

No. RGN 116/89-90

Office of the Inspector General of
Registration and Commissioner of
Stamps in Karnataka, Bangalore,
Dated 16th January 1990.

C I R C U L A R

The registration of the following documents are declared as opposed to public policy by Government in exercise of powers conferred under Section 22-A (1) of the Registration (Karnataka Amendment) Act, 1976 in Government Notification (1) RD 132 ARG 76 dated 14-3-1979 (2) RD 44 ST 81 dated 30-3-1981 (3) RD 132 ARG 76 dated 14-10-1983 (4) RD 132 ARG 76 (P) dated 3-7-1985 (5) RD 132 ARG 76 dated 20-6-1988.

1. Documents effecting transfer or partition of lands in contravention of Karnataka Prevention of Fragmentation and Consolidation of Holdings Act, 1966 as amended by Karnataka Act No. 18/79.
2. Documents effecting transfer of land in contravention of the restriction imposed under Section 61 of the Karnataka Land Reforms Act and Rules framed thereunder.
3. Documents effecting alienation of land in contravention of Section 74 of the Karnataka Land Reforms Act, 1961.
4. Documents effecting transfer of lands in contravention of provisions of the Karnataka Land Grant Rules, 1969.
5. Documents effecting transfer of lands in contravention of the provisions of the Karnataka Village Offices Abolition Act, 1961.
6. Documents relating to termination of tenancy rights in contravention of the Karnataka Land Reforms Act, 1961.
7. Documents effecting transfer of land in contravention of the provisions of Urban Land (Ceiling and Regulation) Act, 1976 (Central Act 33 of 1976 dated 14th October 1983).
8. Documents contravening the provisions of Section 79-B of the Karnataka Land Reforms Act, 1961 (imposing prohibition of holding agricultural land by certain persons (No. RD 132 ARG 76 (P) dated 3-7-1985).

9. Documents effecting transfer of land during the period in which a notification published under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) is in force in respect of such land.
10. Documents effecting transfer of land in respect of which a notification published under section 17 of the Bangalore Development Authority Act, 1976 (Karnataka Act 12 of 1976) is in force.
11. Documents effecting transfer of land during the subsistence of an agreement entered into by the Authority for the purchase of land under Section 35 of the Bangalore Development Authority Act, 1976 (Karnataka Act 12 of 1976).
12. Documents effecting transfer of site during the subsistence of the lease cum sale agreement entered into by the allottee with the Bangalore Development Authority under the provisions of the Bangalore Development Authority (Allotment of sites Rules) 1984 (Sl. Number 9, 10, 11 and 12 issued as per Notification No. RD 132 MRG 76, Bangalore dated 20th June 1988).

The registering authorities for the purpose of ascertaining whether the document presented falls under any of the above categories may call for relevant information from the concerned including the party presenting the document.

In spite of Circular instructions issued from time to time, it has come to the notice of Government that the spirit of the above notifications have not been fully implemented and also it has come to notice of the Government that the Sub Registrars are entertaining the documents for registration on the revenue sites, even though the Government have issued instructions from time to time to all the Sub Registrars in the State not to entertain and register the document in respect of revenue sites.

It is also directed that the Sub Registrars should insist on every person, who presents the document of the categories mentioned above for registration to produce an affidavit to the effect that the proposed transaction involving the transfer of lands in the specified survey number will not fall under any of the categories of documents mentioned above and also to produce such documentary evidences, such as extracts from index of lands and records of rights. Registers or any other proof to establish that the transaction covered by the documents

presented for registration does not come under the purview of the said Notifications.

At the time of acceptance of documents for registration, the Registering Officer should insist upon the parties to produce all the documentary evidences in two sets duly certified by them as true copy. Sub Registrar should file and preserve one set of such copies in his office. The Registering officer after registering such documents, affidavits and evidences so collected, should be sent to the Tahsildars of their respective jurisdiction, who in turn will verify the veracity of such affidavits, evidences and if there is any violation of the provisions of the Acts specified in the aforesaid notifications, they should immediately report the matter to the Deputy Commissioners and District Registrars of the district to initiate action.

All the Sub Registrars in the State are hereby directed not to register revenue sites and implement the above notifications strictly in compliance with the provisions of the respective Acts and Rules. Any violation or irregularity noticed, serious disciplinary action will be taken against the officers concerned besides reporting the matter to the Government.

Shachant R. D.
16.1.90 I.G.R. & COMMISSIONER OF STAMPS.

Copy to:

1. All the Deputy Commissioners in the State for information
2. All the District Registrars/Deputy Commissioners (DUs) in the State for information
3. All the Assistant Commissioners in the State for information
4. All the Inspector of Registrations for information
5. All the Tahsildars in the State for information
6. All the Sub Registrars in the State for information & necessary action.
7. Audit Section of Head office 8. Circular file 9. Spare