

**THE A.P.RIGHTS IN LAND AND PATTADAR
PASS BOOKS ACT, 1971**
Act No.26 of 1971

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

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AMENDMENTS TO THE ACT

➤ Act No.11 of 1980

➤ **Act No.1 of 1989**

➤ Act No.24 of 1989

➤ Act No.9 of 1994

➤ Act No.16 of 2001

➤ Act No.20 of 2011.

➤ **Act 10 of 2016**

OBJECTIVES

- A.P.(Telanagana Area) Record of Rights in Land Regulation, 1358 F was in force.
- No similar enactment in Andhra Area.
- To have single Legislation through out the State.
- Changes / Mutations are not being effected / names of diseased persons are continued in Revenue Records.
- To provide one document to farmers to get Agricultural loans.
- Regulation of unregistered alienations or other transfers .

IMPORTANT DEFINITIONS

- **“Collector”** means the Collector of a district and includes **“Joint Collector”**; **Sec.2(2)**
- **“Land”** means land which is used or is capable of being used for purposes of agriculture, including horticulture but does not include land used exclusively for non-agricultural purposes; **Sec.2(4)**
- **“Occupant”** means a person in actual possession of land, other than a tenant or a usufructuary mortgagee. **Sec.2(6)**
- **“Owner”** means a person who has permanent and heritable rights of possession on the land which can be alienated and includes the holder of a patta issued to him as a landless poor person; **Sec.2(6)(9)**

IMPORTANT DEFINITIONS –contd

- **“Pattadar”** includes every person who holds land directly under the Government under a patta whose name is registered in the land revenue accounts of the Government as pattadar and who is liable to pay land revenue. **Sec.2(7)**
- **“Record of Rights”** means records prepared and maintained under the provisions, or for the purposes of ROR Act; **Sec.2(9)**
- **“Recording Authority”** means such officer of the Revenue Department as may be notified by the Collector [or the Commissioner] to be the recording authority for the purposes of the Act; **Sec.2(11)**

IMPORTANT ASPECTS

- Preparation of Record of Rights for every village.
- Rectification of errors
- **Continuous up-dation.**
- Appellate and Revision Authorities.

PREPARATION OF RECORD OF RIGHTS

Section 3

- Commissioner(Survey and Settlements) issues Notification for taking up of the preparation. **Rule 4(ii)**
- Preparation by **Recording Authority.**
- Recording Authority is appointed **for every village.** **Sec.2(10)**
- Same Officer may be appointed as Recording Authority for more than one village.
- The Mandal Revenue Officer, Special Dy.Tahsildar(ROR), Revenue Inspector(ROR), Senior Assistant(ROR) were appointed as Recording Authorities.

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PREPARATION OF RECORD OF RIGHTS ---- Contd

- R.A . issues notification in **Form-II** calling for applications **Rule 5(2)**
- Receives applications in **Form-IA.** **Rule 5 (1) (iii)**
- The details of land for which Rights are Claimed are to be incorporated in the application.
- Already recorded as Pattadrs – those who acquired rights , but no mutation has taken place, can file application
- Legal heirs of pattadars, Purchased through Registered Documents / Gifts , acquired through court orders can apply .

PREPARATION OF RECORD OF RIGHTS ----- Contd

- Applications are entered in a Register in **Form-IIA. Rule6(1)**
- **R. A Conducts the required enquiry.**
- **Summons the persons required, calls for documents and inspects the land, if necessary. Rule 6(8)**
- **Finally passes the order.**

PREPARATION OF RECORD OF RIGHTS - contd

IMPORTANT ASPECTS TO BE ADHERED TO WHILE DISPOSING THE CLAIMS

- It must be ensured that the **clear transfer** of property is there to the claimant from the registered holder of the land.
- The Recording Authority is simply making entries in ROR record as per the title already possessed by the claimant.
- The Recording Authority is **not the Adjudication Authority**.
- The claimant must also be in **physical possession** over the land.
- If it is by succession, the **joint statement** by all the legal heir shall be recorded.
- The claimant thus to possess **undisputed title and unambiguous possession** of the land.

PREPARATION OF RECORD OF RIGHTS - contd

CLAIMS SHALL NOT BE ACCEPTED WHEN THEY ARE IN CONTRAVENTION OF SPECIFIC ACTS

- The Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973.
- The Urban Land (Ceiling and Regulation) Act, 1976.
- The Andhra Pradesh Assigned Land (Prohibition of Transfer) Act, 1977.
- The Andhra Pradesh Scheduled Areas Land Transfer Regulations Act, 1959
- If a civil suit is pending, the claims shall not be disposed of.

PREPARATION OF RECORD OF RIGHTS

- contd

- **Govt Lands , Lands used for Non Agricultural Purposes should not be covered**
Sec 2(4) and 12

- **R A Receives the certificates in Form-XIIIB issued by the Mandal Revenue Officer accepting the claims relating to acquiring of Right over the land through unregistered documents or by other means**
Rule 22 (5) (ii)

REGULARIZATION OF TRANSACTION THROUGH UNREGISTERED DOCUMENTS OR BY OTHER MEANS

SEC.5 (A), RULE 22

- The **Mandal Revenue Officer** is competent.
- He publishes a notification in **Form-IX** calling for claims for regularisation.
- **Form-IX** and **Form-II** are issued **independently** and separately(**BY M R O** and **R A** Respectively).
- Claims are received in **Form-X**.
- The claims are entered in the register. **Form XA**

REGULARIZATION OF TRANSACTION THROUGH UNREGISTERED DOCUMENTS OR BY OTHER MEANS– contd

- Acquired by 31.07.1989 are covered . But later extended to cover cases acquired up to 31.12.2000 only in certain cases .
- Date of filing has been extended a number of times – finally 28.02.2009 covering only certain cases.
- Notice to be issued to the alienor or transferor in Form-XI.
- General notice to whom so ever apply is issued in Form-XII.
- MRO / Tahsildar Conducts enquiry, ensures physical possession and passes order.

REGULARIZATION OF TRANSACTION THROUGH UNREGISTERED DOCUMENTS OR BY OTHER MEANS— contd

- No claim is entitled if the claim is in contravention of the specific acts. COAH Act, POT Act, LTR Act, ULC Act
- It must be ensured that the transaction has taken place on the date of transaction being claimed.
- Corroborative evidence to be there , Public enquiry (w e f 24.1.2012)
- No claim is decided if civil suit is pending.
- Finally MRO disposes the claim – Accepting / rejecting

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REGULARIZATION OF TRANSACTION THROUGH UNREGISTERED DOCUMENTS OR BY OTHER MEANS– contd

- M R O Addresses the Sub –Registrar in **Form-XIIIA** to furnish value of stamp duty and registration fee.
- Stamp duty and registration fee as prevailed **as on the date of transaction** are to be obtained.
- The stamp duty and registration fee to be informed to the claimant- to be paid in one month.
- Once stamp duty and registration fee are remitted, a certificate in **Form-XIIIB** to be issued.
- One copy of **XIIIB** is sent to the Recording Authority.
- Particulars of regularisation to be intimated to the Sub-Registrar concerned in **Form-XIII C**

PREPARATION OF ROR

- **The Recording Authority prepares the draft Rights in Land in Form-I.** **Rule 3 - 9**
- **The important Columns in Form-I are**

Particulars	Suvery No. and Sub-division No.	Extent	Patta No. (or) Khata No.	Name of the Pattadar with father/ husband's name	name of the owner with father/ husband's name	Extent held by owner	Name(s) of occupants
1	2	3	6	7	8	9	15

PREPARATION OF ROR – contd

- Entries in Column No.2, 3, 6 & 7 are entered as they are in the Pahani/Adangal existing before ROR record is prepared.
- There may be one or more persons recorded as pattadars in Column No.7.
- The extent of land shown in Column No.3 belongs to the persons recorded in Column No.7 before ROR is taken up
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- The patta No./Khata No. is the patta No. existing prior to preparation ROR record for the land as per Choufasla / 10 (1) Account.

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PREPARATION OF ROR – contd

- The name (s) of the persons who have been decided to be rightful owners as per orders passed in claims in Form-IA and as per certificates issued in Form XIII B have to be entered in **Column No.8.**
- The extent for which the person shown in Column No.8 is entitled as owner is recorded in Column No.9.
- The sum of extents in Column No.9 shall be equal to the extent shown in Column No.3
- The persons actually in occupation of the land shown in Column.No.9 are entered in Column No.15

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➤ Illustration - I

Suvery No. and Sub-division No.	Extent in acres	Patta No. (or) Khata No.	Name of the Pattadar with father/ husband's name	name of the owner with father/ husband's name	Extent held by owner	Name(s) of occupants
2	3	6	7	8	9	15
63/4	4.34	43	A , B	A	0.67	A
				X	1.12	C
				Y	1.07	Y
				Z	1.48	Z

➤ Illustration - II

Suvery No. and Sub-division No.	Extent in acres	Patta No. (or) Khata No.	Name of the Pattadar with father/ husband's name	name of the owner with father/ husband's name	Extent held by owner	Name(s) of occupants
2	3	6	7	8	9	15
103/5	6.02	12	X	D	1.00	D
				E	1.50	E
				F	1.75	F
				G	2.77	K

PUBLICATION OF ROR

- The Recording Authority publishes as regards to preparation Draft ROR in **Form-III**. **Rule 10 (2)**
- Objections are called for.
- Objections are filled within 22 days in **Form-IIIA** **Rule 10 (4)**
- The objections are entered in the register in **Form-IIIB**. **Rule 10(4)**
- R A Holds necessary enquiry on the objections. **Rule 11**
- Makes relevant changes. **Rule 11 (3)**

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PUBLICATION OF ROR --contd

- Grama Sabhas are held by designated officers –of the cadre of Deputy Collectors .
- Final ROR is prepared by the R A in the same format **Form I**
- The list of owners as found in Col.No.9 of draft ROR is prepared in alphabetical order.
- R A Issues Khata Nos. to all such owners.
- Final Publication in **Form-IV.** **Sec.3 (2), Rule 14 (1)**
- Notices are called for in **Form-V** for rectifications on the entries in final ROR prepared in Form-I. **Sec.3 (3), Rule 16 (2)**

ILLUSTRATION OF FINAL ROR IN FORM-I

➤ Illustration - I

Suvery No. and Sub-division No.	Extent in acres	Patta No. (or) Khata No.	Name of the Pattadar with father/ husband's name	name of the owner with father/ husband's name	Extent held by owner	Name(s) of occupants
2	3	6	7	8	9	15
63/4A	0.67	12	A	A	0.67	A
63/4AA	1.12	209	X	X	1.12	C
63/4E	1.07	312	Y	Y	1.07	Y
63/4EE	1.48	410	Z	Z	1.48	Z

➤ Illustration - II

Suvery No. and Sub-division No.	Extent in acres	Patta No. (or) Khata No.	Name of the Pattadar with father/ husband's name	name of the owner with father/ husband's name	Extent held by owner	Name(s) of occupants
2	3	6	7	8	9	15
103/5A	1.00	12	D	D	1.00	D
103/5AA	1.50	29	E	E	1.50	E
103/5E	1.75	34	F	F	1.75	F
103/5EE	2.77	42	G	G	2.77	G

ROR 1B RECORD, PATTADAR PASS BOOKS AND TITLE DEEDS

- Once Form-IV is published, **ROR 1B** record has to be prepared.
Rule 14 (a)
- The lands held by the persons in different survey numbers are entered at one place,
- The record is prepared Khata-wise.
- It is simply an extract of ROR-I register.
- Lands held by those who are recorded as pattadars, owners and are in possession as per ROR-I register alone have to be brought into ROR 1B register.
- The pattadar Pass Book, Title Deed are replica of the entries pertaining to specific Khatadar in ROR-1B register.
- The pattadar pass book being **Form-XIVB** and the title deed in **Form -XIVA**

Rule 26 (4 and 7)
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ROR 1B RECORD, PATTADAR PASS BOOKS AND TITLE DEEDS –contd.

- **The entries in pass book and title deed are verified.**
- **The total extent entered in PPB, TD has to be recorded and the Tahsildar to attest the same.**
- **In case - the land is assigned land – specific entry “assigned land – transfer prohibited” to be made against the entry of the land in specific survey number.**
- **The photo of the farmer to be pasted and attested by the MRO.**
- **The signature of the holder of the PPB/TD to be obtained.**

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ROR 1B RECORD, PATTADAR PASS BOOKS AND TITLE DEEDS

- **The VAO/VRO and the MRO/Tahsildar to sign in the pass book and title deed.**
- **The registration value to be entered.**
- **The signature of RDO to be obtained in title deed.**
- **Acknowledgement to be maintained in Form-XVII.**
- **The cost of PPB and TD is Rs 15**

RECTIFICATION OF ERRORS

- The final ROR is made available for inspection to anyone.
- **Rectification of Entries** **Sec 3 (3)- Rules 15-17**
- Persons aggrieved may apply for rectification to MRO
- Application to be made in **Form-V** in one year.
- It will be verified and final action is taken.

COVERAGE OF FURTHER TRANSACTIONS TAKEN PLACE UNDER ROR

(**UPDATION OF ROR- MAINTANANCE OF RECORDS OF RIGHTS)**

- **Significant Changes – Act 10/ 2016 – Rules amended vide GO – GO 271 , Rev(EA &AR) Dept , 01.07.2016**
- **ROR IS PREPARED IN FORM-I –MAINTAINED IN FORM-IB**
--Rule 3
- **The relevant legal provisions must be read, understood thoroughly.**
- **Sections 4, 5 and 6 of AP. Rights in Land and Pattadar Pass Books Act, 1971.**
- **Rules 16, 17 and 18 of AP. Rights in Land and Pattadar Pass Books Rules , 1989.**

COVERAGE OF FURTHER TRANSACTIONS TAKEN PLACE

UNDER ROR --contd

- If claim is filed in Form VIA , in Form VIB in form VI D for the same case, preferably claim in VIA be considered.
- Each claim to be dealt in a separate file.
- Display of notice and sending of copies of notices to the interested persons in Form VIII. Generated electronically – Draft AMENDMENT IN ROR-IB to be enclosed – it becomes final if no objections are received **Rule 19(1)**
- Receipt of objections filed within 15 days. **Rule 19(1)**
- If relevant documents are not filed, endorsement be given without waiting for 15 days and without issue of Form VIII.

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COVERAGE OF FURTHER TRANSACTIONS TAKEN PLACE **UNDER ROR (UPDATION OF ROR) --contd**

- **Title Deed cum PPB issued to Pattadars and owners. Rule 26(2)**
- **It is not compulsory to obtain Title Deed cum PPB**
Sec 6B (1), Rule 26(3)
- **Title Deed cum PPB prepared electronically in Form –XIV.**
Rule 26(4)
- **The Registration Authority shall not insist for Title Deed cum PPB**
Rule 26(3)
- **e-Title Deed cum PPB is signed by Tahsildar digitally Rule 26(7)**
- **Acquisition through Court - Title Deed cum PPB issued on collection of Stamp Duty and Registration Fee. Rule 27**
- **Signature of VRO DELETED from Form XIV.**

COVERAGE OF FURTHER TRANSACTIONS TAKEN PLACE

UNDER ROR --contd

Certain factors to be observed.

- It must be remembered that the Tahsildar is **not the Adjudicating Authority** as regards to title over the land and he must rely upon the valid documents produced.
- There must be clear valid **transfer of title** from the person whose name is there as Pattadar in the present adangals to the claimant.
- Whenever the claim is by way of succession, all legal heirs must produce copies of partition deed or they must give **joint statement** before the Tahsildar.
- The **possession** over the land must be there to the claimant.

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COVERAGE OF FURTHER TRANSACTIONS TAKEN PLACE UNDER ROR -contd

- It is the responsibility of the Tahsildar to satisfy as regards to the **undisputed title** over the land to the claimant and the claimant is in **effective possession** over the land .
- No cases involving the sale of land covered in the declarations pending under **APLR (COAH) Act, 1973** be validated.
- Not in violation of LTR Act
- No cases involving the sale of assigned land in contravention of section 3 of **A.P.Assigned Lands (Prohibition of Transfers) Act, 1977** be validated.

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COVERAGE OF FURTHER TRANSACTIONS TAKEN PLACE

UNDER ROR --contd

- No cases involving the land pending for disposal of claims under section 11a of Estate Abolition Act be covered.
- No land which is being used for non agricultural purposes be covered (go through the definition given for the land under Act in Section 2(4) of A.P.Rights in Land and Pattadar Pass Books Act, 1971).
- Under no circumstances Government lands are considered.
- In case of Inam lands, it cannot be considered until ORCs / Inam pattas are issued following due procedure by the competent authority.

COVERAGE OF FURTHER TRANSACTIONS TAKEN PLACE

UNDER ROR --contd

- It is absolutely required to verify the Fair Adangal / Diglot and if the land is Government land as per Fair Adangal / Diglot / Sethwar , it must be ensured that there is valid title transfer in favour of the claimant. It is generally by way of assignment and in some cases it may be by way of assignment / alienation on market value.
- It must also be ensured that the land covered is not the one acquired by Government for public purposes.
- It must also be ensured that the land covered is not the surplus land taken possession . However Assignees are entitled

COVERAGE OF FURTHER TRANSACTIONS TAKEN PLACE

UNDER ROR --contd

- Once the enquiry is over - Proceedings to be issued – speaking order.
- Entries be made in Form VII / Form XVI.
- Changes to be effected in ROR-1B.
- Pattadar Pass Books and Title Deeds be issued or the entries incorporated in the existing Pass Books / Title Deeds.
- The Changes be in the Pass Books and Title Deeds of the person from whom it is transferred shall also be made

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COVERAGE OF FURTHER TRANSACTIONS TAKEN PLACE

UNDER ROR --contd

- When assigned land is involved it must be depicted properly in the entry against the particular survey number, distinctly recording “Assigned Land – Transfer is Prohibited” in the Pass Book, Title Deed.
- Entries must be made in **Form XVII** while issuing Pattadar Pass Book and Title Deed.
- Particulars related to Claims disposed be first entered in Village Account No.2 and then in Village Account No 3 .

APPELLATE AND REVISION AUTHORITIES

- Appeal lies to Revenue Divisional Officer on the orders passed by MRO/ Tahsildar on disposal of claims in Form-X and Form-VIA.
Sec 5B (Form x cases)
Sec 5 (5) (updation)
- RDO/Sub-Collector call for records suo-moto-pass orders – giving notice and hearing to the parties related to orders passed under Sec 5 –A(4) - FORM X claims- w e f 24-1.2012
Sec 5 B (2)
Act 20/2011
- Appeal to be filed within 60 days
- Revision lies to the Collector within 90 days Revision can also be taken SUO-MOTO
Sec 9 – Rule 23
- Revision by collector is final – However Suits -----WP can be filed .
(Sec 8 (2)

SOME POINTS TO BE NOTED

- **ROR Record in Form-I – NOW in ROR IB- be available for every village**
- **Procedure be followed in disposal of Claims in Form VI A**
- **Receipt of Claims in Form X was extended from time to time- Extended 31.3.1998**
- **Further extended to file claims up to 31.03.2008 vide GO Ms No 77 Rev (SS-I) Dep , dated 25.01.2008 –and transactions up to 31.12.2000 are with restrictions – not located in urban areas and in mandal head quarter villages- only Small Farmers and Marginal Farmers finally to 28.02.2009**

SOME POINTS TO BE NOTED --contd

- **Duplicate Title Deed cum PPB** issued when applied-fee be paid– be endorsed on page 1–Duplicate copy **Rule 31**
- **Fee is Rs 100** -----GO 995,Rev(SS-I),11.07.2011.
- **ALL INTIMATIONS / NOTICES SERVED IN PERSON/
ADULT MEMBER OF THE FAMILY / UNDER CERTIFICATE
OF POSTING** **Rule 29.**

Thank You