

The Orissa Miscellaneous Certificates Rules, 1984

ODISHA

India

The Orissa Miscellaneous Certificates Rules, 1984

Rule

THE-ORISSA-MISCELLANEOUS-CERTIFICATES-RULES-1984 of 1984

- Published on 1 January 1984
- Commenced on 1 January 1984
- [This is the version of this document from 1 January 1984.]
- [Note: The original publication document is not available and this content could not be verified.]

The Orissa Miscellaneous Certificates Rules, 1984

1. Short title, extent and commencement.

(1)These rules may be called the Orissa Miscellaneous Certificates Rules, 1984.(2)They shall extent to the whole of the State of Orissa and shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires -(a)"Certificate" means a miscellaneous certificate specified in Rule 3 ; and(b)"Revenue Officer" means the Chief Officer in charge of Revenue administration in the District, Sub-division or Tahasil and includes an Additional District Magistrate and an Additional Tahsildar.

3. Categories of miscellaneous certificates.

- Subject to the provisions hereinafter contained a Revenue Officer shall be competent to grant miscellaneous certificates of the following categories :(i)Identity certificate (in Form No. II)(ii)Resident/Nativity Certificate (in Form No. III)(iii)Legal heir Certificate (in Form No. IV)(iv)Income Certificate (in Form No. V)(v)Solvency Certificate (in Form No. VI)(vi)Other Certificates of miscellaneous nature.Note - (a) Certificate of character, which may be granted by a Gazetted Officer on the basis of his personal knowledge, is not covered under the provisions of these rules.(b)Scheduled Tribe/Scheduled Caste certificates shall be granted in accordance with the provisions of the Orissa Caste Certificate [For Scheduled Caste and Scheduled Tribes] Rules, 1980, as modified from time to time.(c)Succession Certificates, which are governed under the provisions

of the Indian Succession Act, shall not be granted by Revenue Officers.(d)[Legal heir Certificates shall be granted for limited purposes such as drawal of pension, gratuity, arrears, salaries, Provident Fund etc. Tahsildar will also issue legal heir certificate in case of non-statutory ex gratia payment where the amount involved does not exceed Rs. 50,000/-. In disputed cases the applicants may be advised to approach the Civil Court for issue of Succession Certificate.] [Substituted vide Resolution No. 44946-IIIE - Misc.(C)-15/93-R, dated 30.9.1993.](e)[Income accruable from immovable property situated within the area in which the Revenue Officer has jurisdiction, the income from movable property, the income from trade or business, the income from salary, wage, remuneration in whatever form received from Government service/P.S.U. or private and the like shall be taken into account while granting income certificate. In case of salaried person being the applicant the certificate issued by the employer, official superior of appropriate rank shall be furnished by the applicant.] [Substituted vide O.G. No 49 dated 5.12.2003.](f)No Revenue Officer below the rank of Sub-divisional Officer shall be competent to grant a certificate of solvency for an amount of and above Rupees One lakh. Immoveable properties situated within the operational jurisdiction of the Revenue Officer concerned shall only be taken into account after careful verification.(g)While entertaining applications for any other miscellaneous certificate except those specified above, a Revenue Officer shall exercise his discretion after careful verification whether statutorily it comes within the jurisdiction of any other authority or Court.

4. Application for miscellaneous certificates.

- [(1) A person desirous of obtaining a certificate shall file before a Revenue Officer an application in Form No. I, affixing Court-fee stamps of denomination of Rs.3.00 or such amount as should be revised from time to time, specifying therein his name and full address, the nature of the certificate prayed for and the purpose for which it is required.(2)An application for solvency certificate shall be accompanied by an affidavit shown in before a Magistrate incorporating the details of the immovable properties, the income and sources thereof :] [Substituted vide Orissa Gazette Supplement No. 29, dated 17.7.1992, See Page 127.]Provided that the revenue Officer may require the applicant to file an affidavit in case of certificate of any other category as well.(3)The particulars of the application received in accordance with Sub-rule (1) shall be registered in Register No. 27 vide From No. 51 of the Appendix-I of the Orissa Records Manual, 1954.

5. Institution of the case and inquiry.

- The Revenue Officer shall initiate a case record, scrutinise the documents furnished by the applicant, verify the relevant records, if any, in the office and wherever necessary, may himself inquire into the matter or call for a report of inquiry by a specific date from an officer subordinate in rank.[Provided that where the application for issue of income certificate has been filed by any person for the purpose of exemption from payment of Court Fees the Revenue Officer shall personally enquire into the matter for verification of properties and asserts of the applicant before granting such certificate.] [Inserted vide O.G. No. 49 dated 5.12.2003.]

6. Orders on the application.

(1) If on the basis of the documents, records and the result of the inquiry, if any, the Revenue Officer is of the view that the certificate applied for may be granted, he shall pass necessary orders in the case record and sign the appropriate certificate specifying the purpose solely for which it has been granted. The certificate shall be handed over to the applicant or his duly authorised agent on due acknowledgement of receipt. (2) If the Revenue Officer is of the view that the certificate applied for may not be granted, he shall pass necessary orders in the case record, briefly recording the reasons therefore.

7. Review of the orders.

- Notwithstanding anything contained in these rules, if it is revealed on subsequent verification or otherwise that the certificate should not have been granted or the contents thereof require modification, the Revenue Officer or any other officer superior to him in the revenue administrative hierarchy shall be competent to review the orders granting the said certificate and after giving the person concerned an opportunity of making any representation which he may wish to make, pass such orders as he deems just and proper in the circumstances of the case.

8. Appeal.

(1) Any person aggrieved by an order passed by the Revenue Officer under Rule 6 may prefer an appeal before—(a) the Sub-divisional Officer concerned if the order was passed by a Revenue Officer below the rank of the Sub-divisional Officer; (b) the Collector concerned if the order was passed by the Sub-divisional Officer or the Additional District Magistrate; and (c) the Revenue Divisional Commissioner concerned if the order was passed by the Collector : Provided that no appeal under these rules shall be entertained unless it is preferred within a period of three months from the date of the said order. (2) The orders of the appellate authority shall be final.

9. Repeal.

- All the earlier instructions relating to grant of certificate by Revenue Officers are hereby repealed.

10. Interpretation.

- If any question arises relating to interpretation of these rules, it shall be referred to Government for decision. Form No. I [See Rule 4 (1)] Application For Issue of Miscellaneous Certificate

1. Name of the applicant.....

2. Father's name.....

3. Address-

(a)Permanent.....(b)Present.....

4. Age

5. Type of Certificate required.

(Identity/Resident/Nativity/Legal heir/Solvency/ any other Certificate)

6. Purpose for which the certificate is required.....

7. Particulars on the basis of which the certificate is required.....

8. List of documents and affidavit (wherever necessary) enclosed with this application.....

9. Declaration-

I, Shri.....son of/daughter of/wife of.....resident of village.....P.S.....District.do hereby declare that the information and particulars stated above are true to the best of my knowledge and belief and that they are exhaustive and I have not suppressed any fact. In case it is detected later on that any of the facts stated here is wrong or that I have suppressed some material facts, I shall be liable for prosecution under the relevant law. Signature of the applicant Form No. II[See Rule 3]Identity CertificateOffice of the Miscellaneous Certificate Case No.....of.....20This is to certify that Shri/Smt/Miss.....son/daughter/wife of Shri.....is a resident of Village/Town.....P.S.....Tahasil.....in the district of.....in the State of Orissa.

2. His present occupation is.....

3. This certificate being granted only for the purpose of.....

Signature of the Revenue Officer.Date.....Designation (with seal of office)Signature of the Applicant Form No. III[See Rule 3]Resident/nativity CertificateOffice of the.....Miscellaneous Certificate case No.....of 20.....This is to certify that Shri/ Smt/ Miss.....son/daughter/wife of Shri is a native of the District of.....of the State of Orissa and he/his family ordinarily reside in Village/Town.....P.S.....Tahasil.....in the district of.....

2. This certificate is being granted only for the purpose of.....

Signature of the Revenue Officer Date..... Designation (with seal of office) Signature of the Applicant Form No. IV [See Rule 3] Legal Heir Certificate Office of the Miscellaneous Certificate Case No..... of..... 20.... This is to certify that the person/persons specified below is/are the legal heir/heirs of late Shri/Smt./Miss..... son/daughter/wife of Shri..... of Village/Town..... P.S..... Tahasil..... in the district of..... in the State of Orissa.

2. This certificate is being granted only for the purpose of-

Name Relationship with the deceased

1.2.3.4.5.

Signature of the Revenue Officer Date..... Designation (with seal of office) Signature of the Applicant (s) Form No. V [See Rule 3] Income Certificate Office of the..... Miscellaneous Certificate Case No.... of..... 20..... This is to certify that Shri/ Smt./ Miss..... son/daughter/wife of Shri..... of Village/Town..... P.S..... Tahasil..... in the district of..... in the State of Orissa has an annual income of Rs..... (Rupees.....) only from the sources specified below.

Source	Annual income
	Rs.

Agricultural lands

Salaries

Any other source(s) (to be specified)

2. This certificate is being granted only for the purpose of.....

Signature of the Revenue Officer Date..... Designation (with seal of office) Signature of the applicant Form No. VI [See Rule 3] Solvency Certificate Office of the..... Miscellaneous Certificate Case..... No..... of..... 20..... This is to certify that Shri/ Smt./ Miss..... son/daughter/wife of Shri..... of Village/Town..... P.S..... Tahasil..... in the district of..... in the State of Orissa is solvent to the extent of Rs..... (Rupees) only.

Immovable Properties

Approximate
value
Rs.

(i) Agricultural lands

(ii) Buildings

(iii) Any other immovable properties (to be specified)

2. This certificate is being granted only for the purpose of.....

Signature of the Revenue Officer Date..... Designation (with seal of office) Signature of the applicant