
S.O. 854. The authentication endorsement on a power-of-attorney, when it is both authenticated and registered, shall be copied in continuation of the signatures of the executants and witnesses and before the stamp endorsement and entry of the stamp value.

S.O. 855. When a document is engrossed on more than one sheet of paper, any signatures of executants and witnesses or endorsements by thorn, such as “first sheet,” “second sheet”, etc., that may appear on the several sheets shall be transcribed in the register, the portion being distinguished in the register from the document portion by drawing a line about an inch in length both before and after the former.

S.O. 856. When an endorsement or certificate or both are written on a separate slip or sheet of paper, the note to that effect entered on the original instrument under Registration Rule 88 need not be copied in the register book.

S.O. 857. The seal and the signature of the registering officer and the endorsement as to the number of sheets affixed under Registration Rule 86 need not be copied in the register book.

S.O. 858. In transcribing the register an endorsement relating to the finger impression on a document, the hand and the digit as entered in the document followed by word “impression” or its equivalent in the language of the sub-district, as the case may be within brackets, shall be copied by the side of the entry of the signature of the person to whom the impression belongs, before or after according to the situation of the impression with reference to the signature in the endorsement.

S.O. 859. The small seal supplied to registering officers shall be affixed in the endorsement column to represent the registering officer’s seal on the document, where the endorsement ends in the document column a line shall be drawn connecting it with the impression of the seal. The inscription on the private seal of an executant or witness which may have been affixed to the original document shall, whenever possible, be roughly reproduced in the register but the small seal of the office shall not be used for this purpose.

S.O. 860. In supplying in the register an omission or in correcting a mistake in the entry of a document, the copyist who made the entry shall in all possible cases be required to supply the omission or correct the mistake, as the case may be.

S.O. 861. In all cases of re-registration under section 24, of registration under sections 72, 75 and 77 of the Act and of re-presentation of documents returned for correction, the endorsements, if any previously made on the document and the certificate of previous registration, if any, shall be treated as matter which should be transcribed in the endorsement column and shall be reproduced together with any further endorsement or certificate, in chronological order.

S.O.862. An endorsement of partial refusal (Registration Rule 97), an endorsement of return of a document unregistered in respect of some of the executants at the request of a party [Order 696 (b)] or a note entered below the registration certificate on a document relating to immovable property situated wholly outside India or outside the tracts to which the Indian Registration Act applies [(Rule 19 (A))] shall be copied in the register below the impression of the small seal (Order 859) and shall be separately initialed by the registering officer.

S.O. 863. The omission to transcribe in the register an appreciable portion of a document which cannot be conveniently interlined, if detected before the footnotes are commenced, shall be rectified by inserting the omitted portion at the foot of the entry immediately before the footnotes, i.e., after the transcription of the stamp-vendor's endorsement and stamp value or when the registration endorsement and certificate are copied in the column "copy of document", after the registration certificate. The place where the omitted portion is so copied as well as the place where it ought to have been copied shall be connected by asterisks. The asterisk at the latter place as well as the portion subsequently copied shall be assigned a number along with the other corrections, if any, occurring in the entry and shall be initialed by the registering officer.

S.O.864. (a) Notes of interlineations, erasures, or alterations in documents or in endorsements thereon shall be so prepared as to show precisely what word or words have been interlined or altered and the places in which erasures or blanks occur. In the majority of cases the simplest plan is to underscore the particular words, and to write the letters (a), (b), (c), (d). etc., above with corresponding foot-notes preceded by the expression "In document, interlineations, etc."

(b) Similar notes shall also be made in regard to interlineations and erasures in the entry of a document in the register. The particular word or words interlined or erased shall in the entry be flanked by brackets and the figures (1), (2), (3), (4), etc, entered above the bracketed portions, corresponding footnotes being added, preceded by the expression "In register, interlineations, etc."

When an erasure or an interlineation extends beyond one line, the entire erasure or interlineation shall be denoted by a single figure which shall be repeated on each line over the middle of the erased or interlined portion.

The following are specimen forms of footnotes:-

- (i) In document and register-Interlineations etc. Nil.
- (ii) In document - Interlineations, etc Nil. In register - (1) erasure, (2) interlineation.
- (iii) In document - (a) interlineation, (b) sic, (c) erasure. In register- Interlineations, etc. - Nil.
- (iv) In document - (a) interlineation, (b) sic, (c) erasure. In register - (1) interlineation, (2) erasure.

(c) Whenever corrections have to be made in the footnotes of an entry in the register before footnotes are closed with the initials of the registering officer consequent on an omission or error noticed either in the transcript or in the footnotes, the corrections shall not be interlined in the footnotes already entered but shall be written in continuation.

(d) A note in respect of a blank in the original of a document is necessary only when a space is left in the body of the document for the insertion of words or figures which the person preparing it is unable to supply and which for some reason are left unfilled by the person executing the document. Notes are not required where a space intervenes between one paragraph and another of a document or between the last word of a document and the executant's signature or when there are blanks in a schedule.

(e) Erasures and interlineations not relating to the entry of a document such as those pertaining to the symbols and numbers referred to in clauses (a) and (b) shall not be numbered and noted in the footnotes. It suffices if they are initialed by the attesting officer.

Documents in Duplicate

S.O.865. (a) In transcribing a document presented for registration in duplicate or triplicate, the original document shall first be copied as usual and the footnotes relating to interlineations, etc., in the original and in the entry thereof in the register shall then be added.

(b) Immediately below these footnotes, the note referred to in Registration Rule 96 (i) as to the number of copies registered with the original shall be copied. This note need not be attested.

(c) Below this note, the stamp-vendor's endorsement and stamp certificate in the duplicate shall be copied with word. "Duplicate" prefixed, followed by the endorsements made on the duplicate under Registration Rule 96 (i). Then shall follow the signatures of the reader, of the examiner and of the registering officer in the order in which they appear in the duplicate. Interlineations, etc., in the endorsement on the duplicate and in the entry relating to it in the register shall be assigned a separate series of letters and figures, and footnotes of such interlineations, etc., shall then be entered.

(d) The same course shall be repeated in respect of the triplicate or any other copy with the words "triplicate," "quadruplicate," etc., prefixed.

(e) The footnotes in the entry of the original document and of the duplicate, triplicate, etc, shall each be separately initialed by the registering officer.

(f) The signature of the copyist, the reader, the examiner, and the registering officer shall be affixed once for all after all the foregoing entries have been transcribed and compared.

Document in the form of an endorsement

S.O.866. (a) When an instrument is executed in the form of an endorsement written across, or at the foot or back of, any previously registered document, e.g., an assignment of a lease, the transfer of an interest, a receipt or discharge acknowledging consideration money or any payment secured by the registered instrument, such endorsement shall, when presented for registration, be numbered and registered as a separate instrument, and a note in the following form shall be entered in the register:-

“NOTE:-Written across (or at foot or back of) Document No. of 19. Book, Vol P. “.

(b) If the endorsement has been made on an unregistered instrument, the instrument as well as the endorsement shall be copied in the register and a note shall be entered both on the document and in the register, below the certificate of registration and above the signature of the registering officer to the effect that the endorsement alone has been registered.

Document in Diglott

S.O. 867. If a document is printed or engrossed in diglott in English and in a local language, the English text alone or the text in the local language, alone, whichever has been filled in, shall be treated as the document to be registered and transcribed in the register, the other portion being left out of account. If, however, the blanks are filled in both the English and the local language and the party treats both the text as forming the entire document and desires that both shall be registered, both the English and local language portions shall be transcribed in the register.

Document With Annexure.

S.O. 868. Registering officers shall be guided by the following ruling in transcribing a document presented with an annexure: -

The defendants executed and delivered two documents, A and B, to the plaintiff- A being an agreement of equitable mortgage and B an agreement that they (the defendants) would register A and do all things necessary therefor, and in case they failed to do so, to pay whatever the plaintiff could claim under A if it had been registered. The plaintiff obtained an order for the registration of A, but failed to present it for registration within thirty days after such order, as required by section 75 of the Registration Act, and, when he did present it, registration was consequently refused. He subsequently lodged B for registration with A as an annexure to it, and it was accepted on payment of a penalty under section 25 of the Registration Act. The Registrar, however, refused to register B on the grounds, (1) that without A there would be nothing to show to what property B referred and (2) that to register A as an annexure to B would be contrary to the provisions of section 75 which limited the time for registration

to 30 days. The plaintiff then brought this suit under section 77 praying for an order or the registration of B. with its accompaniment A, within 30 days from the decree. The Division Court made the order as prayed for. On appeal by the defendants-

Held (varying the decree of the lower court), that document A should not be copied as an annexure to document B. If document A were in the nature of schedule of appendix to document B, then the two documents could be registered as one; but as they appeared to be two distinct documents separately stamped and executed for different objects, they could not be so registered. The Registrar had no power to inquire what document was referred to in the document he was asked to register. If he could not register the two documents as one, neither could the court do so under section 77.

(I.L.R. 21 Bom, 724).

Rectification and Cancellation Deeds

S.O. 869. A rectification deed or a cancellation deed shall be registered in the same class of register book as that in which the original document which it cancels or rectifies has been registered.

Note :- See Order 701

Examination and Authentication of Entries

S.O.870. (a) After a document and the endorsement thereon have been transcribed in the register, the correctness of the copy shall be ensured by copy shall be ensured by causing the original to be read aloud by some officer other than the copyist, while the entry in the register is followed by another officer.

(b) The examination of the entries shall, as far as practicable be performed by the permanent staff. In unavoidable cases a Section-writer may be allowed to read a document under examination. But he shall not be the examiner of an entry until he completes his probation. Section-Writers and assistants employed under emergency provisions may, however, be entrusted with responsible duties like indexing of document, conduct of single and general searches, etc., if they have acquired sufficient experience and knowledge of the departmental orders.

(c) In an office with one assistant, the copyist shall preferably be employed as "examiner" of the entry rather than as "reader" of the original document, as he will then be less liable to repeat the mistakes which he may have made when copying. The Sub-Registrars shall, however, during the process of examination, refer to the entry in the register to ensure that erasures and the like have been noted correctly and that words which are liable to be spelt in different ways have been copied correctly. As an additional precaution he shall, when authenticating the entry, satisfy himself that, besides

the items specified in Order 875 the undermentioned items have been correctly transcribed.

- (i) Names of executants and claimants.
- (ii) Description of property including survey number, name and extent.
- (iii) Nature of transaction.
- (iv) The value or consideration, the rate of interest and the time of repayment.

(d) In other offices the registering officer shall examine a certain percentage of the entries in order to satisfy himself that documents are reproduced accurately and faithfully.

(e) After the completion of the examination referred to in clauses (a) to (d) the registering officer shall add on the document the certificate of registration which shall also be copied in the register and compared in like manner. The footnotes of interlineations, blanks, erasures and alterations and the notes regarding duplicate, or triplicate if any, shall then be entered in the register, and the examiner shall, after satisfying themselves as to the correctness of these footnotes, sign below them thus:-

Copied by A B., Assistant.

Examined by |

C D., Assistant (Reader).

E.F., Assistant (Examiner).

The registering officer shall then initial at both ends of each erasure or interlineation in the register and, when the erasure or interlineation extends beyond one line, at the beginning and end of the erased or interlined portion in each line, affix his initials to the footnotes referred to above and authenticate the entry by signing on the line where the notes of interlineations, etc end or if there is not sufficient place, on the line next below it, and by initialing at the foot of every other page occupied by the document. The signature shall be legible and entered on the right-hand side of the page and close to the line which separates the column "copy of document" from the column "copy of endorsement and certificate" and shall be dated by the registering officer himself.

S.O. 871. Facsimile stamps shall not be used for affixing signatures or initials on documents or in register books.

S.O.872. Registration Rule 31 (ii) permitting the rectification of remediable defects in documents on which the presentation endorsement has been made applies only to a document which has not been admitted to registration, i.e., a document on which the admission of execution has not been recorded. Accordingly when a defect in a document is discovered after the admission of execution has been recorded thereon, the document

or the entry in the register shall not be interfered with, but the defect shall be reported to the Registrar and his orders obtained in the manner prescribed by Order 1156.

S.O.873. The aim of the department should be, whilst paying the closest attention to accuracy in transcription, to meet the convenience of the registering public first by the acceptance each day for registration of as many documents as practicable, and next by the rapid performance of the process of transcription and completion of registration. The expeditious transcription should on no account be effected at the expense either of accuracy in transcription or of the convenience of the public. The latter have a right to demand that documents should be accepted if that course is at all practicable, especially in the case of those who come from a distance. The copying of documents and the examination of the transcripts shall, wherever possible, go hand in hand. Wherever the strength of the staff admits of the arrangement, transcription shall be performed continuously by one or more of the junior assistants who shall be relegated to this work alone or be given only such other duties as lend themselves to combination with speedy transcription. Two volumes shall ordinarily be allotted to each copying assistant so that whilst the transcripts in one volume are under examination, the other volume will be available for transcribing further documents. The duties of reading and examining shall be assigned to assistants other than the copyist, and the examiner shall take up each register as it is passed to him for examination and ensure that all further steps in connection with the entry of each document in the register book are completed without delay. The registering officer shall, in turn take up for authentication each volume as soon as it is ready for authentication.

S.O.874. The Authentication of an entry shall be made immediately a document has been copied and compared.

S.O. 875 When authenticating an entry in register book, the registering officer shall ensure that the under-mentioned items have been correctly copied :—

- (a) The date of execution.
- (b) The date and time of presentation.
- (c) Endorsement of signatures and additions of presentant and executants,
- (d) The endorsement of payment of consideration
- (e) The registration certificate.
- (f) The stamp value.
- (g) The date of purchase of stamps.
- (h) The name of the person for whose use the stamps were purchased.

S.O. 876. Copying assistants shall, before commencing their work for the day, ensure that all the entries relating to the previous day have been signed by the registering officer and that interlineations, erasures, etc., have been duly noted and attested and they shall bring any omissions in these respects Immediately to the notice of the registering officer.

Maps and Plans

S.O.877. (a) A Copy of map or a plan accompanying a document presented for registration shall, where the document relates to immovable property, be filed in File Book 1 and cross-references shall be entered in the file book and in Book 1 as shown below :—

On the map or plan —

“Accompanied document No. of 19 of Book 1, Volume—, Page.....”.

At foot of the entry of the document in Book 1 —

Note :- Map or plan accompanying filed at page..... of Volume of File Book 1.

(b) In the case of a copy of a map or a plan accompanying a copy of a document forwarded under sections 65 (1), 66 (2) and 67, a note in the following form shall be entered in the copy of the map or plan :—

“Copy of map/plan which accompanied the document registered as No.....
of (year) of Book of.....”.

(c) A copy of a map or plan accompanying any other document shall be filed In the file of indexes relating to the book in which the document is registered, cross-references in the form prescribed by clause (a) being made in the register book and in the Index file.

NOTE :- At the commencement of each year title pages to Indexes III and IV are prepared and prefixed to the respective files of these indexes-(Order....). Plans relating to documents registered in Books 3 and 4 shall, therefore, as soon as they are received, be tiled immediately alter the title page for the year and paged.

Notes in Register Books

S.O.878. A note as in Registration Rule 118 (a) shall not be entered in Book 5 where a subsequently registered will recites that it supersedes a will previously deposited.

S.O.879. The notes prescribed by Registration Rule 118 (a) shall be entered only in cases where a previously registered document is expressly rectified or cancelled by another instrument.

S.O.880. If a registered document is declared by a court to be benami, a note of the fact shall be entered at the foot of the entry in the register and, when practicable, on the document, as in the cases referred to in Registration Rule 119.

S.O.881. The notes made under Orders 843, 866, 842 (14) (b), and 1364 Registration Rules 118 (a), 119 and 158 (ii), notes of defects appertaining to items 5,8.9 and 10 in class (i) and to the first three items in class (ii) of Appendix XXV and cross-references under Order 877 (a) shall be in Telugu.

S.O. 882. The notes made in register books Nos. 1,3 and 4 under Registration Rules 118 (a), 119 and 158 (ii) and Orders 866 (a) and 880 shall be attested by the Registering Officer's initials and those on copies of maps or plans under Order 877, by his signature and sealed with the seal of the office, the notes in register books under Order 877 being attested by the Registering officer's signature only. The note under order 482 (14) (b) in Register books shall be attested by the Registering officer's dated signature. The notes in register books appertaining to 8 item in clause (1) in Appendix shall be attested by the dated signature of the Registering Officer.

Transcription in wrong Books

S.O.883. (a) The orders of the Registrar directing under Registration Rule 158 the entry of the requisite particulars to be made regarding the document in the appropriate place in the indexes relating to the proper book shall, together with all connected correspondence, be preserved in the file of correspondence relating to rectification of defects and errors in register books and of registration in wrong offices. When such orders are passed in inspection reports, the orders shall be extracted and a true copy placed in the file.

(b) The orders of the Registrar under Rule 159 relating to rectification of registrations in wrong offices shall be preserved permanently in a sub-office and filed in the file of correspondence referred to in clause (a).

(c) All correspondence relating to registrations in wrong books and in wrong offices shall be passed on to the Sub-Registrars in original and no copy of the report or of the orders passed by the Registrar thereon shall be maintained in the Registrar's office.

Documents Registered under Rule 115

S.O. 884. The classes of documents to which the application of Registration Rule 115 has been sanctioned by the Inspector-General are set out in Appendix XII. No separate sanction is necessary for opening a special volume of Register Book 1 or 4 in the form of a file book for filling copies of such documents.

S.O. 885. The following conditions shall be observed as regards the paper and the form to be used for documents to which the rule is applicable:-

(a) Either Lancashire Ledger paper of semi-foolscap size, 13 1/4 inches by 8 1/2 inches, or other paper of that size and equal durability shall be used.

(b) The printing shall, in the case of documents not extending beyond two pages, be on one side only of the paper so that the first blank page may be available for the endorsements of the registering officer under sections 52, 58 and 60 of the Indian Registration Act. In the case of documents extending beyond two pages in print, it will suffice if the whole or a portion of the last page alone is left blank for the endorsements. Where the printed matter ends with a page bearing an even number, a blank sheet of paper of the same quality as that upon which the document is printed shall be affixed to the document and to the printed form.

(c) Margins 1 3/2 inches at the top and 3/4 inch at foot, and in the case of odd pages, of not less than 2 inches on the left and 1/2 inch on the right and in the case of even pages 1/2 inch on the left and 2 inches on the right, shall be left on each page of the document so that no portion of the copy may be obliterated in pasting.

(d) Sufficient space shall be left in the body of the form for the names and additions of parties and other varying items which have to be entered in manuscript so that the writing may not be cramped in the copy recorded in the registration office.

(e) The description of property being a variable item shall be in a schedule at the end of the document.

S.O. 886. File books with butts numbered in print shall be utilized for filing copies of such documents with title pages of shown below :-

File Book I-B — Register of non testamentary documents affecting immovable property and registered under Registration Rule 115.

File Book 4 - Register of miscellaneous documents registered under Registration Rule 115.

In filing, the instructions in Order 1127 (d) shall be observed.

S.O.887. All classes of documents, to which the application of Registration Rule 115 has been sanctioned by the Inspector-General, shall be registered in a single File Book I-B or 4 as the case may be, in the serial order of their registration.

S.O.888. No ink other than registration ink shall be used for filling in blanks and for the endorsements and signatures on the copy filed in the office.

S.O.889. The Registrar of Co-operative Societies has issued the following circular to societies :—

(i) Government have approved of a new rule with regard to the registration of documents presented for registration by co-operative societies. This permissive provision is advantageous both to the societies and to the Registration department. According to the new rule (1), societies have to use the printed documents approved by the Registrar of Co-operative Societies and the Inspector-General of Registration and (2) when presenting a document for registration, a spare copy of a similar printed form of the document should be given to the Sub-Registrar. The blank spaces in the spare copy will be filed in their records. The original will be registered and returned to the parties This will promote despatch in the registration of the documents. It is open to societies to adopt this procedure.

(ii) Societies seeking to adopt a form of document different form, will have to print suitable forms after obtaining the permission of the Registrar and the Inspector-General of Registration.

S.O. 890. The following instructions shall be observed with regard to the entries to be made on copies of documents filed under Registration Rule 115:-

(i) The number of the document, e.g., “Document No. 365 of 1916” shall be entered at the top of each page including that containing the endorsement, with the word ‘continued’ added thereto on each page other than the first.

(ii) The instructions in Order 841 shall mutatis mutandis apply also to the case of documents filed under Rule 115.

(iii) The endorsements shall commence on the page which corresponds to that of the original on which the endorsements are made by the Registering Officer and be followed by the certificate. The endorsements and the certificate shall be closed with the impression of the small seal (Order 859).

(iv) Border lines are unnecessary.

(v) All manuscript entries shall be made on ruled lines and where the lines are not ruled in print, lines shall be ruled by hand in pencil.

(vi) Where the manuscript portion at the close of a document, such as description of property, is compressed and the space in the copy to be filed is not sufficient for its

transcription in a free hand, a sheet of Lancashire Ledger paper shall be added for completing the entry,

(vii) The footnotes shall follow the form prescribed in Order 864 (b), with the word “copy” substituted for “register’ and these shall be entered in the manner described in clause (viii) Infra.

(viii) (a) The foot notes prescribed by rule 115 (ii) and the authentication require under rule 115 (iv) shall follow immediately the document portion or the endorsement portion whichever ends last and shall not be entered between these two portions. Accordingly, when a document consists of a single sheet, the footnotes and authentication shall follow immediately the endorsement and certificate made by the Registering Officer.

(b) If a document consists of two or more sheets with even pages left blank and if the endorsements and the certificate occupy the back of only the first sheet, in the case of a document consisting of two sheets, and that of any sheet other than the last in other cases, the footnotes and authentication shall follow the document and not the endorsements and certificate.

(c) If in the case contemplated by clause (b) the endorsements and certificate are continued to the back of the second or the last sheet, as the case may be, the procedure laid down in the last sentence of clause (a) shall be followed.

(d) The instructions in the last sentence of clause (a) are applicable also to cases of documents extending beyond two sheets with the last page alone left blank for the endorsements [order 385 (b)].

NOTE: When affixing the seal on the copy in the manner required by Registration Rule 115(iv) a book or a block of wood or paper of suitable thickness should be placed inside the file book to support the butts and the sheets pasted thereto to the requisite height so that the binding of the file book may not be affected by the pressure of the seal.

(ix) The Stamp Vendor’s endorsement, if any, and any certificate relating to the stamp on the original document shall be copied in full at the end of the duplicate copy filed, where also shall be entered the value of the stamp or “Stamp nil,” as the case may be, as in the case of ordinary documents (Orders 842 and 843).

CHAPTER XXV

COPIES AND MEMORANDA

S.O. 891. Copies and memoranda under sections 64-67 of the Act, shall be forwarded with the least possible delay.

S.O. 892. If there is delay exceeding seven days on the part of any sub-Registrar to forward or acknowledge receipt of any copy or memorandum, his explanation should be invariably obtained by the District Registrar and if it is not satisfactory, the District Registrar should invariably submit a report to the Inspector-General of Registration and Stamps with a draft charge or draft charges against the Sub-Registrar concerned.

S.O.893. (i) The despatch stamp indicating the date of despatch should invariably be affixed to the office copy of the 'Memorandum' with which the district copies and memoranda are forwarded. In the offices in which despatch stamps are not available the person despatching should enter a note of despatch with date of despatch and attest the entry with his initials and date.

(ii) The date of despatch as noted in Account 'A' should tally with the date of despatch as found noted in the office copy of the forwarding memorandum.

S.O.894. (i) The District Registrar shall ensure that copies and memoranda of documents registered in Registrar's office are forwarded by the joint Sub-Registrar in his office promptly, that acknowledgements therefor are obtained and pasted in the concerned books without any delay and that every copy or memorandum received from other offices is promptly indexed and filed or forwarded to the Sub-Registrar concerned as the case may be.

(ii) Once a fortnight the District Registrar shall check the Account 'A' of the Joint Sub-Registrars of his office with the book for forwarding copies and memoranda of registered documents and the register prescribed in Standing Order 910 and satisfy himself that copies and memoranda have been forwarded in respect of every document, that acknowledgements have been obtained and filed or forwarded as the case may be.

(iii) In respect of copies and memoranda not forwarded or for which acknowledgements have not been received and filed the District Registrar shall take necessary action immediately.

(iv) If within ten days from the date of despatch of a copy of a memorandum the acknowledgement is not received the District Registrar should report the matter to the District Registrar of the district to which the copy or memorandum was forwarded whereupon the latter District Registrar shall enquire into the matter and pass necessary orders.

(v) This fortnightly inspection shall take place in the second and the fourth week of every month.

(vi) As regards Sub-Registry Offices, the District Registrars, Vigilance Officers and the Deputy Inspectors General of Registration and Stamps during their annual and surprise inspections of the Sub-Registry Offices shall check the Account 'A' of the office with the book for forwarding copies and memoranda to ensure that copies and memoranda have been forwarded, that acknowledgements are promptly pasted and that every memorandum received has been promptly indexed.

S.O. 895. In the case of joint offices, when a document registered in one of the joint offices affects also property situated in a village assigned to another, a statement containing the particulars required for the indexing of the document in the indexes of the latter office shall be forwarded to such office in lieu of the memorandum prescribed in section 64 of the Act. The statement shall be in the memorandum form (From Registration II-30) and shall be sealed and dated. The despatch of the statement shall be shown in Account A as in the case of memoranda under section 64. After the indexing in the receiving office has been completed this statement shall be filed in the file of appeal orders and judgments (Order 756).

S.O.896. A Sub-Registrar registering a non-testamentary document relating to property lying partly in his sub-district and partly in the sub-district in charge of the Registrar of his own district shall transmit to the Registrar a memorandum of the document under section 64 instead of a copy under section 65.

S.O.897. (a) In the case of a lengthy document relating to immovable property situated in more districts than one the memoranda required for transmission to sub-offices (Registration Rule 152 and 153) shall be forwarded in advance of the copy required for filing by the Registrar under section 65 to 66 and when the document affects property situated in the sub-district in the charge of such Registrar also, an additional memorandum shall be sent. In such cases the Registrar on receipt of the copy shall check it with the memorandum filed in his office and forward it to the Sub-Registrars to whom the memoranda relating thereto have already been issued in advance, and the latter officers shall check the memoranda with the copy and note the fact on the memoranda and the copy.

No fee is leviable for the additional memorandum sent to the Registrar.

(b) When a large number of copies and memoranda have to be prepared in respect of the same document, the completion of all copies need not be awaited, but each copy or memorandum shall be despatched as soon as it is ready.

(c) When copies of documents are forwarded under section 65 from one district to another and are written in a language other than English or the language of the district

to which they are forwarded and relate to property in the sub-district in the charge of the Registrar, they shall be accompanied by an abstract in English containing all the information required for the preparation of the indexes. The abstract shall be filed in File Book I with the copy.

(d) When copies of documents forwarded under section 65 to the Registrars in other states are written in a language other than English, they shall be accompanied by a true translation in English.

(e) Copies of documents to be forwarded under section 65 to the Registrars in other states shall be sent by Registered post with Acknowledgement due and the postal acknowledgement shall be filed with the counterfoil of the forwarding memo.

S.O. 898. The date of despatch of every copy or memorandum shall be shown against the entry relating to it in Account 'A'.

S.O.899 (a) When a deed of rectification or a deed of cancellation is registered in any of the offices within the jurisdiction of which the property affected by the original document is situate (Order 215 (c)), a copy or a memorandum, as the case may be, as required by sections 64 to 66 of the Act shall be issued to each of the other offices, the prescribed fee therefor being levied from the party. The copy or memorandum shall, in the receiving office, be filed in File Book I and indexed. The instructions in Registration Rule 118 (b) regarding the addition of notes of cancellation or rectification apply mutatis mutandus to copies and memoranda received under this order and to Index II relating thereto.

Where, after the transfer of a village from one sub-district to another, a deed is registered in the office to the jurisdiction of which the village has been transferred, rectifying or cancelling a document affecting property in that village and registered in the office to which the village was formerly attached, a memorandum of the rectification or cancellation deed shall be forwarded to the office where the original document was registered but no memorandum fee shall be levied in such a case.

(b) When a document cancels or rectifies an error in or makes any change in the terms of a document previously registered in Book 3 or Book 4 in another office, a memorandum shall be sent to that office without levying a memorandum fee. This memorandum shall be filed in the file of appeal orders and judgements in the office to which it is transmitted. This order applies to a document registered in a Registrar's office also. The memorandum need not be indexed in the receiving office.

(c) When a document is registered under section 30 in any of the Registrar's offices and a deed of rectification or a deed of cancellation is registered in respect of the document in any of the office within the jurisdiction of which the property affected by

the original document is situate, a memorandum containing all the information required for the preparation of indexes shall be sent to the office which registered the original document, without levying any fee in view to the requisite notes under Registration Rule 118 being entered in the records of that office. The memorandum shall be filed in File Book I.

(d) When a document affecting immovable properties in two or more districts is registered in one district and a deed cancelling or rectifying it is registered in a sub-office of another district, the officer who registers the latter shall, if the original document does not relate to any property in the sub-district under the immediate charge of the Registrar of his district, send to him a memorandum containing all the information required for the preparation of indexes without levying any fee in view to the requisite notes under Registration Rule 118 being entered in the records of that office. The memorandum shall be filed in File Book I.

S.O.900. When, without levy of a memorandum fee under clauses (b), (c), (d), or second sub-paragraph of clause (a) of Order 899, a memorandum, in the form prescribed for memoranda under section 64, of a deed Cancelling or rectifying an error in a document registered in another office is forwarded to such office, the despatch of the memorandum shall be shown in Account A, as in the case of other memoranda, with a footnote to the effect that no fee has been levied for the memorandum.

S.O.901. (a) An extract from the Circular Proceedings P. Dis. No. 887 of 1941, dated 17th November 1941 of the High Court of Judicature at Madras is furnished below :-

“Section 89 (2) of the Indian Registration Act, places on the court the duty of sending a copy of the sale certificate to the Registering Officer within whose jurisdiction any part of the property comprised in the sale certificate is situated. Courts must, therefore, send a copy of the sale certificate to every registering officer, within whose jurisdiction any part of the property is situated When copies of sale certificates are sent to more than one registering officer, a note should be added to each copy setting out the other registering officers, to whom copies are being sent.”

(b) Whenever a copy of a sale certificate is received from a court affecting property in other sub-districts besides their own, registering officer shall bring to the notice of the court any cases of omission to communicate copies to the other Sub-Registrars concerned that may be noticed in the copy with reference to the High Court Circular extracted in clause (a).

(c) The instructions in clause (b) apply also to sale certificates received from Deputy Registrars and Assistant Registrars of Co-operative Societies.

S.O. 902. On receipt of a memorandum under Order 899 (b), a note shall be entered at foot of the entry of the original document in the register, referring to the fact of rectification

or cancellation and to the page and volume of the file of appeal orders in which the memorandum is filed.

S.O. 903. Memoranda under Order 899 shall be transmitted only in cases where a previously registered document is expressly rectified or cancelled by another document.

S.O. 904. The term 'documents' in section 64 has been held to include decrees and order of courts (G.O.No. 482, Judicial, dated 16th March 1904). It is incumbent on registering officers, therefore, to forward under sections 64-67 copies and memoranda of such decrees and orders, when they relate to immovable property, to the officers in whose districts and sub-districts the property affected may be situated and also to levy the fees prescribed therefor.

S.O.905. (a) A memorandum issued under sections 64-67 shall contain a full and accurate description of all the immovable property situated in the sub-district to which it is sent. It is not necessary that every particular given in the document should be repeated in the memorandum, but the description given shall be sufficient for the identification of property when searches are made for encumbrances.

(b) If the property is described in a document by reference to a previously registered document as permitted by Registration Rule 19 and If a memorandum containing a full description of the property has already been furnished to an office, it will suffice to mention in the column "Description of property" in the memorandum, the number and year of the document previously registered.

(c) When more documents than one affecting the same property are registered at the same time, it will suffice if the full description of the property is given in the memorandum relating to one document and a reference as in clause (b) is entered in the memoranda relating to the other documents,

S.O.906. When the printed form of a memorandum does not suffice for the particulars to be entered in it, strong durable paper shall be used as additional sheet. In numbering the sheets, the number shall be entered at foot, so that there may be no confusion between this numbering and the consecutive paging required in filing memoranda in the receiving office.

S.O.907. A copy forwarded under sections 65-66 of the Act is not a copy of the entry in the register but a copy of the original document. It shall not, therefore, contain a reproduction of the footnotes made in respect of the erasures, interlineations, etc., in the entry in the register nor of the signature of the copyist and examiner of the entry. The notes entered in the copy shall refer only to the erasures, interlineations, etc., occurring in the copy itself and shall be headed "Interlineations, etc., in this copy". The notes regarding the duplicate shall, however, be similar to those prescribed in Order 865.

S.O.908. When a copy is forwarded of a document which describes the property only by a reference to a document which has been previously registered in an office different from the office to which the copy is transmitted and if a copy of the previously registered document has not been furnished to that office, a footnote shall be added to the copy embodying a full description of the property and explaining that this description does not form part of the document.

S.O.909. (a) A copy or a memorandum shall be signed by the assistant who prepared the copy or the memorandum, the reader and the examiner and authenticated with date by the registering officer, and sealed with the seal of the office in which it is prepared.

(b) A memorandum received by a Registrar and transmitted by him to a sub-office in his jurisdiction shall, except in the cases referred to in order 897 (a), be sealed also by him before transmission

S.O.910. (a) On receipt of a memorandum under sections 65-67 or under Registration Rule 159 (iv), a Registrar shall, except in the cases referred to in Order 897 (a), countersign the memorandum after examining it with the copy of the document received. If errors are discovered which can be rectified with reference to the particulars in the copy, the Registrar shall rectify them under his initials. Where, however, it is necessary to obtain additional information from the officer who registered the document, the copy or memorandum or both shall be returned to him.

(b) A register in the following form shall be maintained in each Registrar's office to show the several stages in the receipt and disposal of copies and memoranda (sections 64 to 67) and of documents filed under section 89 of the Indian Registration Act :-

Register of receipt and disposal of copies and memoranda (sections 64 to 67) and documents filed under section 89 of the Indian Registration

Date of receipt	From whom received	Particulars regarding the memorandum copy or document.	Date of			Page and volume in which filed with initials and date of the Joint Sub-Registrar
			Return for correction	Issue of Reminder if any	Receipt Back after correction.	
1	2	3	4	5	6	7

(c) The register prescribed in clause (b) shall be maintained separately for each calendar year. Entries of a succeeding calendar year shall not be made in the register of the previous year.

S.O.911. (a) When a memorandum or copy received is found to contain a survey number which is shown as sub-divided in the subsidiary index, the memorandum or copy shall be indexed against each of the sub-divisions if the extent of survey number as given in the memorandum or copy tallies with the total extent of the several subdivisions of that number, as shown in the settlement register.

(b) If, however, the extent does not tally with the total extent or if it tallies with the extent shown in the settlement register against only one or more of the subdivisions, the fact shall be Communicated to the officer who registered the document and the indexing of the document in the subsidiary Index shall be postponed pending receipt of his reply. That officer, on receipt of the communication, shall issue a notice to the party concerned, informing him that the description of the property as given in the document has been reported to be erroneous and advising him to have the error corrected by the execution and registration of a rectification deed.

(c) The same procedure shall be followed when other discrepancies between the entry of survey numbers in a document and in the settlement registers or subsidiary indexes are noticed.

(d) When however, a subdivision of a survey number appears in the memorandum or copy when there is no such subdivision in the subsidiary index or in the settlement register of the village, the officer who receives the memorandum or copy shall first ascertain from the Mandaladhikari whether the survey number has subsequently been subdivided and then, if necessary, address the officer who registered the document regarding the rectification of the error.

(e) The preparation of Indexes I and II need not be delayed pending rectification of errors.

(f) If a party fails to take steps to rectify errors pointed out as above, the officer who registered the document shall intimate the fact to the officer who pointed out the error. The latter may then enter the erroneous number on a separate page which shall be allotted for such erroneous numbers at the end of the sheets containing the subsidiary index of the village and note the document against it with a brief note regarding the error and with a cross reference, when necessary, to other entries in the subsidiary index.

S.O. 912. Copies of depositions explaining defects, or supplying omissions in copies and memoranda of documents forwarded under sections 64 to 67 of the Act, shall be filed in File Book 1 of the office to which they are transmitted.

S.O. 913. A ferry across a river which divides one sub-district from another shall be treated as lying within the limits of both the sub-districts. Accordingly, when a document relating to a ferry is registered in one of the sub-districts, a memorandum of the document shall be sent to the other sub-district.

CHAPTER XXVI

INDEXES

General

S.O. 914. Special care shall be taken in the preparation of the indexes since they form the only guide for tracing previous documents and encumbrances affecting title to property.

S.O.915. (a) A document shall be indexed as soon as it has been copied or filed in a register book, and the preparation of indexes shall on no account be allowed to fall into arrears.

(b) If owing to unavoidable circumstances the transcription of any document admitted to registration at the close of a calendar year has to be put off to the subsequent year, the document shall be indexed in both the years with necessary cross reference.

(c) A memorandum received from another office under sections 64-67 of the Act shall be indexed as soon as it is filed and before its receipt is acknowledged.

S.O.916. When owing to the length of a document its transcription is completed after that of later documents relating to the same village or affecting the same initial letters of parties' names and the indexing of the later documents precedes that of the earlier document a cross reference shall be entered at the place where the index entry of the lengthy document concerned would have appeared had it been indexed in the regular order thus;- "For entry of document No. see after document No. ".

S.O. 917 The indexes shall be prepared in "Telugu" language not with standing the language of the document.

S.O.918. (a) Names shall be entered in full, whenever possible.

(b) English names if indexed in the language of the district shall be indexed as they would be written in that language, e.g.. Wilson under V, Wright under R. Knox under N. Names such as Bastian and Souza should be indexed under B and S respectively, and Sebastian and D. Souza under S and D respectively.

S.O.919. When the same person is the executant or the claimant of two or more consecutive documents indexed on the same page of an index, it will suffice to enter his name and addition once against the varying particulars in the other columns which should be covered by a bracket.

S.O.920. When a document is registered with one or more duplicates, the number of duplicates as well as the document number shall be noted in the column headed "Number of document," e.g., '220 with three duplicates'.

S.O.921. Where any particulars for an index are taken from a recorded deposition, a note to that effect, referring to volume and page of the deposition book, shall be entered in the index.

S.O.922. (a) If in the same year the original of a sale certificate granted to a party is registered and a copy is also received and filed under section 89 of the Act, the later document shall not be indexed separately but it will suffice if the volume and the first page in which it is copied and its number, or the volume and the first page in which it is filed, as the case may be, are added in indexes I and II to the entry of the volume and page and of the number, if any, of the first document with the words “vide also” prefixed.

(b) When, however, the registration of the original and the receipt of the copy occur in different years, each document shall be indexed separately.

S.O.923. (a) A copy of a document or a memorandum received under section 64 to 67 of the Act or under Registration Rule 159 (iv) shall be indexed with reference to the year in which the document was registered, although the copy or memorandum may be received in a subsequent year.

(b) The memorandum received in respect of a document admitted to registration in a calendar year, but transcribed only in the subsequent year, owing to unavoidable circumstances, shall be indexed in both the years with necessary cross reference.

S.O.924. In cases in which a memorandum relating to a document is received in advance of the copy (Order 897 (a)) , the later shall not be Indexed separately but in the indexes I and II the volume number and pages of the file in which it is filed shall be noted against the entry of the memorandum already made.

S.O.925. After the documents of a year have been indexed and indexes have been checked, the pages of indexes I and II shall be numbered in ink consecutively. A title page shall then be prefixed to each of these indexes, on which the total number of pages shall be entered with a certificate signed and dated by the registering officer. When an officer has been in charge of an office throughout the year to which the indexes relate, the certificate shall be in the following form:-

“Certified that I have satisfied myself that all the documents registered or filed in this office during the year have been duly indexed and that the entries have been checked.

(Signature)

Date.

Sub-Registrar.

In other cases the certificate shall be in the following form:-

“Certified that the officer (s) in charge previous to myself has (have) recorded the fact that all the documents registered or filed during the portion of the year for which he (they) was (were) in charge were duly indexed and the entries checked.

“Certified also that I have satisfied myself that all the documents registered or filed during the portion of the year for which I have been in charge have been duly indexed and that the entries have been checked.

(Signature)

Date.

Sub-Registrar.

A similar certificate in respect of indexes III and IV and the total number of pages shall be entered on the title page prefixed at the commencement of each year as directed in the note to Order 877 (c).

Indexes I, III and IV

S.O.926. When Surname or house Name exists, Index I, II, III & IV should be prepared with reference to the initial letter of surname or house name and otherwise with reference to the initial letter of the person’s name.

Where the parties prefix the name of the village, caste or profession to their names it should be ascertained from the parties whether such prefix is hereditary. If It is hereditary it may be regarded as Surname and indexes prepared accordingly. If such prefix is not hereditary the indexes should be prepared with reference to the initial letter of the name of the person alone.

S.O.927. (a) If a person is known under two names, each shall be indexed separately.

(b) “When the names have the same initial letter, they shall be written one below the other with the word “alias” or its equivalent in the local language inserted between them. eg.,

Ramachandran

alias

Ramaswami

son of etc., etc.

(c) All names of persons shall be indexed with reference to the initial letter of the surname or of the house-name where such name exists, as is the case with English and Telugu names and with certain castes in some areas.

When the house-name does not exist, as with Tamil, Kanarese, Oriya and Muslim names, the indexing shall be regulated by the initial letter of the person’s name followed in the case of a Hindu, by the village name or any other distinguishing name, and in the

case of a Muslim, by the prefix, if any, such as Saiyid, Mir, Shaik, Ghulam or affixes such as Beg, Khan, Shareef. If a woman bears the house-name of her husband or father, the indexing shall be with reference to the initial letter of the house-name, otherwise to the initial letter of her own name.

For this purpose the spelling of personal names in the standard list referred to in Order 1222 (b) (ii) shall be adopted. Where the nominal indexes are prepared with reference to the initial letter of the house name, as is the case with Telugu and Malayalam names, the spelling of the house name most commonly in use shall be adopted.

(d) A document executed by, or in favour of Government, shall be indexed under "Government", one or more sheets being set apart for such entries under the letter G.

(e) A document executed on behalf of the Administrator-General, the Official Trustee, the Official Assignee or a Receiver, shall be indexed under "Administrator-General, "Official Trustee" etc., as the case may be, the name of the officer actually executing the document being entered in the column "Addition".

(f) The name of a company, Bank or Society shall be entered under the initial letter of the first word of the name omitting "the," e.g. "The Land Mortgage Bank of India" under "L."

(g) Institutions attached to a particular locality such as a court, temple, chatram, or choultry and funds, companies, banks, societies or associations which have a merely local importance shall be indexed under the initial letter of the name of a place where the institution is situated, thus : (1) Nellore District Munsif's Court under N; (2) Kancheepuram Varadarajaperumal under K; (3) Patamata Hindu Permanent Fund under P; (4) Adayar Theosophical Society under A, the names of the Judge, the President or the Trustees, as the case may be, being entered in the column "Addition", When these names are also mentioned in the document itself. But if the name of the area or locality borne by an institution differs from that of the town or village in which the institution is actually located, it should be indexed under the initial letters of both the names.

(h) In the case of a document registered after the death of the executant on the admission of his representative, the name of the executant alone shall be indexed; but the fact that the admission of execution was made after his death by his representative shall be shown in the column "Addition".

(i) The name of an executant denying execution shall not be indexed.

(ii) When a document is re-registered(Order 861), the names of parties to whom re-registration relates shall alone be indexed.

(k) In the case of a document executed by, or in favour of an agent on behalf of a principal or by, or in favour of a guardian on behalf of a minor, an idiot or a lunatic, the name of the principal or minor, etc., as well as that of the agent or guardian, shall be

indexed. Likewise a document executed by, or in favour of the Administrator-General, the Official Trustee, the Official Assignee or a Receiver, shall be indexed both under "Administrator-General," "Official Trustee," "Official Assignee" or "Receiver" as the case may be, and under the name of the person, company, bank or society on whose behalf such Administrator-General, Official Trustee, official Assignee or Receiver acts.

(l) When a person executes a document both for himself and as representative of another person [Registration Rule 56 (ii)], his name shall be entered twice, once as executing for himself and again as the representative of the other person. But when an executant or claimant or one who is both, has to be indexed for himself and as guardian of others, it will be sufficient to enter the name only once with the letters E and G, C and G, or B and G added within brackets respectively.

(m) When a minor without a name is a party to a document, the name of his guardian shall be indexed and the fact that the minor has no name shall be noted in the column "Addition".

(n) When the name of a guardian of a minor, idiot or lunatic is indexed, the word "guardian" shall be entered in brackets after the name, and the name of the person of whom he is the guardian shall be entered in the column "Addition." Similarly when indexing the name of a minor etc., the word "minor," etc., shall be entered in brackets and the name of the guardian entered in the column "Addition".

(o) A document executed by the Court of Wards shall be indexed both under "Court of Wards" and under the name of the ward on whose behalf it is executed.

(p) (i) In the following cases the names of all the persons whose rights are affected by a document shall be indexed both as claimants and executants:-

- (1) an award by arbitrators in private arbitration, whether certified or not by a court;
- (2) an award under the Land Acquisition Act;
- (3) a decree of a court;
- (4) a court sale certificate;
- (5) a revenue sale certificate under the Andhra Pradesh Revenue Recovery Act;
- (6) a sale certificate under the Andhra Pradesh Estates Land Act and
- (7) a certificate of sale under the Andhra Pradesh Co-operative Act, or the rules made under the Andhra Pradesh Co-operative Societies Act.

(ii) When a document falls under sub-clauses (1) to (4), (6) and (7), the names of the arbitrators and the designation of the court or of the Collector or Revenue or other

Officer, as the case may be, and when it falls under sub-clause (5) the "Government," shall be indexed as executants, the column headed "Addition" containing the additions of the arbitrators or the name of the officer Presiding over the court, or the name of the Collector or the Revenue Officer or the Deputy Registrar.

(iii) In the case of awards under the Land Acquisition Act, the name of the person or body or the department of Government (and not simply Government) for whose benefit the lands may be acquired shall be indexed as claimant.

(iv) The name of the owner of property affected by an award or sale certificate, and the names of the plaintiffs and defendants for and against whom relief is granted by a court decree, shall be indexed both as executants and claimants.

The names of persons who have been declared by courts to have no interest in the property need not be indexed,

(v) In the case of security bonds executed under the provisions of the Civil Procedure Code, it suffices if the name of the court, the Judgement-debtor, the surety and the decree holder alone are indexed. Security bonds executed by officers of courts should be Indexed under the name "Government".

(q) Index I for a Sale deed executed by a civil court under the Code of Civil Procedure, 1908 shall be prepared in the same manner as the index of a court sale certificate.

(r) In the case of a deed of cancellation or modification, the name of the person claiming under the deed cancelled or modified shall be indexed as the claimant.

(s) In the case of a receipt endorsed on a document such as a mortgage or bond, the names of the payer and of the payee mentioned in the receipt shall alone be indexed, the former as claimant and the latter as executant.

NOTE:- When receipts are presented for registration in which the name of the payer is not mentioned or in which it is not stated how the parties to the receipt are connected with the original mortgage deed, the registering officer shall advise the parties to add the name of the payer or to specify the locus standi of the parties in regard to the original transaction. The information regarding the locus standi of the parties shall be noted in the column "addition of person" in indexes I and IV.

(t) In the case of a bail bond executed in favour of a civil court by the guardian of a minor in whose favour a decree has been passed, for receiving the decree amount on behalf of the minor from the court into which it had been paid by the Judgement-debtor, the guardian shall be indexed as executant and the court as claimant. The other parties need not be indexed.

S.O.928. Where a document relates to immovable property situated in several villages of the same or different sub-districts, the entries in column 4 of Index I against the first and subsequent names shall be made in the manner prescribed for entries in column 1 of Index II [Order 931 (e)].

S.O.929. In respect of documents indexed in the Register of Holdings, the page number of the said register shall be noted below the village name in column 4 of Index I: when a document affects several holdings, the particular page in which the particulars of the document have been fully entered shall alone be given, followed by “etc “ In offices in which Municipal Town Property Registers are maintained, column 4 of the Index I shall be utilized for noting the Town Survey number as numerator in Arabic numerals and the ward number as denominator in Roman numerals.

S.O.930. (a) In the case of a will or an authority to adopt, the name of the testator or the donor shall be entered in column 1, and the names of the executors or other persons appointed there under in column 2, followed by the words “executor” or “person appointed under “ in brackets.

(b) A will is not only legally inoperative until after the death of the testator, but can be revoked or modified by the testator at his pleasure during his lifetime. In the case of a will which has not become legally operative, the names of the persons who have been nominated by the testator to carry out his intentions and wishes, whether such persons are designated executors or otherwise and whether they are personally interested in the disposition of the property mentioned in the will or not, should alone be indexed (Section 55 of the Act) and not the names of the persons who will be entitled to benefits under the will when it becomes operative. After the death of the testator, when the will become legally operative, the names of both classes of persons should be indexed. There may be several executors or sets of executors under the same will for different kinds of property and the nomination may be made either expressly or by implication. Thus in 7 Bom., H.C.R 64, the mother of infant children, appointed as their guardian by the testator for the purpose of managing the property during their minority, was held to be an executrix by implication and entitled to probate.

(c) The same considerations as regards the persons whose names should be indexed, are applicable to authorities to adopt. The “person appointed” under the authority to adopt is not the person to be adopted who may not be specified in the document as all, but the person nominated in the document to carry out the wishes of the donor, that is to say, the donee of the power, who performs functions analogous to those of an executor in the case of a will.

Index - II

S.O.931. (a) One or more sheets shall be assigned to each village or desam.

(b) For large towns there shall be a separate sheet for each revenue village, cantonment, municipal division, municipal ward, pettah or street.

(c) There shall be a separate sheet for each zamindari or recognized subdivision thereof in addition to the separate sheet for each village comprised therein.

(d) When a village is clubbed with another village or when a hamlet is constituted a village, a note of the change shall be entered in Index II, in the former case after the last existing entry relating to the village and in the later case in the first entry subsequent to the change. The date from which the change has been affected shall be noted at the same time.

(e) (i) When property to which a document relates is situated in several villages in the same or different sub-districts, the entry in column 1 of each index entry shall contain a reference to the other villages and sub-districts, if any.

(ii) The name of the sub-district to which a village belongs shall be added only when the village is not included in the jurisdiction of the sub-office in which the indexing takes places.

(iii) Where the number of villages affected by a document is large, it will suffice to enter all the villages in detail in the entry relating to the first village in alphabetical order and to note only the number of additional villages in the indexes relating to the other villages, e.g., "Vandalur and 29 villages noted against Saidapet". The instructions in this clause apply also to copies and memoranda received from other offices which effect properties situated in more villages than ten.

(f) When the property affected by a document is situated in a hamlet, the document shall be indexed under the main village, the name of the hamlet being entered within brackets in column 1.

S.O.932. The description of property shall be as complete as possible with the view of facilitating the identification of the property in tracing encumbrances and references to registered documents.

The main classes of immovable property affected by registered documents are-

- | | |
|-----------------|-----------------------------------|
| (1) Fields | (6) Whole inam villages, mootahs, |
| (2) House-sites | jaghirs and zamindaris. |
| (3) Houses | (7) Shares in (6) |
| (4) Trees. | (8) Ferries. |
| (5) Wells. | (9) Fisheries. |
| | (10) Easement rights. |

In describing these different classes of property in the index the particulars mentioned below shall be entered:-

(1) Fields-

(a) If surveyed-

(i) Survey number, sub-number or letter.

(ii) Whether Government or inam.

(iii) Extent.

(iv) Dry, wet or garden.

(v) Houses, buildings, wells, if any thereon.

(vi) If the property referred to is a portion of a field not bearing a sub-number or letter, in what part situated, the portion of the field such as half, quarter, etc., and the name it bears, if any.

(b) If unsurveyed :-

(i) Name, if any.

(ii) Paimash number, if any.

(iii) Boundaries when the field does not bear a recognized name.

When boundaries are given in addition to paimash numbers or recognized names, it will suffice in the majority of case to give the boundaries on any two sides only which would lend themselves for the clear identification of the property concerned. If in any district the paimash numbers are found to be sufficient to identify lands and if these numbers are used universally to describe them, there is no objection to the omission of the boundaries in the indexes.

(iv) Whether Government inam or zaminnari.

(v) Extent.

(vi) Whether dry, wet or garden,

(vii) Houses, buildings, wells, if any thereon.

(2) House-sites and (3) Houses-

(i) Name of street.

(ii) Side of the street on which situated.

-
- (iii) Boundaries,
 - (iv) Survey numbers, where houses are surveyed,
 - (v) Municipal numbers, if any.
 - (vi) Whether thatched, terraced or tiled,
 - (vii) Measurements, if given in the documents.

(4) Trees and (5) Wells, by their boundaries with reference to the fields in which they are situated. No reference need be made in the index, to trees described in a document as standing on the land dealt with in the document, unless the trees themselves specifically form a portion of the subject of the transaction.

(6) and (7) Whole inam villages, mootahs, jaghirs or zamindaris and shares thereof—

- (i) Boundaries of the village, mootah, jaghir or zamindari.

The boundaries may be omitted in the case of villages entered in the printed list of villages published by the Registration Department.

- (ii) The number of shares out of the total number into which the village is divided
- (iii) The extent, if possible.

(8) Ferries, by their recognized names and by the names of the revers to which they appertain and the villages in which they are situated.

(9) Fisheries, with reference to the rivers or tanks which they relate and the local limits to which the right of fishing extends.

(10) Rights of easement, with reference to the dominant and servant tenements in regard to which the rights are created

(11) In the case of copies of orders under the Land Improvement Loans Act, 1883, received under section 89 (1) of the Act both the lands to be improved and the lands, if any, to be granted as collateral security should be entered in index II.

(12) Whenever property is described in old survey numbers in a court sale certificate presented for registration or in a copy thereof received under section 89 (2) of the Registration Act after resurvey number have been adopted for registration purposes, the registering officer shall ascertain from the Mandal Officer concerned the corresponding resurvey numbers. The old survey numbers given in the certificates or in the copy thereof shall be entered in the Register of holdings in black ink and the resurvey numbers in red ink with a note that the property is described in old survey numbers in the certificate or in the copy, as the case may be.

The correspondence relating thereto shall be filed in the file of rectification of defects in register books and of registrations in wrong offices.

S.O.933. If a document registered under section 30 (1) or section 30 (2) of the Act or a copy of a document received under section 65 or section 67 does not relate to any property situated within the Registrar's sub-district, it will suffice if he opens a sheet in Index II for the first village in his district mentioned in the document or copy of the document as the case may be, and enters thereunder the names of all the other villages, with the names of their sub districts added, in which portions of the property affected by the document are situated, Details shall, as usual, be entered in all the columns except column 2 (name and description of property) which may be left blank.

S.O.934. When property lies in two or more sub-districts, it will suffice if each Sub-Registrar indexes only such property which lies within his own sub-district with a reference in column 1 to the names of the villages and sub-districts in which the other portions of the property are situated.

S.O.935. (a) When a document affects property which has been indexed in connection with a previously registered document of the same year, a mere reference to the previously registered document in the column "name and description of property" will suffice.

(b) When a document does not contain a description of the property affected by it, but only a reference to a document registered in a previous year which contains such description, the description shall be copied from the previously registered document.

S.O.936 (a) A document received under section 89 of the Act or a return of land acquired under the Land Acquisition Act shall be indexed in the indexes of the year of receipt of the document in registration office.

(b) In the column date of execution, shall be entered the date on which the document was signed.

(c) In the column date of presentation, shall be entered the date of receipt of the document. Should the document be returned for rectification, the date of its receipt after rectification shall be adopted.

S.O.937. When a document has been executed by different persons on different dates, all the dates shall be shown in the column date of execution

S.O.938. When a document which has been refused registration is ordered to be registered by a Registrar or a court, the dates of first and second presentation shall be entered as the dates of presentation.

S.O.939. In indexing a copy of a notification under section 10 or section 12 of the Town Planning Act, particulars entered in Index II, Register of Holdings of Municipal Town

Property Register as the case may be, should include a note in red ink to the effect that under the notifications issued under section 10 or section 12 of the Town Planning Act, the lands stand the possibility or liability to acquisition or betterment contribution and the said note should be entered the encumbrance certificates relating to lands falling under the Town Planning Scheme area.

S.O. 940. In respect of an instrument in which the market value of the property and the amount of consideration are different, both the market value and the amount of consideration should be entered in column 6 of Index II.

S.O. 941. When a person has to be treated both as executant and claimant, his name shall be entered across the two columns.

(Columns 7 and 8 of Index II).

S.O.942. Transactions affecting houses and other non-agricultural properties lying in surveyed agricultural lands shall be indexed as affecting both agricultural and non-agricultural properties.

Notes of Previous Registration

S.O.943. (a) In order to facilitate the tracing of previously registered documents connected with the same property, the registering officer shall, when a document is admitted to registration in Book I, endeavour to ascertain from the party the number or date of the last registration affecting the property to which it relates, and if the registration can be traced either by the production of the last registered instrument or by the number or date given by the party, a note of previous registration with a reference to the register book, the volume, the page on which the entry commenced and the number and the year of the document is required to be entered in Index II in red ink

1709

“P.R. 1-165-204.” -----

1906

The entry need not be given in the copy of an entry granted to a party. (S.O. 995).

In such cases no charge shall be made for tracing the previous registration by a reference to the records of the office.

(b) If two or more previously registered documents are mentioned by their number and year, these previous registrations shall themselves be connected in Index II. For instance, if the previous registrations are 207 of 1900, 414 of 1904 and 1078 of 1906, the first shall be entered as a previous registration in Index II relating to the second and the second as a previous registration in that relating to the third.

S.O.944. (a) Notes of previous registration, cancellation, rectification or revocation shall be entered in red ink in Index II.

(b) In Index II of a rectified document the note of rectification shall specify the error rectified.

Subsidiary Indexes

S.O.945. A subsidiary index in the form referred to in Registration Rule 125 shall be maintained for every surveyed village comprised in the tracts to which registration Rule 20 applies

S.O.946. (a) In order to facilitate the maintenance of the subsidiary indexes registering officers are supplied with Settlement Registers.

(b) The page relating to each village shall be numbered consecutively in a separate series.

(c) Each survey number or subdivision in a village shall be entered in the first column in serial order, two lines being set apart for it. Subdivisions shall be entered consecutively below the survey numbers of which they are subdivisions. The date of subdivision or the date of intimation of the subdivision by the Revenue department [Order 947 (a)] whichever is earlier, shall be entered against every subdivision formed, as well as against the number from which the subdivision was derived. Similarly in respect of subdivisions clubbed, the date of such clubbing or the date of intimation of such clubbing shall be entered against the clubbed subdivision as well as against the subdivisions from which the clubbed subdivision was formed. The remarks made in the Field Measurement Book and in the 'A' Register including particulars of the old subdivisions corresponding to the clubbed subdivision shall also be entered against the Clubbed subdivisions.

NOTE:- Paragraph 15 (c) of Standing Order No 34A of Board's Standing Orders (volume II), is extracted below :-

"Whenever a new subdivision has to be made in a survey field, the karnam should report whether there are any subdivisions in the field fit for clubbing and, if so, whether the holder thereof has any objection to their being clubbed. The Revenue Inspector should take the opportunity to club all the subdivisions in that field which are of the same description of soil and taram and which have come into the possession of one and the same individual and shall alter the registry accordingly. Subdivisions should not be clubbed if the ryot objects and sub-divisions in inam fields covered by different title deeds should not be clubbed. When sub-divisions are clubbed, subdivision should be denoted by the lowest number of the sub-divisions clubbed. Remarks should be made against each such sub-division in the Field Measurement Book and in the A

Register to the effect that the subdivision has been clubbed with the subdivision having the revised number. The sub-divisions comprised in the clubbed sub-division should also be noted in the Settlement Register against the number denoting the clubbed sub-division. If all the sub-divisions in the field are clubbed, the field should be simply denoted by the original survey number of the field. Copies of the remarks made in the Field Measurement Book and in the A Register including particulars of the old sub-division corresponding to the clubbed sub-division should be entered in the statement of sub-divisions furnished to the Registration department.”

(d) If in any case the space provided for a survey number or subdivision is found insufficient or if there is no space below the survey number for further sub-divisions or clubbed sub-divisions which have to be entered, the further entries shall be made on supplemental sheets of the subsidiary index and all the entries shall be connected by cross-references entered in column 6 against the respective numbers of sub-divisions.

(e) As each document is registered, the number and year of the document shall be entered against the survey number thus :

‘124’
----- which means document No. 124 of 1985.
85

(f) In the case of documents tiled in File Book I, the number of the volume of the file book end the first of the pages in which such copy, memorandum or certificate is filed shall take the place of the number of the document thus :

‘F. 15.P-397’,
_____ which means “document of 1985 filed in File Book I,
85 Volume 15, page 397 at seq.”

(g) The undermentioned abbreviations to denote the nature of transactions shall be entered in the subsidiary index before the number of the document :—

Sale Deeds of exchange.....S.

Mortgage, mortgage with possession, further charge, and transfer of mortgage
.....M

Lease, counter part of lease, perpetual lease, and transfer and surrender of a leaseL.

Transactions of any other nature need not be distinguished.

(h) The subsidiary indexes relating to each village shall be continued on the same set of sheets from year to year and a fresh set of sheets shall not be opened except

with the previous permission of the Inspector-General. Where, however, a village has been resurveyed, a fresh set of sheets shall be opened, based on the resurvey or revision survey numbers, from the date of receipt by the registering officer of the list of the new numbers.

(i) When a village is transferred from one Sub-district to another, the subsidiary index of the village shall be retained in the old office and a fresh subsidiary index shall be opened in the new office.

(j) When a mistake in regard to a survey number is corrected by a subsequent rectification deed, an asterisk shall be placed over the number of the original document entered against the wrong survey number and a note as shown below entered at the foot of the page ;—

“Rectified by a (number of the rectification deed) of 1920”.

S.O.947. (a) In order to ensure that every sub-division or clubbed subdivision of a survey number is noted in the subsidiary index, Mandal Revenue Officers have been directed to forward to registering office’s quarterly list of all new survey fields and sub-divisions and of all sub-divisions clubbed with the patta numbers and the names of the owners, showing in each case, their extents and the corresponding old survey numbers and sub-divisions, together with copies of the remarks made in the Field Measurement Book and in the A Register, including particulars of the old sub-divisions corresponding to the clubbed sub-division.

They have also been directed to see that when Village Account No. 10 is rewritten periodically, a list is furnished to the Sub-Registrars showing the new patta numbers corresponding to the old ones.

(b) Sub-Registrars shall, in order to ensure that these quarterly list are received regularly from the several Mandal Revenue Officers in their sub-districts, maintain a register in Form D-1. In a Registrar’s office, the receipt shall be watched from the periodical register, the columns being altered appropriately.

(c) On receipt of a list, the registering officer shall allot in the subsidiary index or fieldwar index, as the case may be, new openings for the subdivisions and clubbed subdivisions, and when they are entered on a page distinct from that containing the entry of the main survey number or sub-numbers, he shall connect the entries of the main number and of all the subdivisions by cross-references [Order 946 (d)]. He shall also enter in the settlement register and in the Register of Holdings the sub-divisions and the clubbed sub-divisions with the extents (Orders 946 (a) and 950). These lists shall be filed in a separate file and on them shall be entered a note in the registering officer’s own hand to the effect that the subdivisions and clubbed subdivisions contained therein have been duly entered in settlement registers, in the subsidiary indexes and in the Register’s of Holdings.

(d) The sub-divisions communicated by revenue officers need not be entered in the duplicate copies of settlement registers maintained in the Registrars office.

When addenda and corrigenda slips to settlement registers are received, they shall be pasted immediately in those registers both in Registrar's offices and in sub-offices, and the necessary corrections made in the Register of Holdings, and the Fieldwar key in the registration offices concerned.

(f) (i) When receiving the quarterly statements of sub-divisions, registering officers who maintain Municipal Town Property Registers in respect of surveyed municipalities should see that particulars regarding the boundaries of the town survey sub-d visions concerned are invariably given in the statements for facility of identification and easy reference.

(ii) The information received from the Revenue department regarding the boundaries of the town survey sub-divisions should be noted in manuscript in the Municipal Town Property Register at to be top of the concerned pages.

(g) The posting of sub-divisions made by one assistant should be checked completely by another assistant and both the assistants should affix their signatures in the sub-division statements in token thereof. The Sub-Registrar should make a test-check here and there and add the prescribed note under clause (c).

S.O.948. In a district in which resurvey or revision survey is proceeding preliminary to resettlement, the Registrar shall lake steps to ascertain from the Settlement Officer the changes made in the limits of revenue villages or taluks as well as in survey numbers and the probable dates upon which the revised adangals in respect of villages in each taluk will be completed and he shall arrange for the Sub-Registrars concerned being furnished with a correlation list showing the old and new survey numbers in each village and for the communication to them of any changes in the limits of villages and taluks. The correlation list shall be prepared by the Sub-Registrar of the station in which the taluk office is located from the revised adangals of each village kept in that taluk office, on sheets of the forms used for the subsidiary indexes, temporary hands being employed for the purpose. The Sub-Registrar shall prepare the lists not only for the villages of his own sub-district but also for all the villages for which the revised adangals are available in the taluk office, distributing the index forms thus prepared which relate to villages outside his sub-district to the registering officers concerned.

The Registrar shall also ascertain from the Revenue department the exact date from which the new numbers will be adopted in the revenue accounts and direct the Sub-Registrars concerned to start from that date a fresh set of subsidiary indexes on the new forms thus sent to them and to close the old subsidiary index

After the introduction of the new numbers into the revenue accounts, Which is usually from the commencement of a fasli, the Sub-Registrar shall insist upon the entry of new survey numbers in documents tendered for registration.

Indexes to Municipal Town Property Register

S.O.949. (a) With a view to secure permanency in the numbering of houses and streets, the Government have issued the undermentioned instructions to local bodies :-

“(1) The Inspector-General of Registration and Stamps brings to notice some defects of the present want of system in the numbering of houses in municipalities and unions and particularly to the difficulty experienced in Registration offices in identifying houses in the registration indexes for any appreciable period on account of the frequent changes in the numbering- Apparently in many municipalities it is a common practice to assign fresh numbers to houses on each occasion of the quinquennial revision of the assessment register, without regard to the numbers assigned previously. The disadvantages of this practice from other points of view, besides that of the Registration department, are not difficult to see and all councils will be recommended to arrange that for the future the number once assigned to a house is not changed without very good and sufficient reason The numbering should be consecutive for each street as far as possible, beginning at one end and ending at the other. If houses to which numbers have been assigned are subdivided, it will generally be more convenient to give the sub-divisions, sub-numbers (or letters) than independent numbers,

(2) The Inspector-General also points out that confusion is sometimes caused by the fact that more than one street in a town bears the same name, and suggests that each street in a town should be given a roman number, in addition to its name, and that this number, as well as the name, should appear on the street sign. The suggestion also is commended to all municipal councils.

(3) The number of the house and where the street is given a number, that number and the name of the street should be entered in the municipal tax or other registers and in all notices and receipts issued in connection with matters concerning the house or its occupant.

(4) The Inspector-General asks that the chairman of every municipal council should furnish the local officers of his department with lists showing the numbers and names of all streets and the number of each house in each street with the name of the owner and some description of the house, e.g., tiled, terraced, etc. The chairmen of municipal councils are requested to comply with this request if possible.

(5) In most unions also there are continuous streets and it would be of advantage if the principles enunciated in paragraphs (1) to (3) above could be adopted in such unions.”

(G.O. No. 1554-M, dated 11th September 1917).

“In paragraph 2 of the Government Order referred to above, municipal councils were advised that in order to avoid confusion resulting from more than one street in a

town bearing the same name, each street might be given a Roman number in addition to its name. The Government now consider it unnecessary to give every street in a town a Roman number in addition to its name. If, however, there is more than one street of the same name in a ward, such streets should be distinguished by being given different Roman numbers.”

(G.O. No. 2616, Local Administration, dated 1st December 1944),

(b) In the case of municipalities and panchayats where the foregoing suggestions are adopted, a subsidiary index shall be maintained for house-property for each street, ward or town according as the numbering of houses is by streets, ward or town according as the numbering of house is by streets, wards or by the town as a whole. The instructions in Orders 945 to 947 shall mutatis mutandis apply to such subsidiary index.

(c) G.O. No. 1466, Local Administration, dated 31st August 1946, is reproduced below:-

“The attention of the executive authorities of municipal councils and panchayat boards is invited to the instructions in G.O.No. 1554-M., dated 11th September 1917, as modified by G.O.No. 2616, L.A., dated 1st December 1944, and they are requested to follow them strictly in future.

2. The Government agree with the Inspector of Municipal Councils and Local Boards that the lists referred to in paragraph 4 of G.O.No. 1554-M., dated 11th September 1917, showing the numbers and names of all streets and the number of each house, etc., should be prepared by the Registration department and not by local bodies. When once such lists are prepared by the Registration department it is essential that they should be kept up to date. Executive authorities of municipal councils and panchayat boards are therefore requested to send in future to the Sub-Registrar having jurisdiction over their local area, copies of all notifications that may be issued by Government or the Inspector of Municipal Councils and Local Boards as the case may be (1) altering their jurisdiction and (2) changing the ward division. They should also send a report to him before the 15th of the first month of every half-year giving information on the following points :-

- (1) Change, if any, in the name of streets made in the previous half-year.
- (2) Change in the door numbers of houses made in the previous half-year.
- (3) Building newly constructed in the previous half-year.
- (4) Buildings demolished in the previous half-year.”

Registers of Holdings and Municipal Town Property Registers.

S.O.950. The instructions in Orders 931 to 939 and 944 shall mutatis mutandis apply to Registers of Holdings and Municipal Town Property Registers. The following supplementary instructions shall be observed to the maintenance of these registers :-

Register of Holdings

(1) Index II prescribed by section 55 of the Registration Act shall, in respect of surveyed lands, be maintained in the form of Register of Holdings (Form Registration-II-128) and in the language prescribed by Registration Rule 120.

(2) The Registers of Holdings shall be maintained village-war.

(3) A page or an opening shall be allotted to each pattadar or inamdar, entering in column (1) of the register or across the page at the commencement, the name of the holder with addition, i.e., father's or husband's name and residence, if available, preceded by the number of the patta and in column (2), the survey numbers of all the lands owned by the person in the village.

(4) Wet and dry lands shall be grouped under the respective heads and entered in column (2), the word "wet" or "dry" being noted at the top of one group to distinguish it from the other.

(5) The last five lines on each page should be left blank (to take in future entries) the rest being utilized for copying the survey numbers and, if a holding consists of more than 20 survey numbers, the entry shall be continued to the next page, leaving the last five lines blank for entering future sub-divisions. In volumes of the royal size containing 45 lines in each page, where a holding consists of more than thirty survey numbers, the entry should be continued on the next page, leaving the last ten lines blank. Where holding is thus continued to the next page, the words "continued" shall be entered at foot of the first page as well as at the commencement of the next.

(6) In column (3) of the register shall be ledgered documents which affect the actual ownership of the property, such as (i) gifts, (ii) sales and exchanges, (iii) partitions, (iv) settlements evidencing absolute transfers. (v) releases-(a) which operate partitions, (b) which transfer absolute ownership of property, or (c) which confirm a previous sale for enjoyment, (vi) agreements evidencing absolute title to property, e.g., agreements to enjoy property in common, (vii) sale certificates from courts and revenue officers and (viii) orders of revenue and civil courts such as awards transferring absolute rights in property. In column (4) shall be ledgered documents which do not affect the actual ownership of the property but are in the nature of encumbrances such as mortgages, leases including perpetual leases, declarations of trusts and transfers of trusts. In the case of documents evidencing sale with indemnity, the property sold shall be ledgered in column (3) and that mortgaged as indemnity, in column (4).

NOTE :- (1) Partitions of mortgage rights and settlements (not absolute) shall be ledgered in column (4)

(2) Documents evidencing settlements of property to be enjoyed by the claimant without power of alienation and after the claimant's death to be enjoyed by his heirs

with full rights and in respect of which the settlor does not reserve and right to himself or to his heirs, should for purposes of indexing be treated as absolute settlements and ledgered in column (3) of the Register of Holdings.

(7) The entries of documents made in columns (3) and (4) shall be serially numbered with Roman numerals so as to distinguish each entry a separate series being adopted for each of the columns. These numbers shall be entered in the column "Particulars of documents registered".

(8) When in respect of a document the names of parties to be ledgered are numerous and as such likely to occupy a large amount of space than the preceding columns, there is no objection to the names being continued in the column set apart for "particulars of documents registered". A line shall however, be left blank to distinguish the entries which should properly find place in that column.

(9) The names of executants or claimants may be entered in the column provided for them with the distinguishing suffix C or B to denote that the name refers to the executant or claimant or both. Minors and guardians shall be indicated with an additional suffix M, and G, as E.M., E.G., C.M. or C.G.

(10) When an executant or claimant or a person who has to be treated both as an executant and as a claimant, has to be indexed for himself and as guardian of others, it will be sufficient to enter the name only once with the letters E and G, C and G or B and G, added within brackets respectively.

(11) (a) When a document affects more than three entire survey fields, it will suffice if the survey numbers and sub-divisions alone are noted horizontally in columns (3) and (4) across the full width of the respective columns, leaving one line below the entry denoting particulars of documents registered. Where, however, only a portion of a field is affected by a document, the survey number and its extent shall be specified, so far as that field is concerned.

(b) If the same survey numbers have been affected by a subsequent document, the survey numbers need not be repeated, but a reference to the serial number of the transaction will suffice.

(12) Where a large number of survey numbers are affected as in partition deeds, there is no objection to entering the survey numbers closely between the ruled lines.

(13) "When any of the column (3) or (4) is completely filled up with entries and when sufficient blank space is available in the other column, the subsequent entries in the former may be continued in the other column with necessary cross-references after leaving a few lines for noting future transactions relating to that column and drawing a thick line to distinguish the entries already existing in that column.

(14) (i) The year of the document need not be noted when the year of registration is the same as that of execution.

(ii) The first page of the entry in the register book shall be noted as denominator to the volume number in columns 3 and 4 of the Register of Holdings.

(iii) In the case of copies and memoranda received under sections 64 to 67 of the Indian Registration Act, the name of the office of original registration shall be noted in columns (3) and (4) of the Register of Holdings along with the number of the document.

(iv) In the case of documents affecting several holdings in a village, the date of execution, volume number and the first page of the entry in the register book need not be repeated in all the holdings. It will suffice if details are given in the holding in which the particulars of the document are fully ledgered, and in other holdings, document number and year alone are given.

(v) Previous registrations relating to the period prior to the date from which the register is started shall be noted in black ink in the column "Particulars of documents registered" as shown below :-

Sale for Rs. 100 (PR No. 206 of 1925).

(vi) The date of execution, presentation and registration shall be entered one below the other by the side of the document number in columns (3) and (4) with the letters E P. and R. prefixed, e.g.,

	E. 3-6-1939.
527	P. 2-7-1939.
	R. 3-7-1939.

In the revised form of the Register of Holdings in which a separate column is provided for the date of presentation, the date of registration should be noted as a denominator under the date of presentation, as shown below :-

P. 2-7-1939

R. 3-7-1939

(15) Documents affecting only trees such as palmyrah trees standing on nattams (village-sites) and porambokes shall also be ledgered in the register of holdings against the survey numbers on which the trees stand.

(16) (i) In respect of documents relating to Inam lands in Ayan villages, those executed by melvaramdars alone should be ledgered in the Register of Holdings and those executed by kudivaramdars should be ledgered in Index II,

(ii) A note should be added in the Register of Holdings against the survey number thus :-

For documents executed by kudivaramdars-Vide Index II.

(iii) In column (1) of Index II. the words "Inam village" in brackets should be noted in the form of a suffix to the name of the village, as shown below:-

Aniyur (Inam village).

(17) The entries relating to partition deeds, exchanges and settlements by which different properties are assigned to different individuals, shall be made as indicated below :-

Survey number	Extent	Volume	Document number and year/date.	Particulars of documents registered	Executant and claimants
1	2	3	4	5	6
	ACS				
—	—	Volume 160		Partition dividing property as shown below:-	
		Page 357	E 3-6-39	(Total value	
		529	P 2-7-39	Rs. 1.200 Value of separated shares	
			R 3-7-39	Rs. 800): A.B.C.	
104-2	1.14	.....	.....	Assigned to	A
103-1	3.11	.....	.....	Assigned to	B
112-3	5.51	.....	.....	Assigned to	C

(18) In ledgering sale certificates, the purchaser, shall be distinguished by entering his name as the "Claimant".

(19) (i) Entries shall ordinarily be made in black ink, but the entries which have the effect of transferring an entire holding or field shown in column (2) or of expressly cancelling previous transactions or discharging existing encumbrances shown in column(3) or (4), shall be made in red ink, the name of the owner, the survey number affected, the previous entry cancelled and the subsisting encumbrance discharged being underlined in red ink to Indicate the removal, transfer, cancellation or discharge as the case may be.

(ii) Entries of sales affecting portions of survey numbers shall be made in black ink even though they have the effect of discharging previous encumbrances.

(20) Documents which do not expressly cancel previous transactions or discharge encumbrances but which are expected to lead ultimately to such cancellation or discharge shall be entered in black ink as the cancellation or discharge of the previous transactions has yet to take place, not having been made expressly by the documents in question. A case in point is that of a mortgage reciting that the mortgagor obtains a loan for the discharge of a previous mortgage or that the mortgagee himself undertakes to discharge a previous debt, leaving the question of discharge in doubt all the same. When such documents are not to be entered in red ink, it is unnecessary to underline the previous document evidencing the Original transactions and encumbrances. Cross-references shall, however, be noted in column (5).

On the other hand, if a mortgage is expressly stated to form the consideration for the discharge of an existing one, the entry of the previous mortgage shall be underlined, seeing that it has been expressly discharged. Nevertheless renewed mortgage shall be entered in black ink, because, while purporting to discharge the previous mortgage, it creates a fresh charge on the property.

(21) When a previously registered document is revoked or cancelled by a subsequent, document, similar notes shall be entered under the respective documents.

(22) References to subsequent entries relating to the same property shall be entered in the "remarks" column in the same ink in which those entries are made.

(23) (i) In cases of absolute transfer of all the survey numbers comprised in a holding to a person who has no opening already allotted to him in the ledger, the name of the original owner shall be underlined in red ink with a view to indicate that he has ceased to be owner and the name of the purchaser shall be entered in column (1) in black ink. The transfer deed need be ledgered only in black ink in such cases.

(ii) (a) When a document affects properties in the same village but belonging to different holdings, reference to other holdings shall be indicated in red ink below the survey number, thus ; "O.H. 127, 249," figures 127 and 249 being the page numbers of the holdings concerned.

(b) If the other property is a house in the same village, the word, 'House' shall be entered below the survey number.

(c) When the other property relates to other villages in the same sub-district, the name of the village and the number of the page of the holding in which the particulars are fully ledgered, shall be noted below the survey number in red ink.

(d) When the other property relates to villages in other sub-districts, the names of the sub-districts and those of the villages shall alone be noted, irrespective of the fact

whether the property is house or landed property. While indexing copies and memoranda received from other offices which affect properties in more than ten villages, it will suffice if a note is made in red ink as shown below referring to the copy or memorandum for particulars of other villages:-

“And ten other villages as noted in the copy (or memorandum).”

(e) In the matter of indexing of documents under sub-clause (a) above, full particulars of the transaction need not be repeated in all the holdings. Full particulars shall be given in one of the holdings and reference to the page and the number of the item shall alone be noted in the other holdings in the sub-column assigned for particulars of documents registered thus: “Vide item ... in column.....page.....”

(f) A separate page shall be opened in the Register of Holdings for ledgering all transactions in respect of incorrect survey numbers which do not form part of any holding and such numbers shall also find a place in the Fieldwar Index.

(24) Should the transfer be to a person who has an opening assigned to him, the fields concerned shall be transferred to that opening.

(25) Where the transfer, however, is of some and not all of the fields included in a holding and to a person who has no page already allotted to him, a new opening shall be provided for him. The list of pattadars should of course enable the registering officer to find out whether or not the transferee has already an opening assigned to him in the ledger.

The survey numbers transferred as above shall be underlined in red ink for the purpose of showing that they no longer form part of the original holding.

(26) When the property transferred consists of only a portion of a survey number, such portion shall not be transferred to the opening provided for the transfers until the receipt of the statement of sub-divisions from the Revenue Department and the documents registered in the meantime shall be ledgered in the opening containing the whole survey field. The name of the transferee who thus gets a title to a portion of the survey field shall be noted in column (1) of the Opening with a note within brackets that he is a joint holder under the document, the number of the document being quoted. If the transferee has an opening already allotted to him, a mere reference shall be given in that page on column (1) to his joint holding.

(27) When a surveyed field is transferred to another page, the page to which it is transferred shall be entered under the name of the transferee and, in the page to which it is transferred- the entry of the surveyed field shall be preceded by the note in column (2) “Transferred from page under document Noof”

(28) If the transferor of the property is a person other than the owner appearing in the ledger and he possesses no record to show how he became the owner, his title to

the property may be ascertained at the time of registration of the deed of transfer with a view to its being noted in column (1) of the ledger. The circumstances under which the transferor has become the owner of the property may be caused to be entered in the document itself if the parties thereto are willing to follow such a course, otherwise a statement may be recorded from them.

(29) When the holding of a particular individual has been transferred completely, the entries relating to him in all the five columns of the Register of Holdings shall be closed by a black ink line drawn across both the pages of the opening and below the last entry pertaining to him and a pencil note "vacant" shall be added under the ink line so drawn. When an opening has to be provided for a person who has newly acquired property in a village, the page in question may be utilized for this purpose.

The registers thus maintained will show at a glance that the names in column (1) which are not underlined in red ink are the names of subsisting owners, that the survey numbers which are not underlined in red ink in column (2) constitute the existing property of the holder and that the black ink entries in column 4 which are not underlined are the only entries evidencing subsisting encumbrances or documents affecting the holdings.

(31) The following certificates shall be entered from time to time in the first blank single page of the first form in each volume of the Register of Holdings and of the Municipal Town Property Registers ; —

(i) When the entries in the Register of Holdings have been fully copied from and compared with the chittas, adangals and inam B register, the following certificate shall be entered in the Register of Holdings:-

"Certified that necessary extracts have been made in full from the chittas, adangals and inam 13 register as corrected upto fasli.

(ii) When the postings of past transactions are completed and checked, the following certificate shall be added in the Register of Holdings and in the Municipal Town Property Register :-

"Certified that the documents of the year 19 to 19 have been completely posted from Index II in the appropriate openings and columns and that the entries so posted have been verified with Index II and the subsidiary index."

(iii) Each certificate shall be dated and signed by the officer concerned.

(32) A certificate as to the number of pages in a volume of the Register of Holdings of a village shall be added as soon as it is bound; additional sheets, if any, opened after binding, shall be accounted for in the permanent record register until they are

bound. After these loose sheets are bound, a note shall be added below the original certificate showing the total number of pages in the Register of Holdings of the village concerned, consequent on the opening of an additional volume

Municipal Town Property Register

(33) Index II prescribed by section 55 of the Registration Act shall, in respect of surveyed houses, be maintained in the form of "Municipal Town Property Register" (Form Registration II-94) and in the language prescribed by the Registration Rule 120. This register shall be maintained by assigning a separate sheet for each survey number, irrespective of the number of houses comprised in that number and by ledgering therein all transactions relating to a particular survey number continuously for a series of years.

(34) The survey number of the house or houses shall be entered prominently at the top of each sheet in a bold hand as a numerator and the door number of numbers of the house or houses comprised therein as a denominator. The sheets shall be kept arranged in the serial order of the survey numbers.

(35) All entries shall be in black ink except those relating to discharges of encumbrances and cancellations of previous documents. The excepted entries shall be in red ink.

(36) Where a surveyed house is included in a patta, the transaction affecting it shall be ledgered both in the Register of Holdings and in the Municipal Town property Register. In such cases full particulars of the document need be entered only in the Municipal Town Property Register. As regards the Register of Holdings a bare reference to the document number ought to suffice.

(37) (i) The year of the document need not be noted when the year of registration is the same as that of execution.

(ii) The first page of the entry in the register book shall be noted as denominator in column (5) of the register.

(iii) In the case of copies and memoranda received under Sections 64 to 67 of the Registration Act, the name of the office of original registration shall be noted in column (5) of the register along with the number of the document.

(iv) Previous registrations relating to the period prior to the date from which the register is started, shall be noted in black ink in the column "Particulars of documents registered" as shown below :

Sale for Rs. 160 (P.R. 206 of 1925).

(v) The dates of execution, presentation and registration shall be entered one below the Other by the side of the document number in column (5) with the letters E.P. and R prefixed, e.g.,

E. 3-6-1939. P. 2-7-1939. R. 3-7 1939.

(vi) In ledgering sale certificates, the purchaser shall be distinguished by entering his name as the "Claimant."

(38) In the case of the first document affecting a town survey number ledgered in the Municipal Town Property Register the boundaries of the property affected by it should invariably be given in addition to the survey number noted at the top. The boundaries need not be repeated in the register in the case of subsequent documents if there be no difference between these boundaries and those noted for the first document. When only a portion of a town survey number is affected, the description of the boundaries for that portion should be insisted upon and given in the register.

Fieldwar Index

S.O.951. (1) "The Filedwar Index" shall be maintained in the subsidiary index forms with the heading of column (5), viz., "Number and year of documents registered" altered into "Page in the Register of Holdings"; this column shall be utilized for entering the symbol '\$' whenever a sheet is opened for a survey number ledgered in the Municipal Town Property Register. The said index will serve as a key to the Registers of Holdings and Municipal Town Property Registers.

(2) The numbers of the several pages on which a survey field has been ledgered in the Register of Holdings shall be entered against the survey numbers in column (4) of the Fieldwar Index. The entry of a page once made in the Fieldwar Index shall not be cancelled or erased when the field concerned is transferred to another page of the Register of Holdings as a result of subsequent transactions, as it is essential that the Fieldwar Index should contain reference to every page of the Register of Holdings on which a survey number has been ledgered at different stages.

(3) Directly a sheet is opened in the Municipal Town Property Register shall be entered in the Fieldwar Index the symbol 'S' in column (4) against the survey number of the house for which it is utilized, to indicate that a sheet has already been opened and exists therefor.

(4) The Fieldwar Index shall be examined to see if every field has a page number of the Register of Holdings entered against it and if the letter *S' has been noted against all house survey numbers for which sheets have been opened. If on such examination a survey number or subdivision is found without a page number being entered against it, the adangal and the printed settlement register shall be referred to for finding out what that field is. If it is ascertained to be in a patta, the omission to copy it under the appropriate holding shall be supplied in the Register of Holdings. If it is found to be a poramboke or inam land, it shall be entered in the proper place in the same register. After the examination is thus completed, the following certificate shall be added on the fly-leaf of the Fieldwar Index:-

“Certified that I have examined and found that every field in this register bears a page number of the Register of Holdings entered against it or that the letter ‘S’ has been noted in respect of the house survey numbers”.

List of Pattadars

S.O.952. (1) A list, in the language in which the Register of Holdings is maintained, of individual and joint pattadars and holders shall be maintained in book form separately for each Government village in Form Registration II-93, This list shall be preceded by a manuscript form with the heading “vacant pages” in which shall be noted all the vacant pages available in the Register of Holdings, pages subsequently utilized being rounded off to indicate that the page in question is no longer vacant. These lists shall be preserved permanently.

(2) (a) In the case of pattadars newly added, the page of the Register of Holdings in which they acquire new ownership shall be noted in column (3).

(b) When a pattadar loses his right in a holding, it is enough if the entry of the page of the Register of Holdings in column (3) of the 1st is alone underlined in red ink so that when he re-acquires ownership in any holding of the village, the new page of the Register of Holdings may be noted against his name already existing in the list.

Examination of Indexes

S.O.953. (a) The index entries of every document shall invariably be compared with the entries in the register books to ensure that particulars required to be indexed have been correctly entered and that the indexing of no document, property, or name, has been omitted.

(b) The registering Officer is responsible for the accuracy of the indexes. He should see that the work of the examination of indexes is done by the assistants then end there without delay. He should himself examine a large number of entries in the indexes every day and test at random a fairly good percentage of the entries for which he has not acted as examiner. Where this is not possible on account of other work, he should test the entries in the indexes already examined by the assistants of at least ten selected documents daily. If the registrations on any day were 10 or less, the indexes of all the documents examined by assistants should be tested. If, by testing the number prescribed above, the registering officer is not satisfied that the work has been properly done, the test should be extended to a few more documents at his discretion. He should attest corrections in the indexes immediately they are made and initial each entry in Index II, Registers of Holdings and Municipal Town Property Register and each page as it is completed, in the case of Indexes I, III and IV.

(c) The examination of indexes shall be performed by the permanent staff. In unavoidable cases a temporary incumbent may be allowed to read from the index

whilst a permanent assistant verifies with the original document or the entry in the register book, the temporary incumbent signing as reader in the register prescribed by order 954 and the permanent incumbent as examiner.

S.O.954 (a) (i) A Register (Form Registration II-42) shall be maintained in each office showing the persons who prepare and examine the index entries. The first and the third column of the register shall be filled up as soon as documents are admitted to registration or filed in file book, the entries in other columns being made when the indexes are prepared. The documents indexed and the index entries examined each day shall be posted in the register on that very day. The indexer, the reader and the examiner shall sign with date in the respective columns, each noting in this own hand, the numbers of the documents, indexed or examined by him. The name of each village or place in which property is situated should be entered in a separate line in column (3). The page number of the Register of Holdings or the survey number of the house property in areas where Registers of Holdings or Municipal Town Property Registers are maintained, should be entered in column (3) against the name of the village or place in which the property is situated. In the case of copies and memoranda (sections 64 to 66) and documents filed under section 89 affecting properties in more than ten villages, the name of the first village entered in the memorandum or copy relating to the sub-office in which it is filed shall be noted in column (3) of the register with a note as follows:- “ and other villages as noted in the copy or memorandum or document.”

(ii) In making entries in column (4) of this register, If there are more than one name beginning with the same letter, it will suffice if the initial letter is written only once with the number of names added as a suffix. For instance, if there are three names with the initial letter P. the entry in column shall be “P-3.”

(b) Whenever a change occurs in the charge of an office owing to the transfer of an officer or to an officer's proceeding on leave, other than casual leave or examination leave, a certificate in *ha form which follows shall be endorsed by the outgoing officer in the register below the index entry relating to the latest document registered during his tenure of office:-

“Certified that I have satisfied myself that all the documents registered or filed during the portion of the year (here enter year) for which I have been in charge have been duly indexed and that the entries have been checked.

(Signature)

Date

Sub-Registrar”.

NOTE :- When a registering officer is unable to add the certificate in the register itself, e.g.. when a registering officer who proceeds on casual leave, avails himself of long

leave in continuation thereof and is transferred to another station, the registering officer shall forward to the concerned office the requisite certificate on a slip of paper with his signature and date and this slip shall be pasted In the appropriate place in the Register of Preparation and Examination of Indexes.

(c) At the close of each calendar year a similar certificate shall be endorsed below the index entry relating to the last document of that year, but when an officer has been in charge of the office throughout the year, the under mentioned portions of that certificate shall be omitted:-

“Portion of the “and

“for which I have been in charge”,

(d) In the event of a subsequent communication being received from a revenue officer or from a court amending a sale certificate or other document already filed in File Book I under section 89, the pages of the communication filed in File Book I shall be entered in the appropriate place in the register with a note as under.

“Correct document filed on pages (page of this register).”

A corresponding note shall also be made against the entry corrected by the communication and it shall run as follows:-

“Corrected by document filed on pages..... (page of this register).“

Examination in the Registrars’ Offices of Indexes of Sub-Offices

S.O.955. (a) The Indexes I and II of sub-offices with the title pages attached thereto (Order 925) shall be submitted to the Registrar for examination and check and for the audit, on receipt, on such dates as are prescribed by him. In order to minimize detention of the indexes in the Registrar’s Office, the Registrar shall at the beginning of each year prescribe a schedule of dates for their submission covering the whole year, this schedule being based upon the volume of the indexes of the various sub-offices and the amount of work likely to fall to the Registrars Office in each month and so arranged that the examination of the indexes of all the offices for each year and the rectification of errors therein are completed by the 31st December of the year following.

Sub-Registrars shall be personally responsible for the indexing of documents in the Register of Holdings and the Municipal Town Property Register and shall, at the time of transmission of the other indexes for audit, submit a separate certificate that they have satisfied themselves that the indexing of documents in the above registers (Numbers to be detailed) has been done accurately without any omission.

(b) Sub-Registrars shall exercise great care in the packing of the indexes for transmission to the Registrar so as to avoid any chance of their being soiled or damaged, the packages being sent by registered post with provision for a receipt from the addressee or in charge of a attender whenever that course may be cheaper.

(c) The indexes shall be examined minutely in the Registrar's office to ensure—

(i) that the indexes have been prepared in the prescribed form;

(ii) that every document in Book I has been indexed;

(iii) that items which are common to Indexes I and II tally in each of those indexes;

(iv) that the entries regarding "date of execution," "date of presentation," "date of registration" and "nature and value of transaction" in Index II tally with the corresponding particulars entered in the copies of Account A received from sub-offices (Chapter X XI);

(v) that copies and memoranda under sections 64 and 65 are shown in Account A to have been issued for documents affecting property situated in more than one sub-district as given in Index II;

(vi) that a document found to affect property in more villages than one, has been indexed in all the villages lying within the sub-district;

(vii) that as regards cases falling under clauses (v) and (vi), reference has been given in column (1) of each entry in Index II to all the villages and sub-districts in which the immovable property is situated, as prescribed in order 931 (e) i

viii) that the description of property is sufficient for purposes of identification in tracing encumbrances and registered documents;

(ix) that notes of previous registration and reference have, where necessary, been entered in respect of documents such as transfers of mortgages, rectification deeds, cancellation deeds, revocation deeds, etc ; and

(x) that notes of rectification in the entries in Index II of rectified documents specify the nature of the errors and the manner in which they have been rectified.

(d) (i) The rectification of the defects found in the indexes of a sub-office and the replying to queries arising from the examination shall proceed *pari passu* with examination and shall not be deferred until the completion of the examination of the entire indexes of each office. The remarks and queries connected with the examination carried out each day shall be communicated in Form Registration II-90 to the Sub-Registrar concerned without delay, as soon as the review slip is filled with remarks, and in no case beyond a week from the date of entry of the first remark and the Sub-Registrar shall return these reviews in original within forty-eight hours of receipt. No office copy of the review sheets shall be retained in the Registrar's office nor shall any copy of any portion be taken in the sub-office; but in order to ensure their punctual and regular return a register (Form Registration II-43) shall be maintained in the Registrar's

office. It should be written up by allotting a page to each sub-office in the order of the dates fixed for the receipt of indexes.

(ii) Corrections shall whenever possible be carried out by the Joint Sub-Registrar I in the Registrars office and initialed by him. Should further sheets be added to the indexes during the examination or should it become necessary to substitute sheets, they shall be initialed by the Joint Sub-Registrar I in the Registrars office and the fact of the addition or substitution noted above his signature with date on the title page. Whenever the original of Account A is corrected with reference to the orders issued on the review slips on indexes or other accounts or record, corresponding corrections should also be carried out in the copy thereof filed in the Registrar's office by means of suitable footnotes, so as not to disfigure the original writing.

(iii) After the examination of the indexes of a sub-office has been completed and all requisite action taken, the indexes shall be bound without delay (Order 957) and returned by post as registered packets or through a attender, to the sub-office. The review sheets shall finally be recorded in the Registrars office where they shall be preserved permanently.

(e) Not only shall inconsistencies between Account A and the indexes be corrected but measures shall also be taken to rectify, as far as practicable, and to deal with any branches of the provisions of the Registration Act, the Stamp Act and the Table of Fees. Thus, when the date of execution or of presentation entered in Account A differs from that in the index, the Registrar shall not rest content with the assurance that it has been corrected by the Sub-Registrar, but he shall ensure that the date is permissible with reference to the requirements of the Registration Act; if a time-barred document has been accepted for registration without levy of the prescribed fine or the previous direction of the Registrar, he shall ensure that intimation has been issued to the party concerned of the invalidity of the registration in order to enable him to execute a fresh document; if there has been a short levy of fees or a loss of stamp duty, he shall consider the responsibility of the Sub-Registrar in the matter of recovery.

(f) The indexes maintained in Registrar's office shall be checked in the Registrar's office in the same manner as the indexes of sub-registry offices and results of the examination shall be placed on record, with notes to show that the mistakes have been rectified.

(g) Subject to the general supervision of the Registrar, the Joint Sub-Registrar shall be primarily responsible for the review of the indexes of sub-offices. The review of the indexes of the Registrars office shall be scrutinized closely and passed by the Registrar himself. A certificate in the following form shall be entered on the final review slip relating to the indexes of each Sub-Registry office and Registrar's office and signed and dated by both the assistants who audited the indexes and by the Joint Sub-Registrar or the Registrar as the case may be :-

“Certified that I have satisfied myself that the indexes I and II of the Sub- Registry office (or Registrar’s office).....for the year were examined with the copy of Account A and that all the documents registered during the calendar year excepting those that were ledgered in the Register of Holdings and the Municipal Town Property Register as per the list attached to the index, were indexed and that reviews were issued wherever necessary.

Date.

Signatures of the assistants who audited the indexes and of the Joint Sub-Registrar or the Registrar.’

(h) (i) When an application is received in a sub-office for a copy or search which necessitates a search in the indexes which at the time are under examination in the Registrars office, the Sub-Registrar shall immediately submit to the Registrar a copy of the application in view to the requisite search being made in the Registrar’s office. The copy shall be numbered in the Registrar’s office in a separate series for each year and for each sub-office and accounted for in the odd pages of the Register of Reviews on indexes [Form Registration II 43, clause (d) (i)] so that the entries will appear opposite to those regarding the indexes of the sub-office concerned. On the completion of the search, the copy of the application shall be returned to the Sub-Registrar,

(ii) In the case of a general search, a copy of the index entries required for the encumbrance certificate shall be furnished to the Sub Registrar, the copy being signed by the officers who prepared and compared it as well as by those who made and verified the search and attested by the Registrar or Joint Sub-Registrar. The Sub-Registrar, on receipt of the copy, shall verify the index entries with the entries in register book and incorporate the requisite particulars in the certificate granted to the party. The copy of the index entries shall be filed in the sub-office along with the office copy of the encumbrance certificate with necessary cross references. However when a general search applied for is only in respect of the indexes which at the time are under examination in the Registrar’s office, the Sub-Registrar shall on receipt of the copy of index entries, prepare the certificate following the instructions In Registration Rule 146"

(iii) In the case of a single search, the requisite particulars, viz., the volume and the number, year and nature of the document shall be endorsed on the application received from the Sub-Registrar.

(iv) These searches shall not be brought to account in Account-D of the Registrar’s office.

S.O. 956. Since encumbrance certificates are necessary, inter alia, for obtaining loans, delays in grant of encumbrance certificate shall cause inconvenience to the public and hinder the disbursement of timely credit to the needy. The District Registrars shall ensure that the date stamps are affixed on General Search applications received from Sub-Registry Offices and promptly accounted for in the Register of Reviews and results despatched within 48 hours. They should also see that Indexes are not retained in Registrar offices for more than five weeks at any cost.

Binding of Indexes

S.O.957. a) (1) Indexes I and II of each office for each year shall be bound in the Registrar's office as soon as their examination in that office is completed, each kind of index being bound into a separate volume. If the index sheets of an office are too bulky to form a single volume of convenient size, they shall be bound into two or more smaller volumes. In such a case, the volumes shall be chained by means of notes entered at the foot of the last page of the index of the first volume and at the head of the first page of the succeeding volume and so on, e.g., if the indexes of a sub-office of a year consisting of 1,400 pages are bound into three volumes, two of 500 pages each and one of 400 pages, the undermentioned notes shall be made:-

(i) at the foot of the last page of the first volume, "Pages 501 to 1400 bound into separate volumes";

(ii) at the head of the first page of the second volume, "Pages 1 to 500 bound into a separate volume;"

(iii) at the foot of the last page of the second volume, "pages 1001 to 1400 bound into a separate volume" and

(iv) at the head of the first page of the third volume "pages 1 to 1000 bound into separate volumes".

(2) Before binding, a table of contents to each volume shall be prepared in the Registrar's office, giving in alphabetical order a reference to the initial letters of the names of persons appearing in Index I and to the names of villages in regard to which entries appear in Index II, and prefixed to the respective volumes next to the title page. A list of abbreviations used shall also be prefixed to the first volume of Index II.

NOTE :- A list of abbreviations is given on page 23 of the Registration Gazette, Volume VIII.

(b) The sheets of Index III and of Index IV shall be filed, each in a separate file book, a general table of contents being prefixed to the file. The pages of each file shall be numbered consecutively and the files shall be bound when a sufficient number of pages for a bound volume has accumulated.

(c) Subsidiary indexes, the bulk of which varies from time to time, shall not be bound whilst current; but the last set shall be bound when a new set is started.

CHAPTER XXVII

SEARCHES AND COPIES

S.O.958. The expression, "General Search" is applied to a search for more than one document concerning a specified property or a specified person. The expression, "Single Search" covers a search for a single entry or document.

S.O.959. (a) Forms Registration-II 46447 shall be furnished to parties wishing to apply for encumbrances on property. Where an applicant requires a list of encumbrance on property created by or in favour of a specified individual, he shall be required to add a note to that effect on the application.

(b) Application for a list of documents executed by or in favour of a specified individual shall be obtained from the applicant in Forms Registration II-44 & 45

(c) Forms Registration II 48 & 49 shall be furnished to parties applying for a single search or for a copy of a single document or entry.

(d) A person applying for a search regarding a document registered in Book 3 or Book 4 shall be required to specify his title to search such books (section 57 of the Act),

S.O.960. (a) For the purpose of clause (2) of Article 13 of the Table of Fees, the determination of "One and the same property" shall be with reference to the ownership at the time of the application for a certificate of encumbrance, but the following may, in each case, be treated as one and the same property:-

(i) A single survey field or a house owned by more than one person,

(ii) lands used for wet and dry cultivation situated in the same village and owned by one person or jointly by two or more persons, whether the parcels be contiguous to one another or not.

(iii) a field or a garden and the house situated in it.

(iv) buildings of houses described as being situated within the same four boundaries and forming together one property.

(b) Vacant house-sites each lying within separate boundaries shall be treated as separate properties.

(c) (1) "A single survey field" referred to in clause (a) (i) shall be deemed to refer only to a field used exclusively for purposes of cultivation.

(2) "A field or a garden and the house situated in it" referred to in clause (a) (iii) shall refer either (a) to a cultivable field with outhouses or cattle sheds intended for the accommodation of the cultivator or his cattle or implements of agriculture in furtherance of agricultural operations, or (b) to a house in an open space enclosed by a compound and lying within four boundaries.

(3) Houses or vacant sites each lying within separate boundaries, though in a single survey field, shall be deemed to constitute different properties and separate fees shall be levied in respect of each such house or vacant site.

(d) Where a zamindari comprises several villages and an application is made for certificate of encumbrance relating to the zamindar's right in respect of the zamindari as a whole or to the zamindari taluk as a whole, the zamindari or the zamindari taluk shall be treated as one and the same property. Where, however, encumbrances on village or portions of villages are required, each village shall be treated as distinct property.

(e) Joint ownership shall be distinguished from ownership of the same property by two or more individuals with distinct interests. In the former case the property shall be treated as "one and the same property" and in the latter, several properties. A village may be owned jointly.

S.O.961. (a) A person applying for a search for encumbrances on a property consisting of more than one survey field or plot or ground shall be required to append a declaration to his application specifying, to the best of his information and belief, the owner of the property at the time of the application.

(b) When encumbrances discovered in a search throw any doubt on the correctness of the declaration so made by an applicant, he shall be given an opportunity for reconciling the discrepancy and local testimony on the point may be accepted from trustworthy sources. Any facts thereby elicited shall be endorsed on the application itself. It is not intended that the registering officer should hold any elaborate enquiry.

(c) If in the course of a search or of an enquiry connected therewith the registering officer finds that the property belongs to more than one individual, the applicant shall be required to pay additional fees and, if he refuses to do so; he shall be informed, without being afforded any particulars of the documents discovered, that the lands mentioned in his application and declared by him to be one property have been found to be so many properties, that the first property consists of certain specified survey numbers, the second property of certain specified survey numbers, and so on, and that for the fee already paid by him a certificate of encumbrance on any part of the property as grouped above or a list of documents executed by or in favour of a single individual in respect of all the property will be granted but that the fee already paid will not be refunded. The certificate which the applicant elects to take shall then be prepared and issued. In respect of searches conducted in the records of more than one office under Registration Rule 144, the officer to whom the application for general search was presented shall verify before the issue of the encumbrance certificate whether the property belongs to more than one individual if so, he shall issue the notice to the applicant as required under clause (c) above. On receipt of the reply, if the encumbrance

certificates have to be amended, a copy of the reply shall be sent to the concerned officers along with the respective encumbrance certificates for the issue of revised encumbrance certificate. The receiving Officer shall issue revised encumbrance certificates in the light of the applicant's reply. The encumbrance certificates returned for revision shall be placed by them in the correspondence bundle and suitable notes should be added on the office copies of the encumbrance certificates".

S.O.962. An application for search maybe disposed of in a manner advantageous to the applicant in the matter of search fees; for example, if the property mentioned in an application consists of three survey fields of which two, A and B, are owned by a single person and a third, C. by him and two others, the application may be split up into two-one in regard to A and B and the other in regard to C. In this case two fees will be leviable and not three.

S.O.963. The grant of an encumbrance certificate upon a portion of an item of property is objectionable on the ground that the registering officer is unable to identify the portion mentioned in the application with the entries in his indexes, that he is obliged to rely on the applicant for Information in tracing encumbrances on the portion and that consequently the applicant might secure a certificate which, while it shows all encumbrances which suit his purposes, omits others adverse to his interests.

Such an application should be treated as relating to the either property and charged with as many fees as there are owners subject to the rule in order 962. It is, however, open to the applicant to amend his application by either (a) omitting the portion which is incapable of identification and applying for a certificate upon the rest of the property, or (b) applying for a list of documents executed by or in favour of the owner with reference to the property mentioned in the application. In either of these two cases, only a single fee is leviable

It may, however, happen that a portion of a property mentioned in the application, is capable of identification without reference to the applicant. For example, Survey No. X is 70 acre in extent and from the indexes it appears that a person A has had transactions in regard to a portion of it (30 acre), while in respect of the remaining portion there have either been no transactions at all or a person B has had transactions; then an application for an encumbrance certificate upon Survey Nos X (30 acre) or 0.121 Hectares Y and Z belonging to A will be capable of being dealt with without reference to the fact that a portion of Survey No. X is owned by B, and it is unnecessary to treat the application as relating to Survey No. X as a whole.

S.O.964 (a) As soon as the search is completed, a certificate containing all the encumbrances discovered shall be prepared and filed in the file of encumbrance certificates. When a registering officer intimates to the party the necessity for the reconciliation of a discrepancy in the declaration under Order 961 (a) or calls upon the party to pay additional fee or to exercise the option allowed to him under Order 961(c),

he shall fix a reasonable time, which will depend upon the circumstances of each case, within which the party should take the requisite action. If the party does not take the requisite action within the time so fixed, the fee already paid shall be considered as earned and a note of the circumstances under which the certificate was not granted to the party made in it, the copy of the encumbrance certificate intended for the party received from another office under Rule 144, if any, being placed in the correspondence bundle with a note to that effect entered in the office copy of the encumbrance certificate filed in the file of encumbrance certificates.

(b) If at any future time the party appears or applies and

(i) reconciles the discrepancy under order 961 (b), or

(ii) pays the requisite additional fees under Order 961 (c), or

(iii) requires a list of documents executed by or in favour of a single individual in respect of all the property, or

(iv) elects the group of properties in respect of which he requires an encumbrance certificate, his request shall be complied with and the certificate already prepared shall be suitably amended and a copy of the amended certificate shall be granted to the party in forms Registration II-20 to 24, with the printed entry in the two lines above the description of property altered as under; “...having applied to me for a list of documents executed by or in favour ofin respect of the under mentioned property.”

(b) In respect of searches conducted in the records of more than one office under Registration Rule 144, the procedure prescribed under clauses (a) and (b) above shall be followed mutatis mutandis.

(c) For purposes of calculating the percentage of encumbrance certificates made ready within five days or seven days as the case may be, the date on which intimation is given to the party to reconcile the discrepancies, if any, shall be taken as the date of completion of the search. The date of receipt of general search applications and the intervening holdings, if any, need not be taken into account in calculating the period of five days for the preparation of encumbrance certificates.

S.O.965. (a) Applications for searches and copies shall be filed in three separate file-books each with a separate set of serial numbers running by the calendar year, viz.,

(i) General search file.

(ii) Single search and copy file containing all applications for searches for or copies of registered documents or entries in Books 1 to 4 and for copies of documents pending and refused registration.

(iii) File of applications for copies of miscellaneous records such as appeal orders, depositions and other miscellaneous papers.

Every application in the file mentioned as item (ii) above shall, bear a search number and a copy number as "S-C-". If an application invokes a search-liable to the levy of search fee and if a copy is granted, there will be numbers under both "S" and "C". If an application for a search proves fruitless, there will be a number given under "S" and not under "C", showing that no copy was granted. If an application for a copy is made at the time of registration of a document, there will be no number under "S" showing that no search was made but there will be a number under "C", showing that a copy was granted.

(b) An application for a general search in respect of more than one property shall be assigned as many numbers as there are properties included therein. Similarly if in respect of a single search application more than one search has to be made or more than one copy has to be granted, the application shall carry numbers for each search or copy.

(c) Every application for a partial search received from another office shall be renumbered the number assigned to it in the original office of receipt being under-scored in red ink.

(d) In the case of general searches to be made in more offices than one, the number and percentage of encumbrance certificates made ready within five days or seven days as the case may be, shall be calculated with reference to the date of completion of the searches in the office of receipt of applications and not with reference to the date of receipt of the certificate from other offices.

S.O.966. An application for opening a sealed cover for a copy of a will after registration in Book 3 shall be kept with the cover, a copy being taken and filed in the "single search and copy file". In such cases it is advisable to obtain two applications one for opening the sealed cover and the other for granting copy of the will.

S.O.967. The number assigned to a general search application shall be entered on the encumbrance certificate relating to it, and a reference to the volume and page of the file of certificates of encumbrances and to the number assigned to the certificate (Registration Rule 146) shall be entered on the back of the application.

NOTE :- An encumbrance certificate shall be assigned as many numbers as are assigned to the application for general search to which it relates. [Order 965 (b)].

S.O.968. Every application for a search or copy shall be brought to account in Account D. (Chapter XXXI).

S.O.969. When a search is made in two or more offices the date of completion in each office shall be entered in column 10 of Account-D which shall, in the office in

which the application is presented also specify dates of receipt of intimations of the results of the searches in the other offices.

S.O.970. Where a person is nominated to receive an encumbrance certificate, a list of documents or a copy, his address shall be obtained in the endorsements of nomination.

Fees

S.O.971. (a) If, in an application for a search for a single entry or document, the years in the records of which a search is to be made are specified, search fees shall be levied in advance with reference to the number of years mentioned in the application. The search shall be conducted in the order of years so mentioned, but the fee credited in Account-D shall be based on the number of years the records of which are actually searched, the balance, if any, of the amount levied in advance being returned as soon as the search is completed. If the search is not completed on the day of the application, the whole amount of fees levied in advance shall be brought to account in Account C or the day of receipt; and after the completion of the search the unearned fee, if any, shall be refunded to the party after crediting the earned fee in Account D. In respect of applications for general searches, the fee levied in advance shall be credited in Account-D, whether the search is completed or not, on the day of the receipt of the application and fees.

(b) It is open to a party to mention a particular year in a search application and if the required entry be not found in that year, to mention at foot of the application individual years, not necessarily consecutive, in which the search should be continued:

(c) (i) Registering officers shall, when granting a receipt for fees for a general search, endorse on it and on its counter-foil the probable date when the encumbrance certificate will be ready.

(ii) A similar procedure shall be followed as regards applications for certified copies when stamp paper is produced. If the person producing the stamp paper does not bring back the receipt, the probable date when the copy will be ready shall be intimated to him orally and an endorsement mentioning that date made on the counter-foil.

S.O.972. The nominal searches in offices with concurrent jurisdiction should, with reference to Order 22 (c), be treated as a separate search in each office and charged accordingly.

S.O. 973. In the ease of searches falling under the proviso (i) (b) to Article 13 (2) of the Table of Fees only a single fee should be levied irrespective of the number of villages in which the properties are situated.

S.O.974. The period of one week prescribed in Note 2 under Article 13 of the table of fees shall be calculated from the date on which the applicant receives intimation of the result of the search. When the result is communicated to the applicant personally, a

note to that effect with the- date shall be made on the application and the signature of the applicant obtained there to. When the intimation is issued by post, the period shall be calculated from the date stamped by the receiving post office on the cover containing the communication or, if the cover be not produced, from the date on which it would have reached the party by post in the ordinary course.

(b) In calculating the fee leviable for continued searches the instructions in Order 418 and the note under Order 238 should be followed.

(c) In the case of such continued searches, the subsequent application for the search and the encumbrance certificate should bear the same numbers as the original application and the encumbrance certificate respectively.

(d) It is not necessary to insist on fresh applications in the case of continued searches.

S.O.975. (a) A search fee is not leviable from a party executing or claiming under a document for the grant, on the occasion of the first application by him, of a copy of an order of refusal to register such document, even if application for the copy is made after the date of order of refusal and even if it is not intended to be used for purposes of appeal. The usual application fee under Article 15 shall, however, be levied.

(b) The prescribed search fee shall, however, be levied when a copy of a refusal order is applied for by any person other than a claimant or an executant or when such application is made by a claimant or an executant who has already been granted a copy free of cost.

(c) Under section 71 of the Act, copying fees are not leviable for a copy granted for the first time to a claimant or an executant, of a refusal order passed under that section, but they are leviable for a copy of a refusal order under section 76.

(d) In the case of an application for a certified copy of a return of land acquired under the Land Acquisition Act referred to in Registration Rule 13 (1) (d) relating to several items of properties owned by different individuals, a single search and copying fee shall be levied.

(e) No search fee is leviable for granting copies of refusal orders under section 76.

S.O.976. (a) There is no provision in the Indian Registration Act or the Table of fees for the inspection of documents which have not been registered.

(b) Copies of the documents mentioned in Registration Rule 134 and in Note 3 to Article 13 of the Table of Fee may, however, be granted without the levy of any search fee.

Searches

S.O.977. (a) If an application is made for a search in Book 3 or Book 4, the registering officer, who alone should make the search in those books under clause (4) of section

57, shall, before making such search, obtain from the applicant proof of his title to have those books searched with reference to the restrictions laid down in clauses (2) and (3) of that section [Order 959 (d)]. If the search proves fruitless, the search shall be continued in Book 1 and Book 4, or Book 1 and Book 3, as the case may be.

Similarly, if an application is made for a search in Book I and the search proves fruitless, the registering officer shall continue the search in Books 3 and 4; if the requisite entry is found in the course of the continued search, he shall, without revealing to the applicant the existence of such entry, call upon him to furnish proof of his title to have those books searched. The contents of any entry thus discovered in Book 3 or Book 4 shall not be disclosed to the applicant unless he is entitled thereto under clause (2) and (3) of section 57.

(b) Searches concerning surveyed lands shall be made both in Index II and in the subsidiary index or in the Registers of Holdings, as the case may be. Pages of the Registers of Holdings (Order 950) in which wrong survey numbers are ledgered shall be invariably gone through before the completion of a search.

(c) Before a single search is declared to be fruitless, Index I shall also be searched and a note that this has been done shall be made on the back of the application. Every fruitless single search in Book 1 and the indexes relating thereto shall be verified and the person verifying shall sign on the back of the application in token of his having done so.

(d) When the particulars of an entry found in the course of a single search do not tally in minor points with the particulars given in the application, the registering officer shall nevertheless read out the entry to the applicant and if the entry so read out is not that which he requires, the fact shall be noted on the application, and the signature of the applicant obtained thereto. Where the applicant states that the entry read out is identical with the entry he wishes to inspect, a copy of the same shall be granted, if required.

S.O.978. A receipt in Form Registration II 4- & 41 shall be issued to a party in respect of a transaction ledgered in Account 'D' even though no fee is leviable in cash in respect of the same.

S.O.979. In making searches in Indexes I, III and IV, all the sheets pertaining to the initial letters with which a house name is likely to be spelt shall be searched [Order 927 (c)].

S.O.980. In making a general search, it should be ensured that while the searching assistant goes through the records commencing from the earliest year onwards, the verifying assistant goes on with the search from the latest year downwards The results

of the search made by each assistant shall be handed over to the registering officer from time to time and the comparison between the two notes shall be made on the completion of the search by both the assistants. The notes shall be preserved for three years.

S.O.981. Temporary section-writers and assistants appointed under the emergency provisions who have put in sufficiently long service, may be permitted to conduct single and general searches when, owing to pressure of work the permanent assistants cannot be deputed for the purpose; but such temporary copyists, temporary section-writers and assistants shall invariably be entrusted with the duty of conducting the searches and not of verifying the result thereof. Searches in respect of house property and zamin lands described by boundaries, however, shall, in all possible cases, be made by the permanent assistants themselves.

S.O.982. Searches in indexes relating to documents referred to in Orders 915 (b) and 923 (b) shall be treated as relating to either the year of admission to registration, or the year of transcription (registration), according to the year for which the search is applied for. But while granting encumbrance certificates care shall be taken to see that in no case an encumbrance appears twice in the certificate.

S.O.983. Applications for Single and General Searches, received in person or by post, shall be affixed with the date stamp of the office or the dated initials of the Sub-Registrar and failure to do so shall be viewed as intentional with a view to delay action on such applications by putting false dates according to his convenience.

Encumbrance Certificates

S.O.984. (a) The date of registration of a document shall be the criterion for its inclusion in encumbrance certificates.

(b) The certificate of encumbrances on any specified property shall show all documents discovered during the search in the registration records. If an applicant desires that documents executed by particular persons should alone be shown, his request may be complied with but the fact shall be brought out clearly in the certificate as indicated in Order 964 (b).

(c) In the certificates of encumbrances (other than 'NIL' certificates) issued, the total number of entries of documents contained therein shall be indicated by means of a note at foot in the following form:-

“Total number of entries in this encumbrance certificate”. This note shall be initialed by the Registering officer.

S.O.985. The instructions in Order 939 shall be followed in granting encumbrance certificates in respect of properties situated in Town Planning Scheme areas.

S.O.986. (a) The assistant who makes a general search shall himself prepare the certificate of encumbrances and the clerk who verifies the search shall check the

certificate. Both assistants shall affix their signatures on the search application as well as on the certificate of encumbrance. Similarly, the assistants who prepare and examine certified copies shall sign on the application and on the certified copy.

(b) The duplicate copies of certificates received from other offices under Registration Rule 144 shall be paged along with the certificates prepared in the receiving office.

S.O.987. (a) The notes entered at the foot of the certificate in the form printed as Appendix VII to the Registration Rules do not absolve the office or clerk who makes or verifies a search.

(b) These notes regarding inaccuracy or omission shall be omitted in certificates of encumbrances granted to public offices.

S.O.988. An encumbrance certificate once issued to a party shall, under no circumstances, be corrected or revised without the previous permission of the Registrar.

S.O.989. All notes of whatever kind made by assistants in connexion with general searches prior to the preparation of encumbrance certificates shall be only on the slips containing the results of the searches (Order 980) and nowhere else.

Certified Copies

S.O.990. (a) A copy of a document pending or refused registration, may be granted to a person applying for it subject to the restrictions laid down in clauses (2) and (3) of section 57 of the Registration Act.

(b) A copy of a document registerable in Book 1 but inadvertently registered in Book 3 or Book 4 can be granted only to the persons referred to in clauses (2) and (3) of section 57 unless and until the requisite particulars regarding the document are entered in the appropriate place in the indexes relating to the proper book under Registration Rule 158 and the note prescribed by rule 158 (ii) entered at foot of the entry in the wrong book as well, in the following form:-

“Wrongly registered in Book 4/1/3 instead of Book 1/3/4. Transferred to Book 3/4/1 under Registrar’s Order No., dated”

(c) A registering officer can be guided only by the provisions of the Registration Act in regard to the records under his charge and accordingly, he cannot grant a copy of an entry in Book 3 or Book 4 to a person other than the party referred to in clauses (2) and (3) of section 57, whether at the request of the party or under the orders of a court. At the same time he is bound to obey the orders issued by competent judicial courts and produce the books, if so directed. In doing so, however, he should bring to the notice of the court the provisions of clauses (2) and (3) of section 57 and leave it to the court to take such action as it thinks fit in regard to the inspection of any entry in the books.

S.O. 991. Registering officers shall themselves receive the stamp and papers produced by parties for certified copies and enter their receipt promptly on the back of the

application with their initials and date, noting also therein the number and value of the stamp papers and the number of blank papers produced. The receipt of stamp papers shall be entered also in Account D and in cases where the entry in Account D is not made on the day of their receipt, the stamp papers should be accounted for in Account C on the day of receipt, the value of the stamps being noted therein in red ink.

S.O. 992. There is no objection to the grant of an extract from, or a copy of portions of an entry of a registered document. In preparing such an extract all the endorsements, the certificate, the entries relating to stamp, the footnotes pertaining to the portion extracted and the names of the copyist, the reader and the examiner should be included in the copy.

The extract shall be certified as "True extract from the entry of Document No. of 19 of Book"

S.O.993. (a) Registering officers may purchase stamp papers for certified copies for which applications are received by post, when the money required therefor is remitted in advance.

NOTE:- The stamp duty on a certified copy of a court sale certificate depends on the duty chargeable on the original sale certificate. Accordingly, certified copies of such sale certificates are chargeable with a stamp duty of Rs. 5/- if the duty with which the original was chargeable exceeds one rupee and a stamp duty of Rs. 2-50 in other cases.

(b) They shall also receive cash for stamps along with fee even for the local applicants and purchase stamps for certified copies.

S.O.994. When an agent who is not a qualified legal practitioner applies for a copy of an entry in Book 3 or Book 4, he should be required to produce a power-of-attorney stamped under article 42 of Schedule I-A of the Stamp Act and attested by any officer or a person who, under the rules in Appendices III and IV, is authorised to attest affidavits and vakalatnamahs.

S.O.995. (a) In granting a copy of an entry in a register which has been left unauthenticated by a registering officer or which contains unattested corrections; a note shall be added at the foot of the copy to the effect that the entry in the register has not been signed by the registering officer or specifying the unattested corrections. If the registering officer has attested the corrections in the entry in the register without authenticating it, the fact shall be mentioned in the note.

(b) A note of previous registration made in the register or index does not form part of the entry of the document, as it is merely entered for purposes of reference by the officers of the department. It shall not therefore find a place in the copy of the entry granted to a party. All notes of cancellation, modification of rectification made under Registration Rules 118 (a) and 119 the note entered under Rule 158 (ii), the notes made under Orders 843 and 482 (14) (b), the note of destruction entered under Order

1011 and the notes of defects appertaining to items 6, 9 and 10 in class (i) and to the first three items in class (ii) of Appendix XX shall, however, be included. All other notes of defects shall, subject to the provision of clause (a) of this Order, be excluded.

S.O.996. (a) A copy of a document not compared with the original is not admissible as secondary evidence under section 63 of the Evidence Act. When application is made for a copy of an entry in a volume which has been recopied, the copy shall be prepared from the original register, the faded or illegible portions being entered within brackets marked or numbered in red ink and a footnote added to explain that they have been made out with the help of a copy which, when made originally, was compared with the original entry in the register.

(b) If, however, the pages in which the original document has been copied have been damaged beyond recognition, the applicant shall be informed that a certified copy of the entry cannot be granted from the damaged register, that, if the copy is required for evidence in a court, he may apply through the court for the production of the reproduced copy kept in the registration office and that the entry of the document will be readout to him from the copy referred to, when he may take notes for his private information.

S.O.997. (a) Copies of miscellaneous records such as appeal orders, depositions, document receipts, petitions, and applications may, on payment of the copying fees prescribed in article 14 of the Table of Fees, be granted to any person connected with them or who shows to the satisfaction of the registering officer that he is entitled to obtain a copy thereof.

(b) On payment of the necessary copying fee and application fee, a copy of an encumbrance certificate may be granted to the party at whose instance the encumbrance certificate was first prepared may be granted in white paper.

(c) There is no objection to the grant of a copy of a plan attached to a document, whether or not a copy of the document is granted, at the same time. If the copy cannot be prepared in the office, the fee levied in such a case may be paid to the person who makes the copy.

(d) Copies of fees receipts should not be granted if they are required on the ground that the originals have been lost. In such cases a certificate for the receipt of fees may, however, be granted on payment of a fee of Rupees five which should be ledgered in Account B. Such certificates should be prepared in English, sealed with the office seal and, when lying unclaimed, shown in column 12 of Account G by a plus entry with a suitable footnote. The application for the grant of the certificate should be filed in the file of petitions.

In all other cases, copies of receipts may be granted on payment of the copying fees at the rate prescribed in the Table of Fees [See clause(a)].

S.O.998. Certified copies should be legible and accurate. Registrars should, when they inspect the registration offices, pay particular attention to this item of work and

examine certified copies, if anything unclaimed to see whether they have been correctly prepared and legibly written and a paragraph setting out the result of such examination should be added in part I of the Inspection Report.

S.O.999. (a) Copies of orders or records which one department of Government proposes to supply to another department on application, shall be made on plain unstamped paper and by the ordinary staff.

(b) Copies of judgments, depositions or other papers judicially recorded, where they are lengthy, need not, however, be made by the ordinary staff and the department applying for them should furnish copy stamp papers for the purpose.

(G.O. No. 1137, Home (Mis.), 2nd November, 1917)

NOTE:-The "records" in this order do not include entries in register books or indexes, copies of which are liable to stamp duty under article 24 of Schedule I of the Indian Stamp Act II of 1899 (Article 21 of Schedule I-A), unless such copies are exempted from duty under exemption (a) to the said article.

S.O.1000. (a) Copies of miscellaneous records supplied by registering officers, as well as copies of document or of entries in registers and indexes, shall be certified to be "true copies" and such certificates shall be dated and subscribed by the officer concerned with his signature and official title and attested by his office seal. Each page and all corrections and footnotes in the certified copy shall be attested by the initials of the registering officer.

(b) In all copies granted by registering officers, number of corrections on each page shall be entered at the bottom of the page and the total number of corrections in the copy at foot of the last page.

S.O.1001. (a) The dates (1) of the receipt of an application for a copy or an encumbrance certificate, (2) of the completion of the search, (3) on which the party is required to produce stamp and other papers, (4) on which stamp and other papers are produced, (5) on which the copy or the certificate is ready, and (6) of delivery, or despatch by post of the copy or the certificate, shall be noted on the copy or the certificate granted to the applicant.

(b) Rubber stamps for endorsing these particulars are supplied to offices in which the number of certified copies granted in a year exceeds 400.

S.O.1002. (a) Application for a certified copy of an entry in the fieldwar may be treated as General Search and Certified copy for levy of fees.

(b) Extracts from the Register of Field-war and Register of Holdings require to be granted on Non-Judicial Stamps for certified copy.

S.O 1003. A copy of a certificate under section 230-A of the Income Tax Act Produced by parties and kept in Sub-Registry Offices in connection with the registration of a document, can be granted to a claimant or executant of the document after levying the prescribed copying fees. Such a copy should be treated as a copy of a "Miscellaneous Record".

CHAPTER XXVIII

UNCLAIMED DOCUMENTS

S.O.1004. (a) In every registration office a register shall be maintained to show all documents, registered or refused, lying unclaimed, for which a safe custody fee is leviable, and certified copies and encumbrance certificates which are returned undelivered by the post office [clause (a) and (d)]. Every year in September a list of all documents, encumbrance certificates and certified copies which are to be destroyed in the succeeding year, shall be exhibited on the notice board of the office.

(b) The lists shall be prepared in Telugu.

(c) When certified copies and encumbrance certificates are required to be delivered in person, a note shall be entered at foot of the receipts that unless taken delivery of within a week from the date on which they become ready for delivery, they will be sent by post “service unpaid”.

(d) A list of certified copies and encumbrance certificates made ready for delivery shall be posted in the notice board of the office. The list shall be prepared each day before the office is closed and it shall show the numbers of the copies and encumbrance certificates and the names of the persons to whom they have to be delivered. The list shall be affixed to the notice board immediately after the office opens next day. After the expiry of the prescribed period, the list shall be recovered and the copies and encumbrance certificates, if any, remaining unclaimed, shall be sent to the applicants by post “service unpaid”.

(e) The outstanding entries of documents relating to previous year shall be brought forward at the beginning of the year in the unclaimed documents Register in Red ink and they should also be closed (i.e., date of return) in red ink only to distinguish them from the entries for the current year. The dates of return against the original entries should however be made in black ink.

S.O.1005. When checking figures relating to “Unclaimed Documents” in the report of progress of work. Registrars shall examine how far advantage is taken of the system of return of documents by post (Registration Rule 111).

S.O.1006. Documents destroyable under section 85 of the Act shall be destroyed once a year, after, a period of 30 days from the date of issue of the final notice referred to in

S.O. 1010. The destruction shall be by burning. The Registrars shall ensure that the destruction is not delayed beyond a week from the date of expiry of 30 days from the date of issue of the said notices.

S.O.1007. The instructions contained in orders 1172 (h) and (i) shall apply mutatis mutandis to the destruction of unclaimed documents.

S.O.1008. A list of unclaimed documents which are liable to be so destroyed shall be submitted (Form J-1) by each Sub-Registrar to the Registrar on the 15th October in each year. Certified copies, including copies of wills and of authorities to adopt, and certificates of encumbrances lying unclaimed for over two years, shall be included in this. An office copy of the list need not be retained. Each list will be returned in original with the orders of the Registrars and it shall be eventually filed in the office to which it relates.

S.O.1009. The two years mentioned in section 85 of the Act as the period after which a document may be destroyed, shall be reckoned in the case of a document which has been registered, from the date of its registration, and in the case of a document the registration of which has been refused, from the date of refusal.

S.O.1010. (a) No document of which the destruction is authorised by section 85 shall be destroyed without the previous sanction of the Registrar and until a notice has been issued in writing to the party entitled to receive the document informing him of the destruction that is to take place.

(b) The destruction shall, when and if sanctioned, take place in the presence of the registering officer.

S.O.1011. (a) When a registered document is destroyed, a note recording its destruction shall be entered in the register back at the foot of the copy of the document.

(b) When a document the registration of which has been refused is destroyed, a similar note shall be recorded in Book 2.

(c) In each case, the note shall record the fact that the document has been destroyed under the sanction of the Registrar and after notice duly issued to the party concerned. It shall be initialed and dated by the registering officer.

(d) When an attested power of attorney is destroyed, a note regarding its destruction shall be entered at foot of the abstract of the attested power of attorney filed in the powers of attorney file.

S.O.1012. The final notice referred in orders 1010 and 1011 shall be sent to the party concerned as soon as the proposal for the destruction of a document, certified copy of encumbrance certificate, has been sanctioned by the Registrar.

S.O.1013. When a certificate of encumbrance or a certified copy is destroyed, a note similar to that prescribed in Order 1011 shall be entered in the column “delivered or despatched by post,” and in the case of the former, such a note shall be entered in the office copy of the encumbrance certificate also.

S.O.1014. The date of destruction of a document followed by the word “destroyed” shall be entered in Account A (Chapter XXXI) in the column “Date of return”.

S.O.1015. (a) Wills and unopened covers containing wills received by post which are not registered or deposited under the provisions of the Indian Registration Act, 1908, and lying unclaimed in Registrar’s office shall, in the same manner as documents, etc., be destroyed with the previous sanction of the Registrar after the expiry of a period of five years from the date of their receipt in the offices concerned. A list of such wills and covers shall with the available information be exhibited on the office notice board in the same manner as in the case of documents unclaimed and final notice shall be issued to the party or parties concerned wherever possible as laid down in S.O. 1010 (a) and 1012.

(b) In the case of the wills and unopened covers mentioned in clause (a), a note regarding their destruction shall be entered in the remarks column of the register of sealed covers against the concerned entries. The instructions contained in order 1011 (c) apply to cases covered by this order.

(c) With a view to facilitate the observance of the formalities preliminary to the destruction of the wills and unopened covers containing wills referred to in clause (a), register designated “Register of Wills and Unopened Covers Containing Wills Received by Post” shall be maintained in each Registrar’s Office in Form K-L.

CHAPTER XXIX

CUSTODY AND REMITTANCE OF MONEY AND REFUNDS

Custody

S.O.1016. (a) All money received from the public shall be brought to account immediately in the prescribed departmental accounts.

(b) The appropriation of departmental receipts to departmental expenditure, except when specially authorised, is strictly prohibited.

(c) All money on hand shall be kept in the iron safe or, in its absence, in a box secured in a locked almirah.

Remittances

S.O. 1017. The Joint Sub-Registrar or the senior Joint Sub-Registrar in a Registrar's office and the Sub-Registrar in a sub-office shall be responsible for the due remittance into the treasury of the collections of the office.

S.O.1018. (a) With reference to Registration Rule 187 (ii) the dates of remittances of collections at non-treasury stations have been separately fixed for each district, in separate proceedings of the Inspector-General.

(b) Where the date fixed falls on the local shandy (market) day, the remittance may be made on the next day. In case it is the last remittance for the month, it shall, if necessary, be made on the day previous to the market day, having regard to the date of closing of the treasury or sub-treasury accounts for the month.

(c) The opportunity afforded by any special journey of an attender to the treasury for cashing salary bills which may not be received in the office before the first remittance has been made in the month, may be utilized for remitting any collections which may remain on hand.

(d) The collections at non-treasury stations shall not be handed over to an Attender before 6 a.m. on the day on which he commence the journey nor shall he perform any portion of such journey between 6 p.m. and 6 a.m. on any day. In cases where the Attender cannot reach the treasury station on the day on which the remittance is entrusted to him before the latest hour prescribed for the acceptance of money or where he has to halt at an intermediate station for that night, the remittance shall be lodged for the night in the registration office at the latter station and in the custody of the registering officer who shall hand over the amount to the Attender the next morning to enable the latter to remit the money into the treasury or to proceed with his journey to the treasury station. In offices where this arrangement is not practicable, the previous orders of the Inspector General shall be obtained.

S.O.1019. (a) The following rules should be observed in cashing bills or in remitting money to the treasury :—

Monetary limits	Agency to be employed
(i) Sums below Rs.400	A single Attender should be employed.
(ii) Sums of Rs.400 and above but less than Rs.500	Two Attenders or an Assistant should be employed.
(iii) Sums of Rs.500/- and above but less than Rs.5,000	An Assistant accompanied by an Attender should be employed.
(iv) Sums of Rs.5,000 and above but less than Rs. 20,000	Two assistants accompanied by one or two Attenders should be employed.

When a sum of money between Rs. 5,000 and Rs. 20,000 has to be brought from or sent to the Bank or Treasury; only persons who hold substantive posts in Government Service and have rendered a service of not less than ten years should be sent.

In a Sub-Registry office with a single Assistant, such duty should be performed by the Sub-Registrar accompanied by one or two attenders, the Assistant being placed in charge of the office.

(v) Sums of Rs. 20,000 and above: Special arrangements should be made taking the aid of the police, if necessary.

(b) The above rules embody the minimum precautions to be observed in normal safe-guarding Government money outside a Government office. If conditions are in any way abnormal as when the general tranquility is disturbed or when the money has to be transported over a long distance or when crimes against property have been unusually rife in any area, necessary additional precautions should be taken for the safe transmission of the Government money from one office to another.

(c) Officers must use their discretion as regards the persons to be employed. A person recently entertained, or an attender whose trustworthiness has been suspected, should not be employed alone, wherever possible.

S.O.1020. The challans forwarded by registering officers to the treasury along with remittances [Registration Rule 187 (iii)] shall be in Form Registration II -52.

S.O.1021. Contingent bills received from officers of other departments in connection with the registration of documents or for searches (Order 426) shall be treated as cash and the amount included in the challan of remittances into the treasury. In offices in which remittances are made into the State Bank of India or State Bank of Hyderabad such contingent bills shall be forwarded to the treasury officer with a covering letter claiming adjustment and, after receipt of the treasury officer's reply, the amount shall be credited in the departmental accounts.

S.O.1022. The collections of a Sub-Registry office at a non-treasury station shall invariably be remitted to the treasury on the prescribed dates. Where owing to

unavoidable causes a remittance is not made on the due date, a report shall be made by the Sub-Registrar to the Registrar explaining the reason for such omission.

S.O.1023. When the challan is received back from the treasury after remittance, registering officers shall examine it and satisfy themselves that the particulars of the remittance are correctly and properly endorsed upon it and affix the date stamp and their initials on challan in token thereof.

S.O.1024. A cash remittance book shall be maintained in all Registration Offices in which shall be entered particulars of every remittance of money made into the Treasury or the Bank. The name of the Junior Assistant or other authorised person entrusted with the money shall be entered in the book and his acknowledgement for the amount shall be obtained therein. The Junior Assistant or other authorised person shall remit the money into the Treasury or the Bank without delay. The Sub-Registrar in a Sub-Registry Office, and the Joint Sub-Registrar or the Senior Joint Sub-Registrar, as the case may be in a District Registrar's office who arranged for a remittance should keep a watch for the Treasury or Bank receipt or the challan, and when the original is received back, shall compare it with the entry in the cash remittance book and attest the entry in token of having satisfied himself that the amount has been actually credited into the Treasury or the Bank. While attesting the entry in the cash remittance book, he should also note in the book, the number and date of the challan received. This will also apply in respect of remittances of amounts received towards sale of stamps in stamp counters.

S.O.1025. The cash remittance book shall be maintained in the pro forma furnished below :—

	Date	Serial number of challan	By Cash	By cheque or draft, etc.	Name of the treasury or bank in which remittance is to be made	Name and designation of the person to whom the cash or cheque is entrusted	Signature and designation of the person entrusted with the money in token of his receipt of the amount mentioned in column (3) and (4)	Signature of the remitting officer	Date of remittance	Amount remitted	Date of receipt of challan from the treasury or bank.	Number and date of challan received after remittance	Initials of remitting officer	Remarks (reasons for non-remittance, if any).
1	2	3	4	5	6	7	8	9	10	11	12	13	14	

S.O.1026. Short and excess remittances and incorrect postings of Accounts shall be avoided. Whenever there is an excess or short remittance, a report shall be made to the Registrar immediately after the defect is detected who in turn shall report the case to the Inspector General of Registration and Stamps.

S.O.1027. The monetary limits prescribed from time to time for remittance of collection into Treasuries include all amounts such as compounding fee, deficit stamp duty and penalty etc., and the amounts of bills sent for encashment.

Refunds

S.O.1028. (a) Refunds of revenue may be classified under two heads, viz., (i) refunds of revenue which are made exgratia although the Government are under no legal obligation to make them and (ii) refunds of revenue to which the claimants are legally entitled. Refunds made under section 70 of the Indian Registration Act and refunds of private attendance etc., fees, safe custody fees and search fees in cases of hardship made with reference to notes under Articles 8 and 9 and note 3 under Article 13 of the Table of Fees come under the former head and refunds made under rules 182, 183 and 185 come under the latter head.

(b) An application for a refund of revenue of the kind mentioned in clause (a) (i) should invariably be summarily rejected if it is received (1) when a notice has been issued to the party concerned, after three months from the date when the party received the notice and (2) in other cases, after one year from the date of credit of revenue to the Government.

(c) A refund of revenue of the kind mentioned in clause (a) (ii) will be sanctioned provided the claim is not barred by limitation under the Indian Limitation Act, 1908, i.e., by the expiry of a period of three years.

S.O.1029. Registrars and Sub-Registrars are authorised to refund—

(a) fees and fines levied on documents refused registration or returned unregistered, and

(b) undisbursed process, batta and travelling allowances levied in connexion with documents presented to them for registration.

Note:- The sanction of the Accountant General is not necessary for the refund, after the lapse of six months from the date of refusal, of fees and fines levied on documents refused registration.

Undisbursed batta or travelling allowance shall be credited to Government if they are not claimed by the party concerned within six months from the date they become claimable. A notice shall always be issued to the party concerned intimating the amount claimable and the date on which it should be claimed, with a further intimation that the amount, if not claimed within a specified date, will be credited to Government.

S.O.1031.The previous sanction of the Inspector General shall be obtained for the refund of any collections other than those referred to (i) in Order 1029 (ii) in Registration Rule 185 or (iii) in the notes to Articles 8 and 9 of the Table of Fees.

S.O.1032. (a) Subject to the exceptions described in clause (b) below, the disbursing officer concerned should remit to the person entitled to the refund any amount not exceeding Rs. 100 that is due for refund by postal money order at the expense of the payee, on receipt when necessary, of a refund order passed by the competent authority without any avoidable delay and in any case within one month from the date of the refund order, without waiting for an application from the payee.

In rare cases when he feels that it would be risky to send the amount straightaway to the person entitled to it by postal money order, the disbursing officer may issue a notice inviting the payee to appear and receive payment in the office concerned and informing him that if he fails to appear within one month (or such longer period as may when necessary be specified) the amount to be refunded will be remitted to him by postal money order at his expense.

(b) Any amount not exceeding 12 paise that is due for refund and any amount exceeding 12 paise that is due for refund and is payable to several parties in sums not exceeding 12 paise each, should be credited to the Government. Any amount exceeding 12 paise but not exceeding 50 paise that is due for refund, and any amount exceeding 50 paise that is due for refund and is payable to several parties in sums not exceeding 50 paise each (and not all below 12 paise), should remain credited to Government unless a claim is preferred by the person entitled to the refund in which case the amount to be refunded to him should be sent to him by postal money order at his expense unless he appears in person to make his claim and take payment in person.

(c) When a money order is issued at the expense of the payee, the purpose of the remittance shall be noted briefly on the acknowledgement portion of the money order form in continuation of the printed entry, "Received the sum specified on the reverse on"

S.O.1033. In Registrars' offices, counterfoil money order books shall be used for the issue of all money orders.

S.O.1034. Vouchers for refunds under Registration Rule 183 shall be prepared in duplicate, in A.P.T.C. Form 62 and after countersigning them, the registering officer shall forward one copy to the Treasury Officer for verification and file the other in his office. The copy bearing the verification of the Treasury Officer shall be attached as a voucher to the contingent bill in which the amount is drawn (Chapter XXXIV)

Except in cases where the amount is remitted by postal money order, the original voucher shall contain the signature of the payee.

S.O. 1035. The following instructions should be observed by registering officers:-

Before signing a refund order in respect of any item of revenue, the registering officer should trace the original records relating to the receipt of the amount and see that the particulars of the refund are recorded with date and initials against the original entry of the receipt in departmental accounts in such a way as to make it impossible to entertain by mistake, any further claim for a refund of the same amount. The particulars of the refund should invariably be recorded on the counterfoil of the receipt previously granted to the payer and that receipt (and any other acknowledgment granted to the payer) should, if possible, be taken back and destroyed.

The Government servant who is responsible for the maintenance of the departmental accounts containing the original receipt entry shall certify on the refund bill that the refund has been so noted and shall fill in columns (1) to (5) of the form.

The treasury officer shall make payment on a refund voucher only after verifying the credit for the original receipt by means of the particulars in columns (4) and (5) of the voucher affixing his signature in column (6) in token of his having done so.

Defalcations and losses

S.O. 1036. Defalcations or losses of departmental revenue or receipts shall be reported immediately by a registering officer to his, immediate superior and to the Inspector-General.

CHAPTER XXX

PROSECUTION UNDER REGISTRATION LAW

Custody

S.O.1037. The rules relating to legal assistance to public officers are embodied in G.O.No. 61, Legal, dated 16th March, 1937.

NOTE:- (1) This Government Order is reproduced on pages 91 to 94 of Volume XXIV of the Registration Gazette (For amendments to the above rules, see Registration Gazette Volume XXVI, pages 7, 50 and 169, Volume XXIX, page 78, Volume XXXV, page 76 and Volume XXXVIII, Page 78).

(2) Separate sanction should be obtained if legal assistance is required in respect of appeals or other proceedings arising out of a case.

(G.O.Ms.No. 2184, Law (Registration), 1st June 1932).

S.O. 1038. A Sub-Registrar may with the previous sanction of the Registrar (Registration Rule 188) lay a criminal complaint against a person who, in the course of the proceedings relating to the registration of a document, intentionally makes a false statement. When, however execution is denied, he shall not proceed to take evidence regarding execution and prosecute the executants for making a false statement but shall merely refuse registration, leaving the party concerned to apply to the Registrar under section 73 of the Registration Act for an enquiry into the fact of execution.

S.O. 1039. A refusal to sign a registration endorsement or a statement made to a registering officer, does not constitute an offence under the Indian Penal Code or under the Registration Act. A registering officer is no more competent to require a party to sign, than he is to require him to register; his duty is merely to carry out the voluntary wishes of parties who appear before him.

S.O.1040. (a) When a formal complaint is made to a registering officer that the offence of false personation has been committed in respect of a document registered by him or in his office, he is bound to satisfy himself as to the truth of the complaint and the simplest method of doing so is by a comparison of the thumb impressions. If he finds that complaint is well founded, he shall take action to prosecute the offenders. Where however, the offence has been committed by illiterate persons without any fraudulent intention, a prosecution need not be instituted, but the case shall be reported to the Registrar for his orders. While it is desirable that ignorant persons should not be unnecessarily harassed, care shall be taken that, by neglecting to enforce the provisions of the law, registration, which is intended to secure the genuineness of documents, does not become discredited.

(b) Depositions recorded in false personation cases shall be taken on loose sheets and preserved with the connected records of the case, they need not be copied in any deposition book.

(c) The proforma for the sanction of prosecution under the registration law is given in Appendix XXXVI.

S.O.1041. Registering officers shall bring to the notice of the Inspector-General any prosecution under the Registration Act instituted by private parties.

S.O.1042. Permission under section 83 of the Registration Act is not a preliminary requisite for the institution by a private person of proceedings for an offence under section 82 of the Act.

(I.L.R. 40 Mad 880).

S.O.1043. The result of every prosecution shall be reported by the Registrar to the Inspector-General as soon as it is known, the report being accompanied by a copy of the calendar and the judgment. The copies of judgments, whether they are received from courts or are copies made departmentally, shall be preserved in the file of appeal orders and judgments (Order 746) of the office where the offence was committed.

S.O.1044. Whenever a registered document is declared by a competent court to be a forgery or to have been registered on an admission of execution made by a person who falsely personated the executant, the Registrar shall obtain and submit to the Inspector-General a copy of the judgment of the court.

S.O.1045. Judges and Magistrates are required to furnish the department with a copy of the judgment in every case in which the official character or conduct of a registration officer is impugned.

(G.O.No. 671, Judicial, dated 12th July 1882).

S.O.1046. Each Registrar shall submit to the Inspector-General, on the 1st April in each year, a list (Form F-1) of convictions for offences under the Registration Act committed in his district, during the previous calendar year. Copies of the lists from all districts consolidated and printed in the local languages, will be furnished to the Registrars for use and distribution at the rate of two for the Registrar's office and one for every sub-office in the district. The translations in Oriya and Hindustani will not be printed, but will be cyclostyled or copied in the office of the Registrar of each district in which they are required. A copy of the list in the language of the sub-district shall be pasted on the notice board of each registration office.

CHAPTER XXXI

ACCOUNTS, RETURNS AND REPORTS

Accounts

S.O.1047. The following accounts are maintained in each registration office :-

(1) Account A (Form Regn.II-55) showing the daily registrations in Books 1, 3 and 4 and the fees realised thereon.

(2) Account B(Form Regn. II-59) showing fees other than the fees realized on account of registrations, searches and copies, return of documents, etc., by post, process fees, batta and travelling allowance of witnesses, fee levied for the return by post of documents, certified copies, miscellaneous copies, encumbrance certificates and powers of attorney which are merely attested.

(3) Account C (Form Regn. II-62) showing receipts and disbursement under the items mentioned in Order 960 and showing receipts and disbursements and process fees, batta and travelling allowance.

(4) Account D (Form Regn. II-65) showing the particulars of searches and copies and the fees collected therefor.

(5) Account G (Form Regn. II-68) being a daily account showing the number of documents admitted to registration, copied, pending, returned and unclaimed, attested powers-of-attorney unclaimed and applications for copies and encumbrance certificates admitted and complied with and the number of unclaimed copies and encumbrance certificates.

(6) Account H (Form Regn. II-69) being an account of the total cash balance at the close of each day.

(7) Account of stamp duty levied as surcharge on sales, exchanges, gifts and mortgages with possession and perpetual leases of immovable property under different local Boards Acts. (Appendix XII).

S.O.1048. (a) In a Registrar's office, the entries in Accounts A and B shall be made by the officer who collects the fees and the Registrar may make such arrangements as he finds most convenient for the writing up of Accounts C and D, subject to his personal responsibility, but each entry shall be checked by the Joint Sub-Registrar or the Registrar. The figures in Accounts G and H shall be posted by the Joint Sub-Registrar himself or by the Senior Sub-Registrar, where there are more Joint Sub-Registrars than one, without delegating this work to Assistants.

(b) Accounts A, B, C, D, G and H in a sub-office shall be maintained by the Sub-Registrar.

(c) Account A,B,C and D, shall be written up as soon as a document, application or petition is accepted for registration or other action, and accounts G and H, before the office is closed for the day.

S.O.1049. (a) Entries shall ordinarily be made in black ink; but, when a document is accepted for registration and not admitted to registration at the time of acceptance the entries relating to the fee alone shall be entered in black ink and the other particulars in red ink, in Account A; at the time the document is admitted to registration, the entries relating to it shall be repeated, the fee entry in red ink and the other particulars in black ink.

(b) In the case of a partial search, i.e., a search made by one registering officer on the requisition of another, to whom the application is made in the first instance, the search shall be brought to account in Account D of the former office in the same manner as all other general searches.

(c) Documents pending registration shall be numbered in the form of a fraction, the numerator being the letter "P" and the denominator, the serial number of the pending document, e.g., P/1, P/2 and so on, the serial number commencing and terminating with the calendar year.

(d) In Account A, cross reference shall be given to the document number against entries in red ink, and to the number assigned to pending documents with date, against entries in black ink. The former shall be noted in black ink and the latter in red ink.

S.O.1050. In the books of Accounts A, B, C, D, G and H, the pages are numbered consecutively in print and a certificate as to the number of pages is added on the fly leaf.

S.O.1051. Every erasure or interlineation in Accounts A, B, C, D, G and H shall be attested by the registering officer.

S.O.1052. The heads under which fees are remitted to the treasury are as under :—

“0030 - Stamps and Registration Fees”

(a) Fees for registering documents—ledgered in Account A.

(b) Fees for copies of registered documents—ledgered in Account D.

(c) Miscellaneous ;

(1) Search fees—ledgered in Account D.

(2) Fees for return of documents—ledgered in Account B.

(3) Rents of buildings |
| ledgered in Account B

(4) Other, receipts |

NOTE :- (1) The head, "Fees for registering documents" includes the extra copying fees levied under article 1 (A) of the Table of Fees.

(2) The heads "Fees for copies of registered documents" and "Fees for searches" include the fees for applications for searches respectively levied under article 15 of the Table of Fees.

(3) The head "other receipts" includes fees for the presentation of appeals, applications and original enquiries, and enquiries under rules 61 and 71 levied under article 16 of the Table of Fees; fees for the transmission of notices under the Andhra Pradesh Estates Land Act, fees for the grant of certificate regarding the receipt of fees, postage collected under Orders 1239(b) and 608 (b) and the amount of postage deducted from the process under Order 617 (c), extra departmental receipts, such as sale proceeds of furniture and other similar articles, packing cases, ink jars, unclaimed travelling allowances and batta of witnesses, cash recoveries on account of amounts overdrawn in a previous year, refund in cash of undisbursed pay relating to a previous year and so forth.

Duty and penalty collected under the Indian Stamp Act, 1899, shall be remitted under the heads

"0030 - Stamps and Registration Fees
020 - Stamps Non-Judicial
(103) - Duty on Impressing of documents"
and
"0030 - Stamps and Registration Fees.
020 - Stamps Non-Judicial.
800 - Other Receipts"

respectively (Order 462 (c) (iv)). The amount of loss of stamp duty made good by the officer of the department shall be credited to the above head of account.

Sale proceeds of gazettes and other Government publications shall be credited to "XLV. Stationary and Printing—b. Sale of gazettes and other publications-Secretariat Presses."

S.O.1053. (a) In offices where collections are remitted daily into the treasury, a daily total shall be struck in Accounts A, B and D, and when a remittance is made, the entry "Remitted to treasury (date.....), Challan..... (No.....) shall be made and initialed and dated by the Joint Sub-Registrar or the Senior Joint Sub-Registrar in a Registrar's office and by the Sub-Registrar in a sub-office, the total amount remitted being also mentioned in cases where fees are ledgered in two or more columns in an account.

Challans should be numbered in consecutive series commencing and ending with the official year.

(b) In offices where the collections are remitted at intervals, the entry of the total of the collections since the date of the last remittance shall be struck each day and verified with the cash on hand, and when a remittance takes place, an entry as in clause (a) shall be made.

(c) On the first working day subsequent to the date the collections of which are included in the remittance made on the date of closing of the treasury accounts, the accounts upto the former date shall be closed and totals struck, the transactions of and from the next day being treated as those of the following month. The accounts shall be signed and dated by the Joint Sub-Registrar or the Senior Joint Sub-Registrar in a Registrar's Office and by the Sub-Registrar in a sub-office. In the case of Account C, a note shall be entered to show the balance under each head of receipts, such as process-fees, notarial fees, unclaimed batta and so on, with particulars showing the number of the document, appeal, application for copy or encumbrance certificate, etc., and the date of receipt of the amount in each case.

(d) When more than one book of Account A is used in a sub-office [Order 25 (e)], the total receipts in the Joint Sub-Registrar's Account A shall, at the end of each day, be transferred to the Sub-Registrar's Account A and a total struck in the latter account. In a Registrar's office to which two or more Joint Sub-Registrars are attached, the total receipts in the Junior Joint Sub-Registrar's accounts shall be transferred to the account A of the Joint Sub-Registrar I, wherein the total shall be struck. The Sub-Registrar in sub-office and the senior Sub-Registrar or Joint Sub-Registrar in Registrar's office shall acknowledge in figures and words in their own writing, the amounts so transferred to them with their dated signatures in Account 'A' of the Joint Sub-Registrars as the case may be from whose accounts the receipts have been transferred. In the case of sub-offices in non-treasury stations, the progressive total referred to in clause (b) shall be entered only after the total in the Joint Sub-Registrar's Account A is transferred to the Sub-Registrar's Account A.

S.O.1054. On every occasion of transfer of charge of an office, including transfers when a Sub-Registrar goes on casual leave, the entries in Accounts A, B, C and D shall be closed upto the time of transfer of charge and signed, noting the hour and the date, by the officers handing over and taking charge.

Account A

S.O.1055. (a) Column (1).—Every date shall be accounted for. When there are no registrations the entry 'Registrations—Nil' shall be made against the date. Holidays shall be entered as follows :—'Saturday,' 'Sunday,' 'Pongal,' and so on.

(b) Columns (3), (4) and (5).—Numbers assigned to pending documents shall be entered under the respective books to which the documents relate.

(c) Column (6).—In respect of the undermentioned documents, the additional information indicated below shall be given :—

(i) Agreement or mortgage executed in connexion with chit associations.—The word 'chit' shall be prefixed.

(ii) Agreement to sell.—The advance amount, if any, shall be entered in this column.

(iii) Counterpart.—The number of words on which the fee is levied and, when the fee is based on the fee for the original, the value of .the original.

(iv) Further charge—Whether with or without possession and whether the original mortgage was with or without possession and, if the original mortgage was without possession and the further charge is with possession, the date and the value of the original mortgage.

(v) Gift.—When falling within the definition of settlement in the Stamp Act, the word "Settlement" enclosed by brackets shall be added thus : Gift Settlement.

(vi) Leases relating to non-ryotwari lands—Whether agricultural, non-agricultural or both.

(vii) Mortgage—Whether with or without possession.

(viii) Partition.—The value of each share.

(ix) Perpetual lease.—The value of one-fifth of 50 years' rental and the value of one-sixth of 50 years' rental.

(x) Power of attorney.—In the case of general powers, the number of persons authorised to act as agents.

(xi) Receipt—When fee leviable on the value exceeds Rs. 25-00 a note whether the original document has been registered or not.

(xii) Rectification, cancellation and supplemental deeds.—The number, year and nature of the original document in the case of cancellation and supplemental deeds and the number and year of the original document in the case of rectification deeds.

(1) In the cases falling under Art. 1 (n) (i) the consideration expressed in the documents.

(2) In the cases falling under Art. 1 (n) (ii) the value of the right dealt with as shown in the documents.

(3) In the cases falling under Article 1 (n) (iii) the words "Unvalued" shall be noted.

(4) In the cases falling under clause (1) of the proviso under Article (1) (n) the value of the original document in red ink and

(5) In the case of documents falling under clause (ii) of the proviso under Article (1) (n) the consideration expressed in the documents.

(xiii) Sale in favour of mortgagee :—The date, nature and value of the original mortgage, the stamp borne by it and the undischarged amount due under it at the time of the sale, in a foot-note in the following form, suitably connected with the entry in column (6) :—

The original is a simple mortgage/mortgage with possession for Rs....., dated and bears a stamp duty of Rs.....The undischarged amount due is Rs.

NOTE : This form may be altered to suit cases where two or more original deeds are concerned.

(xiv) Surrender of lease :— Date, term and value of original lease.

(xv) Transfer of mortgage :—The value of the original mortgage and, if an unliquidated portion of the mortgage is transferred, the value of such portion.

(xvi) In making entries in column (6), the undermentioned abbreviations shall be used :—

Mortgage	M
Mortgage with possession	M.W.P
Lease	L.
Release	R.
Further charge simple on mortgage simple	F.C.S.
Further charge on mortgage with possession	F.C.W.P.
Receipt discharging mortgage	Rt. D.M.
Partition	Part.

Column 6 (a) "Licence number of Document writer with year".

(d) Column (7).—(i) Against every document registered in Book 1, the letters A, AZ, Z, N or T, shall be entered—

"A" for ryotwari agricultural lands including those in Zamin villages taken over by Government, where the Register of Holdings Scheme is not in force.

"AZ" for Zamin agricultural lands taken over by Government but not - indexed in Register of Holdings, though the Register of Holdings Scheme is in force.

“Z”, for Zamin agricultural lands not taken over by Government.

“N” for non-agricultural lands in ryotwari areas, including those in zamin villages taken over by Government.

“T” for Zamin non agricultural lands not taken over by Government.

(ii) If a document affects properties of two or more of the classes mentioned In sub-clause (i), the entry in column 7 shall comprise the letters prescribed for all the classes concerned, e.g., A+N; Z+T; A+N+T. If a house-site is situated in agricultural land, the symbols A (N), AZ (N) or Z (T), as the case may be, shall be used.

(e) Column (8):—The serial number of application with the letter A prefixed, or the serial number of notice of transfer with the letters N, M or Z prefixed as the case may be, and the serial number of the intimation regarding Hindu religious endowments with the letter R prefixed, shall be entered against every document in respect of which an application, notice or intimation, as the case may be, is forwarded.

NOTE :- The numbers assigned to notices transmitted under order 701 and relating to orders of courts cancelling registered documents, shall be specified in a foot-note under the respective dates.

(f) Column (9).—(i) When the value has been deducted from the stamp or calculated at the current market rate where consideration is payable in kind, a note to that effect shall be entered at foot.

(ii) In the case of supplemental deeds and documents reregistered on appeal or under section 24, the value of the original document shall be entered in red ink.

(iii) The value of wills shall not be entered except in cases where a fee of less than Rs. 50 is leviable, when the value shall be shown in red ink.

(iv) In respect of leases, annual rental shall be shown separate from premium or fine.

(v) In the case of perpetual leases, the annual rent, and not one-fifth of fifty years' rental, shall be entered.

(vi) When a lease is granted not for specific money consideration but for services rendered, the value taken for assessing the registration fee shall be entered in red ink,

(vii) The value of an agricultural lease described in Order 397 (a) shall be taken as Rs. 100.

(viii) In the case of adoption deeds, the value of the property affected, if given in the document, shall be entered in black ink.

(ix) In the case of an agreement to sell, only the intended sale price shall be entered in this column, whether any advance is mentioned or not in the deed.

(x) In the case of a document in which the value of the transaction is not specified, the word 'unvalued' shall be entered in this column.

(g) Column (10).

(i) When a document is written on plain paper, the word 'nil' shall be entered.

(ii) Receipt stamps and court-fee labels shall be noted as such.

(iii) When a document is exempt from stamp duty only under special circumstances, for instance, when a receipt is endorsed on a mortgage or when a sale has been executed in favour of Government, the circumstances shall be noted briefly at foot of the page.

(iv) When a document is impounded for insufficient stamp duty, a note shall be entered at foot. A note shall also be made of the fact of levy of deficit stamp duty, when the document is received back.

(v) The entire stamp duty paid on a document inclusive of the transfer duty paid under different Local Boards Acts shall be entered; (Appendix XII).

(h) Column (11).

(i) When fees omitted to be levied are levied subsequently, the number of the document shall be entered against the item concerned in red ink and the fee and the classification of the document in black ink, a cross reference to this entry being made against the original entry.

(ii) In the case of documents registered for Government for which fees are adjusted by means of contingent bills (order 426) if a contingent bill accompanies the document on its formal presentation for registration, the entry of fee shall be made immediately in black ink, as in the case of documents for which fees are levied in cash. Where a contingent bill does not accompany a document but is received later, the fee shall, in the first instance, be entered in red ink and the particulars of the document in black ink, and on the date on which the contingent bill is received, the completion entry shall be made, the fee being entered in black ink and the other particulars being repeated in red ink.

(iii) When a fee is refunded, a note to that effect, attested by the initials of the registering officer, shall be entered with the date of the refund.

(i) Columns (12) and (13).- The entries shall be made with reference to the classification table in Appendix XXXI and the instructions in Order 1079.

(j) Column (14).—When a document consists of more than one stamp, the date of the stamp last purchased shall be entered. Date of purchase of adhesive stamps shall also be noted.

(k) Column (15).

(i) When a document has been executed by more than one person on different dates, all the dates shall be entered.

(ii) When a document is admitted to registration under section 25, section 26 or section 34, or on appeal, or under the orders of a court, a foot-note to that effect shall be entered, giving also except in the case of registrations under section 26, the number and date of the order of the Registrar or the judgment of the court, as the case may be.

(l) Column (16) (a).— The date to be entered is that of the registration certificate or refusal order.

(m) Column (17).

(i) When a document is destroyed, or transferred to another office as in the case of a will, the fact of destruction, or transfer with the date, shall be noted.

(ii) When a document is impounded after registration, the date of its receipt from the Registrar after adjudication and of the issue of notice to claim back the document, shall be given in a foot-note.

(iii) When a document is referred to the Collector under Section 47-A of the Stamp Act, the date on which it was sent to the Collector shall be given in a foot note; like wise the date of receipt back of the document from the Collector and the date of issue of notice to the party shall also be entered.

(n) In the writing up of Account A, the word “ditto” or it’s abbreviation “do.” shall not be used.

S.O.1056. When duplicates or triplicates are registered with a document they shall be entered as “duplicate,” “triplicate” and so on, below the entry relating to the original document, columns (10), (11), (14), (15) and (17) alone being filled up and the others left blank.

S.O.1057. (a) A copy or a memorandum forwarded under sections 64 to 66 of the Act shall be shown in Account A by making the necessary entries in columns (6) and (11) under the entries relating to the document in respect of which it is forwarded.

(b) A memorandum forwarded free of cost under Order 899 (b) in respect of a deed of rectification or cancellation shall be shown in Account A by making the necessary entry in column (6) only.

(c) The date of despatch of a copy of memorandum shall be specified in Account A against the entries made under clause (a) or clause (b).

(d) The fees for registrations under section 30 of the Act and fees for filing translations mentioned in section 19 shall be brought to account in Account A.

Account B

S.O. 1058. The columns of the Account 'B' are as follows:-

1. Date
2. Document No., year and Book
3. Purpose
4. Amount
5. Date of completion
6. Value of postage affixed to cover
7. Remarks and initials of the Sub-Registrar with date.

In column 4, the amount collected from the party including the amount collected for returning a document or certified copy or encumbrance certificate by registered post has to be shown. As regards the amount collected for various purposes and ledgered in Account B can be shown in this column.

In column 5, the date on which the document or certified copy or encumbrance certificate is made ready may have to be noted. The date of despatch of the document or certified copy may be noted in the same column by drawing a line in between the two dates (i.e., date of transcription/date of despatch of document by post).

Column 7, It can be utilised for the purpose of explaining any important matter connected with the entry whenever such information is not given in the other columns. The Sub-Registrar has to affix initials with date only when the date of receipt of acknowledgement pertaining to documents sent by post is noted. In respect of others, no initials need be affixed by the Sub-Registrar. As for the acknowledgement for the covers entrusted to the person deputed to Post Office, a despatch entry may be made in the regular Despatch Register and signature of the person entrusted with the registered cover to be posted may be obtained giving a cross reference of the page, volume, and date of collection of postage as ledgered in Account B.

S.O.1059. In respect of an entry relating to safe custody fee, the date of registration of the document and the date on which the document was made ready for return or if notice has been issued to the party to claim back the document, the probable date of receipt of notice by the party shall be entered.

Account 'C'

S.O.1060. (a) The columns of the Account 'C' are as follows :—

Account 'C'**Cash Book Collections**

Date	Particulars of receipts including No. of appeal or document with year etc.,	Amount of			
		Process fee	Batta and T.A.	Other Receipts	Cross reference
1	2	3	4	5	6

Disbursements

Date	Particulars of disbursements including No. of appeal or document with year etc.,	Amount of			
		Process fee	Batta and T.A.	Other disbursements	Cross reference
1	2	3	4	5	6

Column 2 : In this column the No. of appeal or document is required to be noted together with other particulars.

Column 5 : In this column the amounts of receipts and disbursements may have to be shown of both collections and disbursements sides of the amount as the case may be.

Column 6 : Reference of entry of document number etc., can be given i.e., cross references of the Account 'C'.

(b) Fees under Special and Hindu Marriage Acts, deficit stamp duty and penalty and compounding and adjudicating fees under Stamp Act, fee levied for process fee, batta, travelling allowance, undisbursed pay and allowances, subsistence allowance, travelling allowance for attendance at private residences, fees levied for publishing notices in News Papers for enquiries under section 35 (i) (e) and 41 of the Act and the like may be shown in column 2.

(c) Any amount received either by money order or with a covering letter, shall be ledgered, in the first instance, in Account C and debits thereof to Accounts A, B and D whether on the day of receipt or on subsequent days, shall be indicated in the disbursements opening.

(d) When a disbursement relates to a collection not appearing in the same opening of the account, a cross reference shall be entered in the margin.

(e) When no travelling allowance is levied for a private attendance, for instance, when conveyance is supplied by the party himself, no entry shall be made in Account C but a suitable note—in the instance specified, the note shall be made thus : “Conveyance supplied”—shall be entered in Account B against the entry relating to the attendance.

Account ‘D’

S.O.1061. (a) Column (2). Applications for general searches relating to the Register of Holdings shall be distinguished from others by prefixing the letters “R.H.” to the numbers assigned to them.

(b) Column (4). Applications for copies of miscellaneous records shall be distinguished from applications for copies of entries in Book 1 to 4 and the indexes relating thereto or of documents pending or refused registration by prefixing the letters ‘M.C’ and ‘C’ respectively, to the numbers assigned to them.

(c) Column (5). The actual number of years for which search is conducted in each office should be noted in black ink and the number of years searched in other office in red ink.

(d) Column (8). In the case of searches made for Government for which fees are adjusted by means of contingent bills (Order 426), the same procedure as in the case of documents registered for Government [Order 1055 (h) (ii)] shall be followed.

(e) Column (10). When a general search has to be made in more than one office, the date of receipt of the encumbrances certificate from an office other than the office issuing the certificate shall be entered within brackets, before the date of completion.

(f) Column (11)

(i) In respect of a copy of a deposition or other miscellaneous record, the name of the record and the number assigned to the document in the file or, when no number is assigned, the pages of the file or book shall be entered.

(ii) When a single search is fruitless, the expression “not found” shall be entered.

(iii) In respect of entries relating to appeals, the number and the year of appeal shall be quoted.

(g) Column (15). All unused sheets of paper produced by a party shall be returned to him.

(h) Column (18). When a search is continued, or when deficit or additional fees are levied, cross-references shall be given against the entries relating to the original and the subsequent levy of fees.

Account 'G' Daily Account of Documents etc.,

S.O.1062 (a) Columns (2), (6) and (7). The number of documents refused registration shall be exhibited in red ink below the entries relating to other documents.

(b) Column (3) and (5) to (15). The entries are intended to exhibit the total number of documents copied, returned, unclaimed or pending registration, powers-of-attorney unclaimed and certified copies and encumbrance certificates prepared or unclaimed each day. Whether the documents were admitted to registration, the powers-of attorney attested and the certified copies and encumbrance certificates prepared, on that day or on previous days.

(c) Column (4). The entries shall be made with reference to the date in column (1), the day on which the registration certificate is added on a document being taken as the date on which the document was copied and made ready for return. The entries are intended to exhibit the progress in the copying of documents admitted to registration each day, as shown in column (2).

Note :- For the purpose of this column, holidays shall be excluded from calculation.

(d) Column (7). Documents impounded after registration, registered documents sent to court and documents destroyed shall be excluded and documents impounded after registration received back after adjudication, registered documents sent to court and received back and documents returned by the office undelivered shall be included.

(e) Column (8). Documents impounded before registration and unregistered documents sent to court shall be excluded and documents impounded before registration received back after adjudication and unregistered documents sent to court and received back shall be included.

(f) No plus or minus entries shall be made in the columns concerned to indicate the inclusion and exclusion referred to in clauses (d) and (e), but a brief explanatory note shall be entered in each such case in the 'Remarks' column.

(g) Column (10). Certified copies shall be accounted for only on the day on which stamps and papers therefor are produced by the parties.

(h) Column (14). Entries shall be made with reference to the date of the office copy of the encumbrance certificate entered in column (16) (a) of Account D.

(i) Column (15). In making entries in this column, the date entered in column 16 (b) of Account D shall be taken into account.

(j) When it is necessary to make any correction after the entries for the day have been posted, for instance, when a document is returned to a party who appears late to

take it back, the subsequent transaction shall be shown below the previous entry in black ink as a plus or minus entry.

Account 'H' — Daily Account of Cash Balance

S.O.1063. (a) The entries in this account shall be posted at the end of each day simultaneously with the closing of accounts A, B, D and E [Orders 1053 (a) and (b)].

(b) Contingent bills received in connexion with the registration of documents or for searches shall be treated as cash for purposes of Account H. Where the entries in Account H include amounts under contingent bills an appropriate note should be made in the 'remarks' column against the concerned entries thus:- "Includes Rs in the shape of contingent bill".

Returns and Reports

S.O.1064. (a) The returns and reports due from Sub-Registrars to Registrars and from the latter to the Inspector General are shown in Appendices XXXII and XXXIII.

(b) The previous permission of the Inspector General shall be obtained for the institution of any general return or statement to be submitted or maintained by subordinate officers.

S.O.1065. When it is not possible to submit a return on the prescribed date, a report shall be forwarded on that date explaining the reason for the delay and stating when the return may be expected.

S.O.1066. When forms are prepared in manuscript, every column shall be numbered.

S O.1067. Returns and statements shall not bear separate docket sheet.

S.O.1068. When the jurisdiction of a Registrar extends over more than one revenue district, separate statements and returns shall be submitted for each such district.

S.O.1069. In sub-offices the office copies of periodical returns except those of Statements I to V (Order 1072) shall be maintained in a manuscript book known as the "Periodical Returns Book". One or more openings shall be devoted to each return and the entries for the several months, quarters or half-years shall be continuous.

S.O.1070. The Assistant who prepares a return shall initial with date in ink at the end.

S.O.1071. The Assistant who checks a return shall certify to the fact by initialing each page and dating his initials.

Monthly Returns

Sub-Registry offices.

S.O.1072. Each Sub-Registrar shall submit monthly to the Registrar to whom he is subordinate, the undermentioned accounts and statements relating to the previous month:-

- (i) Copy of Account A with an annexure in Form Regn. II-58.
- (ii) Copy of Account B with an annexure in Form R-1.

(iii) Copy of Account C.

(iv) Copy of Account D with an annexure in Form S-1.

Note:(1) The extract of outstanding entries of the previous months shall comprise the entries relating to documents which were not despatched and those for which acknowledgments were not received during the month.

(v) Statement I (Form Regn. II-70) showing the number and value of the documents registered in Book 1, classified under different heads together with the fees collected therefor.

(vi) Statement II (Form Regn. II-70) showing the number and value of the documents registered in Books 3 and 4, classified under different heads together with the fees collected therefor.

(vii) Statement III (Form Regn. II-70) showing income from fees on registrations and all other receipts with the number of operations thereunder.

(viii) Statement IV (a) (Form Regn. II-71) showing registrations and remittances in the month, the reasons for fluctuations in registrations and collections being given therein.

(ix) Statement IV (b) (Form Regn. II-72) showing expenditure in the month.

(x) Statement V (Form Regn. 11-97) showing miscellaneous operations such as appeals and prosecutions.

(xi) Account of stamp duty levied as surcharge under section 261 of the Hyderabad Municipal Corporation Act, 1956, Section 120 of A.P. Municipal Act, 1965, Section 60 of the Cantonment Act, 1924 and Section 73 of A.P. GramPanchayats Act, 1964.

(xii) Report of progress of work (Form Regn. 11-100) showing the work performed in, and the arrears at the end of the previous month.

Note:- A report of progress of work shall be prepared also for the Registrar's office in respect of the Original registration branch of that office and submitted to the Registrar by the Joint Sub-Registrar.

(xiii) Statement of receipts and disbursements of process fees (Form T-1).

(b) Copies of accounts A to D required to be submitted as per clause(a) shall be prepared on loose sheets of forms printed in red ink and supplied for the purpose.

S.O.1073. The following quarterly returns shall also be submitted once in a quarter to the District Registrar.

(a) Account of stamp duty levied as surcharge for the quarter.

(b) Quarterly statement of fees foregone on account of concessions granted to Co-operative institutions and Banks.

District Registrars' Offices

S.O.1074. Each Registrar shall submit to the Inspector General monthly-

(i) Statement IV (a) (Form Regn. II-71) showing the registrations and remittances of the district or, where the jurisdiction extends over more than one revenue district, of each revenue district, the reasons for fluctuations in registrations and collections being given on the reverse of the statement.

(ii) Statement IV (b) (Form Regn. II-72) showing the expenditure of the district, or, where the jurisdiction extends over more than one revenue district, of each revenue district.

(iii) Return (Form Regn. II-76) showing state of work in the Registrar's office on the last day of the previous month.

(vi) Statement of net receipts (total receipts less refunds) under the principal head 0030- Registration, together with the actuals of the corresponding period of the previous year and an estimate of the monthly receipts for months ahead. (Form U-1).

Note :- The figures should be shown in lakhs of rupees corrected to two places of decimals. The causes for any special variations that appear in the forecast should be explained by brief notes at the foot of the statement.

S.O.1075. An extract in Form V.I of the remittances during the month shall be taken from statement IV (a) of each revenue district and forwarded, by the Registrar to the treasury officer for verification with the treasury accounts, and on its receipt back the Registrar shall take steps to reconcile the discrepancies, if any, noticed between the departmental and the treasury accounts. A report of the discrepancies found and the steps taken for their rectification shall be submitted to the Inspector General. A similar procedure shall also be followed in respect of the expenditure during the month. Form Regn. II-74 being used for the verification with the treasury figures.

S.O.1076. The reconciliation of departmental receipt figures with Treasury figures shall be done promptly before the despatch of the monthly treasury accounts to the Accountant General.

Statements I to III and V

S O.1077. (a) For the purpose of the monthly statements I to III and V submitted to the Registrar, entries in each page of Accounts A, B and D shall be grouped and exhibited in the statements under the several heads separately for each page and then totalled, a progressive total for the official year being also given.

(b) No office copy of the statements as submitted to the Registrar shall be retained in a sub-office, but a single form of each statement shall be maintained for the official year, in which shall be ledgered, before the monthly statements are submitted to the Registrar, the total of the columns in each monthly statement and the progressive total from month to month, column (1) being filled in as below :—

April.

May.

Total upto the end of May.

June.

Total upto the end of June and so on.

Note :- Similar statements shall be prepared for the transactions of the Registrar's office also.

(c) The statements shall be signed at the end by the Assistants who prepare and check them and the Sub-Registrar shall add a certificate above his signature that he has satisfied himself that the statements have been prepared correctly.

(d) The instructions contained in clause (b) shall mutatis mutandis apply to Statements IV (a) and IV (b) prepared in sub-offices. In the Registrar's office, however, no separate statements need be kept for the receipts and expenditure of that office, as the requisite information is available in the registers maintained under Order 1078.

S.O.1078. Two separate registers shall be maintained by Registrars in Forms Regn. II-88 and Regn. III-6, a separate opening being allotted for each month and the entries being made with reference to the official year. In the former register (Form Regn. II-88) shall be entered the registrations and receipts of all the offices in the district, the offices being grouped under the treasuries to which they remit their collections. The expenditure of each office shall be ledgered in the latter one (Form Regn. III-6). The senior Joint Sub-Registrar attached to the Registrar's office is held personally responsible for the proper maintenance of these registers and, in order to ensure that the figures are posted every month, a note shall be added below the statements IV(a) and IV (b) received from Sub-Registrars in the following form : —

“Posted in district register.

(Signature)
Joint Sub-Registrar.”

S.O.1079. (a) A document registered in duplicate or triplicate shall be regarded as a single document for the purpose of these statements.

(b) A document comprising two or more distinct transactions shall be treated as relating to a single transaction, the chief of the several transactions being taken into consideration for the purpose of the statements.

Note : A document affecting immovable property and comprising transactions both compulsorily and optionally registerable, for a single consideration of less than Rs. 100, shall be classified under the compulsory class only.

(c) Security bonds, annuity bonds and maintenance bonds with immovable property held as security for the fulfillment of a contract shall be classified under “mortgages”.

(d) When a lease is granted for less than a year, the rental shall be entered as aggregate value. In other cases, the annual rental shall be taken into consideration.

(e) Abkari engagements and agreements to vend opium shall be classified under column 4 of Statement II.

(f) Agreements to sell shall be classified as “miscellaneous registrations” under column 23 of statement I.

(g) Agreements to serve in consideration of a right created in immovable property shall be classified as “other instruments” under column 9 or 19 of Statement I, as the case may be.

(h) Awards by arbitrators directing partition shall be classified as awards under column 9 or 21 as the case may be, of Statement I, although they are stamped as partitions.

(i) Declarations of trust of movable property shall be entered in column 2 of Statement II, with a note showing that the figures include declarations of trust.

(j) Licences for exploration shall be constructed not as mining leases, but as “other instruments”.

(k) Documents purporting to be settlements of shares in a bank shall be classified under column 4 of Statement II.

(l) Surrenders and transfers of leases shall be classified as “other instruments” and not as “leases.”

(m) Transfer of interest in a chit association by a ticket holder shall be classified under column 4 of Statement II.

(n) Cancellation, ratification and rectification deeds shall be classified as “other instruments”.

Audit and Check

Accounts of Sub-Registry Offices.

Account A

S.O.1080. (a) The monthly audit shall include a scrutiny of the entries in order to ensure, so far as the entries show, the points mentioned below:—

(i) the acceptance of documents within the maximum period prescribed therefor, the due levy of the penalty where necessary, and its inclusion in Account B ;

ii) the date of presentation is not anterior to the date of execution and that the date of execution is not anterior to the date of purchase of stamp;

iii) the correctness of the stamp duty and the fees as noted in Account A, with reference to the nature and value of the document as given therein;

iv) the addition of explanatory notes, where necessary, for the determination of stamp duty or registration fee, of cross references and of notes of refund (Orders 1049 and 1055);

v) the collection of safe custody fee, where leviable;

vi) the prompt issue of copies and memoranda;

vii) the correctness of the classification with reference to the nature and value of the document as shown in Account A; and

viii) the prompt refund of fees levied on documents refused registration.

b) The account will, in addition, be checked after the close of the year with the indexes (Order 955).

Account 'B'

S.O.1081. (a) The audit shall be made in such a manner as to ensure—

i) that fees levied are correct with reference to the particulars noted in the column “for what purpose;” and

ii) that cross-references are entered in cases where deficit or additional fees are paid.

b) The Registrar shall at the time of his inspection of a sub-office, cause the whole of Account B to be checked with the connected records and with the fee receipt books. He shall himself check a portion of the account.

Check shall also be made to ensure that the documents for which a demand to send them by post is made are kept ready and the proper amount of fee has been levied from parties.

Account 'C'

S.O.1082. The account shall be checked to ensure—

i) that the collections of fees levied under the Births, Deaths and Marriages Registration Act, and the Special Marriage Act and Hindu Marriage Act and deficit stamp duty, penalty and other amounts collected under the Indian Stamp Act are promptly remitted to the treasury;

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- ii) that the receipts and disbursements tally; and
 - iii) that the requisite cross-references and notes are added with reference to Order 1060.
 - iv) It shall also be checked to satisfy that process fees, travelling allowance and batta are levied according to the scales prescribed.

Account 'D'

S.O.1083. (a) The audit shall be made in such a manner as to ensure—

- i) that the fees levied are correct with reference to the particulars noted in columns 5 and 7;
- ii) that in the case of entries relating to searches in Book 3 or Book 4, explanations, e g. 'granted to testator', 'granted after testator's death,' 'granted to person claiming through executant,' 'granted to claimant,' are added in column 6 showing how the applicant was entitled to the search or copy;
- iii) that cross-references are entered in the case of searches in respect of which additional fees are levied or fees are adjusted by means of contingent bills; and
- iv) that searches have been completed without delay.

b) The Registrar shall, at the time of his inspection of a sub-office, cause Account D for at least one month to be checked with the applications for searches and copies and with the fee receipt books. He shall himself check a portion of the Account.

Statements I to III and V

S.O.1084. The statement shall be checked with the copies of Accounts A, B and D of the sub-office concerned, but they need not be consolidated for the whole district monthly.

Note:- A search shall be accounted for in Statement (III) as relating only to the book in which the document is eventually found irrespective of the question whether the party concerned is entitled to a copy or not. A search which ultimately proves fruitless shall be exhibited as relating to the book in which the search is made in the first instance at the request of the party.

Statement IV (a)

S.O.1085. The progress of registrations shall be watched and the reasons for any marked variations ascertained.

The remittances shall be checked with Accounts A, B, C and D and then posted in the concerned register maintained under Order 1078 along with the registrations of each office.

Statement IV (b)

S.O.1086. (a) Registrars shall personally scrutinize the statement and observe the instructions in Order 1369 (j) in order to check too rapid a growth of expenditure in relation to allotment.

(b) They shall also scrutinize the detailed statement of charges attached to the statement to ensure that unauthorised or unnecessary expenditure has not been incurred.

(c) The figures for the month shall, after check and scrutiny, be posted in the concerned register maintained under Order 1078.

Check by Joint Sub Registrar and Registrar

S.O.1087. (a) The Joint Sub-Registrar or the Senior Joint Sub-Registrar attached to a Registrar's office shall personally check not less than 5 per cent of the entries in Accounts A, B and D of sub-offices and, after this check the accounts shall be reviewed generally by the Registrar. The Registrar shall also test check 5 per cent of the entries in Accounts A, B and D of not less than two sub-offices every month and scrutinize Account C, relating to these offices. In this manner, the Registrar shall test check Accounts A, B and D, scrutinize Account C, of all the sub-offices in his district each year, before they are finally recorded. The check and scrutiny by these offices shall be more particularly directed to an examination of entries in respect of miscellaneous documents of an intricate nature, documents which have been treated comprising plural transactions and in respect of which more than a single fee has been levied, pending documents which are likely to have been registered in wrong books. They shall also pay special attention to delays in making refunds, attendance at the same place on account of more persons than one, general searches in respect of more than one property, unadjusted fees and the balance of fees paid in advance.

b) The accounts shall be signed with date by the checking Assistant and initialed with date by the Joint Sub-Registrar and the Registrar.

Accounts of Registrar's Offices

S.O.1088. (a) The Accounts A, B, C and D of the Registrar's Office shall be audited similarly by the Senior Assistants of that office in such a way that no one audits them successively for two months and checked by the Joint Sub-Registrar or the Senior Joint Sub-Registrar, as the case may be. The Registrar himself shall check personally 10 per cent of the entries in Accounts A, B and D and scrutinize the whole of the Account C.

b) The checking assistant, the Joint Sub-Registrar and the Registrar shall, in token of check, sign with date at the foot of Accounts A, B, C and D of each month.

The Registrar shall, before signing, append a certificate in the respective accounts to the effect that he has personally checked 10 per cent of the entries in Accounts A, B or D as the case may be, and that he has scrutinized the whole of the Account C.

S.O.1089. The check of Account A with the indexes, and of Accounts B and D with the applications for searches and copies, and other records of the Registrar's Office, shall be regulated in the same manner as the check of Accounts A, B and D of sub-registry offices with the indexes, applications for searches and copies, etc., of those offices.

S.O.1090. (a) Registrars shall ensure that not only the checking of monthly accounts of sub-registry offices and Registrars' offices is completed within the month, but also that the reviews thereof are sent to the Sub-Registrars concerned before the end of the month. This order applies to the first review of the accounts and not to their final disposals referred to in item 7 of the return showing state of work on the last day of the month.

(b) The distribution of monthly accounts excluding surcharge accounts of sub-offices, among various assistants in the Registrar's office for audit, shall be so arranged that none of the assistants audits the accounts of a particular sub-office successively for two months.

Report of Progress of work

S.O. 1091. The report shall be reviewed by the Registrar personally as soon as it is received, the arithmetical scrutiny being carried out subsequently.

The purpose of such personal review of these reports by the Registrar is to enable him to satisfy himself that the work in the office generally has been attended to properly during the month and to take quick action to set matters right if the progress of work in the month had not been satisfactory.

Annual returns

S.O.1092. The accounts and statistics prepared for departmental purposes shall be with reference to the official year.

Statistics of Registrations, searches and Copies

S.O.1093. (a) Each Sub-Registrar shall submit to the Registrar so as to reach him by the 10th April statements in forms Regn. II-83 and H.

(b) The statistics shall also be posted in a separate book of forms bound in card board which provide for figures for 20 years. A separate book of forms shall be maintained for each revenue district when a registration district consists of more than one revenue district.

(c) Each Registrar shall submit to the Inspector General so as to reach him by the 1st May, similar statements (Form Regn. II-83 and Form H) as regards the transactions of the previous year.

Budget Estimates

S.O.1094. (a) Registrars shall submit to the Inspector General the following statements by the dates noted against each :—

Statement	Date of Submission
i) Statement of sanctioned permanent establishment for which budget estimate of the ensuing financial year should provide (Form W-1)	15 th July
ii) Statement showing actual salary which will be drawn on the 1 st April of the ensuing financial year (Form X-1)	15 th July
iii) Statement of fixed allowances to be provided for in the budget for the ensuing financial year (Form Y-1)	15 th July
NOTE:- Information for statements (i) and (iii) shall be taken from the register maintained in the Registrar's office showing the sanctioned establishment for each office in the district.	
iv) Statement of showing the dates of increments of officers and establishments (Form Z-1)	15 th July
v) Statement of provision to be made in the ensuing financial year on account of pay and increment of officers and establishments (Form A-2)	15 th July
vi) Budget estimate of charges for the ensuing financial year accompanied by a statement of details relating to "Other Contingencies" (Form B-2)	5 th August
vii) Budget estimate of receipts for the ensuing financial year (Form C-2)	10 th October