, in Rule 5 for sub-clause (ii) of clause (c) the following sub-clause shall be substituted, namely -"5. Commercial Building. - (i) In case of single unit shop and commercial establishment, value shall be determined by adding minimum value of land whether covered by construction or not, and the value of the constructed area of each floor of the building calculated on the basis of rate fixed by the Collector under Rule 4.(ii)In case of shop and commercial establishment situated in buildings, other than single unit commercial building, value shall be determined by multiplying the minimum rate of carpet area fixed by the Collector under Rule 4 with the actual carpet area of the shop and commercial establishment."

#### **5. Amendment of Form under Rule 6.**

- In the said rules, for existing form, the following form as hereby substituted, namely -"Form(See Rule 6)(Strike out what is not relevant)

**1. Office of Registrar/Sub-Registrar.....**

**2. Name and address of the transferor.....**

**3. Name and address of the transferee.....**

**4. Location of property (whether located in Urban/Semi-Urban area/Country side.....**

**5. Approximate distance (in kilometres of metres) of property from nearest road with the name of road and its proximity with.....**

**6. Approximate distance (in kilometres of natures) of property from railway station, bus-station, public offices, hospitals factories and educational institution, etc. Mention any one which is nearest to the property under transfer**

**7. Nature of economic, industrial, developmental activity, if any, prevailing in the locality in which property is situate.....**

**8. Any other special feature affecting the value of the property.....**

**9. Agreement to sell, if any made earlier relating to the property under transfer;**

**10. Consideration for the transfer;**

**11. Fair market value of the property;**

**12. Other information:**

In case of Agricultural land (i) the khasra number; (ii) area in hectare; (iii) if cultivable, whether do fasali or otherwise; (iv) land revenue or rent (whether exempted or not) payable by the tenure-holder; (v) land revenue per hectare; (vi) whether irrigated by canal, lift canal, well, tank, pumpset, tubewell water or any sources (name the sources); (vii) minimum value of land, fixed by the Collector of the district; Non-agricultural land (i) khasra/plot number; (ii) area (in hectare/square metre); (iii) minimum value of land fixed by the Collector of the district; In case of grove or garden (i) different types of trees indicating the number of each type; (ii) size of trees; (iii) age of trees; (iv) if not assessed to land revenue, the annual rent and/or premium, actually paid may be indicated. If actuals are not available the assumed annual rent; (v) the annual average income which has arisen from it during the three years immediately preceding the date of instrument; (vi) if assessed to land revenue, the assessed amount of land revenue. In case of non-commercial building (i) type of building, i.e., whether tiled, R.C.C., R.B.C. or otherwise; (ii) total covered and open area (in square metres); (iii) the number of storeys in the building; (iv) the covered and open area of each floor or storey in the building; (v) whether the walls of the building have been built in brick and cement, brick time mortar or otherwise; (vi) the year of construction of the building; (vii) brief description of the quality of the sanitary wares, woodworks, electrical and other fittings and their respective quantities (with brand names if possible); (viii) the size and the depth of the well, if any, in the property; (ix) minimum value of land per acre/per square metre and fixed by the Collector of the district. In case of commercial building

### **1. In case of single unit shop and commercial establishment**

(i) Total area of land (in square metres) whether covered by the construction or not; (ii) nature of economies/commercial activity prevailing on the property; (iii) total covered area (in square metres); (iv) minimum value of land per square metre as fixed by the Collector of the district;

**2. in case of shop and commercial establishment situated in buildings, other than single unit commercial building**

(i)total carpet area (in square metres)(ii)the minimum carpet area rate per square metre fixed by the Collector of the district.VerificationSignature of transferorI..... do hereby solemnly declare that what is stated above is true to the best of my knowledge and belief.Verified today this.....day of.....20.....Signature of transfereeSignature of transferor".