

The West Bengal ¹[Valuation Board] (Valuation of ²[Land] and Buildings) Rules, 1984³

[As amended by Notification No. 594/MA/O/C-4/3R-1/2003,
dated 27.11.2007]

In exercise of the power conferred by section 28 of ⁴[the West Bengal Valuation Board Act, 1978] (West Ben. Act LVII of 1978), the Governor is pleased hereby to make the following rules—

CHAPTER I

Preliminary

1. Short title and commencement.—(1) These rules may be called the West Bengal ¹[Valuation Board] (Valuation of ²[Land] and Buildings) Rules, 1984.

(2) They shall come into force on the date of their publication in the *Official Gazette*.

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

- (a) "The Act" means ⁴[the West Bengal Valuation Board Act, 1978] (West Ben. Act LVII of 1978);
- (b) "Board" means the ¹[West Bengal Valuation Board] established under section 4;
- (c) "Chairman" means the Chairman of the ¹[West Bengal Valuation Board];
- ⁵[(d) "Corporation" means the ⁶[Kolkata] Municipal Corporation, the Howrah Municipal Corporation, the Siliguri Municipal Corporation, the Asansol Municipal Corporation or the Chandernagore Municipal Corporation;]
- ⁷[(e) "Municipality" has the same meaning as in the Act;]

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1. Subs. by Notifn. No. 51/MA/O/C-4/3R-8/99, dated 22.1.2004, for the words "Central Valuation Board".
 2. Subs. by *ibid*, for "Lands".
 3. *As published* by Notifn. No. 145/C-4/M3R-8/84, dated 27.2.1985.
 4. Subs. by Notifn. No. 51/MA/O/C-4/3R-8/99, dt. 22.1.2004, for the words and numbers "the West Bengal Central Valuation Board Act, 1978".
 5. Subs. by Notifn. No. 539/MA/O/C-4/1A-10/95, dated 26.12.1995, which was as follows:
'(d) "Corporation" means the Calcutta Municipal Corporation and includes the Howrah Municipal Corporation and the Municipal Corporation of Chandernagore;'
 6. Subs. by s. 5 of the West Bengal Capital City (Change of Name) Act, 2001, w.r.e.f. 1.1.2001, for "Calcutta".
 7. Subs. by Notifn. No. 539/MA/O/C-4/1A-10/95, dated 26.12.1995, which was as follows:
'(e) "Municipality" means a municipality constituted under the Bengal Municipal Act, 1932 and includes a notified area constituted under that Act;'

¹[(f) "Objection Hearing Officer" means the Objection Hearing Officer of the Board or the officers engaged by the Municipality, duly authorised by the Board in this behalf, under such terms and conditions as may be determined by the State Government from time to time;]

²[(g) * * *]

(h) "Schedule" means a schedule to these rules;

(i) "section" means a section of the Act.

CHAPTER II

Preparation of Valuation List

3. Intimation for valuation of new buildings erected.—The Corporation, the ³[* * *] municipality ⁴[or any other local body in respect of the area specified by a notification under section 9] shall, not later than the fifteenth day of the quarter of a year ending on the 30th June or the 30th September or the 31st December or the 31st March, as the case may be, send to the Board a list of all new buildings erected and also all existing buildings reconstructed or substantially altered or improved within their respective jurisdiction.

4. ⁵[Publication of draft valuation list].—(1) When the valuation list referred to in ⁶[section 9A] in respect of any ward or wards of a Corporation or a municipality been prepared the Chairman shall sign the same and shall cause the valuation list to be published by putting up copies thereof in the notice board of the office of the Board and in the concerned offices of the Corporation or in the offices of the municipality or other local body, as the case may be, and in such other places as the Board may determine.

(2) Every person claiming to be the owner, lessee or sub-lessee or occupier of any land or building included in the valuation list and any authorised agent of such person shall be at liberty to inspect the valuation list and to take extracts therefrom free of charge.

5. Public notice for filing objections.—The Board shall give public notice in the office of the Board and in the office of the local body concerned and also in at least two newspapers of which one should be in vernacular,

1. Subs. by Notifn. No. 594/MA/O/C-4/3R-1/2003, dated 27.11.2007, which was as follows :
“(f) "President" means the presiding officer of the Review Committee constituted under section 15;”.
2. Clause (g) omitted by, *ibid*, which was as follows :
“(g) "Review Committee" means the Review Committee constituted under section 15 of the Act;”.
3. Omitted the words "Commissioners of a" by Notifn. No. 539/MA/O/C-4/1A-10/95, dt. 26.12.1995.
4. Ins. by Notifn. No. 594/C-4/M3R-8/84, dated 3.9.1985.
5. Subs. by Notifn. No. 594/MA/O/C-4/3R-1/2003, dated 27.11.2007, for the words "Publication of valuation list".
6. Subs. by, *ibid*, for the words "section 10".

the fact of publication of the draft valuation list and ¹[the ²[Objection Petitions] shall be filed within two months of the date of publication of the valuation list] and in all cases in which any land or building is for the first time assessed, or the annual valuation of land or building is increased the Board shall also give written notice thereof to the owner or to any lessee or sub-lessee or occupier of such land or building ³[the ²[Objection Petitions] shall be filed within two months of receiving the said notice].

4[5A. Period of determining objection petitions.—The objection petitions referred to in sub-section (2) of Section 9A shall be heard and disposed of by the Objection Hearing Officer, concerned as may be specified by the Board, within six months from the date of receiving the objection petition specified under Rule 5.

5B. Manner of filing objections.—(1) Any objection to the annual value of land or building as entered in the draft valuation list published under sub-rule (1) of rule 4 shall be made in writing by the owner or by the lessee, sub-lessee or occupier of such land or building, to the Board at such place and within such date as may be specified in the public notice or the written notice referred in rule 5, as the case may be, and shall state clearly in what respect the annual value is objected to or is disputed.

(2) The objection should ordinarily be sent by registered post with acknowledgement due or may be delivered personally in the office of the Board or the Corporation or the Municipality concerned. If objection is submitted personally a receipt shall be given to the person submitting such objection.

5C. Notice for hearing objections.—All objections filed under rule 5B shall be entered in a register called Objection Register in the form as specified in Schedule I to be maintained for the purpose, and on receipt of any objection petition the objector shall be given the date on which and the time and place at which his objection will be heard.

5D. Manner of determining objections and preparation of final valuation list.—(1) The Objection Hearing Officer concerned, duly authorised by the Board in this behalf, subject to the control, superintendence and discipline of the Board, shall on the date and at the time and place specified in the notice referred to in rule 5C, hear the objection in the presence of the objector or his agent, if he appears.

(2) The objection in writing together with the statement filed under section 16 [Schedule III of the Act] shall be placed before the officer at the time of hearing the objection.

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1. Subs. by Notifn. No. 51/MA/O/C-4/3R-8/99, dated 22.1.2004, for the words "also of the date within which review application shall be filed".
 2. Subs. by Notifn. No. 594/MA/O/C-4/3R-1/2003, dated 27.11.2007, for the words "review applications".
 3. Subs. by Notifn. No. 51/MA/O/C-4/3R-8/99, dated 22.1.2004, for the words "specifying the date within the review application shall be filed".
 4. Ins. by Notifn. No. 594/MA/O/C-4/3R-1/2003, dated 27.11.2007.

(3) The Objection Hearing Officer may call for further documents or may direct further enquiry, if necessary, and may for reasonable cause adjourn the hearing and fix a date for further hearing.

(4) The Objection Hearing Officer shall make a note of the documents, if any, submitted by the objector or other materials on record, hear the objector and shall make in writing a memorandum of the substance of evidence and record his order on a sheet in the form as specified in Schedule II. The date on which such order is made shall also be recorded in the sheet and in the register maintained under rule 5C.

(5) The person appearing at the hearing shall be apprised of the order made and shall be asked to put his signature with date on the sheet in proof of his knowledge of the order passed. If any objector refuses to sign, signature of the Objection Hearing Officer will suffice.

(6) After determining objection the Board shall prepare a final valuation list.]

¹[6. to 9. ***]

1. Rules 6 to 9 omitted by Notifn. No. 191/C-4/M1A-2/88, Pt. I, dated 30.3.1994, which was as follows :

6. Period for determining objections.—The objections referred to in sub-section (2) of section 10 shall be heard and disposed of by the officer of the Board within six months from the date of receiving the objection specified under rule 5.

7. Manner of filing objections.—(1) Any objection to the annual value of land or building as entered in the draft valuation list published under sub-rule (1) of rule 4 shall be made in writing by the owner or by the lessee, sub-lessee or occupier of such land or building, to the Board at such place and within such date as may be specified in the public notice or the written notice referred to in rule 5, as the case may be, and shall state clearly in what respect the annual value is objected to or is disputed.

(2) The objection should ordinarily be sent by registered post with acknowledgement due or may be delivered personally in the office of the Board. If objection is submitted personally a receipt shall be given to the person submitting such objection.

8. Notice for hearing objections.—All such objections shall be entered in a register called objection register in the form as specified in Schedule I to be maintained for the purpose and on receipt of any objection, notice shall be given to the objector of the date on which and the time and place at which his objection will be heard.

9. Manner of determining objections and preparation of final valuation list.—(1) An officer or officers of the Board duly authorised by the Board in this behalf shall, on the date and at the time and place specified in the notice referred to rule 8, hear the objection in the presence of the objector or his agent, if he appears.

(2) The objection in writing together with the statement filed under section 16 shall be placed before the officer at the time of hearing the objection.

(3) The officer hearing objection may call for further documents, or may direct further enquiry if necessary, and may for reasonable cause adjourn the hearing and fix a date for further hearing.

(4) The officer shall make a note of the documents, if any, submitted by the objector or other materials on record, hear the objector and shall make in writing a memorandum of the substance of evidence and record his order on a sheet in the form as specified in, Schedule II. The date on which such order is made shall also be recorded in the sheet and in the register maintained under rule 8.

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CHAPTER III

Review

¹[10. ***]

²[11. to 17. ***]

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(5) The person appearing at the hearing shall be apprised of the order made and shall be asked to put his signature with date on the sheet in proof of his knowledge of the order passed.

(6) After determining objection the Board shall prepare a final valuation list."

1. Rule 10 omitted by Notifn. No. 191/C-4/M1A-2/88, Pt. I dated 30.3.1994, which was as follows :

"10. Application for Review.—(1) When the final valuation list has been prepared the Board shall give public notice in the office of the Board and in the office of the local body concerned and also in at least two newspapers of which one should be in vernacular, of the place or places where such final valuation list may be inspected.

(2) The Board shall also specify in such public notice the date within which and the person before whom an application for review under sub-section (1) of section 14 shall be filed."

2. Rules 11 to 17 omitted by Notifn. No. 594/MA/O/C-4/3R-1/2003, dated 27.11.2007, which was as follows :

"11. Manner of filing application for review.—(1) An application for review under sub-section (1) of section 14 shall be in writing and signed by person referred to therein.

(2) Every application should be neatly typed or written in a legible hand on only one side of paper of foolscap size leaving sufficient margin.

(3) The application shall briefly mention the grounds of objection to the valuation and each different ground shall be separately and consecutively numbered.

(4) Every application shall be in duplicate and shall be accompanied by a certified copy of the challan or receipt showing payment or deposit of the consolidated rate or the property tax, as the case may be as required under sub-section (4) of section 14.

(5) An application for review should ordinarily be sent by registered post with acknowledgement due or may be delivered personally in which case a receipt shall be given to the person filing it.

12. Notice for hearing review applications.—(1) All review applications shall be entered in a register to be maintained for the purpose by the Corporation or the Municipality as the case may be; and such book shall be called the Register of Review applications in the form as specified in Schedule I.

(2) On receipt of any review application filed in the manner laid down in rule 11 notice shall be given to the applicant of the date on which, and the time and place at which, his review application will be heard.

(3) A notice referred to in sub-rule (2) shall be issued by the President.

13. Interim orders.—All interim orders necessary to be made before an application is taken up for hearing by the Review Committee shall be made by the President.

[*Contd. on the next page*]

¹[18. Procedure for hearing of objection petitions.—(1) If the petitioner does not appear when the application is taken up for hearing, the Objection Hearing Officer shall dispose of the application *ex parte*.

(2) The petitioner shall be represented at the hearing either in person or through a duly authorised agent.

(3) The person appearing before the Objection Hearing Officer shall be entitled to produce such evidence, oral or documentary, as may be considered essential for establishing the objections raised in the objection petition :

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14. Summary rejection.—The application presented under sub-section (1) of section 14 shall be liable to be rejected at any stage if the person appearing before the Review Committee fails to prove that no amount of the consolidated rate payable under the provision of sub-section (4) of section 14 remains outstanding on the date of hearing.

15. Records.—(1) All papers, documents, records, registers etc., relating to a review application shall remain in custody of the Corporation or the Municipality, as the case may be.

(2) The President may at any time call for such paper, register, record or document as he considers necessary for the disposal of any review application.

(3) If any requisition is made by the President to the Board under sub-rule (2), the Board shall comply expeditiously with it and give such assistance to the President as he may require in the discharge of his functions.

16. Service of notice by the Review Committee.—Any notice, requisition or process to be issued by the Review Committee shall be served by the office of the Corporation or the Municipality, as the case may be.

17. Adjournment of the hearing.—The President may for reasonable cause adjourn the hearing and fix a date of further hearing.”.

1. Subs. by Notifn. No.594/MA/O/C-4/3R-1/2003, dated 27.11.2007, which was as follows :

“18. Procedure for hearing of review applications.—(1) If the applicant does not appear when the application is taken up for hearing, the Review Committee shall dispose of the application *ex parte*.

(2) The applicant shall be represented at the hearing either in person or through a duly authorized agent.

(3) The person appearing before the Review Committee shall be entitled to produce such evidence, oral or documentary, as may be considered essential for establishing the objections raised in the review application :

Provided that the President may, for reasons to be recorded in writing, refuse to allow production of any evidence not considered essential for the purpose of hearing of the review application.

(4) When the hearing of an application is concluded, the President, shall after consultation with the other Member, pass orders in writing giving reasons therefor and the order shall be signed by the President and also by other Member agreeing to it.

(5) If the other Member disagrees with the President he shall separately record his decisions and the reasons therefor.

(6) In case of such disagreement the matter shall be referred to the Board by the President for decision as required under sub-section (4) of section 15.

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Provided that the Objection Hearing Officer may, for reasons to be recorded in writing, refuse to allow production of any evidence not considered essential for the purpose of hearing of the objection petition.

(4) When the hearing of a petitioner is concluded, the Objection Hearing Officer shall pass orders in writing giving reasons therefor and the order shall be signed by the Objection Hearing Officer.

(5) The order on any objection petition may be passed at the conclusion of the hearing on the same day or on some other date to be fixed by the Objection Hearing Officer and made known to the person appearing before the Objection Hearing Officer.

(6) The Objection Hearing Officer may confirm, reduce, enhance or annul the valuation of land or building and may direct fresh valuation to be made after such further enquiry as the Objection Hearing Officer may direct.

(7) Clerical or arithmetical mistakes in order or patent errors and omissions therein may be corrected by the Objection Hearing Officer.

(8) The result of hearing objection petitions shall be noted in the Register of objection petitions.

(9) The Objection Hearing Officer shall attest and mark with date any correction in the valuation list that may be necessary as a result of the decision of the Objection Hearing Officer.]

¹[**18A. Supply of certified copy of the order passed after hearing.—** Any person who applies for objection to any valuation of any land or building under sub-section (4) of Section 9A, may obtain from the Board or of the Corporation or of the municipality, as the case may be, a certified copy of any order passed by the officer taken hearing on such application on payment of a fee chargeable for each copy of the order at the rate of twenty rupees per holding.]

[*Contd. from the previous page*]

(7) The order on any application may be passed at the conclusion of the hearing on the same day or on some other date to be fixed by the President and made known to the person appearing before the Committee.

(8) The Review Committee may confirm, reduce, enhance or annul the valuation of land or building and may direct fresh valuation to be made after such further enquiry as the Review Committee may direct.

(9) Clerical or arithmetical mistakes in orders or patent errors or omissions therein may be corrected by the President.

(10) The result of the review shall be noted in the register of review applications.

(11) The President shall attest and mark with date any correction in the assessment list that may be necessary as a result of the decision on the Review Committee.".

1. Subs. by Notifn. No. 594/MA/O/C-4/3R-1/2003, dated 27.11.2007, which was as follows :

"**18A.** Any person who applies for review of any valuation of any land or building under sub-section (1) of section 14, may obtain from the Corporation or the Municipality, as the case may be, a certified copy of any order passed by the Review Committee on such application on payment of a fee chargeable for each copy of the order at the rate of six rupees for every one hundred words or part thereof.".

CHAPTER IV Requirements

19. Statement referred to in section 16.—(1) The statement referred to in section 16 shall be in the Form as specified in Schedule III ¹[* * *] and shall contain the particular referred to therein ²[provided that the Board may specify any of the particulars to be filed in by its office instead of being furnished by the person filing the statement.]

(2) The statement shall be filed within thirty days from the date of publication by the Board of a notice in this behalf.

(3) The notice referred to in sub-rule (2) shall be published in two newspapers of which one shall be in vernacular.

20. Production of documents.—Any accounts, registers or documents required to be produced under section 17 or any information relating thereto as may be considered necessary by the Board for the purposes of that Act and which may be required to be furnished shall be produced or finished within such time as the Board or the Officer referred to in that section may fix and such accounts, registers or documents may be retained by the Board for a period not exceeding one month against proper receipt.

21. Notice of entry.—(1) Entry into any land or building for the purpose of inspection, conducting survey or taking measurement or for valuation shall be made only after giving the owner or occupier, as the case may be, not less than twenty four hours' written notice of the intention to make such entry.

(2) The notice shall be sent by registered post with acknowledgment due or may be served personally by an officer or employee of the Board. If the notice is served personally a receipt shall ordinarily be obtained from the person on whom the notice is served.

22. Payment by the Corporation, municipalities, etc., to the Board under section 19.—(1) When the amount payable to the Board under the provision of sub-section (1) of section 19 has been calculated under sub-section (2) thereof, the Board shall require, ³[the Corporation or the Municipality,] as the case may be, to pay the amount within a period of two months from the date of preferring the claim.

(2) If the amount is not paid within the said period of two months, the Board shall refer the matter to the State Government for causing payment to the Board under sub-section (3) of section 19.

1. Omitted the words "or Schedule IV, as the case may be" by Notifn. No. 594/C-4/M3R-8/84, dated 3.9.1985.

2. Ins. by *ibid*.

3. Subs. by Notifn. No. 539/MA/O/C-4/1A-10/95, dated 26.12.1995, for the words "the Calcutta Municipal Corporation, the Howrah Municipal Corporation, the Municipal Corporation of Chandernagore, the Commissioners of a municipality or the local body of any area,".

¹[SCHEDULE I

(See Rule 5C)

**Register for Entry of Objection to Valuation under Section 9A
of the West Bengal Valuation Board Act, 1978**

..... Municipal Corporation/Municipality

Borough No. Ward No.

(Particulars as in columns 13 and 14 shall be entered by the Officer hearing the objection with reference to Schedule II)

Date of public notice given under sub-rule (1) of rule 4

Date of public notice given under rule 5

Sl. No.	Premises No.	Names of the street	Name of the owner or lessee, sub-lessee or occupier submitting objection under rule 5C	Date of filing statement under section 16	Date of giving written notice under rule 5
				By owner/lessee/ sub-lessee/occupier	To owner/lessee/ sub-lessee/occupier
1	2	3	4	5	6

Date of receiving objection under sub-rule (1) of rule 5B	Date of effect of revised annual valuation	Annual valuation immediately preceding the revised valuation	Revised valuation	Annual valuation fixed on determination of objection	Date of determination of objection under rule 5D	Signature of Officer hearing and determining Objection with date	Remarks
From owner/ lessee/ sub-lessee/ occupier		Rs.	Rs.	Rs.			
7	8	9	10	11	12	13	14]

1. Ins. by Notifn. No. 594/MA/O/C-4/3R-1/2003, dated 27.11.2007.

¹[SCHEDULE II

(Rule 5D)

Order sheet for Hearing Objection Petitions in respect of valuations

..... Municipal Corporation
Municipality

Borough No. Ward No. Objection Registered Sl. No.

Premises No. Name of Street

Objection to assessment with effect from Quarter

Name and address of objector

Status of objector

Existing Valuation	Revised Valuation	Date of publication of draft valuation list under section 9A	Date of service of Written notice under rule 5	Date of receipt of objection under rule 5B
			To owner/lessee/sub-lessee or occupier	From owner/lessee/sub-lessee or occupier

Notes of inspection or enquiry (if necessary) or intermediate order	Details of revised valuation, memorandum of the substance of evidence and final order.
<i>Signature of the person appearing for hearing the objection petition</i>	<i>Signature of the Officer hearing the objection.]</i>

1. Ins. by Notifn. No. 594/MA/O/C-4/3R-1/2003, dated 27.11.2007.

¹[SCHEDULE III

(See rule 19)

Order Sheet for hearing Assessment Objection Case

From

.....

.....

To : ²[Member-Secretary,
West Bengal Valuation Board,
Camp Office
Municipal Corporation/Municipality/Notified Area Authority]

Subject : Statement regarding rent, area, description, etc. in respect of
premises No. under ³[Municipal
Corporation/Municipality/Notified Area Authority]

Sir,

As required under section 16 of ⁴[the West Bengal Valuation Board Act, 1978] and the rules made thereunder, I/We file the statement as per annexed proforma for your information and record.

I/We declare that the information furnished in the statement are true to the best of my/our knowledge and that I am/we are the present owner(s)/occupier(s) of the above premises.

Encls : As stated

Yours faithfully,
(Signature)

Address

.....

Dated, the

**Form of statement regarding land or building for
determination of annual valuation**

(In filling up the form separate sheet may be used where necessary)

A. General Information :**I. Identification of premises :**

1. Borough No
2. Ward No.
3. Premises No.
4. Name of street

-
1. Subs. by Notifn. No. 594/C-4/M3R-8/84, dt. 3.9.1985, for existing Schedule III.
 2. Subs. by Notifn. No. 51/MA/O/C-4/3R-8/99, dt. 22.1.2004, for the words "The Secretary, Central Valuation Board, West Bengal".
 3. Subs. by *ibid*, for the word "Corporation".
 4. Subs. by *ibid*, for the words and numbers "the West Bengal Central Valuation Board Act, 1978".

5. Name and address of owner(s)
6. Date of effect of the last valuation
7. Amount of last valuation

II. Description of land or building :

8. Area of land in the premises
9. Market value of land per cottah
10. Number of storey in the building
11. Estimated present cost of erecting the building
12. Years of construction of the building
13. Nature of use of the land or building or portion thereof—whether residential, or industrial, commercial or non-residential, viz., warehouse, place of public worship, office, godown, school, cinema house, etc.
14. Covered area and accommodation, viz., Number of bed room, toilet, drawing, dining, kitchen, store, garage, outhouse, etc. in occupation of the owner(s) for own residence
15. Name of tenant(s), sub-tenant(s) or tenants of lower degrees with respective covered area and accommodation, viz., number of bed room, toilet, drawing, dining, kitchen, store, garage, servants quarters, etc. in occupation

III. Rent particulars :

16. Respective amount of rent realised or realisable in respect of each area in occupation of tenant(s), sub-tenant(s) or tenants of lower degrees as at (15) above
17. Respective amount of charges of space for car parking, servants' quarters, outhouse, etc., in the premises, if realised or realisable separately from the tenant(s), sub-tenant(s) or tenants or lower degrees as at (15) above
18. Respective amount of charges for services, furniture, fittings and fixtures, if any (to be shown item-wise), realised along with rent or otherwise from the tenant(s), sub-tenant(s) or tenants of lower degrees as at (15) above
19. Respective amount incurred or to be incurred by, or realised or realisable with rent or otherwise from the tenant(s), sub-tenant(s) or tenants of lower degrees as at (15) above towards cost of repairs and maintenance of the land or building

IV. Changes since last valuation :

20. Name of previous owner(s) in the case of change in ownership since last valuation
21. Particulars of change in tenancy, if any, since last valuation
22. Particulars of change in respect of the nature of use of the premises or portion thereof, if any, since last valuation
23. Particulars of addition, alteration, demolition or redevelopment of the premises or portion thereof, if any, since last valuation

24. Name and address of the transferee and details of area, price, date of transfer, etc. of the portion of the land or building, if transferred since last valuation
25. Date of new construction, if any, since last valuation

B. Additional Information :

V. To be furnished in the case of multi-storeyed buildings/ co-operative/apartment houses :

- (a) Total area of land sq. metres.
- (b) Plinth area sq. metres.
- (c) In case of open area under common use—
 - (i) apportioned to owner(s) sq. metres.
 - (ii) apportioned to allottee(s) sq. metres.
 - (iii) apportioned to tenant(s) sq. metres.
- (d) Vacant area other than the plinth area and/or area of the common open spaces sq. metres.
- (e) Covered area occupied by the owner(s), including proportionate common area sq. metres.
- (f) Floor-wise respective covered area occupied by each allottee for own residence, including proportionate common area sq. metres.
- (g) Floor-wise respective covered area occupied by each tenant, including proportionate common area sq. metres.
- (h) Floor-wise covered area under each non-residential occupation, if anysq. metres.

VI. To be furnished only when the premises or portion thereof is used as a public cinema house or theatre or other similar place of public resort, recreation or amusement :

Amount of gross annual receipts including receipts from rent, advertisement and sale of admission tickets, but excluding taxes on the sale of such tickets, for three consecutive accounting years, preceding the date of submission of the statement in respect of the land or building or part thereof in such use

VII. Lands under *thika* tenancy :

In the case of any land comprised in a *thika* tenancy but not built upon, either in a *bustee* or otherwise, the name and address of the *thika* tenant and the annual rent of the land payable to the State Government under the Calcutta *Thika* Tenancy (Acquisition and Regulation) Act, 1981.....]

SCHEDULE IV

[Omitted by Notification No. 594/6-4/M3R-8/84, dated 3.9.1985]

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.

⁶**4. 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.]

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 valure-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, extent the date or 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 ~~proviso~~
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	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.