The Andhra Pradesh [Rights in Land] and Pattadar Pass Books Rules, 1989
[G.O.Ms.No. 570, Revenue (D.O.A. & R) dated 8-6-1989]
[As Amended by G O Ms.No.633,Rev.(Lands-1),dt.16-9-2022]

In exercise of the powers conferred by sub-section (1) of Section 11 of the Andhra Pradesh Record of Rights in Land and Pattadar Pass Books Act, 1971 (Act 26 of 1971) and in supersession of the Andhra Pradesh Record of Rights in Land Rules, 1978 issued in G.O.Ms.No. 1516, Revenue Department, dated the 16th September, 1978 and published at pages 1 to 15 of Extraordinary of the Andhra Pradesh Gazette dated 16th September, 1978; the Governor of Andhra Pradesh hereby makes the Andhra Pradesh Record of Rights in Land and Pattadar Pass Books Rules, 1989, the same having been published previously at pages 1 to 120 of the Rules Supplement to Part II, Extraordinary of the Andhra Pradesh Gazette, dated the 9th May, 1989 and after considering the suggestions received from different quarters as required under sub-section (1) of Section 11 of the said Act.

Rules

1. Short title, extent and commencement: - (1) These Rules may be called the Andhra Pradesh [Rights in Land] and Pattadar Pass Books Rules, 1989.

(2) They shall extend to all the areas where the Andhra Pradesh [Rights in Land] and Pattadar Pass Books Act, 1971 is in force.

2. In these rules, unless the context otherwise requires,-

(a) "*Act*" means the Andhra Pradesh [Rights in Land] and Pattadar Pass Books Act, 1971;

(b) "*Section*" means a section of the Act;

(c) "*Form*" means the form appended to these rules;

[(d) xxx]

(e) "*Mortgagee*" means the transferee of a mortgage as defined in the Transfer of Property Act, 1882;

[(f) '*Khatadar*' means any person having a khata number or account number to pay Land Revenue. Every person in actual possession of land, other than a tenant or a usufructuary mortgagee shall pay land revenue on it into a khata number assigned to him;]

[(g) '*Record of Rights*' means in respect of owners title of land and m respect of other rights and interests in land].

(h) '*Amendment and maintenance of record of rights in lands*' means and includes the amendments to the record of rights under [Sections 3(3), 5, 8(2) and 9 of the Act.]

[3. Form of Record of Rights: - The Record of Rights shall be prepared initially in From-I and subsequently maintained in From-I B for every separate Revenue Village.]

[Provided that in case of villages where resurvey has been ordered and thereafter completed, the field register, which is also known as the Resurvey Land Register, prepared in Form XIX before notification of completion of survey under section 13 of the Andhra Pradesh Survey and Boundaries Act, 1923, shall be the initial record of rights and which subsequently shall be maintained in Form-I-B for every separate Revenue Village.]

4. Procedure for preparation of Record of Rights and updating of the Record of Rights:-

(i) The record of rights in Lands in the village shall be prepared in the manner hereinafter provided.

(ii) The Commissioner shall issue whenever necessary a notification to make the Record of Rights upto date for the entire State or such area or areas and from such date or dates by notification in the Andhra Pradesh Gazette. The said notification shall also be published in two daily newspapers circulating in the State of which at least one shall be in the Telugu language.

[Provided that in case of villages where resurvey has been ordered as per the provisions of the Andhra Pradesh Survey and Boundaries Act, 1923, the Commissioner shall issue notification to make Record of rights up to date for the entire State or such area or areas and such notification shall be published in the manner indicated in clause (ii) above.]

5. The Recording Authority shall as soon as may be after the commencement of the Act for the first time and whenever a notification has been issued by the Commissioner to make the Record of Rights up to date in the area in which a village is situate cause to be published separate notices:-

[(a) (i) declaring his intention of preparing a record of rights in lands in the village for the first time, or declaring the intention consequent on the issue of a notification by the Commissioner to make the record of rights up to date in the village by updating the registry of holdings and by splitting up of joint patters etc.]

(ii) declaring his intention consequent on the issue of a notification by the Commissioner to make the record of rights up to date in the village;

(iii) by updating the registry of holdings by splitting up of joint pattas etc.;

(b) calling upon all persons claiming any interest in any land in the village to furnish either through the village assistant concerned or directly:

(i) a statement in writing in duplicate in Form 1-A showing the particulars of the lands in which an interest is claimed; and

(ii) the nature of such interest on or before a specified date to be indicated in the notice not being earlier than fifteen days from the date of publication thereof; and

(iii) if a person has interest in lands in more than one village in a Mandal or in more than one Mandal in a District, he shall file his claim in Form I-A in triplicate giving the particulars of all the lands in which an interest is claimed Mandal wise and village wise and where a person has interest in lands in only one village, he shall append a certificate to the claim in Form I-A that he does not have interest in lands in any other village in the District;

(c) declaring also his intention to hold an enquiry in respect of the above matter in the village on a date to be specified in the notice in this behalf not being earlier than twenty-two days from the date of publication of the notice and calling upon all persons interested to appear before him at the said enquiry on the date so specified.

(2) The notice referred to in sub-rule (1) shall be Form II and shall be published in the District Gazette of the District in which the village is situate and also in the following manner namely-

(a) by affixture in the chavidi or if there is no chavidi, in any other conspicuous place in the village;

(b) by affixture on the notice boards of the Gram Panchayat Office, Primary Co-operative Agricultural Credit Society or School, if any, in the village;

(c) by beat of tom tom in the village;

(d) by affixture on the notice board of the office of the Mandal Revenue Officer having jurisdiction over the village; and

(e) by affixture on the notice board of the office of the Mandal Praja Parishad in which the village is situated.

6. (1) The Recording Authority shall arrange for the receipt of the statement of claims submitted in response to the notice referred to in Rule 5 and shall also arrange for acknowledging the statement of claim on the duplicate, triplicate copy of claims statement and shall, on the date specified in the notice in this behalf, proceed to and hold an inquiry in the village. A Register shall be maintained in Form No. II-A for the claims received in response to the notice in the Form No. II.

(2) During the enquiry referred to in sub-rule (1) the Recording Authority shall:

(a) receive further statements of claims in writing that may be submitted to him;

(b) hear any oral representation made in respect of any claim and make a summary record of such representation; and

(c) examine the relevant registers, records and accounts already maintained in respect of the lands in the village for the purpose of collection of land revenue or otherwise.

7. (1) The Recording Authority holding an enquiry under Rule 6 may, if he so thinks fit, adjourn the enquiry to a later date or dates.

(2) Every such adjourned enquiry shall be held in the village and the date or dates to which the enquiry is adjourned shall be announced in public by the Recording Authority himself at the time of adjournment on the day on which the enquiry could not be taken up or finished.

8. During the course of the enquiry referred to in Rule 6 above the Recording Authority may, if he considers it expedient:

(a) summon the attendance of any person for the purpose of examining him;

(b) require any person to produce any document believed to be in his possession; and

(c) enter upon, inspect and measure or cause to be measured any land.

9. (1) (a) After due completion of enquiry, referred to in Rule 6 of the Recording Authority shall pass orders in respect of-

(i) all cases requiring change of Registry necessitated by the death of registered holder i.e., succession by heirship, if succession is not disputed. With regard to the entry of the names of the heirs, the names of all the heirs entitled to shares in the property should be registered;

(ii) All cases requiring change of registry necessitated by sale, gift, etc., through registered documents, if there is no dispute. In all cases of absolute transfer of title, the Registry of a holding should be altered to correspond with the transfer of its ownership. Where the Registered holder is not a party to a registered transaction, the registered holder should be enquired. The parties involved in a transfer should be connected by a complete chain of registered documents. Unregistered documents are not admissible as evidence in this enquiry to prove the ownership or title of the property. Where the chain is- not complete, no transfer of registry shall be done. Such cases shall be referred to the Mandal Revenue- Officer, for disposal after confirmation of the Record of Rights- for the villages;

(iii) All cases requiring splitting of joint pathas which dumeitinvolve any dispute. joint pattas held by a Hindu Joint Family shall not be split up unless the family request for it in writing\/*The Recording Authority shall enquire the joint Pattadars and after enquiry, by order, determine the share of land of each pattadar in the joint holding. The shares of the land shall be sub-divided in due course and the cost of sub-division recovered from the pattadars in proportion of their shares. After the confirmation of the Record of Rights, a person excepting a Hindu Joint Family in a village shall have- only one patta for all his lands in the village as far as, it is practicable. Joint Patter cases in which there is a dispute shall be referred to the Mandal Revenue Officer after confirmation of the Records of Rights for the village;

(iv) No order shall be passed for the change of Registry or splitting of joint pattas, unless the recording authority is satisfied that the change of Registry or splitting of joint patta is not in contravention of any of the provisions of:

(1) The Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (Act 1 of 1973);

(2) The Urban Land (Ceiling and Regulation) Act, 1976 (Central Act 33 of 1976);

(3) The Andhra Pradesh Assigned Land (Prohibition of Transfers) Act, 1977 (9 of 1977);

(4) [x x x];

(5) [x x x];

(6) The Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (1 of 1959);

(7) [x x x];

(8) [x x x];

(9) [x x x].

[(b)(i) After due completion of enquiry referred to in Rule 6 the Recording Authority shall also pass orders for registering the names of claimants in respect of all cases of claims of] [tenancy, mortgage and occupancy] where there is no dispute.

(c) (i) All disputed cases of transfer of registry, splitting of joint pattas, registering the names of [tenants, mortgagee and occupants] shall be submitted by the Recording Authority after

the confirmation of the Record of Rights to the Mandal Revenue Officer for disposal in due course.

(ii) In respect of cases falling under Rule 9(1)(a)(i), the Mandal Revenue Officer shall 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 govern the case and give notice to all persons known or believed to be interested to the effect that the registry will be made in the name of the person found to be entitled, unless a declaration if 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.

(iii) In respect of cases falling under Rule 9(1)(a)(ii) if the chain is not complete, the Mandal Revenue Officer can consider other evidence such as statements of respective ryots, kist receipts etc., and take decision. One month's time shall be allowed for filing objections if any, and an enquiry be held in respect of the same. Thereupon, transfer of registry shall be ordered unless the objection is found to be valid.

(iv) No order shall be passed by the Mandal Revenue Officer for the change of registry, splitting of joint pattas, recording the names of Tenants and Mortgagees in possession, unless he is satisfied that the change so ordered is not in contravention of any of the provisions of the Acts referred to in Rules 9 (1)(a)(iv) [x x x].

(2) After the passing of the orders under sub-rule 1(a) or 1(b), the Recording Authority shall prepare or cause to be prepared a Draft Record of Rights/Draft Record of Rights made up-to-date in land in the Village in Form I and such draft Record of Rights shall be kept in the custody of Village Assistant in the Office.

10. (1) The Recording Authority shall thereafter cause to be published a notice to the effect:

(a) (i) that the Draft Record of Rights has been prepared for the village for the first time; or

(ii) that the Draft Record of Rights made up-to-date has been prepared for the village;

(b) that the said record has been kept in the custody of the Village Assistant of the village that it may be inspected of all reasonable times by any person [x x x];

(c) that all persons claiming to rectify any omission or error in the said record should furnish a statement in writing relating to their claims on or before a date to be specified in the notice in this behalf not later than fifteen days from the date of publication thereof; and

(d) declaring his intention to hold a Grama Sabha to read out the Draft Record of Rights or Draft Record of Rights made up-to-date on a date to be specified in the notice in this

behalf not later than [fifteen days] from the date of publication thereof and calling upon all residents of the village to attend the Grama Sabha and make claims and objections;

(e) declaring his intention to hold an inquiry, into claims and objections received under Clauses (c) and (d) above at the village on a date to be specified in the notice in this behalf not later than [thirty days] from the date of publication thereof and calling upon all persons interested to appear before him at such enquiry.

(2) The notice referred to in sub-rule (1) above, shall be in Form III and shall be published in the manner specified in Clauses (a) to (e) of sub-rule (2) of Rule 5.

(3) Any oral claims and objections received at the Gram Sabha shall be reduced to writing by the Recording Authority and the same shall be considered at the proposed enquiry.

(4) All claims and objections to the entries in the Draft Record of Rights published shall be submitted in duplicate in Form III-(A). The receipt of the claim/objection shall be acknowledged in the duplicated copy. A register shall be maintained in Form III-B for the claims and objections received in Form III-A in response to the notice in Form III.

11. (1) The Recording Authority shall receive the statement submitted in respect of any claim of rectification or error or omission in the Draft Record of Rights or Draft Record of Rights made up-to-date published and shall arrange for immediate sub-division work wherever felt necessary before the date specified for enquiry. He shall proceed to the village on the dates specified in the notice and hold an enquiry into all the claims received.

(2) The provisions of Rules 7 and 8 shall apply to the enquiry referred to in sub-rule (1) above.

(3) On the completion of the enquiry, the recording authority shall determine whether or not the Draft Record of Rights required to be altered in the consequence of any such claim for rectification of an error or omission in the said record and make a summary order accordingly:

Provided that no such order altering the Draft Record of Rights shall be made adversely affecting the rights of any person whose name has been entered in the Draft Record of Rights as having an interest in the land in respect of the entry relating to which the alteration is proposed without giving a reasonable opportunity of making a representation in this behalf.

(4) The Recording Authority shall not pass any order under sub-rule (3) above without obtaining the orders of the Special Deputy Tahsildar appointed for the purpose of the Mandal Revenue Officer concerned.

(5) The orders referred to in the above sub-rules shall not be contravention of any of the provisions of the Acts referred to in Rule 9(1)(a)(iv) and [x x x].

12. (1) If, at any time, before the completion of the enquiry referred to in Rule 11 above, the Recording Authority has reasons to believe that any entry made in the Draft Record of Rights requires to be altered in any manner he may make such alteration:

Provided that no such alteration shall be made without giving any person whose name is entered in the Draft Record of Rights as having any interest in the land in respect of the entry relating to which the alteration is proposed of making a representation in that behalf.

(2) Recording Authority shall pass orders under the sub-rule (1) above only after obtaining the orders of the Special Deputy Tahsildar appointed for the purpose, or the Mandal Revenue Officer concerned.

(3) The orders referred to in the above sub-rules not be in contravention of any of the provisions of the Acts referred to in Rules 9(1)(a)(iv) and [x x x].

13. (1) After the completion of enquiry referred to in Rule 11 above, the Recording Authority shall confirm the Draft Record of Rights in the village or the Record of Rights brought up-to-date subject to the alterations if any made in pursuance of the orders passed in Rule 11 or Rule 12, and the Draft Record of Rights or the Record of Rights made up-to-date so confirmed shall be the Record of Rights in lands in the village.

(2) The Mandal Revenue Officer, the Revenue Divisional Officer, and the Deputy Collector (Record of Rights) the District Revenue Officer, the Collector of the District, [and any officer designated by the Collector for this purpose] in exercise of their general powers of supervision, shall be competent, *suo motu*, to test and revise the entries in the confirmed Record of Rights provided that no revision shall be made without giving any person whose name is entered in the Record of Rights, as having any interest in the land in respect of the entry relating to which the alteration is proposed of making a representation in that behalf. Before making any revision, an Officer shall obtain the approval of his immediate superior officer. IT the entry, in the Record of Rights was made or confirmed by an Officer of the same rank.

(3) [x x x]

14. (1) The fact of completion of the preparation of the Record of Rights for the first time or the fact of completion of the Record of Rights made upto date in any village shall be notified in the Andhra Pradesh Gazette or the District Gazette as in Form IV.

(2) The notification referred to in sub-rule (1) shall also be published in the manner specified in sub-rule (2) of Rule 5.

(3) Within seven days of the confirmation of the Record of Rights prepared for the first time or the Record of Rights made up-to-date, the Recording Authority shall hold a Gram Sabha at which the confirmed Record of Rights ,hall be read out for the information of those present.

[(4) The new Sub-division number or land parcels, as shown in the confirmed Record of Rights shall be measured and mapped in the concerned records as per the procedure laid down and the fee shall be recoverable from the concerned ryots as arrears of land revenue. The extent noted in respect of each land parcel of each sub-division on the Record of Rights Register, shall be subject to correction, wherever necessary after the completion of measurement of the new sub-division of the Land Parcel.]

[**14A.** (1) After the publication of the notification in Form IV, the Mandal Revenue Officer shall arrange to recast the information in Form-I into Form I-B and authenticate the entries in respect of each person. If for any reason the confirmation of the Record of Rights in any village under sub-rule (1) of Rule 13 or the issue of notification as in Form IV, in respect of any village is held up, then the Collector may, by a special order, authorise the Mandal Revenue Officer in whose jurisdiction the village is situated to get the register in Form I-B prepared for the village excluding the Survey numbers/sub-division numbers [and Land Parcel Number and Unique Id of the Land Parcelxs]for which claims in Form III-A are received. The register in Form B so prepared, shall be test checked and shall also be read out in a Grama Sabha, the entries in the register shall be authenticated by the Mandal Revenue Officer].

(2) After the preparation of the register in Form I-B, the Mandal Revenue Officer shall arrange to get the [title deeds and Pass Books] prepared with reference to the entries in Form I-B and deliver the same to the persons concerned in a Gram Sabha [convened with a previous notice in Form N-A of at least seven days. The notice shall be published as per Clauses (a) to (e) of sub-rule (2) of Rule 5.]

(3) On receipt of an application from any person for a [title deed and Pass Book] for any land in any capacity such as pattadar, owner, mortgagee, tenant etc., the Mandal Revenue Officer shall cause an enquiry to be made whether the applicants name is recorded in the Register of Record of Rights in land, prepared in Form I and Form I-B and if he is satisfied that the applicant is eligible will issue to him a [tide deed and Pass Book]. If the applicant is not eligible for a [title deed and Pass Book], the Mandal Revenue Officer shall inform the decision to him.

Rectification of Entries in Record of Rights

15. (1) Every application for the rectification of an entry in a Record of Rights made under sub-section (3) of Section 3 of the Act shall be to the Mandal Revenue Officer of the Mandal in which the village is situated.

(2) Every application made under sub-rule (1) above, shall be accompanied by a certified copy of the entry from the Record of Rights which is sought to be rectified and the grounds for such rectification.

(3) The Mandal Revenue Officer, may within a period of one year as provided in sub-section (3) of Section 3 of the Act on his own accord initiate proceedings for correction of any mistake in the Record of Rights which he discovers himself or which is reported to him by any other Revenue Officer.

16. (1) On receipt of an application for the rectification under Rule 15, read with sub-section (3) of Section 3 of the Act, within a period of one year from the date of notification of the Record of Rights prepared for the first time or Record of Rights made up-to-date in the village under sub-section (2) of Section 3 of the Act, the Officer referred to in Rule 15 shall hold an enquiry after giving notice thereof to:

(a) the person making the application;

(b) any person referred to in the application as having right or interest or as not having such right or interest in the lands to which the entry relates;

(c) any person whose name has been entered in the Record of Rights as having interest in the land; and

(d) any other person known or believed to be having an interest in the land to which the entry relates.

(2) The notice referred to in sub-rule (1) shall be in Form V.

17. (1) During the enquiry referred to in Rule 16 above, the said Officer shall take into account any written representation received or any oral representation made by any person referred to in Rule 16, or any other persons having interest in the matter and may:

(a) summon the attendance of any person for the purpose of examining him;

(b) require any person to produce any document; or

(c) enter upon, inspect and measure or cause to be measured any land.

(2) On the completion of the enquiry referred to in Rule 16, the said Officer shall give his decision on the application for rectification of an entry and direct such rectification of the Record of Rights as may be required in accordance with such decision to be made. The decision shall be intimated to all the persons referred to in sub-rule (1) of Rule 16.

(3) All applications for the rectification of an entry shall be disposed of by the Mandal Revenue Officer, within a period of 90 days from the date of filing an application.

(4) The orders referred to in the above sub-rules shall not be in contravention of any of the provisions of the Acts referred to in Rule 9(1)(iv) and [x x x].

Maintenance of Record of Rights

18. (1) Maintenance of Record of Rights includes

(a) correction of entries in pursuance of orders passed under Rule 17 above; and

(b) incorporation of all mutations in the respective entries in pursuance of orders passed under Section 5 of the Act.

[(2) The intimation of acquisition of rights under Section 4(1) by any individual shall be in Form VI-A [Either at MeeSeva Centre or Village Secretraiat]. An acknowledgment shall be given to the individual. Registering Officer of Registration Department shall send intimation to the Tahsildar under Section 4(2) electronically by transferring the data to the electronically maintained Record of Rights on real time basis. The intimation by the Revenue Officer responsible for preparation of village Records as per Section 4(3) shall in Form VI-D.]

(3)(a) The [Mandal Revenue Officer] shall maintain for every village a separate. Register containing the abstract of the intimations received under Section 4 of the Act. The orders passed under sub-sections (3) and (5) of Section 5 of the Act, either making an amendment or refusing to make such an amendment shall be maintained in Form VII.

(b) Before any order is passed by the [Mandal Revenue Officer] either making an amendment in the Record of Rights or refusing to make such an amendment, the procedure prescribed in Section 5 of the Act shall be followed.

(c) Orders on all intimations shall be passed within a period of six months from the date of receipt of an intimation.

[(d) If the order is as per the request made in the intimation or where no order is passed within the stipulated period, the draft amendment to From-I-B, copy of which was enclosed to the notice in Form VIII shall become final automatically in the electronically maintained Record of Rights.

(e) If the order is in variance to the draft amendment to Form I-B, the draft shall be suitably modified in the electronically maintained Record of Rights as per the order.]

(4) Discharge letters from the credit agencies shall be acknowledged by the Mandal Revenue Officer and treated as intimation of acquisition/loss of right under Section 4, if it contains all the details prescribed in Form VI-A.

19. [(1) The notice referred to in sub-section (3) of Section 5 of the Act shall be in Form VIII generated electronically. A copy of the draft amendment to From I-B, generated electronically, as per the intimation received shall be enclosed to the notice. While preparing the draft amendment to From I-B, the Procedure for notation of new sub-divisions notionally given in Para 15 of BSO-34A, extracted alongwith illustration in the Annexure, shall be followed.]

(2) Such notice together with a copy of the amendment shall also be published in the manner specified in Clauses (a) to (e) of sub-rule (2) of Rule 5.

20. (1) During the enquiry referred to in sub-section (3) of Sec. 5 of the Act, the [Mandal Revenue Officer] shall take into account the representations or objections written or oral made in this behalf by the persons referred to therein to whom the notice has been given or by any other person interested in the matter and may, if he considers necessary-

(a) summon the attendance of any person for the purpose of examining him;

(b) require the production of any document; or

(c) enter upon, inspect and measure or cause to be measured any land.

(2) In taking a decision on the intimation of acquisition of right, the [Mandal Revenue Officer] shall be guided by the principles/procedures laid down in Rule 9 above.

21. (1) An appeal against every order of the [Mandal Revenue Officer] either making an amendment in the Record of Rights or refusing to make such amendment shall lie under sub-section (5) of Section 5 of the Act, to the Revenue Divisional Officer/Sub-Collector/Assistant Collector or such authority as may be notified by the Commissioner.

(2) Every appeal referred to in sub-rule (1) shall be in writing and shall set forth concisely the grounds thereof within a period of sixty days from the date of communication of the order and shall be accompanied by a copy of the order appealed against.

(3) Every appeal referred to in sub-rule (2) above, shall bear a Court-fee stamp of rupees five only.

22. Regularisation of certain alienation or transfers of land:- (1) The Mandal Revenue Officer shall issue a general Notification in Form No. IX, calling for applications from the persons who are recorded as occupants in Adangal/Pahani Patrika or ir. Record of Rights prepared earlier by virtue of an alienation or transfer made or effected otherwise than by registered document for declaring such alienation as valid. Such notification shall be published in the District Gazette in which the village is situated and also in the following manner, namely-

(i) by affixture in the chavadi or if there is no chavadi, in any other conspicuous place of the village;

(ii) by affixture on the notice boards of the Gram Panchayat office, Primary Agricultural Co-operative Society and school if any;

(iii) by beat of tom tom in the village;

(iv) by affixture on the notice board of the Mandal Revenue Officer having jurisdiction over the village; and

(v) by affixture on the notice board of office of the Mandal Praja Parishad in which the village is situated.

[(2) The alienee or transferee shall.file application in Form 'X' on or before 31-3-2023 on the notification issued under sub-rule (1), to the Mandal Revenue Officer:

Provided, that:

(a) the Alienation/Transfer took place before 01-11-2021 and not Agricultural Lands located in Urban areas covered by Mandal Head Quarters, District and State Head Quarters and Municipalities, Municipal Corporations and Urban Agglomerations;

(b) the Alienation/Transfer is regarding Agricultural land in Rural Areas; and

(c) the Transferee/Alienee is a Small/Marginal Farmer.

Explanation:

1. Small Farmer means a person having agricultural land up to 2.5 Acres of Wet or 5 Acres of dry Land.

2. Marginal farmer means a person having Agricultural land up to 1.25 Acres of Wet or 2.5 Acres of dry Land.

Provided that it shall not apply to the alienation's or transfers made in contravention of the provisions of the Acts specified in the proviso to sub-section (2) of Sec. 5-A of the A.P. Rights in Land 'and Pattadar Pass Book Act, 1971].

(3) On receipt of the application under sub-section (2) of Section 5-A of the Act, the Mandal Revenue Officer shall issue notice to the alienor or transferor in Form No. XI specifying therein the date on which and the time at which he proposes to enquire into the application. He shall also cause to issue a notice in Form No. XII to all other persons believed to be interested in the land specifying therein, date, time and place at which he proposes to enquire into the application. Only unregistered documents shall be considered under Section 5-A of the Act.

[(4) On the day so appointed or any other day to which enquiry may be adjourned by him, the Mandal Revenue Officer shall after hearing the parties and on examining their documents and witnesses, if any, and after taking such further evidence as he may consider necessary to satisfy himself that the alienation or transfer is not in contravention of any of the provisions of the Acts referred to in Rule 9(i)(a)(iv) complete the enquiry.

Explanation: For the purpose of conducting enquiry the Mandal Revenue Officer should conduct local enquiry and obtain corroborative evidence from the neighboring ryots and village elders]

(5) (i) After completion of the enquiry under sub-rule (4) above, the Mandal Revenue Officer shall require the alienee or the transferee under Section 5(A) of the Act, to deposit through a challan in the treasury an amount equal to the registration fees and stamp duty that would have been payable had the alienation or transfer been effected by a registered document in accordance with the provisions of the Indian Registration Act, 1908 as fixed by the registering officer on a reference made to him by the Mandal Revenue Officer in Form No. XIII-A, on the basis of the value of the property arrived, within the time fixed by the Mandal Revenue Officer, not exceeding one month from the date of the communication and receipt of the order:

Provided that in case the Mandal Revenue Officer considers it expedient he may grant further extension of time.

(ii) On the deposit of the amounts through a challan in the treasury as under Cl. (i), the Mandal Revenue Officer shall issue a certificate in Form No. XIII-B as required under sub-section (4) of Sec. 5-A of the Act to the alienee or the transferee declaring that alienation or transfer is valid from the date of issue of certificate.

(iii) A copy of every such certificate shall be communicated in Form XIII-C by the Mandal Revenue Officer to the Sub-Registrar having jurisdiction over the area in which the land in respect of which the Certificate has been granted is situate and the Sub-Registrar shall file the certificate in the relevant registration records and index them after ensuring collection of registration fee and stamp duty from the party under Clause (1).

(6) The Recording Authority shall on production of the certificate issued under sub-section (4) of Section 5-A of the Act make an entry in the Record of Rights in Forms 1 and 1B to the effect that the person whose name has been recorded as an occupant is the owner of the property from the date of the issue of the said certificate. The Recording Authority and the

Mandal Revenue Officer shall make necessary entries in the Record of Rights in land in Forms 1 and 1B under proper attestation and referencing to files of the Mandal Revenue Officer.

(7) Thereafter a [title deed and pass book] shall be issued to the occupant in the category of owner-pattadar.

[**22A.** (1) An appeal against every order of the Mandal Revenue Officer under sub-section (4) of Section 5-A of the Act shall lie to the Revenue Divisional Officer/Sub-Collector/Assistant-Collector.

(2) Every appeal referred to in sub-rule (1) shall be in writing and shall set forth concisely the grounds thereof within a period of sixty days, from the date of communication of order and shall be accompanied by a copy of the order appealed against.

(3) Every appeal referred to in sub-rule (1) above shall bear a Court-fee stamp of rupees five only.

(4) Every appeal shall be disposed of within a period of six months from the date of filing the appeal.]

23. (1) Every revision shall be in writing and set forth concisely the grounds thereof and shall be accompanied by a copy of the order or proceeding against which revision is sought. The revision petition shall bear a Court-fee stamp of rupees five only.

(2) In case, a *suo motu* revision is initiated, the grounds on which the revision is [initiated] shall be communicated to the person or persons likely to be adversely affected.

(3) In case it appears to the Collector on examination that any such record, order or proceeding should be amended modified, annulled, reversed or remitted for reconsideration, the Collector may pass orders accordingly, after giving sufficient opportunity to the party or parties likely to be adversely affected to make written or oral representation before issue of orders.

(4) The orders under revision shall be final and there shall be no further review by the Collector.

24. Custody and inspection of the Record of Rights and furnishing of copies thereof and extracts therefrom : (1) The record of rights in Forms 1 and 1-B shall be prepared [in triplicate and also electronically]. Two copies have to be kept in the Revenue Mandal Office, one of which is to be kept in the personal custody of the Mandal Revenue Officer. The third copy should be kept in the custody of the Village Assistant of the village.

(2) The Record of Rights shall be open for inspection of the public free of charge during office hours on all working days.

25. (1) The fees payable for granting certified copies or certified extracts from the record of rights shall be as follows:- [Fees] for every copy of the extract given for a survey or sub-division Rs.2/- (Rupees two only).

(2) The fees referred to in sub-rule (1) above, shall be in the shape of Court-fee stamp.

(3) Every application for copies/extracts shall be made to the Village Assistant/Mandal Revenue Officer.

(4) Every copy or extract from the Record of Rights shall be attested by the Mandal Revenue Officer.

26.[Title deed-cum-Pattadar Pass Book(1) With reference to Form 1-B prepared under Rule 14-A, title deeds-cum-pattadar pass books shall be prepared taking a village as a Unit.

(2) The title deed-cum-pattadar pass book shall be prepared in respect of pattadars and owners and it shall have the same evidentiary value with regard to the title for the purpose

of creation of equitable mortgage under the provisions of the Transfer of property Act, 1882 as a registered document registered by a Registered of Assurances.
(3) It shall not be compulsory for the pattadar and owners to obtain title deed-cum-pattadar pass books. It will be optional as per discretion of the Pattadar/Owner. The Registration authority under the Registration Act, 1908 shall not insist for production of title deed-cum-pattadar pass book for any transaction in respect of the land. Similarly, no credit agency shall insist for production of title deed-cum-pattadar pass book for the purpose of sanction or discharge of loan.
(4) The format of title deed-cum-pattadar pass book shall in From 14.
(5) The title deed-cum-pattadar pass book shall be issued electronically in Telugu (e-title deed-cum-pattadar pass book). Every entry in the title deed-cum-pass book shall be presumed to be correct and true unless the country is proved.
(6) The title deed-cum-pattadar pass book may contain such other details and proforma to be prescribed from time to time by the commissioner. (7) The e-title deed-cum-pattadar pass book alongwith photograph of the pattadar owner shall be digitally signed by the Tahsildar.
(8) Proper record in respect of issue of the title deed-cum-pattadar pass books shall be maintained by the Tahsildar.]
[27. Whenever a Court decree about acquisition of title by purchase of land through deeds on plain paper or by oral purchase is received from Court or presented to the Tahsildar for implementing and incorporating changes in the Record of Rights and title deed-cum-pass books, the Tahsildar shall incorporate changes in the Record of Rights and title deed-cum-pass books, based on Court decree only after collection of stamp duty and registration fee on the sale price of the land or market value of the land whichever is higher. If the person seeking execution of Court decree claims that he had already paid proper and adequate stamp duty in the Court and produces certificate issued by the Court to this effect and other evidence to the satisfaction of Tahsildar, the Tahsildar shall demand and collect only registration fee and incorporate changes in the Record of Rights and title deed cum pass books. If the decree is received or produced by or before a Registration Officer or other officers, these officers shall immediately send these decrees to the concerned Tahsildar for necessary action].
28. Miscellaneous:- Every Recording Authority, Appellate Authority or other Officer holding an enquiry under the Act shall have, in addition to the powers referred to in Clauses (a) and (b) of Section 10 of the Act the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 when trying a suit for the purpose of entering upon and inspecting any land or taking or causing to take measurements thereof.
29. The service of any notice, intimation of any decision and the communication of any order under the provisions of the Act or these rules shall be effected by giving or tendering a copy of such notice, intimation or order to the person concerned or an adult member of his family or where this is not practicable by sending it to him under certificate of posting.
30. As and when the Record of Rights are prepared or brought up to date or rectified or maintained, such entry shall be brought into the village records.
[30A. Every year immediately after completion of the fasli year the Tahsildar shall publish From-IB of the village in the manner as at Clauses (a) to (e) of sub-rule (2) of Rule 5 calling for objections or for rectification of any error or omission in the Record of Rights and any such correction or rectification shall be done as per the procedure indicated in Rule 18.]

[31. Any person who loses a title deed cum pass book issued to him (or whose title deed cum pass book is mutilated) can apply to the Tahsildar along with his photograph. The Tahsildar after collecting the prescribed fee, shall issue a duplicate title deed cum pass book, under acknowledgement, duly endorsing on the 1st page of the title deed cum pass book that it is a duplicate copy. The issue of a duplicate title deed cum pass book shall be noted in Form 1-B. In case a duplicate title deed cum pass book is sought to replace a mutilated title deed cum pass book, the mutilated title deed cum pass book shall be surrendered to the Tahsildar for cancellation / destruction]

32. Every person proceeding under Sec. 8(2) of the Act shall intimate to the Mandal Revenue Officer concerned the particulars of the suit. The Mandal Revenue Officer shall enter the details of the suit in a register in Form XVIII. On the disposal of the suit, the Party shall communicate a copy of the order on the suit to the Mandal Revenue Officer who shall enter the details in the register in Form XVIII. The register in Form XVIII shall be open for inspection, and the certified extracts of the same shall be granted.

33. The Commissioner, [xxx], may, from time to time, issue such orders and instructions as may be necessary for the purpose of explaining these rules, and to implement the provisions of the Act and the rules made thereunder properly.