

**GOVERNMENT OF ODISHA
FINANCE DEPARTMENT**

NOTIFICATION

No. 34481 /F., dated 24/11/2017
FIN-DIP-OPID-0023/2016

Sub: Issue of Sale Certificate and delivery of possession in favour of the purchaser(s) of immovable properties purchased through public auction under the Odisha Protection of Interests of Depositors (in Financial Establishments) Act, 2011.

Consequent upon the orders passed by the Designated Court as per the provision of sub-section (6) of Section 9 of the Odisha Protection of Interests of Depositors (in Financial Establishments) Act, 2011 declaring the ad-interim orders of attachment of properties of a Financial Establishment absolute.

And consequent upon the sale of the attached properties by the Additional District Magistrate and Competent Authority concerned following the procedures laid down by the Government vide Resolution No.18158/F dated 26.10.2015 read with sub-rule (4) of Rule 7 of the Odisha Protection of Interests of Depositors (in Financial Establishments) Rules, 2013 through public auction, will issue Sale Certificate and deliver the physical possession of the properties to the successful auction purchaser(s).

After careful consideration of the issues with regard to the mode of transferring the right, title and possession of the properties to the respective successful auction purchaser(s), the Government have been pleased to decide that :-

- (i) the Additional District Magistrate and Competent Authority concerned shall issue Sale Certificate in favour of the successful auction purchaser(s) as per the proforma (Annexure-I) attached hereto after realisation of the entire auction value,
- (ii) the registration of Sale Certificate is exempted in view of the provision under clause (xii) of sub-section (2) of section 17 of the Registration Act, 1908,
- (iii) the Additional District Magistrate and Competent Authority shall issue a notice to the auction purchaser(s) to deposit requisite Stamp papers worth 5% of the auctioned amount as stamp duty, and in case the auction purchaser is a woman the same shall be 4% within 21 days, in accordance with Article 18 read with Article 23 of the Schedule-I of the Indian Stamp Act, 1899,

- (iv) the Sale Certificate shall be prepared in triplicate by the Additional District Magistrate and Competent Authority mentioning the case in which orders for sale of the property was passed by the Designated Court, the date of auction and other details required under law,
- (v) the original Sale Certificate shall be prepared on Stamp Papers furnished by the auction purchaser(s) by the Additional District Magistrate and Competent Authority within 10 days of receipt of the Stamp Papers and shall be sealed and signed by the Additional District Magistrate and Competent Authority and the auction purchaser(s). The other two copies shall be xeroxed from the original Sale Certificate and be duly authenticated by the concerned Additional District Magistrate and Competent Authority,
- (vi) the original Sale Certificate prepared on the stamp paper is to be handed over to the purchaser(s) for the purpose of updating the land records. Out of the remaining two copies, one is to be kept in the case record and other is to be sent to the Registering Authority concerned for maintaining Book-1 as required under sub-section (2) of section 89 of the Registration Act, 1908.

By order of Governor



(T.K. Pandey)

Principal Secretary to Government

Memo No. 34482/F, dated 24/11/2017

Copy forwarded to the Director, Printing Stationeries & Publications, Odisha, Cuttack for information and necessary action.

He is requested to publish the Notification in the next issue of Odisha Gazette and supply 100 copies of the same to this Department for official use.



Additional Secretary to Government

Memo No. 34483/F, dated 24/11/2017

Copy forwarded to PS to Minister, Finance for kind information of Hon'ble Minister.



Additional Secretary to Government

Memo No. 34484/F, dated 24/11/2017

Copy forwarded to OSD to Chief Secretary/ PS to DC-cum-ACS/ PS to ACS, Home/ PS to Principal Secretary, Finance/ PS to Principal Secretary, Law for kind information of the Chief Secretary, DC-cum-ACS, ACS, Home Department, Principal Secretary, Finance Department and Principal Secretary, Law Department respectively.

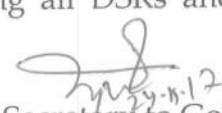


Additional Secretary to Government

Memo No. 34485 /F, dated 24/11/2017

Copy forwarded to Revenue & D.M Department for information and necessary action.

They are requested to circulate the Notification among all DSRs and SRs for information and necessary action.


Additional Secretary to Government

Memo No. 34486 /F, dated 24/11/2017

Copy forwarded to all Departments for information and necessary action.


Additional Secretary to Government

Memo No. 34487 /F, dated 24/11/2017

Copy forwarded to the Secretary to the Commission of Inquiry on unauthorised collection of public Deposits, Cuttack for information and necessary action.


Additional Secretary to Government

Memo No. 34488 /F, dated 24/11/2017

Copy forwarded to All RDCs/ All Collectors & District Magistrates/ ADM & Competent Authority, Cuttack/ Balasore/ Ganjam/ Sambalpur for information and necessary action.


Additional Secretary to Government

Memo No. 34489 /F, dated 24/11/2017

Copy forwarded to DG & IG of Police, Odisha, Cuttack/ Special DG of Police, CID-CB, Odisha, Cuttack/ Commissioner of Police, Bhubaneswar-Cuttack, Bhubaneswar/ IG of Police, EOW, Bhubaneswar for information and necessary action.


Additional Secretary to Government

Memo No. 34490 /F, dated 24/11/2017

Copy forwarded to All Superintendent of Police for information and necessary action.


Additional Secretary to Government

Memo No. 34491 /F, dated 24/11/2017

Copy forwarded to Head, Portal Group, Secretariat, Odisha, Bhubaneswar with a request to upload this Notification in the official website of Finance Department for information of general public.


Additional Secretary to Government

**OFFICE OF THE ADDITIONAL DISTRICT MAGISTRATE AND
COMPETENT AUTHORITY.....**

[Declared under section 4 of the Odisha Protection of Interest of Depositors (in Financial Establishments) Act, 2011]

CERTIFICATE OF SALE

This is to certify that Sri/Smt. _____, son/ daughter/ wife of _____, Village: _____, PO: _____, PS: _____ in the District of _____ is hereby declared as the purchaser of the Schedule of property (s) mentioned below at the sale by public auction held on the _____ day of _____ 20____ as per the direction of the Hon'ble Designated Court (under the Odisha Protection of Interests of Depositors (in Financial Establishments) Act, 2011) vide Order dt. _____ passed in I.A. No. _____ of _____ under sub-section (6) of section 9 of the Act and that the above named purchaser(s), by virtue of this Sale Certificate, shall be deemed to have acquired absolute right, title and possession over the property(s) mentioned in the schedule below.

SCHEDULE OF PROPERTY (S)

District _____, Village/Mouza/Thana No. _____, KhataNo. _____, Plot No. _____, Area _____ dec. in _____ Sq.ft. surrounded by East _____, West _____, North _____ and South _____.

Given under my hand and seal of this Competent Authority, this _____ day of _____ of 20____.

Competent Authority.....

Signature of the Auction Purchaser

NB: This certificate need not required be registered as per clause (xii) of sub-section (2) of section 17 of the Indian Registration Act, 1908.