

GOVERNMENT OF ANDHRA PRADESH
REGISTRATION AND STAMPS DEPARTMENT

From
S. Narayan Kumar, I.A.S.,
Jt. Inspector General (R&S),
Hyderabad Range,
HYDERABAD.

To
The District Registrar,
Hyderabad & Ranga Reddy dist.
All Sub Registrars in
Hyderabad Agglomeration.

Lr. No. ULC/3095/96, dated 11-6-1997.

Sir,

Sub: REGISTRATIONS - Implementation of provisions of the Urban Land & Ceiling & Regulation Act 1976 under provisions of Section 26, 27 & 28 of the Act - Specially registration of houses - Reg.

Ref: 1. This office D.O. Lr. No. G1/003095/96, dated 23-10-1996.

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In the reference above cited clear guidelines were issued regarding extent of urban agglomeration of Hyderabad and areas to which the provisions of the Urban Land Ceiling will apply. In this letter on page four modus operandi of registration of (allegedly) old houses was also given & order was issued that where a party claims that the property is within ceiling limit and house was constructed prior to 1976 he was to be asked to get a certificate from Municipality regarding its first year of settlement. In fact on this issue of non vacant land with house structure there are detailed & exhaustive guidelines issued by the Government & Inspector General (R&S) from time to time so that land owners don't sell away their surplus land by constructing structure after 1976 and showing these as existing prior to the statute came into force. Some instances of this nature have come to notice of this office and registration have taken place without proper verification, if land was vacant as on 28-1-1976 and was affected by provisions of section 26 or 27 of U.L.C. Act or whether u/s. 28 of U.L.C. Act transfer of property is correctly registered or it is void.

As per provisions of section 26 every non surplus holder of vacant land shall give notice to Special Officer & Competent Authority, U.L.C. for first purchase. The SO & CA, ULC permits certain types of transactions u/s. 27(2). The Registering authority due to provision of section 28 of ULC Act cannot register any sale, gift, mortgage, lease or otherwise of any land or building unless in case of vacant land u/s. 26 notice to SO&CA is given and 60 days have expired or notice to SO & CA has

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been given u/s. 27. Hence Registering Officers have to be careful that JLC affected lands especially in core area are not registered by suppression of facts or producing bogus documents.

In order to mitigate problems of non surplus holders having old houses instructions were issued by the Government in Memo.No. 1524/UC-1/80-5 Revenue Department, dt. 27-10-1981 and further clarifications were given in Memo.No. 2509/UC-1/81-1, Revenue UC-1 Department dt. 20-10-81. In 1982 Inspector General again issued memo.No. G6/8285/82, dt. 13-4-82 to be careful in cases where bunch of documents for transfer of houses are presented for registration and refer these to SO & CA. The testimony of neighbours was advised to be recorded and it was also advised to get attestation of certificate issuing local authorities checked. In Inspector General's memo.No. G1/19433/1984 dt. 20-6-1984 Sub Registrars were directed to insist upon production of original plan and satisfy with spot visit also regarding age of building and satisfaction of RO shall be recorded in writing (Inspector General's Memo.No. G1/19433/1984) ^{dt. 6-11-84} In Inspector General's memo.No. G1/12610/1985 dated 24-10-1985 in item (iv) it was directed that after verification of plan, tax receipts with original copies shall be endorsed by Sub Registrars and put his signatures. The Government in Memo.No. 1437/UC-1/84 dt. 7-2-1987 ordered that Registering Officers shall generally refer cases of buildings to SO & CA which was modified in memo. No. 19213/UC-1/87-3, dt. 3-12-1987.

However, moot point remains that Sub Registrar shall satisfy that building was construction prior to 28-1-1976 based on ground position, municipal records & their authenticity, neighbours evidence. However it is found that even newly developed layouts in core area are being registered as old houses based on municipal tax receipts issued after 1976, ^{or} even 1990s. This is gross violation of the Government orders. In core area only if a person is having, old house with old plan & municipal tax receipts i. e., prior to 28-1-1976 or municipal assessment certificate of before 1976 or is non surplus holder having less than 1000 sq. metres land as on 28-1-1976 or has retainable land (shall produce Sec. 8(4) order copy with subdivision sketch attested by SO&CA. office) he can transfer the lands. In all other cases especially single room houses Sub Registrars shall be careful and refer matter to local bodies i. e., M.C.H. or municipality or SO&CA for clarification with respect to authenticity of date of construction of building. Whenever they doubt genuineness of municipal tax receipts or plan it shall be

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be referred to local bodies. In case Sub Registrars fail to do so they will be held responsible for violating the Government and Inspector General's orders and such sales documents will be reported to Special Officer and Competent Authority, U.L.C. for declaring these void.

Hence all Sub Registrars having jurisdiction in core area of U.L.C. Act where G.O. Ms. No. 733 is not applicable to follow these instructions carefully. The copies of these are enclosed for ready reference. A ready reckoner of various U.L.C. provisions is also enclosed.

Please acknowledge receipt.

Yours faithfully,

Jt. Inspector General (RAS),
Hyderabad Range Hyderabad.

Copy to Mr. A. S. Reddy, Secy. to Govt. of Andhra Pradesh, Hyderabad.
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