

GOVERNMENT OF ODISHA
REVENUE & DISASTER MANAGEMENT DEPARTMENT

No. Regn- -79/2013- 19915 /R&DM, dated. 8-7-14

From

Dr. Taradatt,
Additional Chief Secretary

To

All RDCs
All Collectors

Sub: Disposal of Mutation Cases pending in different Tahasils and registration of documents - instructions thereof

Sir,

I am directed to say that the Registration (Odisha Amendment) Act, 2013 *inter-alia* provides for refusal to register certain documents and production of Record of Rights before the Registering Officer at the time of registration in order to check fraudulent transactions of landed property which are taking place in the registration offices by some unscrupulous persons.

It has come to the notice of the Government that the registering officers are very often refusing to register the documents on the ground that the transferor is unable to establish his exclusive ownership over the land, so transferred. This situation is attributed to the delay in effecting mutation in Record of Rights and issuance of up-to-date RoRs. This results in non- delivery of services within the time as prescribed under the Odisha Right to Public Services Act, 2012.

In order to address the problems being faced by public at large and vendors & vendees in particular, you are requested to make all possible efforts to ensure updation and correction of land records and issuance of RoRs within the specified time frame.

The following steps to be taken are reiterated again.

1. Tahasildars should initiate mutation proceedings within 24 hours on receipt of Form No. 3 from the Registering Officers and complete the process of mutation including correction of records, issuance of RoRs and uploading in *Bhulekh* within 90 days in all uncontested cases. In addition to penalty specified in the Odisha Right to Public Services Act, major penalty proceedings will be drawn if any case of delay is found in concluding the mutation process excepting the contested cases.

2. Correction of records after the death of the recorded tenants in favour of the legal heirs must be completed within 90 days and updated RoRs issued to them. In case of urgency in registration of properties jointly held or recorded in the name of the deceased parents, registration may be allowed if all the legal heir(s)/share holder(s) agree to such transaction.
3. Partition of joint holdings under Section 19(1)(c) of the OLR Act, should be completed by Tahasildars within 90 days.
4. Sub-Collectors and Collectors should review the progress of all pending cases in monthly revenue review meetings.
5. Complaints/Suggestion box may be kept in all Tahasil/DSR/SR offices to get feedback from the general public and those seeking registration of documents. The complaints and suggestions should be acted upon without any loss of time.
6. The Registering Officers should carefully examine the documents before registration and avoid rejecting them under flimsy grounds. While verifying documents presented to them, they get in touch with Tahasil officials, wherever necessary, access the *Bhulekh* data and seek clarification from stakeholders. They should bear in mind that the right of registration cannot be taken away on the basis of conclusion based on superficial examination of legal provisions. The only objective of the recent amendment to the Registration Act is to protect the interest of the public at large and to prevent indulgence of unscrupulous elements in fraudulent transactions.

You are, therefore, requested to ensure implementation of the legal provisions reiterated above in letter and spirit. Action should be initiated instantly in case of any dereliction of duties in dealing with registration of documents.

Yours faithfully,


8.7.14
Additional Chief Secretary

Speed Post

Memo No

19916

R&DM Dated

8.7.14

Copy forwarded to the Inspector General of Registration, Odisha, Cuttack for information and necessary action.


8.7.14
Additional Chief Secretary

Speed Post

Memo No 19917 R&DM Dated 8.7.14

Copy forwarded to the all ADM-cum- District Registrars/All Sub- Collectors/ All Tahasildars/All District Sub-Registrars/ /All Sub-Registrars for information and necessary action.


Additional Chief Secretary

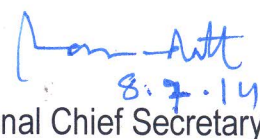
Memo No 19918 R&DM Dated 8.7.14

Copy forwarded Secretary, Board of Revenue, Odisha, Cuttack/ All Departments of Government/ All Heads of Department for information and necessary action.


Additional Chief Secretary

Memo No. 19919 /R&DM., Dt. 8.7.14

Copy forwarded to Joint Secretary, LR/ Joint Secretary, LRGE/ Joint Secretary, CHS/ Joint Secretary, LA/Under Secretary, IMU Cell/OSD (NRLMP) for information and necessary action.


Additional Chief Secretary

10copies to Registration Branch for Guard file