

**THE T.S RIGHTS IN LAND
PATTADAR PASS BOOKS
ACT – 1971
(Act No. 26 of 1971)**

- **It came into force w.e.f. 15-08-1978**
- **Rules made in 1989**
- **Implementation Commenced from
9-6-1989**

Reasons behind the Act:-

- **Organization of credit for farmers handled by several institutions and a number of Government Departments.**
- **Considerable hardship caused to farmers as they to approach village level functionaries and other Departments from time to time for extracts of village Revenue records and non – encumbrance certificates.**

Reasons behind the Act:-

- **Decision taken for formulation of a scheme to issue pass books to the ryots enabling them to secure loans based on the entries in the pass Books without requiring to approach the village level functionaries and others every time hence presents Act.**

IMPORTANT DEFINITIONS :

- **“Land”** means Land being used for agricultural purpose (Refer Section 2 (4)).
- **“Occupant”** means a person in actual possession of land other than a tenant or a usufructuary mortgagagee- (Refer 2(6)).
- **“Owner”** means a person who has permanent and heritable rights of possession on land and includes the holder of a patta issued as a landless poor person (Refer Section 2 (6-a)).
- **“Pattadar”** means includes every person who holds land directly under the Government under a Patta whose name is registered in land revenue accounts as Pattadar and who is liable to pay land revenue (Refer Section 2(7)).

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IMPORTANT DEFINITIONS :

- **"Khatadar"** means any person having a Khata number or account to pay land revenue (Refer Rule 2(f)).
- **The before affecting mutations the change is not in contravention of any provisions of the Acts, Viz.,**
 - i) The A.P. Land Reforms (ceiling on Agricultural Holdings) Act 1973 (Act 1 of 1973).
 - ii) The urban Land (ceiling Regulation) Act 1976 (Central Act 33 of 1976).

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IMPORTANT DEFINITIONS :

iii) The A.P. Assigned lands (prohibition of Transfers) Act 1977 (Act 9 of 1977).

iii) The A.P. Scheduled Areas Land Transfer Regulation 1959 (Reg 1 of 1959).

(Refer rule 9(1) (a) and (b) All disputed cases referred by **Recording Authority** to Tahsildar for disposal (Refer Rule 9 (1) (a) and (b)).

Pattadar Pass Books and Title Deeds:

- **Every owner pattadar, mortgagee or tenant to apply Tahsildar for issue of Pass Book and Title Deed (Refer Section 6-A).**
- **Tahsildar may also suo-motu issue Pass Book after following the procedure (Refer Proviso to Section 6-A) .**
- **To be prepared taking a village as one Unit. (Refer Ruler 26 (1)).**
- **Title Deeds to be prepared only in respect of Pattadar owner.**

Pattadar Pass Books and Title Deeds:

- **Shall have same evidentiary value with regard to title for creation of equitable mortgage under Transfer of property Act 1882, as a registered Document (Refer Rule 26 (2)).**
- **Title deed shall be in Form XIV – A (Refer Rule 26 (4)).**
- **Pattadar Pass Books to be given to owner Pattadar, tenant, mortgage, and occupants of Inam lands.**
- **Entries in Pass Book to be treated as sufficient evidence to grant loans, without production of copies of village revenue records (Refer Rule 26 (3)).**

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Formats of pass book : -

- (i) Pattadar owners - Form XIV-B.**
- (ii) Tenants and mortgagees - Form XIV-C.**
- (iii) Occupants of Inam Lands - Form XIV-D.**

(Refer Rule 26 (4))

- **Pattadar Pass Books to be printed in four parts.**
- **Owner pattadars who do not cultivate land to get part I & II.**
- **Owner pattadars who cultivate land to get Part I & II.**
- **Tenants and Mortgagees to get Part II.**
- **Title deeds and Pass Books to be issued in Telugu.**
- **Every entry therein to be presumed to be correct unless the contrary is proved (Refer Section 6).**

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- **Title deed establishes ownership of Pattadar owner.**
- **Pass Book to be record of title of an Owner and rights and interests of others (Refer Rule 26 (5)).**
- **Title deed or Pass Book to be given only to those who are in actual possession of land (Refer Rule 26 (6)).**
- **Pass Books and Title deeds to contain other required information like loans, mortgages etc., as prescribed by Commissioner (Refer Rule 26 (8)).**

Maintenance of Record of Rights :

- **Include correction of entries as per rule 17 and incorporation of all mutations as per section 5 (Refer Rule 18 (1)).**
- **Intimation of acquisition of rights to be made to Tahsildar within 90 days in Form VI-A. (Refer Section 4(1) and Rule 18(2)).**
- **Acknowledgement to the individual to be in Form VI(C).**
- **Registering Officer to initiate to Tahsildar all transactions in land in Form VI-B within a week. (Refer Section 4 (2) and Rule 18 (2)).**
- **Register in intimations and the orders passed thereon to be maintained in Form VII (Refer Rule 18 (3) (a)).**

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Maintenance of Record of Rights :

- **Tahsildar to give opportunity to the concerned before passing orders. (Refer to proviso to Section 5(1)).**
- **Before carrying out any amendment, Tahsildar to issue notice to persons affected and after making enquiry to pass orders.**
- **Notice to be in Form VIII. (Refer Section 5(3)).**
- **Orders on all intimations to be passed within six months.**

Maintenance of Record of Rights :

- **Appeal lies to RDO, on Tahsildars orders within sixty days (Refer Section 5(5)(Rule 21(1)).**
- **Tahsildar empowered to correct clerical errors in Pass Books. (Refer Section 5(6)).**
- **Appeal lies to RDO on Tahsildars orders U/s 5-A (4) within thirty days (Refer Section 5-B and (Rule 22-A).**
- **Appeal to be disposed of within six months. (Refer Rule 22-A (4)).**

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Important Forms

- **Form VI (A):** Intimation by any person Regarding Acquisition of Rights.
- **Form VI-B :** Intimation by the Registration Dept., to Tahsildar within a week of the date of registration.
- **Form VI (C) :** Acknowledgment by Mandal Revenue Officer of Mandal.

Important Forms

- **Form VII: Register of Amendments Fasil wise.**
- **Form VIII : Notice.**
- **Form IX : Other than Registrared documents Notice.**
- **Form X: Sada Bainama Application.**
- **Form XI: Notice by the Tahsildars to Pattadars.**
- **Form XII: Enquiry Notice.**

Important Forms

- **Form XIII(A): Letter to Sub-Register.**
- **Form XIII(B): Certificate by Tahsildar after payment of stamp duty.**
- **Form XIII(C): Attachment to Form XIII-B.**
- **Form XIV : Pattadar Pass Book.**

VI. Revision :

- **Collector final publication of ROR, Tahsildar to incorporate particulars in Village Revenue Records (Refer Section 10-A and Rule 30).**
- **Nothing in this Act shall apply to State or Central Government Lands (Refer Section 12).**

VII. Inspection and copies of the ROR :

- **ROR to be open for inspection by public. Certified copies to be given on payment of fee. (Refer Section 7)**

VIII. Bar of Suits :

- **No suit shall lie against Government or any Officer (Registered Section 8).**

IX. Powers of Recording or Appellate Authority.

- **Recording authority / appellate authority or other officer shall have same powers of Civil Court under the code of Civil Procedure 1908. (Refer Section 10).**

AMENDMENTS

I. Act 11 of 1980 :-

- **Decision of Issue of Compresanice pattadar Pass Books to owner, pattadars, mortgagees, occupant or tenant basing on entries in record rights.**

AMENDMENTS

II. Act 1 of 1989 :-

- A. To make the entries in the Pattadar Pass Books as an authentic document and acceptable evidence of title to the property on the security of which loan is proposed to be raised for the convenience of the farmers.**
- B. To Regularize Certain unregistered alienation or other transfers of land.**

AMENDMENTS

III. Act 24 of 1989 :-

- **Removing the term “occupant” from the category of those eligible to apply for Patta Pass Books.**
- **Included Section 6 C (1). To provide for eligibility to obtain loan on security of “Crop”.**

AMENDMENTS

IV. Act 9 of 1994 :-

- 1. To issue Title deeds to the "Pattadar Owners" to enable the to use the same for creation of equitable mortgage on their lands under Sub-Sec (1) of Section 6-A.**
- 2. To provide an appeal to Revenue Divisional Officer under Sub-Section (4) of Section 5-A of the Act.**

AMENDMENTS

IV. Act 9 of 1994 :-

- 3. To recover the loans in default as arrears of land revenue by the Revenue Department.**
- 4. To confer revision powers on the District Collector against the orders passed by the concerned authority under Sections 3, 5, 5-A of 5-B.**

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- And whereas, at present the land owners were insisted for production of Pattadar Pass Books and Title deeds for transactions related to land and also to secure loans by any Credit agency under section 6-B and section 6-C of Telangana Rights in Land and Pattadar Pass Books Act, 1971.

- Several instances came to the notice of the Government that the farmers are experiencing difficulties in obtaining agricultural loans from the lending agency by producing the pass Book and Title deed physically Since all the land related data is computerized and maintained in Maabhoomi Portal, Government have decided to bring certain amendments to the Telangana State Record of Rights in Lands and pattadar Pass Books Act, 1971 with the following objectives:-

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OBJECTIVES

- i. Maintenance of the Record of Rights in electronic form in the Telangana Land Records Management System (TLRMS) and to validate the electronically maintained revenue records in centralized storage devices and being executed through portals such as TLRMS and MeeSeva etc.
- ii. Combining Title Deed and Pass Book as Title Deed cum Pass Book, to enable the land holders/owners to obtain electronic Pattadar Passbook cum Title deed.

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OBJECTIVES

- iii. Reducing the need to produce the Pass Books by the user agency.
- iv. To ensure the bankers/credit agency to grant loans based on the revenue records maintained electronically in centralized storage device through Data Base such as Telangana Land Records Management System (TLRMS) etc., without insisting physical production of any type of Revenue records from the farmers.

OBJECTIVES

- v. Reduction of time for acquisition of rights from 90 days to 15 days in the Act and making necessary amendments in the rules accordingly.
- vi. To ensure Registration Officers to effect the registration of property on the basis of revenue records maintained electronically in TLRMS by Revenue Department records in centralized storage devices and being executed through portals such as TLRMS and MeeSeva etc.

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OBJECTIVES

- vii. These amendments will enable the goals of ease of doing business and grater transparency and accountability in the department.
- viii. To protect the lands belonging to the state Government or Central Government.

To achieve above objects the Governor of Telangana Promulgate the following ordinance called the “ Telangana Rights in Land and Pattadar Pass Books (Amendment) ordinance 2017. As detailed below

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Amended Section 4 (1)

As per Previous Act

(1) Any person acquiring by succession, survivorship, inheritance, partition, Government patta, decree of a Court or otherwise any right as **owner, pattadar mortgagee occupant or tenant** of a land and any person acquiring any right as occupant of a land by any other method shall intimate in writing his acquisition of such right to the Mandal Revenue Officer **within ninety days** from the date of such acquisition, and the said Mandal Revenue Officer shall give or send a written acknowledgment of the receipt of such intimation to the person making it:

As per Amended Act

(1) Any person acquiring by succession, survivorship, inheritance, partition, Government patta, decree of a Court otherwise any right as **owner, pattadar, of land** and any person acquiring any right as occupant of land by any other method shall intimate in writing his acquisition of such right, to the Mandal Revenue Officer Village Revenue Officer on noting the acquisition of rights in his jurisdiction shall intimate the Mandal Revenue Officer **within one (1) day** as prescribed. The Mandal Revenue Officer shall give or send a written acknowledgment of the receipt of such intimation to the person making it.

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Amended Section 4 (1)

As per Previous Act

Provided that where the person acquiring the right is a minor or otherwise disqualified, his guardian or other persons having charge of his property shall intimate the fact of such acquisition to the Mandal Revenue Officer.

As per Amended Act

Provided that where the person acquiring the right is a minor or otherwise disqualified, his guardian or other persons having charge of his property shall intimate the fact of such acquisition to the Mandal Revenue Officer.

Amended Section 4 (1)

As per Previous Act	As per Amended Act
<p>(2) Notwithstanding anything contained in the Registration Act, 1908 (Central Act 16 of 1908) every registering a document relating to a transaction inland, such as sale, mortgage, gift, lease or otherwise shall intimate the Mandal Revenue Officer of the Mandal in which the property is situate of such transaction.</p>	<p>2) in sub - section (2) (i) after the words "the Mandal Revenue Officer of the Mandal" the words " manually or electronically" shall be inserted: (ii) at the end of the sub - section, the words "as prescribed" shall be added. alienated by the State</p>

Amended Section 5 (6)

As per Previous Act

The Mandal Revenue Officer shall have the power to correct clerical errors, if any, in the Pass Books.

As per Amended Act

3. in the principal Act, In section 5, for sub -section (6) the following sub - section shall be substituted namely:

(6) The Mandal Revenue Officer shall have the power to correct clerical errors, if any, on the request of the pattadar or any person interested in the land in the Pass Books as prescribed“

4. In the principal Act, in section 6, for the words pattadar pass book" the words “electronically maintained pattadar pass book shall be substituted.

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Amended Section 6 (A)

As per Previous Act	As per Amended Act
<p>(1) Every Owner, Pattadar mortgagee or tenant of any land shall apply for the issue of a pass book and title deed to the Mandal Revenue Officer on payment of such fee as may be prescribed.</p> <p>Provided further that where no application is made under this sub – section the Mandal Revenue Officer may Suomotu issue a Pass Book after following the procedure prescribed under sub – section (2) and collect the fee prescribed therefor.</p>	<p>In the principal Act, in section 6-A (10 in sub - section (1), -</p> <p>(i) the words mortgagee or tenant" shall be omitted:</p> <p>(ii) In second proviso, after the word " suo - motu" the words " or mandatorily mutata and complete the process within a period of fifteen days" shall be inserted.</p>

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Amended Section 6 (A)

As per Previous Act	As per Amended Act
<p>(4) The Government may prescribe by rules the manner in which the (title deed and pass book) may be issued to all owners, pattadars, mortgagagees or tenants and to such other person in accordance with the record of rights.</p>	<p>(2) in sub -section (4), for the words "pattadars mortgagagees or tenants" the word pattadars shall be substituted.</p>

Amended Section 6 (C)

As per Previous Act

Recording of grant of loans and encumbrances.

As per Amended Act

6. In the principal Act, in section 6-C, after sub - section (3) following sub - section shall be added, namely,

(4) Notwithstanding anything contained in the section 6-C, Credit Agency shall grant loan on the basis of ROR 1-B maintained electronically without insisting on Pattadar Pass Book cum Title deed”.

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Amended Section 6 (D)

As per Previous Act

Registering authority to make entries in the Pass book: It shall be obligatory on the part of any person having interest or right in land to produce the (title deed and pass book) before the registering authority appointed, under the Registration Act, 1908 along with the documents he proposes to get registered and it shall be obligatory on the part of such registering authority to make entry of every transaction of sale, gift, purchase, mortgage, lease or exchange in such (title deed and pass book) at the appropriate place, or places under his signature and official seal.

As per Amended Act

7. In the principal Act, in section 6-D, in sub - section (1), after the words "such registering authority", the words to verify the Webland data maintained electronically and shall be inserted.

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Amended Section 6 (E)

As per Previous Act

As per Amended Act

In the principal Act, after section 6 (D) the following section shall be added, namely:-

6-E Notwithstanding anything contained in this Act, until the date of enforcement of this amendment Act of 2017, the transactions or other acquisitions in land that the land owners had shall be governed by the provisions of un amended Act".

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Amended Section 12

As per Previous Act	As per Amended Act
<p>Act not to apply to Government lands: Noting in this Act shall apply to the lands belonging to the State Government or Central Government.</p>	<p>9. In the principal Act, after section 12, the following section shall be inserted, namely-</p> <p>12-A (10) Notwithstanding any judgment, decree, order, proceeding of court or any other authority, save the authority prescribed under the Hyderabad (Abolition of Jagirs) Regulation, 1358 F., and rules thereof, all the Jagir lands including Paigah, Samsthans part of Jagir, Muktha, Village Agrahar, Umil and Mukhas a etc.,</p>

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Amended Section 12

As per Previous Act

As per Amended Act

within the meaning of Hyderabad (Abolition of Jagirs) Regulation, 1358., which stood vested in the State under the said Act, the title and ownership of such Jagir lands never transferred or never deemed to have been transferred to any person.

(1) The Jagir lands defined under the Hyderabad (Abolition of Jagirs) Regulation, 1358F., shall be recorded and maintained as Government lands in the revenue records.

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THANK YOU