

The ¹[West Bengal Valuation Board] (Registration of Valuer-Surveyor) Rules, 1993²

[As amended by Notification No. 52/MA/O/C-4/3R-8/99
dated 22.1.2004]

In exercise of the power conferred by section 28 of ³[the West Bengal Valuation Board Act, 1978] (West Ben. Act LVII of 1978), the Governor is pleased hereby to make the following rules—

1. Short title and commencement.—(1) These rules may be called the ¹[West Bengal Valuation Board] (Registration of Valuer-Surveyor) Rules, 1993.

(2) They shall come into force on the 1st day of October, 1993.

2. Definitions.—In these rules, unless the context otherwise requires,—

- (a) “Act” means ³[the West Bengal Valuation Board Act, 1978] (West Ben. Act LVII of 1978);
- (b) “Board” means the ⁴[West Bengal Valuation Board] established under section 4;
- (c) “section” means a section of the Act;
- ⁵[(d) “valuer-surveyor” means a valuer-surveyor Grade I, or a valuer-surveyor Grade II, registered as such under section 8B.]

3. Maintenance of register of registered valuer-surveyors.—The Board shall maintain a register of registered valuer-surveyors in accordance with the provisions of the Act and these rules.

⁶4. Period of validity of registration.—The registration of a valuer-surveyor shall be valid for one full financial year beginning on the 1st day of April and ending on the 31st day of the following March, unless the registration is revoked for reasons to be recorded in writing by the Board by a resolution passed in its meeting.]

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1. Subs. by Notifn. No. 52/MA/O/C-4/3R-8/99, dated 22.1.2004, for the words “West Bengal Central Valuation Board”.
 2. As published by Notifn. No. 471/C-4/M3R-2/93, dated 29.9.1993.
 3. Subs. by Notifn. No. 52/MA/O/C-4/3R-8/99, dated 22.1.2004, for the words “the West Bengal Central Valuation Board Act, 1978”.
 4. Subs. by *ibid*, for the words “Central Valuation Board, West Bengal”.
 5. Subs. by Notifn. No. 470/C-4/M1A-2/93, dated 17.11.1995, which was as follows :
‘(d) “valuer-surveyor” means a valuer-surveyor registered as such under section 8(8).’
 6. Subs. by *ibid*, which was as follows :

“4. Renewal of registration.—The registration of a valuer-surveyor is renewable annually before the expiry of the 31st March of the financial year for which such registration is made :

Provided that the Board may, by a resolution passed in its meeting and giving the reasons in writing, extend the date of renewal beyond the 31st day of March as aforesaid for a period not exceeding sixty days in the interest of public service.”.

1[5. Renewal of registration.—The registration of a valuer-surveyor is renewable annually before the expiry of the period of validity on payment of such fee for renewal of registration as may be fixed by the Board by a resolution in a meeting :

Provided that the Board may, by a resolution in a meeting and giving reasons in writing, extend the date of renewal for a period not exceeding sixty days beyond the date of expiry of the period of validity of registration in the interest of public service and, for such temporary extension, no fee shall be leviable.]

2[6. Qualifications for registration.—(1) No person shall be eligible to register his name as a registered valuer-surveyor Grade I unless he is—

- (i) registered as a valuer-surveyor under the Central Board of Direct Taxes, Government of India, in respect of lands and buildings; or
- (ii) a corporate member of the Royal Institute of Chartered Surveyors, London, or of the institution of Surveyors, India, in valuation surveying of immovable properties; or
- (iii) a practising valuer-surveyor of repute with a proven record of experience as a valuer-surveyor for at least ten years and having the minimum qualification of graduation in Civil Engineering or in Architecture with valuation as one of the subjects or equivalent qualification from any recognised university or institute.

(2) No person shall be eligible to register his name as a registered valuer-surveyor Grade II unless he is a practising valuer-surveyor of repute with a proven record of—

- (i) a minimum experience of two years and having the minimum qualification of a degree in Civil Engineering or in Architecture with valuation as one of the subjects or equivalent qualification from a recognized University or institute; or
- (ii) a minimum experience of five years and having the minimum qualification of a diploma in Civil Engineering or in Architecture of equivalent qualification from any recognised polytechnic/institute/ University.]

1. Subs. by Notifn. No. 470/C-4/M1A-2/93, dated 17.11.1995, which was earlier as under :

"5. Period of validity of registration.—The registration shall be valid for one full financial year beginning on the 1st day of April and ending on the 31st day of March, unless the registration is revoked by the Board by a resolution passed in its meeting and recording the reasons in the resolution so adopted."

2. Subs. by *ibid*, which was as follows :

"6. Qualifications for, and terms and conditions of service.—No person shall be eligible to register his name as a registered value-surveyor unless he is—

- (i) registered as a valuer-surveyor under the Central Board of Direct Taxes, Government of India in respect of lands or building; or
- (ii) a corporate member of the Royal Institute of Chartered Surveyors, London, or the Institution of Surveyors, India, in valuation surveying of immovable properties;
- (iii) a practising valuer-surveyor of repute with proven record of an experience of ten years and having the qualifications of graduation in Civil Engineering or in Architecture with valuation as one of the subjects from any Indian or foreign University."

7. Disqualifications for registration.—A person shall not be eligible for registration as a valuer-surveyor if he has been convicted of any offence or a lunatic or an undischarged insolvent or black-listed by the Board on an earlier occasion for any reason whatsoever.

8. Procedure of registration.—For registration as a valuer-surveyor, a valuer-surveyor shall apply to the Member-Secretary of the Board with requisite proof of his qualifications. The Member-Secretary of the Board shall, upon such enquiry and scrutiny of the application as thinks fit and after being satisfied as to the eligibility of the applicant, place the matter for approval of the Board in its meeting. On receipt of the approval of the Board, the Member-Secretary shall send an intimation to the valuer-surveyor, whose application for registration has been approved by the Board, asking him to deposit the fee for registration ¹[as a valuer-surveyor Grade I or valuer surveyor Grade II] fixed by the Board by a resolution in its meeting within 30 days from the date of such intimation. After the deposit of the amount, the Member-Secretary of the Board shall grant him a certificate of registration in the form provided in rule 9.

²9. Form of certificate.—A certificate of registration under rule 8 shall be in form prescribed below—

Certificate of Registered Valuer-Surveyor

(See rules 8 and 9)

Form No. I

Registration No. of 200 200

I hereby certify that Shri/Smt./Kumari
son/wife/daughter of residing at
has been registered by the ³[West Bengal Valuation Board] as a registered valuer-surveyor Grade I/registered valuer-surveyor Grade II, and is entitled to make the general valuation of lands and buildings in terms of the ⁴proviso to sub-section (1) of section 9 of ⁴[the West Bengal Valuation Board, Act, 1978], as a registered valuer-surveyor Grade I / Grade II within the area of such Municipal Corporation or Municipality in West Bengal as may be assigned by the ⁵[West Bengal Valuation Board], from time to time for the purpose of determination of valuation of lands and buildings in accordance with the provisions of any law for the time being in force.

This registration shall remain valid up to the 31st day of March, 200
Given under my hand and seal this the day of, 200

By order of the Board

Member-Secretary,

⁶[West Bengal Valuation Board]

1. Ins. by Notifn. No. 470/C-4/M1A-2/93, dated 17.11.1995.
2. Subs. by *ibid*.
3. Subs. by Notifn. No. 52/MA/O/C-4/3R-8/99, dated 22.1.2004, for the words "West Bengal Central Valuation Board".
4. Subs. by *ibid*, for the words "the West Bengal Central Valuation Board Act, 1978".
5. Subs. by *ibid*, for the words "Central Valuation Board, West Bengal".
6. Subs. by Notifn. No. 52/MA/O/C-4/3R-8/99, dated 22.1.2004, for the words "West Bengal Central Valuation Board".

The ¹[West Bengal Valuation Board]

Space for renewal :

Certificate Renewal on	Certificate Valid up to	Signature of Valuer-surveyor	Signature of Member-Secretary with official seal
1	2	3	4

²[10. Undertaking by valuer-surveyor.—Every valuer-surveyor whose application for registration as a registered valuer-surveyor Grade I or registered valuer-surveyor Grade II has been approved by the Board and who has deposited the fee for, registration, shall submit to the Member-Secretary of the Board an undertaking in the form of affidavit sworn before a Notary or a Judicial/Executive Magistrate in the format provided in rule 11 binding himself to abide by the code of conduct of registered valuer-surveyors laid down in rule 12.]

11. Form of undertaking ³[* * *].—⁴[The undertaking in the form of an affidavit sworn before a Notary or a Judicial/Executive Magistrate] shall be in the following form :

I, Shri/Smt./Kumari son/wife/daughter of residing at do hereby swear and undertake to abide by the code of conduct of registered valuer-surveyor as set forth in the ⁵[West Bengal Valuation Board] (Registration of Valuer-Surveyor) Rules, 1993, to the best of my ability and conscience.

Date

(Signature)

12. Code of conduct.—The following shall be code of conduct of valuer-surveyor registered under these rules—

- (i) A registered valuer-surveyor must abide by the ethics and etiquettes of the profession;
- (ii) he shall, in all his representations, oral or written, before the concerned authority, never state anything which he does not believe to be true;

1. Subs. by Notifn. No. 52/MA/O/C-4/3R-8/99, dated 22.1.2004, for the words "Central Valuation Board, West Bengal".
2. Subs. by Notifn. No. 470/C-1/M1A-2/93, dated 17.11.1995, which was as follows :
"10. Undertaking by valuer-surveyor.—Before the certificate of registration is granted the valuer-surveyor whose name has been registered under these rules shall submit an undertaking on oath to the Member-Secretary of the Board in the form provided in rule 11 that abide by the code of conduct of registered valuer-surveyor form in these rules, so long as his name remains in the register of valuer-surveyors and so long as he is entitled to practise under these rules."
3. Omitted the words "on oath" by *ibid*.
4. Subs. by *ibid*, for the words "the undertaking on oath".
5. Subs. by Notifn. No. 52/MA/O/C-4/3R-8/99, dt. 21.1.2004, for the words "West Bengal Central Valuation Board".

- (iii) he shall never attempt to mislead the concerned authority or his client through falsehood or misrepresentation;
- (iv) he shall look after the interest of his client and shall not disclose anything which has been confident to him by his client;
- (v) while looking after his client's interest, he shall never do anything which may cause a substantial loss or injury to the Municipal Corporation or other municipal authority or notified area authority or to the State;
- (vi) he shall assist the concerned authority, as far as practicable, in arriving at a correct decision and supply any information relating to any case or any lands or buildings in question, as may be required of him by such authority for the purpose of any inquiry.

13. Remuneration of valuer-surveyor.—Remuneration to a registered valuer-surveyor and the terms and conditions of payment thereof shall be fixed by the Board by a resolution to be taken in a meeting of the Board.

14. Form of register of registered valuer-surveyor.—The register of registered valuer-surveyors shall be maintained in the following form—

Register of Registered Valuer-Surveyor Grade I / Grade II

(See rules 3 and 14)

Sl. No.	Name of the registered valuer-surveyor Grade I/ Grade II with address	Date of birth	Father's/ husband's/ spouse's name	Date of registration	Registration No.	Area where he intends to work	Date of renewal	Remarks	Signature of member-secretary with office seal]
1	2	3	4	5	6	7	8	9	10

15. Termination of registration.—The registration of a valuer-surveyor shall terminate—

- (1) unless it is renewed by the 31st day of March of the previous financial year or within the period extended under rule 5;
- (2) for violation of any provision of these rules;
- (3) for violation of the code of conduct set forth in these rules;
- (4) for failure to carry out the directions or instructions of the Board issued in accordance with the Act and these rules from time to time;
- (5) for misconduct :

Provided that before termination of the registration, the concerned valuer-surveyor shall be given an opportunity of being heard by the Board with a notice of not less than fifteen days.