

ANDHRA PRADESH RIGHTS IN LAND AND PATTADAR PASS BOOKS RULES, 1989

CONTENTS

1. Short title, extent and commencement
2. In these rules, unless the context otherwise requires
3. Form of record of Rights
4. Procedure for preparation of Record of Rights and updating of the Records of Rights
5. .
6. .
7. .
8. .
9. .
10. .
11. .
12. .
13. .
14. .
- 14A. .
15. Rectification of Entries in Record of Rights
16. .
17. .
18. Maintenance of Record of Rights
19. .
20. .
21. .
22. Regularisation of certain alienations or transfers of land
- 22A. .
23. .
24. .
25. .
26. Pattadar Pass Book
27. .
28. Miscellaneous
29. .
30. .
31. .
32. .
33. .

ANDHRA PRADESH RIGHTS IN LAND AND PATTADAR PASS BOOKS RULES, 1989

In exercise of the powers conferred by sub section (1) of Section 11 of the Andhra Pradesh Record of Rights in Land and Pattadar Pass Books Act, 1971 (Act 26 of 1971) and in supersession of the Andhra Pradesh Record of Rights in Land Rules, 1978 issued in G.O.Ms.No.1516, Revenue Department, dated the 16th September, 1978 and published at pages 1 to 15, R.S. to Part II Extraordinary of the Andhra Pradesh Gazette, dated 16th September, 1978; the Governor of Andhra Pradesh hereby makes the Andhra Pradesh Record of Rights in land and Pattadar Pass Books, Rules 1989, the same having been published previously at pages 1 to 120 of the Rules Supplement to Part II, Extraordinary, of the Andhra Pradesh Gazette, dated the 9th May, 1989 and after considering the suggestions received from different quarters as required under sub section (1) of Section 11 of the said Act

1. Short title, extent and commencement :-

(1) These rules may be called the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989.

(2) They shall extend to all the areas where the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 is in force.

2. In these rules, unless the context otherwise requires :-

(a) Act means, the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971.

(b) Section means a section of the Act;

(c) form means the form appended to these rules;

(d) Telangana Area means the territories specified in sub section (1) of Section 3 of the States Re organisation Act, 1956;

(e) Mortgagee means the transferee of a mortgage as defined in the Transfer of Property Act, 1882;

(f) Khatadar means any person having a khata number or account number to pay land revenue. Every person in actual possession of land, other than a tenant or a usufructuary mortgagee shall pay land revenue on it into a khata number or account number assigned to him.

(g) Record of Rights means in respect of owners title to land; and in respect of other rights and interests in land."

(h) Amendment and maintenance of record of rights in lands means and includes the amendments to the record of rights under

Sections 3(3) and 5, 8(2) and 9 of the Act.

3. Form of record of Rights :-

The Record of Rights shall be prepared and maintained in Form I for every separate revenue village.

4. Procedure for preparation of Record of Rights and updating of the Records of Rights :-

(i) The Record of Rights in Lands in the village shall be prepared in the manner hereinafter provided.

(ii) The Commissioner shall issue whenever necessary a notification to make the Record of Rights upto date for the entire State or such area or areas and from such date or dates by notification in the Andhra Pradesh Gazette. The said notification shall also be published in two daily news papers circulating in the State of which atleast one shall be in the Telugu language.

5. . :-

(1)The Recording Authority shall as soon as may be after the commencement of the Act for the first time and whenever a notification has been issued by the Commissioner to make the Record of Rights upto date in the area in which a village is situate cause to be published separate notices

(a)

(i) declaring his intention of preparing a record of rights in lands in the village for the first time, or declaring the intention consequent on the issue of a notification by the Commissioner to make the record of rights up to date in the village by updating the registry of holdings and by splitting up of joint pattas etc.

(ii) declaring his intention consequent on the issue of a notification by the Commissioner to make the record of rights upto date in the village.

(a) by updating the registry of holding by splitting up of joint pattas etc.

(b) calling upon all persons claiming any interest in any land in the village to furnish either through the Village Assistant concerned or directly:-

(i) a statement in writing in duplicate in Form 1 A, showing the

- particulars of the land in which an interest is claimed; and
- (ii) the nature of such interest on or before a specified date to be indicated in the notice not being earlier than fifteen days from the date of publication thereof; and
- (iii) if a person has interest in lands in more than one village in a Mandal or in more than one Mandal in a District, he shall file his claim in Form I(A) in triplicate giving the particulars of all the lands in which an interest is claimed Mandal wise and village wise and where person has interest in lands in only one village, he shall append a certificate to the claim in Form I(A) that he does not have interest in lands in any other village in the District.
- (c) declaring also his intention to hold an enquiry in respect of the above matter in the village on a date to be specified in the notice in this behalf not being earlier than twenty two days from the date of publication of the notice and calling upon all persons interested to appear before him at the said enquiry on the date so specified.
- (2) The notice referred to in sub rule (1) shall be in Form II and shall be published in the District Gazette of the District in which the village is situate and also in the following manner namely:-
- (a) by affixture in the chavidi or if there is no chavidi, in any other conspicuous place of the village.
- (b) by affixture on the notice boards of the Gram Panchayat Office Primary Co operative Agricultural Credit Society or School, if any in the village.
- (c) by beat of tom tom in the village;
- (d) by affixture on the notice board of the office of the Mandal Revenue Officer having jurisdiction over the village; and
- (e) by affixture on the notice board of the office of the Mandal Praja Parishad in which the village is situated.

6. . :-

- (1) The Recording Authority shall arrange for the receipt of the statement of claims submitted in response to the notice referred to in Rule 5 and shall also arrange for acknowledging the statement of claim on the duplicate, triplicate copy of claims statement and shall, on the date specified in the notice in this behalf, proceed to and hold an inquiry in the village. A Register shall be maintained in the Form No.II A for the claims received in response to the notice in the Form No.II.
- (2) During the enquiry referred to in sub rule (1) the Recording

Authority shall

- (a) receive further statements of claims in writing that may be submitted to him;
- (b) hear any oral representation made in respect of any claim and make a summary record of such representation; and
- (c) examine the relevant registers, records and accounts already maintained in respect of the lands in the village for the purpose of collection of land revenue or otherwise.

7. . :-

- (1) The Recording Authority holding an enquiry under Rule 6 may, if he so thinks fit, adjourn the enquiry to a later date or dates.
- (2) Every such adjourned enquiry shall be held in the village and the date or dates to which the enquiry is adjourned shall be announced in public by the Recording Authority himself at the time of adjournment on the day on which the enquiry could not be taken up or finished.

8. . :-

During the course of the enquiry referred to in Rule 6 above the Recording Authority may, if he considers it expedient:-

- (a) summon the attendance of any person for the purpose of examining him;
- (b) require any person to produce any document believed to be in his possession; and
- (c) enter upon, inspect and measure or cause to be measured any land.

9. . :-

(1)

(a) After due completion of enquiry, referred to in Rule 6 of the Recording Authority shall pass orders in respect of -

- (i) all cases requiring change of Registry necessitated by the death of registered holder i.e., succession by heirship, if succession is not disputed. With regard to the entry of the names of the heirs, the names of all the heirs entitled to shares in the property should be registered;
- (ii) all cases requiring change of registry necessitated by sale, gift,

etc., through registered documents, if there is no dispute. In all cases of absolute transfer of title, the Registry of a holding should be altered to correspond with the transfer of its ownership. Where the Registered holder is not a party to a registered transaction, the registered holder should be enquired. The Parties involved in a transfer should be connected by a complete chain of registered documents. Unregistered documents are not admissible as evidence in this enquiry to prove the ownership or title of their property. Where the chain is not complete, no transfer of registry shall be done. Such cases shall be referred to the Mandal Revenue Officer, for disposal after confirmation of the Record of Rights for the Village.

(iii) All cases requiring splitting of joint pattas which do not involve any dispute. Joint pattas held by a Hindu Joint family shall not be split up unless the family request for it in writing. The Recording Authority shall enquire the joint Pattadars and after enquiry, by order, determine the share of land of each pattadar in the joint holding. The shares of the land shall be sub divided in due course and the cost of sub division recovered from the pattadars in proportion of their shares. After the confirmation of the Records of Rights, a person excepting a Hindu joint family in a village shall have only one patta for all his lands in the Village as far as, it is practicable. Joint Patta cases in which there is a dispute shall be referred to the Mandal Revenue Officer after confirmation of the Records of Rights for the Village;

(iv) No order shall be passed for the change of Registry or splitting of joint pattas, unless the Recording Authority is satisfied that the change of Registry or splitting of joint patta is not in contravention of any of the provisions of:-

(1) The Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (Act 1 of 1973)

(2) The Urban Land (Ceiling and Regulation) Act, 1976 (Central Act 33 of 1976)

(3) The Andhra Pradesh Assigned Land (Prohibition of Transfers) Act, 1977 (Act 9 of 1977)

(4) []

(5) []

(6) The Andhra Pradesh Scheduled Areas Land Transfer Regulation 1959, (Regulation 1 of 1959);

(7) []

(8) []

(9) []

(b) After due completion of enquiry referred to in Rule 6 the Recording Authority shall also pass orders for registering the names of claimants in respect of all cases of claims of, 3 [tenancy mortgage and occupancy where there is no dispute.

(c)

(i) All disputed cases of transfer of registry, splitting of joint Pattas, registering the names of Tenants, mortgagee and occupants shall be submitted by the Recording Authority after the confirmation of the Record of Rights to the Mandal Revenue Officer for disposal in due course.

(ii) In respect of case falling under Rule 9(1)(a)(i), the Mandal Revenue Officer shall hold a summary enquiry as to who has the right to succeed to the property of the deceased registered holder, according to the principles of the Law of Succession which govern the case and give notice to all persons known or believed to be interested to the effect that the registry will be made in the name of the person found to be entitled, unless a declaration is filed, within three months from the date of the notice, by any person objecting to the registry, stating that he has instituted a suit in a Civil Court to establish his superior title and an authenticated copy of the plaint in the suit is produced. If no declaration is filed, the registry should be made as stated in the notice, at the expiration of three months. If a declaration is filed, the result of the suit should be awaited before taking further action.

(iii) In respect of cases falling under Rule 9(1)(a)(ii) if the claim is not complete, the Mandal Revenue Officer can consider other evidence such as statements of respective ryots, kist receipts etc., and take a decision. One month s time shall be allowed for filing objections if any, and an enquiry be held in respect of the same. Thereupon, transfer of registry shall be ordered unless the objection is found to be valid.

(iv) No order shall be passed by the Mandal Revenue Officer for the change of registry, splitting of joint patta, Recording the name of Tenants and Mortgagees in possession, unless he is satisfied that the change so ordered is not in contravention of any of the provisions of the Act referred to in Rules 9(1)(a)(iv) []

(2) After the passing of the orders under sub rule (1)(a) or (1)(b), the Recording authority shall prepare or cause to be prepared a draft Record of Rights Draft Record of Rights made upto date in land in the village in Form I and such draft Record of Rights shall be kept in the custody of Village Assistant in the Office.

10. . :-

(1) The Recording Authority shall thereafter cause to be published a notice to the effect:-

(a)

(i) that the draft Record of Rights has been prepared for the village for the first time; or

(ii) that the draft Record of Rights made upto date has been prepared for the village;

(b) that the said record has been kept in the custody of the village assistant of the village that it may be inspected at all reasonable time by any person []

(c) that all persons claiming to rectify any omission or error in the said record should furnish a statement in writing relating to their claims on or before a date to be specified in the notice in this behalf not later than fifteen days from the date of publication thereof; and

(d) declaring his intention to hold a grama sabha to read out the draft Record of Rights or draft Record of Rights made upto date on a date to be specified in the notice in this behalf not later than twenty two days from the date of publication thereof and calling upon all residents of the village to attend the grama sabha and make claims and objections.

(e) declaring his intention to hold an inquiry, into claims and objections received under Clauses (c) and (d) above at the village on a date to be specified in the notice in this behalf not later than forty days from the date of publication thereof and calling upon all persons interested to appear before him at such enquiry.

(2) The notice referred to in sub rule (1) above, shall be in Form III and shall be published in the manner specified in sub rules (a) to (e) of sub rule (2) of Rule 5.

(3) any oral claims and objections received at the grama sabha shall be reduced to writing by the Recording Authority and the same shall be considered at the proposed enquiry.

(4) All claims and objections to the entries in the draft Record of Rights published shall be submitted in duplicate in Form III S(A). The receipt of the claim objection shall be acknowledged in the duplicate copy. A register shall be maintained in Form III B for the claims and objections received in Form III A in response to the notice in Form III.

11. . :-

(1) The Recording Authority shall receive the statement submitted in respect of any claim of rectification of error or omission in the draft Record of Rights or draft Record of Rights made upto date published and shall arrange for immediate sub division work whenever felt necessary, before the date specified for enquiry. He shall proceed to the village on the dates specified in the notice and hold an enquiry into all the claims received.

(2) The provisions of Rules 7 and 8 shall apply to the enquiry referred to in sub rule (1) above.

(3) On the completion of the enquiry, the Recording Authority shall determine whether or not the draft Record of Rights required to be altered in the consequence of any such claim for rectification of an error or omission in the said record and make a summary order accordingly.

Provided that no such order altering the draft Record of Rights shall be made adversely affecting the rights of any person whose name has been entered in the draft Record of Rights is having an interest in the land in respect of the entry relating to which the alteration is proposed without giving a reasonable opportunity of making a representation in this behalf.

(4) The Recording Authority shall not pass any order under sub rule (3) above without obtaining the orders of the Special Deputy Tahsildar appointed for the purpose of the Mandal Revenue Officer concerned.

(5) The orders referred to in the above sub rules shall not be in contravention of any of the provisions of the Act referred to in Rules 9(1)(a)(iv) []

12. . :-

(1) If, at any time, before the completion of the enquiry referred to in Rule 11 above, the Recording Authority has reasons to believe that any entry made in the draft Record of Rights requires to be altered in any manner he may make such alteration:

Provided that no such alteration shall be made without giving any person whose name is entered in the draft Record of Rights as having any interest in the land in respect of the entry relating to which the alteration is proposed of making a representation in that

behalf.

(2) Recording authority shall pass orders under the sub rule (1) above only after obtaining the orders of the Special Deputy Tahsildar appointed for the purpose, or the Mandal Revenue Officer concerned.

(3) The orders referred to in the above sub rules shall not be in contravention of any of the provisions of the Act referred to in Rules 9(1)(a)(iv) []

13. . :-

(1) After the completion of enquiry referred to in Rule 11 above, the Recording Authority shall confirm the draft Record of Rights in the village or the Record of Rights brought up to date subject to the alterations if any made in pursuance of the orders passed in Rule 11 or Rule 12, and the draft Record of Rights or the Record of Rights made up to date so confirmed shall be the record of rights in lands in the village.

(2) The Mandal Revenue Officer, the Revenue Divisional Officer, the Deputy Collector (Record of Rights) the District Revenue Officer the Collector of the District, and any officer designated by the Collector for this purpose in exercise of their general powers of supervision, shall be competent, suo motu , to test and revise the entries in the confirmed Record of Rights provided that no revision shall be made without giving any person whose name is entered in the Record of Rights, as having any interest in the land in respect of the entry relating to which the alteration is proposed of making a representation in that behalf. Before making any revision an Officer shall obtain the approval of his immediate superior officer, if the entry, in the Record of Rights was made or confirmed by an Officer of the same rank.

(3) Whenever revision is made under sub rule (2) above, corresponding change will be made in the pass books issued, under the attestation of the Mandal Revenue Officer.

14. . :-

(1) The fact of completion of the preparation of the Record of Rights for the first time or the fact of completion of the Record of Rights made up to date in any village shall be notified in the Andhra Pradesh Gazette or the District Gazette as in Form No.IV.

(2) The notification referred to in sub rule (1) shall also be published in the manner specified in sub rule (2) of Rule 5.

(3) Within fifteen days of the confirmation of the Record of Rights prepared for the first time or the Record of Rights made up to date, the Recording Authority shall hold a Gram Sabha at which confirmed Record of Rights shall be read out for the information of those present.

(4) The new sub divisions, as shown in the confirmed Record of Rights shall be measured and mapped in the concerned records as per the procedure laid down and the fee shall be recoverable from the concerned ryots as arrears of land revenue. The extent noted in respect of each part of survey number of each sub division on the Record of Rights Register, shall be subject to correction, wherever necessary after the completion of measurement of the new sub division.

14A. . :-

(1) After the publication of the notification in Form IV, the Mandal Revenue Officer shall arrange to recast the information in Form I into Form I B and authenticate the entries in respect of each person. If for any reason the confirmation of the Record of Rights in any village under sub rule (1) of Rule 13 or the issue of notification as in Form IV, in respect of any village is held up, then the Collector may, by a special Order, authorise the Mandal Revenue Officer in whose jurisdiction the village is situated to get the register in Form I B prepared for the village excluding the Survey numbers sub division numbers for which claims in Form III A are received. The register in Form B so prepared, shall be test checked and shall also be read out in a Grama Sabha; the entries in the register shall be authenticated by the Mandal Revenue Officer.

(2) After the preparation of the register in Form 1 B, the Mandal Revenue Officer shall arrange to get the title deeds and Pass Books prepared with reference to the entries in Form 1 B and deliver the same to the persons concerned in a gram sabha convened with a previous notice in Form IV A of atleast seven days. The notice shall be published as per clauses (a) to (e) of sub rule (2) of Rule 5.

(3) On receipt of an application from any person for a title deeds and pass book for any land in any capacity such as pattadar, owner, mortgagee, tenant etc. the Mandal Revenue Officer shall cause an enquiry to be made whether the applicant s name is

recorded in the Register of Record of Rights in land, prepared in Form 1 and Form 1 B and if he is satisfied that the applicant is eligible will issue to him a title deed and pass book. If the applicant is not eligible for a pass book, the Mandal Revenue Officer shall inform the decision to him.

15. Rectification of Entries in Record of Rights :-

(1) Every application for the rectification of an entry in a Record of Rights made under sub section (3) of Section 3 of the Act shall be to the Mandal Revenue Officer of the Mandal in which the village is situated.

(2) Every application made under sub rule (1) above, shall be accompanied by a certified copy of the entry from the Record of Rights which is sought to be rectified and the grounds for such rectification.

(3) The Mandal Revenue Officer, may within a period of one year as provided in sub section (3) of Section 3 of the Act on his own accord initiate proceedings for correction of any mistake in the Record of Rights which he discovers himself or which is reported to him by any other Revenue Officer.

16. . :-

(1) On receipt of an application for the rectification under Rule 15, read with sub section (3) of Section 3 of the Act, within a period of one year from the date of notification of the record of rights prepared for the first time or Record of Rights made upto date in the village under sub section (2) of Section 3 of the Act, the Officer referred to in Rule 15 shall hold an enquiry after giving notice thereof to:-

- (a) the person making the application;
- (b) any person referred to in the application as having right interest or as not having such right or interest in the lands to which the entry relates;
- (c) any person whose name has been entered in the Record of Rights as having interest in the land; and
- (d) any other person known or believed to be having an interest in the land to which the entry relates.

(2) The notice referred to in sub rule (1) shall be in Form V.

17. . :-

(1) During the enquiry referred to in Rule 16 above, the said Officer shall take into account any written representation received or any oral representation made by any person referred to in Rule 16, or any other persons having interest the matter and may:-

(a) summon the attendance of any person for the purpose of examining him;

(b) require any person to produce any document; or

(c) enter upon, inspect and measure or cause to be measured any land.

(2) On the completion of the enquiry referred to in Rule 16, the said officer shall give his decision on the application for rectification of an entry and direct such rectification of the Record of Rights as may be required in accordance with such decision to be made. The decision shall be intimated to all the persons referred to in sub rule (1) of Rule 16.

(3) All applications for the rectification of an entry shall be disposed of by the Mandal Revenue Officer, within a period of 90 days from the date of filing an application.

(4) The orders referred to in the above sub rules shall not be in contravention of any of the provisions of the Act referred to in Rule 9(1)(iv) []

18. Maintenance of Record of Rights :-

(1) Maintenance of Record of Rights includes

(a) Correction of entries in pursuance of orders passed under Rule 17 above; and

(b) Incorporation of all mutations in the respective entries in pursuance of orders passed under Section 5 of the Act.

(2) The intimation of acquisition of rights under Section 4 of the Act by any individual shall be in Form VI A. The intimation by the Registration Officer of the Registration Department in Form VI B shall be within a week of the date of registration. The acknowledgment to the individual shall be in Form VI(c) and the Registration Officer on a copy of the intimation itself by signature and seal of the Mandal Revenue Officer.

(3)

(a) The Mandal Revenue Officer shall maintain for every village a

separate Register containing the abstract of the intimation received under Section 4 of the Act. The orders passed under sub sections (3) and (5) of Section 5 of the Act, either making an amendment or refusing to make such an amendment shall be maintained in Form VII.

(b) before any order is passed by the Recording Authority either making an amendment in the Records of Rights or refusing to make such an amendment, the procedure prescribed in Section 5 of the Act shall be followed.

(c) Orders on all intimations shall be passed within a period of six months from the date of receipt of an intimation. (4) Discharging letters from the credit agencies shall be acknowledged by the Mandal Revenue Officer and treated as intimation of acquisition loss of right under Section 4, if it contains all details prescribed in Form VI A.

19. . :-

(1) The notice referred to in sub section (3) of Section 5 of the Act shall be in Form VIII.

(2) such notice together with a copy of the amendment shall also be published in the manner specified in clause (a) to (e) of sub rule (2) of Rule 5.

20. . :-

(1) During the enquiry referred to in sub section (3) of Section 5 of the Act the Mandal Revenue Officer shall take into account the representations or objections written or oral made in this behalf by the persons referred to therein to whom the notice has been given or by any other person interested in the matter and may, if he considers necessary

(a) summon the attendance of any person for the purpose of examining him;

(b) require the production of any document; or

(c) enter upon, inspect and measure or cause to be measured any land.

(2) In taking a decision on the intimation of acquisition of right. The Mandal Revenue Officer shall be guided by the principles procedures laid down in Rule 9 above.

21. . :-

(1) An appeal against every order of the Mandal Revenue Officer either making an amendment in the Record of Rights or refusing to make such amendment shall lie under sub section (5) of Section 5 of the Act, to the Revenue Divisional Officer sub Collector Assistant Collector or such authority as may be notified by the Commissioner.

(2) Every appeal referred to in sub rule (1) shall be in writing and shall set forth concisely the grounds thereof within a period of sixty days from the date of communication of the order and shall be accompanied by a copy of the order appealed against.

(3) Every appeal referred to in sub rule (2) above, shall bear a court fee stamp of rupees five only.

22. Regularisation of certain alienations or transfers of land :-

(1) The Mandal Revenue Officer shall issue a general Notification in Form No.IX, calling for applications from the persons who are recorded as occupants in Adangal Pahani Patrika or in Record of Rights prepared earlier by virtue of an alienation or transfer made or effected otherwise than by registered document for declaring such alienation as valid. Such notification shall be published in the District Gazette which the village is situated and also in the following manner, namely:

(i) by affixture in the chavadi or if there is no chavadi, in any other conspicuous place of the village;

(ii) by affixture on the notice boards at the Gram Panchayat office, Primary Agricultural Co operative Society and school if any;

(iii) by beat of tom tom in the village;

(iv) by affixture on the notice board of the Mandal Revenue Officer having jurisdiction over the village; and

(v) by affixture on the notice board of office of the Mandal Praja Parishad in which the village is situated.

(2) The alienee or transferee shall file application in Form No.X on or before 29-2-1996 on the notification issued under sub rule (1) to the Mandal Revenue Officer, provided the alienation or transfer took place before 31-7-1989.

(3) On receipt of the application under sub section (2) of Section 5 A of the Act, the Mandal Revenue Officer shall issue notice to the

alienor or transferor in Form No.XI specifying therein the date on which and the time at which he proposes to enquire into the application. He shall also cause to issue a notice in Form No.XII to all other persons believed to be interested in the land specifying therein, date, time and place at which he proposes to enquire into the application. Only unregistered documents shall be considered under Section 5 A of the Act.

(4) On the day so appointed or any other day to which the enquiry may be adjourned by him, shall, the Mandal Revenue Officer after hearing the parties and on examining their documents and witnesses, if any, and after taking such further evidence as he may consider necessary to satisfy himself that the alienation or transfer is not in contravention of any the provisions of the Acts referred to in rule 9(i)(a)(iv) complete the enquiry.

(5)

(i) After completion of the enquiry under sub rule (4) above, the Mandal Revenue Officer shall require the alienee or the transferee under Section 5(A) of the Act, to deposit through a challan in the treasury an amount equal to the registration fees and stamp duty that would have been payable had the alienation or transfer been effected by a registered document in accordance with the provisions of the Indian Registration Act, 1908 as fixed by the registering officer on a reference made to him by the Mandal Revenue Officer in Form No.XIII A, on the basis of the value of the property arrived, within the time fixed by the Mandal Revenue Officer, not exceeding one month from the date of the communication and receipt of the order:

Provided that in case the Mandal Revenue Officer considers it expedient he may grant further extension of time:-

(ii) On the deposit of the amounts through a challan in the treasury as under Clause (i), the Mandal Revenue Officer shall issue a certificate in Form No.XIII B as required under sub section (4) of Section 5 A of the Act to the alienee or the transferee declaring that alienation or transfer is valid from the date of issue of certificate.

(iii) A copy of every such certificate shall be communicated in Form XIII C by the Mandal Revenue Officer to the Sub Registrar having jurisdiction over the area in which the land in respect of which the Certificate has been granted is situate and the Sub Registrar shall file the certificate in the relevant registration records and index them after ensuring collection or registration fee and stamp duty from the party under Clause (i).

(6) The Recording Authority shall on production of the certificate issued under sub section (4) of Section 5 A of the Act make an entry in the Record of Rights in Forms 1 and 1B to the effect that the person whose name has been recorded as an occupant is the owner of the property from the date of the issue of the said certificate. The Recording Authority and the Mandal Revenue Officer shall make necessary entries in the Record of Rights in land in Forms 1 and 1B under proper attestation and referencing to files of the Mandal Revenue Officer.

(7) Thereafter a title deed and pass book shall be issued to the occupant in the category of owner Pattadar.

22A. . :-

(1) An Appeal against every order of the Mandal Revenue Officer under sub section (4) of Section 5 A of the Act shall lie to the Revenue Divisional Officer Sub Collector Assistant Collector.

(2) Every appeal referred to in sub rule (1) shall be in writing and shall set forth concisely the grounds thereof within a period of sixty days, from the date of communication of order and shall be accompanied by a copy of the order appealed against.

(3) Every appeal referred to in sub rule (1) above shall bear a court fee stamp of rupees five only.

(4) Every appeal shall be disposed of within a period of six months from the date of filing the appeal.

23. . :-

(1) Every revision shall be in writing and set forth concisely the grounds thereof and shall be accompanied by a copy of the order or proceeding against which revision is sought. The revision petition shall bear a court fee stamp of rupees five only.

(2) In case, a suo motu revision is initiated, the grounds on which the revision is initiated shall be communicated to the person or persons likely to be adversely affected.

(3) In case it appears to the Collector on examination that any such record, order or proceeding should be amended, modified, annulled, reversed or remitted for reconsideration, the Collector may pass orders accordingly, after giving sufficient opportunity to the party or parties likely to be adversely affected to make written or oral representation before issue of orders.

(4) The orders under revision shall be final and there shall be no further review by the Collector.

24. . :-

Custody and inspection of the Record of Rights and furnishing copies thereof and extracts therefrom:-

(1) The record of rights in Forms 1 and 1B shall be prepared in triplicate. Two copies have to be kept in the Revenue Mandal Office, one of which is to be kept in the personal custody of the Mandal Revenue Officer. The third copy should be kept in the custody of the Village Assistant of the village.

(2) The Record of Rights shall be open for inspection of the public free of charge during office hours on all working days.

25. . :-

(1) The fees payable for granting certified copies or certified extracts from the record of rights shall be as follows: Fees for every copy of the extract given for a survey number or sub division Rs.2 (Rupees two only).

(2) The fees referred to in sub rule (1) above, shall be in the shape of court fee stamp.

(3) Every application for copies extracts shall be made to the Village Assistant Mandal Revenue Officer.

(4) Every copy or extract from the Record of Rights shall be attested by the Mandal Revenue Officer.

26. Pattadar Pass Book :-

:-

(1) With reference to Form 1 B prepared under Rule 14 A, title deeds and pass books shall be prepared taking a village as an Unit.

(2) The title deed shall be prepared only in respect of Pattadar owners and it shall have the same evidentiary value with regard to the title for the purpose of creation of equitable mortgage under the provisions of the Transfer of Property Act, 1882 as a registered document registered by a Registrar of Assurances. Where a pattadar has a registered conveyance deed with him, he shall file it alongwith the title deed with the credit agency for creating an equitable mortgage.

(3) The Pattadar Pass Books shall be given to the owner Pattadars,

tenants, mortgages and occupants of Inam lands. The entries in the pass book shall be treated as sufficient evidence to grant loans without insisting on the production of copies of village revenue records, namely; adangal Pahani and Account No.4.

(4) The format of the title deed shall be as in Form XIV A. The format of the pass book for pattadar owners shall be in Form XIV B. The format of the pass book for tenants and mortgages shall be in Form XIV C and the format of the pass book for occupants of Inam lands shall be in Form XIV D.

(5) The title deed and pass books shall be issued in Telugu. Every entry in the title deed and pass book shall be presumed to be correct and true unless the contrary is proved. While the title deed establishes the ownership of the pattadar owner, the pass book shall be the record of title in respect of an owner and rights and interests in land in respect of others.

(6) A title deed or pass book shall be given only to those persons who are in actual possession of the land.

(7) Pattadar owners shall be given in addition to title deed in Form XIV A, a pass book in Form XIV B.

(8) The title deed and pattadar pass book may contain such other details and proformae to be prescribed from time to time by the Commissioner.

(9) There shall be a photograph of the pattadar owner on the title deed. Similarly there shall be a photograph of the pass book holder on the pass book. The photograph is for the purpose of identification by the Government and the credit agencies. The photograph shall be attested and sealed by the Mandal Revenue Officer. Every person to whom a title deed pass book is to be issued either on an application or suo motu shall furnish 4 copies of his photo to the Mandal Revenue Officer. One or two copies shall be affixed on the title deed pass book, one copy shall be pasted in Form 1 B at the appropriate place and the remaining copy copies shall be filed in the file. The Divisional Officer should attest front page of the Title Deed with date and office seal besides embossing the photo on the right corner.

(10) Acknowledgments for issue of title deed pass book shall be taken in a register from all persons to whom title deeds pass books are given. The register shall be maintained in Form XVII.

(11) A Xerox copy of field Measurement Book Tippon may be attached to the title Deed Pass Book for easy identification of the land.

(12) The title deed Pass Book shall be issued to the ryots at the

rate to be fixed by the Commissioner.

(13) The title deed Pass Book holder shall be liable to produce the said title deed Pass Book before the Mandal Revenue Officer periodically for making entries upto date.

(14) After computerisation of Record of Rights for categorising person as a small or marginal farmer, all his holdings in the District State will be taken into consideration.

27. . :-

(1) The registering authority while issuing an intimation under Rule 18 of the rules shall obtain a declaration from a landless person including a tenant, mortgagee or occupant in inam land who do not possess a title deed and pattadar pass book in Form No.XV.

(2) Full details of the purchaser and the purchase transaction shall be prepared and signed by the registering authority in Form No.VI B in triplicate, one copy to be retained with registering authority, second copy shall be sent to Mandal Revenue Officer concerned, and the third copy to the Recording Authority. The Mandal Revenue Officer shall maintain a register of intimations received in Form XVI.

(3) On receipt of the Form VI B, the Mandal Revenue Officer shall verify the Record of Rights in Form I and I B and thereafter issue a title deed and Pattadar Pass Book to the purchaser after getting the sale transaction duly certified by the Registering Authority on the title deed. The Mandal Revenue Officer shall make necessary changes in the Record of Rights under proper attestation.

(4) Whenever a court decree about acquisition of title by purchase of land through deeds on plain paper or by oral purchase is received from court or presented to the Mandal Revenue Officer for implementing and incorporating changes in the Record of Rights and Pattadar Pass Books, the Mandal Revenue Officer shall incorporate changes in the Record of Rights and Pattadar Pass Book, based on court decree only after collection of stamp duty and registration fee on the sale price of the land or market value of the land whichever is higher. If the person seeking execution of court decree claims that he had already paid proper and adequate stamp duty in the court and produces certificate issued by the Court to this effect and other evidence to the satisfaction of Mandal Revenue Officer, the Mandal Revenue Officer shall demand and collect only registration fee and incorporate changes in the Record of Rights and Pattadar Pass Books. If the decree is received or produced by

or before a Registration Officer or other Officers, these officers shall immediately send these decrees to the concerned Mandal Revenue Officer for necessary action.

(5) In respect of cases covered by Section 58 B of Andhra Pradesh (Telangana Area) Land Revenue Act, 1317 Fasli, the Mandal Revenue Officer or Recording Authority should refer the court decree to the Collector and the Collector shall decide for its execution and communicate orders to the Mandal Revenue Officer Recording Authority, for its implementation.

28. Miscellaneous :-

Every Recording Authority, Appellate Authority or other Officer holding an enquiry under the Act shall have, in addition to the powers referred to in clauses (a) and (b) of Section 10 of the Act the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 when trying a suit for the purpose of entering upon and inspecting any land or taking or cause to take measurements thereof.

29. . :-

The service of any notice, the intimation of any decision and the communication of any order under the provisions of the Act or these rules shall be effected by giving or tendering a copy of such notice, intimation or order to the person concerned or an adult member of his family or where this is not practicable by sending it to him under certificate of posting.

30. . :-

As and when the Record of Rights are prepared or brought upto date or rectified or maintained, such entry shall be brought into the village records.

31. . :-

(1) Any person who loses a Pass Book issued to him can apply to the Mandal Revenue Officer along with his photograph. The Mandal Revenue Officer after collecting the fee prescribed under sub rule (12) of Rules 26, shall issue a duplicate pass book, under acknowledgment, duly endorsing on the 1st page of the Pass Book that it is a duplicate copy. The issue of a duplicate Pass Book shall

be noted in Form I B. In case a duplicate Pass Book is sought to replace a mutilated Pass Book, the mutilated Pass Book shall be surrendered to the Mandal Revenue Officer for cancellation and destruction.

(2)

(a) as soon as the title deed holder loses the title deed, he shall notify about the loss of the same to the Police and to the credit agencies in writing and ask the credit agencies not to deal with the lost title deed. He shall also intimate the Revenue Divisional Officer about the loss and furnish the copies of his letters addressed to police and credit agency.

(b) The title deed holders shall publish in the news papers a notice about the loss of his title deed and request public at large including credit agencies not to deal with the lost title deed. A copy of the news paper publication shall be filed along with the intimation to the Revenue Divisional Officer.

(c) For getting a duplicate title deed, the title deed holder shall execute an indemnity bond to indemnify the Government and the credit agencies upto one year from the date of intimation of the loss, from any losses that may arise from the use of lost original title deed by any unauthorised person.

(d) After satisfying that the above conditions are complied with, the Revenue Divisional Officer, may issue a duplicate title deed duly endorsing on the 1st page of the title deed that it is a duplicate copy. The issue of a duplicate shall be noted in form I B.

(e) To check frivolous application for duplicate title deeds the fee for issuing a duplicate shall be Rs.1,000 (Rupees One thousand only).

(f) In case duplicate title deed is sought to be replaced by a mutilated title deed, the mutilated title deed shall be surrendered by the title deed holder to the Revenue Divisional Officer. The Revenue Divisional Officer shall obtain the Collector's permission before issuing a duplicate. He shall destroy the mutilated title deed in the presence of the title deed holder after issuing a duplicate. The fact of destroying the old title deed shall be mentioned in Form I B. In case of replacement, the fee for issuing a duplicate shall be Rs.100 (Rupees One Hundred only).

32. . :-

Every person proceeding under Section 8(2) of the Act shall intimate to the Mandal Revenue Officer concerned the particulars of

the suit. The Mandal Revenue Officer shall enter the details of the suit in a register in Form XVIII. On the disposal of the suit, the Party shall communicate a copy of the order on the suit into the Mandal Revenue Officer who shall enter the details in the register in Form XVIII. The register in Form XVIII shall be open for inspection, and the certified extracts of the same shall be granted.

33. . :-

The Commissioner, Survey Settlements and Land Records may from time to time issue such orders and instructions as may be necessary for the purpose of explaining these rules, and to implement the provisions of the Act and the Rules made thereunder properly.