

Mr. Gauswamy Mody

ORIGINAL

Note on Title for Sapphire Apartments.

The apartment along with undivided Share of land admeasuring ___ sq m as mentioned above, has been allotted by the Government of Andhra Pradesh vide orders in GO Ms No 2059 Revenue (UC II) Department, dated 29-11-03 as per the terms of Go No 455 dated 29-7-02 and an endorsement dated _____ is issued by the Special officer and competent authority ULC Hyderabad for the allotment of flat no _____ along with ___ sq.meters. A sketch of the apartment is duly enclosed in the order given.

The above mentioned GO MS No 455 dated 29-7-02 para 4 (q) states that "*The allotment doesn't require any registration under Indian Registration Act 1908 and no stamp duty shall be payable under Indian Stamp Act 1899*". The registration department will incorporate the change in title in its records.

Hence the title of the apartment buyers will be as follows:

1. Allotment of apartment and land made by the Govt. of A.P.
2. Letter of allotment made confirming the full payment is paid by the apartment buyer.
3. Agreement of construction. In our opinion this agreement doesn't need registration or stamping as the government has already allotted the flat with undivided share of land to the buyers. The order of allotment is clear that no further registration is required. However if any buyer chooses to register the apartment we are not averse to doing so. This is unnecessary and is double payment of stamp duty. If anyone wishes to register the agreement, the cost is negligible (maximum of Rs 10,000/-).