

**EoDB: SBRAP 2024 : KYA (Know Your Approval)**

**REVENUE DEPARTMENT**

**Annexure 3**

1 Service Name : Land Mutation (*Pokkuvaravu*)

**Statute:**

1 The Transfer of Registry Rules, 1966

- A Service Type : Approval  
B Service Incidence : Post Registration  
C Service Integration Status : Not Integrated with SWS  
D Statutory Timelines : Attached below  
E Document Checklist : Registered Deed  
F Statutory Form : Form 1A  
G Fee Structure :

Land Extent in ha 00 (ha) : 00(are) : 00 (m <sup>2</sup> )		Fee (in Rs)
00:00:00 – 00:10:00	[0 - 10] are	100
00:10:00 – 00:20:00	(10 – 20] are	200
00:20:00 – 00:50:00	(20 – 50] are	300
00:50:00 – 01:00:00	(50 are – 1 hectare)	500
01:00:00 – 02:00:00	(1 – 2] hectare	700
> 02:00:00	> 2 hectare	1,000

H Standard Operating Procedure : Once Registration is Completed, data corresponding to Registration is automatically pushed to the Revenue Portal for effecting Mutation. There are two cases involved, namely – (a) whole transfer based mutation and (b) Sub division based mutation. In the former case, the file is directly handled, processed and approved in the Village Office itself, the Village Officer being the final approving authority. The mutated land will effectively get a new Thandaper number or if a Thandaper number is already in existence, the mutated land will be included along with the already available land parcels attached to the said Thandaper Number. In the latter case though, cases that involve subdivision, the mutation file will be verified and then forwarded to the jurisdiction Taluk for sub division processing which will be processed and approved by the Tahsildar and then returned to Village Officer after mutation approval by Tahsildar. The Village officer then finally effect the mutation so that the land records are modified.

I Statutory Timelines :

സേവനാവകാശ നിരവധിപ്രകാരം വില്ലേജാഫീസിൽ നിന്ന് ലഭിക്കുന്ന സേവനങ്ങൾ				
സേവനങ്ങൾ	സമയ പരിധി	നിയുക്ത ഉദ്യോഗസ്ഥൻ (സംസ്ഥാന ആവശ്യത്തിന് സർട്ടിഫിക്കറ്റ് നൽകാൻ അധികാരപ്പെടുത്തിയ ഉദ്യോഗസ്ഥൻ)	ഒന്നാം അപ്പീൽ അധികാരി	രണ്ടാം അപ്പീൽ അധികാരി
(2)	(3)	(4)	(5)	(6)
പോക്ക്വരവ് (സബ് ഡിവിഷൻ ഇല്ലാത്ത കേസുകൾ)	നിയമ തടസ്സമോ സാങ്കേതിക തടസ്സമോ ഇല്ലാത്ത കേസുകളിൽ 40 ദിവസത്തിനകം	വില്ലേജാഫീസർ	തഹസീൽദാർ	റവന്യൂ ഡിവിഷണൽ ഓഫീസർ

J Inspection procedure : Rule 7 (2) (iv) Inspection by Village Assistant (Issue of Intimation to parties)

Document Checklist:

Last Tax Receipt	<input type="button" value="Choose files"/> No file chosen	<ul style="list-style-type: none"> <li>* Maximum file size limited to <b>250 kb</b></li> <li>* Only pdf and Jpg files can be uploaded</li> </ul>
Last Deed	<input type="button" value="Choose files"/> No file chosen	<ul style="list-style-type: none"> <li>* Maximum file size limited to <b>2MB</b></li> <li>* Only pdf and Jpg files can be uploaded</li> </ul>
Legal heirship Certificate (as applicable)	<input type="button" value="Choose files"/> No file chosen	<ul style="list-style-type: none"> <li>* Maximum file size limited to <b>2MB</b></li> <li>* Only pdf and Jpg files can be uploaded</li> </ul>
Additional Document (Death Certificate , Court Decree etc..)	<input type="button" value="Choose files"/> No file chosen	<ul style="list-style-type: none"> <li>* Maximum file size limited to <b>250 kb</b></li> <li>* Only pdf and Jpg files can be uploaded</li> </ul>
Document Details *	<input type="text" value="----- SRO -----"/> <input type="button" value="v"/> <input type="text" value="DocNo"/> <input type="text" value="Year"/>	
Remarks	<input type="text"/>	

## \*THE TRANSFER OF REGISTRY RULES, 1966

In supersession of the rules laid down in the Travancore & Cochin Land Revenue Manuals, the Madras B. S. O. No. 31 and the unified rules issued by the Travancore-Cochin Government in their Notification R. Dis. No. 7449/52/Rd. dt. 17/09/1953 relating to the transfer of revenue registry, the Government of Kerala hereby issue the following unified rules for the Transfer of Registry.

1. (a) These rules may be called the Transfer of Registry Rules, 1966.

(b) They shall come into force at once.\*\*

[1A. In these Rules, the term "Tahsildar" shall include the Headquarters Deputy Tahsildar of the Taluk and the Deputy Tahsildar in charge of a sub-taluk.]

2. Transfer of Revenue Registry takes place either—

- (1) by voluntary action of the owners.
- (2) by virtue of decrees of Civil Courts or by Revenue sales, or
- (3) by succession.

3. For effecting the transfer of registry, the following procedure shall be followed:—

(a) **Voluntary transfer of title.**— (i) In all cases of absolute transfer of title over a land, by sale, partition, gift, agreement etc., the party or parties thereof shall record in the application in Form I appended to these rules, their consent for the transfer of registry of the survey numbers involved in the transfer. A true copy of the document by which the transfer is proposed to be effected, shall be furnished on the reverse of the form. In the case of lengthy documents additional sheets on plain paper may be used in continuation of the form. This application shall be presented to the Registering Officer along with the document to be registered.

(ii) The copy of the document furnished on the reverse of the application form shall be compared with the original document in the Registry Office and certified as true copy by the Registering Officer.

(iii) After the admission of the document for registration, the Registering Officer shall obtain the signature of the transferor and the transferee, (or their agents or representatives) who agree to the transfer of registry on the application form enter necessary particulars in the space provided and attest them by affixing his signature. Whenever any party does not appear for admission of execution, the fact shall be so recorded on this form.

**Note.**— Form of application (Form I) can be had from the Registry Office at 15 ps. each.

(iv) A register in Form II shall be maintained in the Registry Office in which the details of applications received for transfer of registry shall be entered giving them consecutive numbers for each calendar year.

<sup>2</sup>(v) The application for Transfer of Registry with copies of the connected documents

\* Published under Notification No. G. O. (P) 490/66/Rev. dt. 14/09/1966 in K. G. No. 40 dt. 11/10/1966 P. I.

\*\* Date of commencement: 01/10/1967, published as per Notification G.O. (P) No. 158/67/RD. dt. 20/04/1967 in K. G. No. 17 dt. 02/05/1967.

1. Inserted by Notification No. G. O. Rt. 1244/68/Rev. dt. 04/10/1968, published in K. G. No. 43 dt. 24/12/1968 P.I.

2. Substituted by Notification No. G. O. (P) 806/84/RD. dt. 10/08/1984. Prior to the substitution it read as:

"(v) The application for transfer of registry received in a month together with copies of the connected documents shall be forwarded by the Registering Officer to the Tahsildar concerned within seven days after the expiry of the month, with an intimation in Form No. III. The receipt of the application etc., shall be acknowledged by the Tahsildar in the space provided therefor in Form III and the portion of the form containing the acknowledgement shall be returned within 7 days of its receipt to the issuing office, where it shall be duly filed."

shall be given to the applicant by the Registering Officer immediately after registration of the document, so that the applicant may move the Village Officer to effect the transfer of registry. The receipt of the application on presentation by the party shall be acknowledged by the Village Officer indicating the serial number of the application year-wise. <sup>3</sup>[A fee of Rs.10 shall be levied from the applicant in each case of transfer of registry on proper receipt].]

- <sup>4</sup>[(vi) The Registering Officer shall see that the application for transfer of registry are forwarded to the Tahsildar/Village Officer in a complete form. In the villages notified from time to time under the National Land Records Modernisation Programme, the application in Form 1B appended to this Rules should be forwarded online wherever possible for effecting transfer of registry.]
- (vii) When the property involved in a transaction is situated in more than one village, as many copies of documents as there are such villages shall be obtained from the parties along with the applications for transfer of registry <sup>5</sup>[x x x].
- <sup>6</sup>[(viii) The application for Transfer of Registry where lands are to be described by reference to Government map or survey according to Rule 25 of the Registration Rules (Kerala) received together with copies of the connected documents shall be forwarded by the Registering Officer to the Village Officer concerned fortnightly with an intimation in Form No. IIIA. The receipt of the application shall be acknowledged by the Village Officer in Form No. IIIA within 7 days of the receipt.]
- (b) **Transfers by decrees of Civil Courts or Revenue sales.**— (i) In respect of decrees or orders of Civil Courts which create any proprietary right over immovable property to the decree holder or revenue sales, when registered under the Registration Act, the Registering Officer shall follow the procedure laid down in Rule 3(a).
- (ii) Certificates filed under Section 89 of the Indian Registration Act, 1908 relating to immovable property whereby the ownership of such property is conveyed or an absolute right over the property is created, shall be prepared in the Registry Office and forwarded to the Revenue authorities concerned for effecting transfer of registry with an explanatory note, after making necessary entries in the Register in Form No. II.
- (c) **Transfers due to succession.**— It shall be the duty of the Village Officer, whenever a pattadar dies, to report the fact to the Tahsildar with the names of the legal heirs so far as can be ascertained. A statement of cases of transfer in which neither party has applied to nor has any application, copy of document etc., been received by the Tahsildar shall also be submitted by the Village Officer to the Tahsildar. When these cases are reported to the Tahsildar, necessary entries shall be made in the register in Form VIA as stated in Rule 7(2) and on receipt back from the Tahsildar they shall be entered in Register No. VIB and the entry in Register VIA closed.

#### Case Law

**National Land Records Modernisation Programme: Stipulation that assignor to obtain an extract of Record of Right from village concerned: Compliance of:** Parties cannot be compelled to obtain Record of Right as a pre-condition for registration. For proper implementation of the Programme, Registration Rules have to be amended. *Synudheen v. State of Kerala — 2013 (1) KHC 437 : 2013 (1) KLT 221 : 2013 (1) KLJ 453.*

<sup>7</sup>[4. It is open to any party desiring transfer of registry in cases without sub-division or in

3. Added by Notification No. G. O. (P) 610/91/RD. dt. 29/10/1991.
4. Substitution by Notification No. G. O. (Ms) 227/2011/RD. dt. 16/06/2011 published in K.G. Ext. No. 1227 dt.22/06/2011.
5. Words "and shall be forwarded to the concerned Tahsildars" Omitted by Notification No. G. O. (P) 806/84/RD. dt. 10/08/1984.
6. Added by Notification No. G. O. (Ms.) 200/95/RD. dt. 30/03/1995.
7. Substituted by Notification No. G. O. (Ms.) 19/92/RD. dt. 17/01/1992. Prior to the substitution it read as:  
"4. It is open to any party desiring transfer of Registry under any of the categories mentioned in Rule 3 to apply in writing in Form IA to the Tahsildar or the Revenue Inspector concerned with copies of the documents if any."

any case arising out of succession, which is uncontested, to apply in writing in Form 1A to the Village Officer with attested copies of relevant documents. All other applications for transfer of registry shall be submitted in writing in Form 1A to the Tahsildar with attested copies of relevant documents.]

<sup>8</sup>[5. The T.R. applications received from the Sub Registry office as per Rule 3(a)(viii) above shall be registered in Form VI(C) and Transfer of Registry effected by the Village Officer within 15 days, complying with the rules existing from time to time.

(b) The Village Officer shall communicate the party concerned within the one month, if the T.R. cannot be effected.]

6. The transfer of registry cases shall bear consecutive serial number for each calendar year.

7. <sup>9</sup>[(1) The Villager Officer shall prepare statement in Form 'A' and forward to the concerned Tahsildar within 15 days of the receipt of application.]

(2) (i) A record of the reports sent to the Tahsildar under Rule 3(c) shall be maintained in the Village in Form VIA. The Transfer of registry cases received for report will be entered in a register in Form VIB. The cases shall be registered in the order of their date of receipt and 'A' form statements prepared in the serial order by the Village Officer. The pending cases at the end of a financial year shall be carried over to the new register. The Revenue Inspector shall check the entries in the new registers and furnish the following certificate on the first page of the first Vol. of the new Register:—

"Certified that all cases in the registers for the previous years pending on 31st March ..... have been brought over to his register".

Signature

Revenue Inspector, ..... Frika

(ii) The Village Officer furnishing the required details shall also certify in the statement in Form 'A' whether the lands involved therein are owned by Scheduled Castes or Scheduled Tribes and whether the transfer of registry is in favour of the same community. It shall also be ascertained and reported whether there is any prohibition in the original document against alienation of the property by the transferor or his predecessor in interest. Village Officers should certify in Form 'A' Statement to the effect that the property is not pledged as security for loans etc., and it has not been attached by Government.

(iii) If the transfer of registry in respect of the case cannot be effected owing to the restriction on alienation laid down in any of the enactments, the fact should be reported and in that case the statement in Form 'A' need not be furnished.

(iv) When the case regarding transfer of registry involves sub-division of the property an entry to that effect shall be made in the column provided for the purpose in Form 'A' and a plotted sketch in triplicate showing the position and the area of sub-division together with sub-division statements in triplicate shall be forwarded along with statement in Form 'A'. For this purpose, the Village Assistant shall measure the new sub-division boundary according to its alignment as seen on the ground, after issue of intimation to the parties. The signature of all the parties involved in the sub-division case in token of their approval of the extent and boundaries of the new sub-division shall as far as possible, be obtained in the sketch and the sub-division statement.

If it is not possible to prepare a plotted sketch on account of the non-availability of proper survey data relating to that field, a location sketch giving the length of the boundary lines of the plot

8. Substituted by Notification No. G. O. (Ms.) 200/95/RD. dt. 30/03/1995. Prior to the substitution it read as:  
"5. On receipt of application under Rule 3(a)(v) the Village Officer shall enter them in the Register for Transfer of Registry cases maintained in Form V."
9. Substituted by Notification No. G. O. (P) 806/84/RD. dt. 10/08/1984. Prior to the substitution it read as:  
"(1) The Tahsildar shall forward the cases within 15 days to the concerned Villager Officer for preparing the statement in Form 'A'."

in question and complete description of the boundary including survey or sub-division numbers, names of owners and occupants of the adjoining fields should be furnished. If there are porambokes adjoining the field this fact should be clearly mentioned in the sketch. In short sufficient data to plot independently the portion of the land transferred must be furnished in the sketch. The Village Assistant shall also furnish a certificate to the effect that there are well defined and clear hedges or boundaries for the plot proposed to be sub-divided.

The Village Assistant shall forward his report through the Village Officer and under intimation to the Tahsildar, to the Taluk Surveyor or the Revenue Inspector as the case may be, who shall check measure the plot, scrutinise the sketch and submit the file to the Tahsildar with the least possible delay.

<sup>10</sup>[Applications received by the Village Officer under Rule 4 shall be enquired into through the Village Assistant. The Village Assistant shall submit his report to the Village Officer with the required details as specified in sub-clause (ii) and (iii) under clause 2 of Rule 7. The Village Officer shall verify the report of the Village Assistant with Village records, the application for transfer of registry attested copy of document produced by the applicant and dispose of the application within 15 days of its receipt.]

8.<sup>11</sup>[The Village Officer shall prepare and submit the statement or report under Rule 7 to the Tahsildar within 15 days of the receipt of the application from the party.]

9. The cases received <sup>12</sup>[x x x] in the Taluk Officer with the report of the Village Officer shall be classified and dealt with according to the following instructions.

- (a) Uncontested cases.
- (b) Contested Cases.
- (c) Cases involving sub-divisions.

10. Uncontested cases may be of two kinds,—

- (1) those which can be disposed of without further enquiry.
- (2) those in which a decision cannot be taken without conducting a further enquiry by the Deputy Tahsildar or Tahsildar.

**Note.**— Cases of sale and other absolute transfer of land mentioned under Rule 3(a) and (b) will fall under the 1st category. In such cases no enquiry is necessary and they shall be disposed of by the Deputy Tahsildar of the Taluk.

**Note.**— (ii) The cases coming under the second category are transfers due to inheritance acquisition of title by adverse possession etc. for which the parties might have applied under Rule 4. Most of such cases are usually uncontested but in all such cases notices should be issued to the parties interested, if any, inviting objections, to the transfer of registry. The objection should be preferred within 15 days of the service of the notice. Copies of the notice shall also be published on the Notice Board of the concerned Village, Panchayat and Taluk Offices. Such cases shall also be disposed of by the Deputy Tahsildar on merits, after giving the parties concerned an opportunity of being heard. A Revenue Inspector after making personal enquiry in the village where the land situated may dispose of such of the petitions, presented to him and also such of the cases of transfer ascertained by him as do not involve the formation of new sub-divisions and about which there is no dispute.

11. All contested cases shall be enquired into and disposed of by the Tahsildar, following the procedure laid down in Note:— (ii) to Rule 10.

10. Added by Notification No. G. O. (Ms.) 19/92/RD. dt. 17/01/1992.

11. Substituted by Notification No. G. O. (P) 806/84/RD. dt. 10/08/1984. Prior to the substitution it read as:  
"The Village Officer shall prepare and submit the statements or reports under Rule 7 within two weeks of the receipt of the Tahsildar's order."

12. Word "back" omitted by Notification No. G. O. (P) 806/84/RD. dt. 10/08/1984.

12. The cases which involve sub-division of the plots may be of the following types:

(1) Those in which the documents of transfer specifically mention the area of the land conveyed and give details of measurements of the land or details of the boundaries which would facilitate the location of the land on the ground.

(2) Those in which the documents mention only the area but do not give either the details of the measurements of the land or boundaries.

(3) Those in which the documents do not mention the area but give details of measurements or boundaries.

(4) Those in which the documents give only the area but no other details to enable the location of the land on the ground.

Transfer of registry in the above cases shall be ordered only if it has been possible to effect sub-division on the ground. On receipt of the file from the Taluk Surveyor or the Revenue Inspector as the case may be and after making necessary enquiries the Tahsildar may either accept or reject the proposals. In case of acceptance, the orders shall be provisional as the sub-division sketches and statements have yet to be scrutinised and area computed by the Superintendent of Survey and Land Records.

Copies of the provisional order shall be communicated to the Village Officer to the parties and the concerned clerk in the Taluk Office. Necessary entries may be made with reference to the provisional order in the Village and Taluk accounts but the entries relating to the survey number or sub-division number and extent shall be made only in pencil.

A copy of the provisional order together with the sketch and sub-division statement in triplicate shall be communicated to the Superintendent of Survey and Land Records for scrutiny and computation of the area. On receiving it back from him after scrutiny, final orders shall be passed by the Tahsildar. A copy of the sketch and sub-division statements shall then be communicated to the Village Office for getting necessary entries being made in the Village Accounts by the Taluk Surveyor or the Revenue Inspector during his next visit to the Village and for filing them with the village records of the concerned survey field. <sup>13</sup>[Another copy of the sanctioned sketch and statement shall be filed with records of the concerned survey field in the Taluk office, if filed measurement sketches are available, otherwise they will be filed with the relevant records in the office of the Superintendent of Survey and Land Records in the charge of maintenance work.]

The cost of effecting sub-divisions at the rate fixed from the time, shall be met by the transferee. If it is not possible to effect sub-division on the ground, the name of the transferee shall be jointly registered. Ordinarily, no transfer of registry case shall be kept pending for more than 4 months.

13. As soon as the cases are finally disposed of, necessary entries shall be made in the Taluk Register of transfer of registry applications.

14. In conducting enquiries in the case for transfer of registry, the following general principles shall also be observed.

(1) When the transfer of registry is sought for under the authority of a decree of a Civil Court or revenue sale, or registered document and if the transferor is not the registered pattadar, the production of the document with the tax receipt or with a certificate from the Village Officer as to the possession of the property and payment of land tax thereof will be sufficient evidence regarding the *bona fides* of the application provided that, the series of transactions connecting the transferor with the pattadar are ascertained and recorded.

(2) When the transfer of registry is due to inheritance, a summary enquiry as to who is the nearest legal heir of the deceased pattadar according to the law of inheritance applicable to the parties concerned and a certificate from the Village Officer as to the possession and payment of tax or the production of the tax receipt will be sufficient. A notification inviting objections to the

13. Substituted by Notification G. O. (P) No. 146/70/Rev. dt. 25/09/1970, published in K. G. No. 40 dt. 06/10/1970.

proposed transfer of registry in the name of the legal heirs shall be published in the Village, Panchayat and Taluk Offices inviting objections, if any, within a period of 15 days from the date of publication of the notice.

(3) In cases in which one of the joint pattadars alienates a portion of a holding, without specifying the exact lie area and boundaries of the land so alienated in relation to the entire holdings sub-division and transfer of registry of the land in favour of such a transferee are not possible. In such cases, the name of the transferee shall be registered jointly with the other co-shares and the transferor's name removed unless his interest has been transferred only in part. The consent of the other joint pattadars is not necessary in such cases but notice shall be given to all the persons interested and their objections if any duly considered. In those cases where the document specifies the extent and also the lie of the land and where it is certified that the land transferred is in the transferee's possession, sub-division and transfer of registry shall be effected after giving notice to the other joint pattadars and hearing them. In such cases also the consent of the other joint holders is not necessary.

(4) In respect of the Oodukoor cases of the erstwhile Travancore area, transfer of registry shall be sanctioned only for the sub-division of the share hold and the assessment paid by the transferor and not for the area transferred. No sub-division sketch is then necessary. But in the cases in which the share-holders come to a settlement and divide the land by metes and bounds, sub-division shall also be effected and the transfer of registry duly sanctioned.

The system of holding lands without specifying the area and the boundaries of each share shall not be recognised in new case. In such cases, the transfer of registry shall be ordered only in the names of all the joint share holders making them jointly and severally responsible for the payment of land tax etc. In case the share-holders divide the land by metes and bounds, sub-division and separate registry shall be effected.

(5) No conditional or temporary transfer of registry in the names of mortgagees, lessees etc. shall be ordered.

(6) When transfer of registry is refused in any case, the reasons for such refusal shall be briefly stated in the decision.

#### Case Law

**Mutation: Description of property: Effect of:** Description of property in the document will have to be accepted for the purpose of effecting mutation. Whether any paddy land has been converted or not is not a matter for the authorities under the Transfer of Registry Rules to be gone into for effecting mutation. *Pareed Salim v. State of Kerala and Others — 2012 (4) KHC 79 : 2012 (4) KLT 211 : ILR 2012 (4) Ker. 340 : 2012 (4) KLJ 426.*

15. With the help of the details furnished in the statement in Form 'A' prepared by the Village Officers and such further information as the Tahsildar may receive from parties and village officials at the time of enquiry regarding the fact of possession and enjoyment, payment of tax and other particulars, the Tahsildar shall determine the person in whose name the transfer of registry shall be made. No case shall be rejected solely for the default of appearance of the parties as it is the immediate concern of the Land Revenue Department to keep the thandaper accounts (Chitta) upto date and bring into it the names of the real land-holders who shall be held liable for the payment of Government revenue due on the land.

16. The summary enquiry and decision thereon is only an arrangement for fiscal purposes and does not affect the legal rights of any person in respect of the lands covered by the decisions in transfer of registry cases. The question of legal rights is always subject to adjudication by Civil Courts and pattas will be revised from time to time in accordance with judicial decisions.

17. Notwithstanding anything contained in these rules, it shall be competent for the Tahsildar to take up and dispose of any transfer of registry case which under these rules could be disposed of by a Deputy Tahsildar or by a Revenue Inspector. Orders in a transfer of registry case shall be communicated promptly to the Village Officer and to the parties concerned and shall be given



effect to in the Village Accounts. A patta in the prescribed form under the signature of the Tahsildar, in accordance with the decision, shall be issued to those who apply for it.

18. (i) An appeal against an order passed by <sup>14</sup>[the Village Officer or] the Revenue Inspector shall lie to the Tahsildar and an appeal against the order passed by the Tahsildar or the Deputy Tahsildar shall lie to the Revenue Divisional Officer. Appeals shall be presented within 30 days from the date of receipt of the order. In computing the period of 30 days, the time taken for obtaining a copy of the order shall be excluded.

(ii) The appellate authority may admit an appeal after the expiry of the prescribed period of 30 days if he is satisfied that the appellant has good and sufficient cause of not preferring the appeal within that period. In such cases, the authority who admits the appeal shall record the fact of having condoned the delay.

(iii) No appeal shall be admitted unless accompanied by the original of a certified copy of the order appealed against. (The certified copies shall be prepared on stamp paper and signed by competent authority). No officer shall decide a case in appeal without giving notice to the parties who are affected by the decision and without giving them an opportunity to be heard.

(iv) <sup>14A</sup>[x x x x] it shall be open to the District Collector if he is satisfied that sufficient ground exists to revise, cancel or alter on his own motion or otherwise any decision or order passed by the Revenue Inspector, Deputy Tahsildar, Tahsildar or the Revenue Divisional Officer within a period of <sup>15</sup>[five years] from the date of such decision.

(v) No revision shall however be entertained by the District Collector unless the parties have exercised the right of appeal prescribed under these rules. No order in revision interfering with the original order shall be passed without giving to the party or parties affected thereby a reasonable opportunity of being heard. The revision petition presented by the parties shall be accompanied by the original or a certified copy of the order sought to be revised. The certified copies shall be prepared on stamp paper of sufficient value. The District Collector shall take up a revision case and decide it if it comes to his knowledge that there is a likelihood of Government being involved in a Civil Suit.

#### Case Law

**Tata Housing Development Company Ltd. : Allegation that property given on lease for industrial purpose used for housing : Writ petition filed : Maintainability of:** Writ Courts cannot decide matters concerning disputed questions of title. District Collector directed to pass appropriate orders in the matter in a time - bound manner. *Hindustan Lever Ltd. and Others v. Tahsildar, Kanayannur Taluk and Others* — 2011 (1) KHC 466 : 2011 (1) KLT 671 : ILR 2011 (1) Ker. 905.

19. It shall be open to the District Collector if sufficient grounds exist to transfer a Transfer of Registry Appeal Case pending before a Tahsildar or Revenue Divisional Officer in his District to the file of his Personal Assistant for disposal or take it on his own file and dispose it of himself.

<sup>16</sup>[20. (i)] It shall be open to the Board of Revenue, if sufficient grounds exist, to take on its file and dispose of any transfer of registry case pending before a District Collector.

<sup>17</sup>[(ii) The Board of Revenue may, if it is satisfied that sufficient grounds exist, either on its own motion or otherwise revise, cancel or alter any decision or order passed by any authority subordinate to it within a period of ten years from the date of such decision.

(iii) The Government may, if it is satisfied that sufficient grounds exist, either on its own motion or otherwise revise, cancel or alter any decision or order passed by any authority subordinate to it at any time] <sup>17A</sup>[or otherwise any decision or order passed by the District Collector, within a period of three months from the date of such decision.]

14. Added by Notification No. G. O. (Ms.) 19/92/RD. dt. 17/01/1992

14A. Omitted by Notification No. G. O. (Ms.) 389/2010/RD. dt. 13/09/2010 in K.G. Ext. No. 2299 dt.12/10/2010. Prior to the omission it read as: "There shall be no second appeal. But."

15. Substituted by Notification No. G. O. (P) 806/84/RD. dt. 10/08/1984, for "one year".

16. Renumbered by Notification No. G. O. (P) 806/84/RD. dt. 10/08/1984.

17. Inserted by Notification No. G. O. (P) 806/84/RD. dt. 10/08/1984.

17A. Added by Notification No. G. O. (Ms.) 389/2010/RD. dt. 13/09/2010 in K.G. Ext. No. 2299 dt.12/10/2010.

21. The appeal and revision petitions shall be duly stamped.

22. As soon as orders are passed on a transfer of registry case, the Tahsildar shall cause the necessary entries to be made in the Thandaper accounts (Chitta) of the village. In the cases in which the decision is subsequently cancelled or altered in revision under Rule 19 or 20 the Tahsildar shall order the necessary corrections being made at once in the thandaper accounts (Chitta). A patta in the prescribed form under the signature of the Tahsildar, in accordance with the decision shall be issued to those who apply for it.

23. The number in the Thandaper account (Chitta) shall run consecutively except in the cases in which the transferee is already a Thandaper holder.

24. The Tahsildar shall during his inspection of the village office satisfy himself that the Thandaper accounts (Chitta) have been brought upto date according to the decisions in transfer of registry cases.

25. At the close of every year, the Tahsildar shall record a certificate in the last volume of the Thandaper account (Chitta) to the effect that it has been brought upto date according to the decisions in all transfer of registry cases.

26. Patta Nos. which have fallen blank in the Thandaper or chitta accounts as a result of giving effect to the changes on account of transfer of registry shall be retained as such, for a minimum period of one year from the year in which they fell blank and such members shall be filled in after that period.

27. **Transfer of title by succession.**— Under this class of transfers, all cases of change of registry necessitated by the death or prolonged absence for more than seven years of the registered holder will be disposed of.

(i) **Succession by heirship.**— In dealing with claims to succession by heirship, if the succession is not disputed, the Tahsildar may direct the transfer of registry either at once or after due enquiry. If the succession is disputed, he should hold a summary enquiry as to who has the right to succeed to the property of the deceased registered holder according to the principles of the law of succession which governs the case and give notice to all persons known or believed to be interested in the manner provided in Note (ii) to Rules 10 to the effect that the registry will be made in the name of the person found to be entitled, unless a declaration is filed, within three months from the date of the notice, by any person objecting to the registry, stating that he has instituted a suit in a Civil Court to establish his superior title and an authenticated copy of the plaint in the suit is produced. If no declaration is filed, the registry should be made as stated in the notice, at the expiration of three months. If a declaration is filed, the result of the suit should be awaited before taking further action. With regard to the entry of the names of the heirs in the case of undivided families, the name of the managing member or members should be registered. In other cases, the names of all the heirs entitled to shares in the property should be registered.

(ii) **Succession in case of disappearance of registered holder.**— In case of disappearance for more than 7 years of the registered holder of a holding and in the absence of any evidence to show that he is still alive, he should be considered as dead and registry transferred in the name of his legal heirs accordingly. In all cases in which there are no legal heirs who claim the registry, it may be made in the name of the person in possession of the lands after giving notice in the District Gazette if published in the District or in the Government Gazette to the effect that the registry will be made in his name unless a declaration is filed within three months from the date of the notice by any person objecting to the registry stating that he has instituted a suit in a Civil Court to establish his right and an authenticated copy of the

plaint in the suit is produced. If no declaration is filed, the registry shall be made as stated in the notice at the expiration of three months. If a declaration is filed the result of the suit should be awaited before taking further action.

**28. Transfer in favour of person proving title by adverse possession for 12 years or more.**— Where parties who have no documents of title are shown in a summary enquiry to have been in actual, continuous and uninterrupted possession as reputed owners for 12 years or more transfer of registry may be made after notice, etc. as provided in Note (ii) to Rule 10. The action contemplated in this paragraph may be taken by the revenue officers either on their own motion or on the applications presented by the parties concerned.

Payment of revenue as evidenced by the production of kist receipts or by the testimony of the Village Officers may be taken as proof of possession, but the absence of such proof shall not be considered entirely to invalidate the claim and oral evidence of possession may be accepted.

**29.** The Tahsildar shall intimate all changes effected by them on account of sub-divisions to the Registering Officers who have jurisdiction over the properties once in 3 months (in prescribed form) so as to reach them on or before the 15th of the month succeeding the quarter to which they relate.

#### Form of application for transfer of revenue registry

#### FORM I

#### FORM TO BE USED WHEN THE APPLICATION IS PRESENTED TO A REGISTRAR OR SUB-REGISTRAR OF ASSURANCE

I..... son of..... residing at..... request that the revenue registry of the lands referred to in the schedule attached hereto and registered in the name of.....may be transferred to the name of..... son of..... residing at.....

(Signature of the transferor)

I, the aforesaid ..... consent to have the revenue registry of the lands entered in the schedule transferred to my name.

(Signature of the transferee)

Taluk	Village	Survey number	Sub-number	Government of Inam	Irrigated or dry	Hectare		Extent		Sq. metres	Nature of transfers
						Acre	Cents	Ares	Sq. links		
(1)	(2)	(3)	(4)	(5)	(6)		(7)		(8)		(9)

Executed before

Registering Officer

**N.B.**— In the case of inam villages, etc., the land should be described by boundaries as in the documents registered, and the inability of the parties to furnish all the particulars referred to in the schedule should not stand in the way of the application being executed if they furnish sufficient information for the identification of the lands.

If the transfer refers to taxed-trees, the word "trees" should be substituted for lands in the body of the application; the words "on which the trees stand" should be added to the headings of columns 3 and 4 in the schedule and the heading of column 7 altered into "number and description of trees".

**Note.**— It is not essential that the application should be signed by both the transferor and the transferee when it is signed by only one of them, the Registering Officer shall strike out the bank declaration and affix his initials across it.

FORM IA

FORM TO BE USED WHEN THE APPLICATION IS PRESENTED TO REVENUE OFFICERS

I/We ..... son/sons ..... residing in the Village of..... in ..... Taluk, do hereby request that the land specified in the schedule on the reverse and registered in the name of ..... be transferred in the name of..... son of..... residing in the village of.....

Dated ..... (Signature of Transferor)

I/We named above do hereby consent to have the registry of the land specified in the schedule transferred in my/our name.

Dated ..... (Signature of Transferee)

SCHEDULE

Survey Number	Letter or sub-division	Dry or wet	Government or inam	Village		Taluk		Assessment	Nature of transfer	Remarks
				Hectares Acre	Area Ares Cents	Sq. metres Sq. links				
(1)	(2)	(3)	(4)	(5)	(5)	(6)	(7)	(8)	(8)	(8)

Rs. Ps.

Verified

(1) That the description of land, area, assessment and name of transferor have been checked with the land register.

(2) That the name of the registered holder given in the application is correct and that the signature of the transferor and the transferee are genuine.

Dated ..... Karanam

Signature of

No. .... Headman

DECISION

The Village Officers have been ordered to have the transfer effected during fasli as requested by both parties.

Date ..... Tahsildar

**Note.**— This form should be printed on a quarter sheet of paper with the application on one side and the schedule on the reverse. Copies of forms in the regional language only should be supplied to Collector and not copies in English or in diglott. The original applications shall be retained in the taluk office and the orders passed separately communicated to the Village Officers, the clerical work involved in making copies being reduced either by using the prescribed printed forms or by requiring the applicants for transfer to present their applications in duplicate.

17B FORM 1B

APPLICATION FOR EFFECTING ONLINE TRANSFER OF REGISTRY

I. Details of land for Transfer/Sale

- District
- Taluk
- Village
- Tandaper No. of land going to be transacted

17B. Inserted by Notification No. G. O. (Ms) 227/2011/RD. dt. 16/06/2011 published in K.G.Ext. No. 1227 dt. 22/06/2011.

5. Name of owner/owners of the above land
  6. Address
  7. Area
  8. Block No.
  9. Survey No.
  10. Re-survey No.
- II. Details of persons buying the land and the details of transfer
- Name of persons or organizations buying/selling the land:
1. Address
  2. Election ID No.
  3. Ration Card No.
  4. Pan Card No.
  5. Passport No.
  6. UID No.
  7. Driving Licence No.
  8. Land Phone No.
  9. Mobile No.
  10. Area of land transferred
  11. Nature of transfer: Sale deed/Conveyance Deed/Court Decree/Gift Deed/Partition Deed/Settlement Deed/Release to co-owner deed/Sale Certificate/Deed of Will
  12. Block No.
  13. Survey No.
  14. Re-survey No.
  15. Boundaries (Survey No.)
    - (a) North
    - (b) South
    - (c) East
    - (d) West
  16. Price
  17. Licence No. of Document Writer
  18. Registration No.
  19. Date of Registration

(Sd.)  
Sub-Registrar.]

FORM II

Register of Transfer of Registry Applications in the Office of the Registering Officer for the Year .....

Serial number	Date of receipt	Details of document			Date of Registration	Date of despatch of application	To whom sent	Number of forwarding letter	Date of acknowledgement	Remarks
		Year	Number	Nature						

**[FORM III - FORM IV**

xxxxx]

**[FORM IIIA**

[Under Rule 3(a)(viii)]

No.....

From

The District/Sub Registrar,

To

The Village Officer

18. Omitted by Notification No. G. O. (P) 806/84/RD. dt. 10/08/1984. Prior to the omission it read as:

**FORM III**

**RECEIPT OF TRANSFER OF REGISTRY APPLICATION**

No.....

From

The Registering Officer

To

The Tahsildar,.....

Sir,

The under noted applications for transfer of registry may be accepted and the acknowledgements returned within 7 days.

Date:

Registrar

Total No.	Description	Year	Book	No.	Remarks
Acknowledged receipt of the above applications					
					Tahsildar/Dy. Tahsildar

No.

From

The Registering Officer

To

The Tahsildar,.....

Sir,

The under noted applications for transfer of registry may be accepted and acknowledgements returned within 7 days.

Registry Office

Date:

Registering Officer

Total No.	Description	Year	Book	No.	Remarks
Acknowledged receipt of the above application					
					Tahsildar/Dy. Tahsildar

Office:

Date:

Tahsildar/Dy. Tahsildar

To

The Registering Officer,.....

**FORM IV**

**Consolidated Statement of Applications for Transfer of Registry Remaining to be Acknowledged by the Tahsildars for Over One Month**

Office to which the applications for transfer of registry were sent	Details of cases in respect of which acknowledgements remain to be received during the preceeding month	Total No.	Remarks
Registry Office, ..... 19			
			Registering Officer

To

The Revenue Divisional Officer.\*

19. Added by Notification No. G. O. (Ms.) 200/95/RD. dt. 30/03/1995.

Sir,

I am forwarding herewith the under noted applications for Transfer of Registry for necessary action. Kindly acknowledge the receipt of the same within seven days.

Total No.	Description	Year	Book No.	Remarks

Yours faithfully,  
Sub Registrar.

(Cut here)

No.....

Village Office

.....  
Date.....

Acknowledged the receipt of the applications for Transfer of Registry forwarded along with your letter No..... dated.....

Yours faithfully,  
Village Officer

To

The District/Sub Registrar,

.....]

Total No.	Description	Year	Book	Remarks

Acknowledged receipt of the above applications

The District/Sub Registrar, .....

The District/Sub Registrar, .....

The District/Sub Registrar, .....

The District/Sub Registrar, .....

The District/Sub Registrar, .....

The District/Sub Registrar, .....

The District/Sub Registrar, .....

FORM V

Register for Transfer of Registry Cases in ..... District..... Taluk for the Year .....

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Serial number	Date of receipt	From whom received	Current No. and date	Name of Village (Amsom/Desom)	Survey Number	Sub-division No. or letter	Extent affected	Patta No. and name of Transferor	Patta No. and name of Transferee	No. and date of document if any	Date on which put up by clerk	Date of receipt back by clerk	Reference made to whom and date	Reply received from whom and No. and date of reply	Date of receipt by clerk	Nature of decision	Date of communication of order to applicant and Village Officers	If a case involving sub-division, date on which copy of the order and sketch were handed over to clerk maintaining Register J and the Sl. No. assigned in Register J	Remarks



**FORM No. VIA**  
**Village Register of Transfer of Registry Cases Reported by the Village Officers**

Serial Number	Thandaper holder's Name	Kara Desom	Survey Number	Sub-division Number	Date of submission of report to Tahsildar	Name and address of the person in whose favour registry is recommended	Serial Number in register Number VIB	Remarks

**FORM No. VIB**  
**Village Register of Transfer of Registry Cases**

Serial number	Date of receipt	Number and date of Taluk reference	Muri	Desom	Number	Sub-division Number or letter	Thandaper holder's or Pattadar's Name	Date of submission of 'A' form report	Tahsildar's order Number and date	Nature of decision	Number	Name	Date on which rechanges effected in the Thandaper accounts etc.	Remarks

FORM NO. VIC

VILLAGE REGISTER OF TRANSFER OF REGISTRY CASES

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Serial No.	Date of receipt	Name of SRO No. & date of reference	Block No.	Survey No.	Sub Division No.	Thandaper No. & Name of the transferer	Area	Description of land	Basic tax	Name of transferee	Details of original documents (The restriction for alienation in the original documents, lands belonging to the SC/ST details of pledging attachment to Government etc. should be noted)	Whether the Transfer of Registry is accepted	Date of effecting changes in the records and Thandaper No. assigned to the transferee	If the transfer of registry is not effected the details of communication showing the number and date, sent to the applicant.

20. Added by Notification No. G. O. (Ms.) 200/95/RD. dt. 30/03/1995.

ഫാറം - എ

താലൂക്ക്  
വില്ലേജ്

പട്ടയമാറ്റക്കണക്ക്

ക്രമ നമ്പർ	താലൂക്ക്	പട്ടയ നമ്പരും പട്ടയക്കാരന്റെ പേരും	സർവ്വേ		കൈമാറ്റം ചെയ്യേണ്ട സ്ഥലത്തിന്റെ വിസ്തീർണ്ണം	ഭൂമിയുടെ വിവരണം (നഞ്ചി, പുഞ്ചി, നിലം, പുരയിടം)	ബേസിക്ക് ടാക്സ് രൂപ പൈസ		കൈമാറ്റം ചെയ്ത സ്ഥലം ഉൾപ്പെടെ കൈമാറ്റം സിദ്ധിച്ച ആളിന്റെ തങ്ങളേപ്പേരിലുള്ള ബേസിക്ക് ടാക്സി വിധേയമായ ബാക്കി സ്ഥലം	12	13	14	15	16	17	
			നമ്പർ	സബ് ഡിവിഷൻ നമ്പരോ ലെറ്ററോ			ടാക്സ്	പൈസ								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

താലൂക്ക്  
വില്ലേജ്

ഫാറം - എ

പട്ടയമാറ്റക്കണക്ക് - (തുടർച്ച)

രാജഭാഗം ഉണ്ടെങ്കിൽ അത്		ജൻമിക്കരം				അന്യായീന അതിന്റെയോ പിന്തുടർച്ചയുടെയോ സ്വഭാവം		കൈമാറ്റം കിട്ടേണ്ട അളിന്റെ പേര്	സബ് ഡിവിഷൻ ആവശ്യമാണോ എന്നും അതേനേക്കിൽ സ്ഥലത്തിന്റെ കിടപ്പ് കാണിക്കുന്ന സ്ഥലമായ സ്കെച്ച്	നിമർക്ക്						
		തൂപ	ചൈസ	നെല്ലി		പണം										
ലിറ്റർ/പറ	മീറ്റർ/ചതുരശ്ര			മറ്റു സാധനങ്ങൾ	രൂപ	ചൈ.	20	21	22	23	24	25	26	27	28	
18																
19																

സ്മരണം.....  
തീയതി.....

വില്ലേജ് അസിസ്റ്റന്റ്  
വില്ലേജ് ആഫീസർ