

ENQUIRY REPORT ON THE DEPARTMENTAL ENQUIRY
HELD AGAINST SMT.K.PADMAVATHY, JOINT SUB-REGISTRAR, S.R.O.SULUR
PET, GUDUR REGISTRATION DISTRICT IN SPSR NELLORE DISTRICT
INQUIRY OFFICER:: M.ABRAHAM,M.Com.,B.L.,
DISTRICT REGISTRAR, NELLORE

Letter No:E1/ /2016

Dated: -11-2018

Sub: Public Services Registration and Stamps Department – Smt.K.Padmavathy, Joint sub-Registrar, S.R.O.Sullure pet in Gudur Regn.District – Allegations of certain irregularities reported in the Internal Audit Reports by the District Registrar, M.V& Audit, Nellore Departmental Proceedings under Rule 20 of A.P. Civil Services (C. C & A) Rules, 1991 – Regular Enquiry conducted - Enquiry Report –Submitted- Regarding.

- Ref:-1. District Registrar, M.V.& Audit, Nellore Audit Reports
No. 57/2011, No.84/2011 of R.O.[O.B], Gudur, No. 88/2014 of S.R.O.Buchireddypalem and No. 99/2014 of S.R.O.Sullur pet.
2. Dy. Inspector General Nellore Memo..No.G2/197/2015, dated 04-05-2016
3. Dy. Inspector General Nellore Procgs. No.G2/197/2015,
Dated:07-09-2016 (Appointment of R.E.O.)
4. Dy. Inspector General Nellore Procgs. No.G2/197/2015,
Dated:07-09-2016 (Appointment of P.O.)

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1. In exercise of powers vested in under sub-rule (2) of Rule 20 of A.P. Civil Services (CC&A) Rules, 1991, the Dy.Inspector General, Nellore appointed me as the Inquiring Authority vide ref 3rd cited to inquire into the charges framed against Smt. K.Padavathy, Joint Sub-Regsitrar, S.R.O.Sullur pet, Gudur Registration district in SPSR Nellore District relating to the allegations of irregularities in registration of certain documents while **she was working as Joint Sub-Registrar-I, in R.O. (O.B), Gudur, Joint Sub-Registrar, S.R.O.Buchireddy Palem and Sullur pet**, which wre remarked in the Internal Audit Reports made by District Registrar M.V. & Audit, Nellore in Internal Audit Report No. 57/2011, No.84/2011 of R.O.[O.B], Gudur, No. 88/2014 of S.R.O.Buchireddypalem and No. 99/2014 of S.R.O.Sullur pet,

2. Sri. M. Munisankaraiah, District Registrar, Gudur Registration District of SPSR Nellore District was appointed as the Presenting Officer in this case by the Dy. Inspector General, Nellore vide ref 4th cited.
3. **Participation of the Charged Officer in the Enquiry:** The Charged Officer participated in the Enquiry throughout the proceedings. In order to afford reasonable opportunity to the charged officer and adhering to the principles of natural justice in the proceedings of the Regular Enquiry, she was supplied with the records on the basis of which the enquiry is proposed to be sustained and she has not indented for any record/paper during the course of enquiry. I have since conducted and concluded the Regular Enquiry based on the documentary and oral evidence produced before me during the enquiry and the enquiry Report there on is submitted hereunder.

Articles of charge and substance of the imputations of misconduct and mis-behaviour against the Charged Officer:

1 .It was proposed to hold an enquiry against Smt. K. Padmavathy, Joint Sub-Registrar, S.R.O.Sullur pet in Gudur Registration District in SPSR Nellore District in accordance with the procedure laid down in Rule 20 of A.P. Civil Services (C.C & A) Rules, 1991 as regards to allegations of irregularities committed by her in registration of certain documents while she worked as Joint Sub-Registrar-I, of R.O., [O.B] Gudur, Joint Sub-Regsitrar, Buchireddypalem and Sullur pet remarked in the Internal Audit Report No. 57/2011, No.84/2011 of R.O.[O.B], Gudur, No. 88/2014 of S.R.O.Buchireddypalem and No. 99/2014 of S.R.O.Sullur pet,and she was issued with a charge memo vide ref 2nd cited.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I). The statement of imputations for the charges framed (Annexure-II), a list of documents by which, and a list of witnesses by whom, the Articles of Charges are proposed to be sustained are also enclosed (Annexure-III & IV).The charge memo is extracted below.

ANNEXURE – I

Articles of charges framed against Smt. K.Padavathy, Joint Sub-Registrar, S.R.O.Sullur pet, Gudur Registration district in SPSR Nellore District

CHARGE – I

That you Smt. K.Padavathy, Joint Sub-Registrar, S.R.O.Sullur pet, Gudur Registration district while you were discharging duties as Joint Sub-Registrar-I, Registrar's office, [Original Branch] Gudur, Gudur Registration district you have committed misconduct by registering document No.7770/2011, 7771/2011, 2256/2011 and 33371/2011 by adopting incorrect market value of the property causing loss of revenue of Rs.46,61,950/-, Rs.8.53,150/-, Rs.7,17,890/- and Rs.3,87,050/- respectively to Government exchequer as was remarked in the Internal Audit Report No.57/2011and 84/2011 of R.O.[O.B]Gudur thereby violating Departmental instructions and contravened Rule 3 of A.P. Civil Services [Conduct]Rules.

Thus, Smt. K.Padavathy, Joint Sub-Registrar, S.R.O.Sullur pet, Gudur Registration district while your were discharging duties as Joint Sub-Registrar-I, Registrar's office, [Original Branch] Gudur, Gudur Registration district by her above mentioned acts exhibited lack of integrity devotion to duty and discipline which unbecoming of a Public servant and thereby contravened Rule 3 of A.P. Civil Services (Conduct) Rules, 1964.

CHARGE – II

That you, Smt. K.Padavathy, Joint Sub-Registrar, S.R.O.Sullur pet, Gudur Registration district have committed grave misconduct as you have registered as many as the document remarked in I.A. Report No.88/2014 of Sub-Registrar's office, Buchireddy palem without verifying the ROR entries relating to sellers/executants of the documents with those of web land and thereby violated Section 6D of Andhra Pradesh rights in Land and Pattadar Pass Book Act, 1971 and the executive instructions issued by the Commissioner and Inspector General of A.P. Hyderabad Vide Memo.No.G1/17480/1996, dated 08-05-2012 and Memo.No.G1/9732/013, dated 17-7-2013, and by her above mentioned acts exhibited lack of integrity devotion to duty and discipline which unbecoming of a Public servant and thereby contravened Rule 3 of A.P. Civil Services (Conduct) Rules, 1964.

CHARGE-III

That you Smt. K.Padavathy, Joint Sub-Registrar, S.R.O.Sullur pet, Gudur Registration district while you were discharging duties as Joint Sub-Registrar-I, in Buchireddypalem

and Sullur pet, Nellore District you have committed misconduct as you have registered as many as documents affecting prohibited properties as pointed out in the Internal Audit Report Nos.88/2014 of S.R.O.Buchireddypalem and 99/2014 of S.R.O.Sullur pet by violating the provisions of Section 22-A of Registration Act 1908 and thereby contravened Rule 3 of A.P. Civil Services [Conduct]Rules.

ANNEXURE –II

Statement of imputation of misconduct or misbehavior in support of Article Of Charges Framed Against Smt. K. Padmavathy, Joint Sub-Regsitrar, S.R.O.Sullur pet in Gudur Registration District.

While the Government servant Smt. K. Padmavathy, Joint Sub-Registrar, S.R.O.Sullur pet in Gudur Registration District while discharging duties as Joint Sub-Registrar in Buchireddy Palem, R.O.[O.B] Gudur and Sullur Pet, Nellore District had registered properties resulting in loss of revenue more than one lakh, registered documents violating provisions of Section 6D of Andhra Pradesh rights in Land and Pattadar Pass Book Act, 1971 and the executive instructions issued by the Commissioner and Inspector General of A.P. Hyderabad Vide No.G1/17480/1996, dated 8-5-2012, dated G1/9232/2013, dated 17-07-2013 registered prohibited properties violating provisions of Section 22-A of Registration Act 1908, as pointed out in the Internal Audit Report Nos.99/2014 of S.R.O.Sullur pet, 84/2011 of R.O.[O.B] Gudur and 88/2014 of S.R.O. Buchieddy palem. Hence the charge.

ANNEXURE – III

LIST OF WITNESSES:

NIL

ANNEXURE – IV

LIST OF DOCUMENTS:

- 1) District Registrar [Market Value & Audit] Nellore Audit Report Nos.99/2014 of S.R.O.Sullur pet, 57/2011 and 84/2011 of R.O.[O.B]Gudur and 88/2014 of S.R.O.Buchieddy palem.
- 2) Copies of documents pointed out in Internal Audit Report Nos.99/2014 of S.R.O.Sullur pet, 57/2011 and 84/2011 of R.O.[O.B]Gudur and 88/2014 of S.R.O.Buchieddy palem.

CASE OF THE DISCIPLINARY AUTHORITY :

The disciplinary authority on the strength of the internal Audit report Nos.57 and 84/2011 of R.O., Gudur (O.B.) of the District Registrar [Market Value & Audit] Nellore has observed that while discharging duties as Joint Sub-Registrar-I,R.O.[O.B] Gudur charged officer registered 4 documents mentioned in Internal Audit report No 57 & 84/2011 casing loss of revenue to Government with improper adoption of market values. It was further observed that as remarked in the Internal Audit report Nos.88/2014 of S.R.O.Buchireddy palem without verifying the ROR entries related to the sellers/executants of the documents with those of web land and there by violated the section 6 (D) of the Andhra Pradesh rights in land Pattadar passbooks Act.1971 and the executive instructions issued by the commissioner and Inspector General of

Registration and Stamps, A.P., Hyderabad vide memo No.G1/17480/1996 Dated 08-05-2012 and G1/9732/2013 Dated 17-07-2013 and commissioner and Inspector General of Registration and Stamps, A.P., Hyderabad vide memo No.G1/1249/2012, dated 29-01-2014 and it was further observed that as remarked in the Internal Audit report Nos.99/2014 of S.R.O.Sullur pet and Audit Report No.88/2014 of S.R.O. Buchhiredypalem have registered documents by violating the provisions of Section 22-A of Registration Act 1908 and thereby have contravened Rule-3 of A.P. Civil Services (Conduct) Rules, 1964.

As such that Smt. K. Padmavathy, Joint Sub-Registrar, S.R.O.Sullur pet in Gudur Registration District while working as Joint Sub-Registrar-I, R.O. (O.B)., Gudur and Sub-Registrar, S.R.O. Buchireddy palem and S.R.O.Sullur pet by her above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a public servant in contravention of Rule-3 of A.P. Civil Services (conduct) Rules, 1964. Thus the Charges are framed against the charged officer.

Case of the Charged officer/ Defendant:

In response to the Articles of Charge framed against Smt. K. Padmavathy, Joint Sub-Registrar, S.R.O.Sullur pet in Gudur Registration District the charged officer had submitted her written statement of defense rebutting the Articles of Charge framed against her. The same is extracted as follows:-

I humbly and respectfully submit that 'three Articles of Charges' were framed in Annexure I together with the Statement of imputation in Annexure II, List of witnesses in Annexure III and List of Documents in Annexure IV were served on me with a direction to submit my Written Statement of Defence within 15 days after receipt of the Articles of Charges by me.

I humbly and respectfully submit that in implicit obedience to the instructions of the benign officer given in the reference cited supra, I am submitting the following 'Written Statement of Defence' with a humble prayer to be compassionate enough to exonerate me from the Articles of charges as all the Audit objections mentioned in the Articles of Charges were already answered and most of them were ordered to be 'recorded' by the benign officer after fully satisfying with my Explanation submitted to the said Audit remarks and also basing on due recommendations by the District Registrar (MVA) Nellore who had passed those Audit remarks.

WRITTEN STATEMENT OF DEFENCE

I humbly and respectfully submit that the following "three Articles of Charges" were framed against me.

Article of charge I

"That you while discharging duties as Joint Sub-Registrar, (original Branch) Gudur in Gudur Registration District, you have committed grave Mis-Conduct as you have committed Mis-conduct in registering Document Nos 7770, 7771, 2256, & 3371/2011 by adopting in-correct market value of the property causing loss of revenue of Rs 46,61,950/-Rs 8,53,150/- Rs 7,17,89- & Rs 3,87,050/-respectively to the Government Ex-checquer as was remarked in the in the internal audit Reports Nos 57/2011, and 84/2011 of RO(ROB) Gudur thereby violating Departmental instructions and contravened Rule 3 of A.P. C.S (Conduct) Rules 1964.

Article of Charge II:

“That you while discharging duties as Joint Sub-Registrar SRO Sullurpet in Gudur Registration District, you have committed grave Mis-Conduct as you registered as many as the Documents in IA Report No 88/2014 of Buchireddypalem without verifying the ROR entries related to the sellers/Executants of the Documents with those of the Web-land and thereby violated Section 6 (d) of the A.P rights in Land Pattadar Pass-Books Act 1971 and the executive instructions issued by the C&IG, R&S A.P Hyderabad vide Memo No G1/17480/1996 dated 8-5-2012 and G1/9732/2013 dated 17-7-2013.”

Article of Charge III:

“That you while discharging duties as Joint Sub-Registrar in Buchireddypalem and Sullurpet in Nellore District, you have committed Mis-Conduct as you have registered many as documents affecting SRO Buchireddypalem and 99/2014 of SRO Sullurpet by violating the provisions of section 22-A of IR Act 1908 and thereby contravened Rule 3 of APCS (COnduct) Rules 1964.”

EXPLANATION

At the outset, I deny all the ‘three Articles of Charges’ as I have not committed any such irregularities over which the three Articles of Charges are framed.

I humbly and respectfully draw the kind attention of the benign officer to “Rule 58 of the AP Registration Rules” framed under the Registration Act 1908, and according to which I submit that as the Registering officer, I am not bound by duty to enquire into the validity of the document.

I also bring to the kind notice of the benign officer that the Honourable Division Bench of the Honourable Court of Judicature, A.P at Hyderabad comprising of two Honourable Judges while disposing the Writ Appeal No 715 of 2009 categorically held on 10-6-2009 that:

“That the Enquiry into the title of Vendor is beyond the jurisdiction of the Sub-Registrar and the Registrar has to merely ensure compliance of the Registration Act & Rules.”

I humbly and respectfully submit that there is no discretion to me as the Registering officer to refuse registration of the Document particularly when the provisions of Section 22-A of the [Registration Act](#) 1908, does not apply to the property mentioned in the Schedule of property.

I submit that to satisfy myself as the Registering Officer that the Schedule of property is suitable for registration or not in terms of Section 22 A of the Registration Act 1908, I have to peruse the Prohibited Property list maintained in the Sub-Registry as furnished by the Revenue Authorities and if the schedule of property is not figured in the said list, I have to proceed with the registration.

I humbly submit that Section 6 (D) of the ‘Andhra Pradesh Rights in land and Pattadar Pass Book Act 1971’ does not cast any duty on me for verification of Revenue records. According the Honourable Division Bench judgment of A.P High Court, I have to merely ensure compliance of the Registration Act & Rules framed thereon and not bound by any other Act.

I humbly and respectfully submit that I am submitting the following Explanation to each of the Articles of Charges below for favour of kind consideration.

EXPLANATION TO ARTICLE OF CHARGE: IArticle of charge I

“That you while discharging duties as Joint Sub-Registrar, (original Branch) Gudur in Gudur Registration District, you have committed grave Mis-Conduct as you have committed Mis-conduct in registering Document Nos 7770, 7771, 2256, & 3371/2011 by adopting in-correct market value of the property causing loss of revenue of Rs 46,61,950/-Rs 8,53,150/- Rs 7,17,89- & Rs 3,87,050/-respectively to the Government Ex-checquer as was remarked in the in the internal audit Reports Nos 57/2011, and 84/2011 of RO(ROB) Gudur thereby violating Departmental instructions and contravened Rule 3 of A.P. C.S (Conduct) Rules 1964”.

Basis for faming of the Article of Charge:

Internal Audit Report Nos 57/2011, 84/2011 from the District Registrar (MV&A) Nellore.

I submit that the main crux of the Article of Charge No I is that;

“Committed Mis-conduct in registering Document Nos 7770, 7771, 2256, & 3371/2011 by adopting in-correct market value of the property causing loss of revenue loss.”

I humbly and respectfully submit that the Schedule of Property in Registered Document Nos 7770, 7771, 2256, & 3371/2011 are in Survey Nos 1634 to 1672 of Divipalem Village in West Gudur.

I further submit that there was an up-roar from the registering public for the lands situated in the said Survey Nos that the Market Value fixed for the said lands was abnormally high and they all requested to get the same amended.

Due to the pressure from the Registering Public, I have submitted proposals to the District Registrar, Gudur on 8-1-2010 with a request to review the Market Value in respect of the said lands as a mistake was committed in fixing the Market value of the said lands. I have enclosed the Market Value Revisions from 1995 to 2006.

I submit that there was increase in the value of the Rate per acre at Rs 12,000/- and Rs 6,000/- to Rs 9, 68,000/- in the rate as per square yards. The Market value was thus fixed at Rs 15, 97,000/- per acre at the rate of Rs 330/- per square yard.

I have also enclosed the E.C. Copies from 1983. Further I submit that the C&IG, (R&S) A.P, Hyderabad in Memo No MV6/20125/2oo8 dated 18-3-2009 for correcting the Market values in the event of mistakes committed while fixing them.

I further submit the Tahsildar, Gudur in his Letter No G1/107/2010 dated 9-2-2010 had certified the lands in the above Survey Nos of Divipalem village as Patta dry.

As it was found that the rate per Acre was erroneously fixed treating them as House Sites, the District Registrar Gudur in his Proceedings C.No G3/616/2009dated 9-4-2010 had ordered for rectification of the error and fixed the Market Value at Rs 1, 00,000/- per acre for the Documents to be registered in future. The District registrar Gudur also fixed the Market value at Rs 50,000/- per acre in respect of the Schedule of Property in pending document no P18/2005 and at Rs 1, 00,000/- for the pending Document Nos P2/2007 and P3/2007.

The Crux of the Charge is that I had adopted lesser market value and caused financial loss to the Govt. I never caused any such and that I had scrupulously followed the market value fixed by the District Registrar, Gudur after following the procedure.

However I am submitting the details of the Documents mentioned in the Article of Charge.

Document No 7770/2010:

This Document is sale cum GPA executed by Sri Parimala Ramanaiah S/O Pullaiah, Smt Parimala Meeramma W/O Peda Panchalaiah, Gurrarn Venkatamma D/O Subbaiah Yathapalli Ramanaiah S/O Raghavulu and Pendi Suryanarayana S/O Venkata Krishnaiah in favour of Votti Somasundaram S/O Viswanath.

The schedule of Property related to this Document is an extent of Ac 21.16 cents in Survey Nos 1650, to 1654, 1961 in Divipalem Panchayat of West Gudur.

As per the Basic Register the Market Value of the Schedule of Property was very high. As such the Document was kept pending and the District Registrar Gudur in Proceedings C.No G3/616/2009 dated 9-4-2010 had revised the Market Value as rate per acre and not the rate per square yard.

As such the Revised Market Value as fixed by DR Gudur was adopted and there is no deficit stamp duty as observed by the Audit officer.

Document No 7771/2010:

This Document is sale cum GPA executed by Parimala Ramanaiah S/O Pullaiah, Parimala Meeramma W/O Peda Panchalaiah, Gurrarn Venkatamma D/O Subbaiah Yathapalli Ramanaiah S/O Raghavulu and Pendi Suryanarayana S/O Venkata Krishnaiah in favour of Votti Somasundaram S/O Viswanath.

The schedule of Property is to an extent of 4-5 acres in Survey Nos 1653, in Divipalem Panchayat of West Gudur.

As per the Basic Register the Market Value of the Schedule of Property would be very high. As such the Document was kept pending and the District Registrar Gudur in Proceedings C.No G3/616/2009 dated 9-4-2010 had revised the Market Value as rate per acre and not the rate per square yard.

As such the Revised Market Value fixed by the District Registrar, Gudur was adopted and there is no deficit stamp duty as observed by the Audit officer.

I humbly and respectfully submit that the A.P Market Value Guidelines Revision Committee constituted in accordance to G.O Ms No 600 Revenue(Regn-I) Department dated 23-4-2008, G.O Ms No 643 Revenue(Regn-I) Department dated 1-7-2009 & G.O Ms No 720 Revenue(Regn-I) Department dated 30-7-2001 with Sub-Collector Gudur as Chairman, Tahsildar MPDO & Dr (MV&A) as members and the Sub-Registrar as the Convener in their minutes dated 20-2-2013 have ordered to delete the Survey Nos 1634/1,1636/1,1636/2, 1637 to 1645. 1650 to 1654 1657 to 1664,1670,1671 & 1672 from the Form IV of west Gudur basing on the instructions given by the Committee constituted by the C&IG (R&S) A.P Hyderabad and the verification of the Survey Nos List submitted by the VRO West Gudur and also the E.C. data.

I humbly and respectfully submit that the Document Nos 2256 & 3371/2011 do not find place in Audit Report No 57/2011 and they figure in Internal Audit report No 84/2011.

Document No 2256/2011:

This is a sale deed executed by Smt G. Padmamma for Rs 4, 60,000/- in favour of Sri SK Subhan on 7-4-2011. The Schedule of property related to this Document is 2.30 cents in Survey No 1640 of West Gudur.

As per the Basic Register the Market Value of the Schedule of Property would be very high. As such the Document was kept pending and the District Registrar Gudur in Proceedings C.No G3/616/2009 dated 9-4-2010 had revised the Market Value as rate per acre and not the rate per square yard.

As such the Revised Market Value fixed by the District Registrar, Gudur was adopted and there is no deficit stamp duty as observed by the Audit officer.

I humbly and respectfully submit that the A.P Market Value Guidelines Revision Committee constituted in accordance to G.O Ms No 600 Revenue(Regn-I) Department dated 23-4-2008, G.O Ms No 643 Revenue(Regn-I) Department dated 1-7-2009 & G.O Ms No 720 Revenue(Regn-I) Department dated 30-7-2001 with Sub-Collector Gudur as Chairman, Tahsildar MPDO & Dr (MV&A) as members and the Sub-Registrar as the Convener in their minutes dated 20-2-2013 have ordered to delete the Survey Nos 1634/1,1636/1,1636/2, 1637 to 1645. 1650 to 1654 1657 to 1664,1670,1671 & 1672 from the Form IV of west Gudur basing on the instructions given by the Committee constituted by the C&IG (R&S) A.P Hyderabad and the verification of the Survey Nos List submitted by the VRO West Gudur and also the E.C. data.

I submit that I have followed the instructions of my Superior officer and adopted the Market Value as fixed by him.

Document no 3371/2011:

This is a sale deed executed by Smt S. Ramanamma for Rs 2, 48, 000/- in favour of Sri K. Lakshminarayana on 19-5-2011. The Schedule of property related to this Document is Ac 1.25 cents in Survey No 1672/2 of West Gudur.

As per the Basic Register the Market Value of the Schedule of Property would be very high. As such the Document was kept pending and the District Registrar Gudur in Proceedings C.No G3/616/2009dated 9-4-2010 had revised the Market Value as rate per acre and not the rate per square yard.

As such the Revised Market Value fixed by the District Registrar, Gudur was adopted and there is no deficit stamp duty as observed by the Audit officer.

I humbly and respectfully submit that the A.P Market Value Guidelines Revision Committee constituted in accordance to G.O Ms No 600 Revenue(Regn-I) Department dated 23-4-2008, G.O Ms No 643 Revenue(Regn-I) Department dated 1-7-2009 & G.O Ms No 720 Revenue(Regn-I) Department dated 30-7-2001 with Sub-Collector Gudur as Chairman, Tahsildar MPDO & Dr (MV&A) as members and the Sub-Registrar as the Convener in their minutes dated 20-2-2013 have ordered to delete the Survey Nos 1634/1,1636/1,1636/2, 1637 to 1645. 1650 to 1654 1657 to 1664,1670,1671 & 1672 from the Form IV of west Gudur basing on the instructions given by the Committee constituted by the C&IG (R&S) A.P Hyderabad and the verification of the Survey Nos List submitted by the VRO West Gudur and also the E.C. data.

I submit that I have followed the instructions of my Superior officer and adopted the Market Value as fixed by him.

EXPLANATION TO ARTICLE OF CHARGE: II

“That you while discharging duties as Joint Sub-Registrar SRO Sullurpet in Gudur Registration District, you have committed grave Mis-Conduct as you registered as many as the Documents in IA Report No 88/2014 of Buchireddypalem without verifying the ROR entries related to the sellers/Executants of the Documents with those of the Web-land and thereby violated Section 6 (d) of the A.P rights in Land Pattadar Pass-Books Act1971 and the executive instructions issued by the C&IG, R&S A.P Hyderabad vide Memo No G1/17480/1996 dated 8-5-2012 and G1/9732/2013 dated 17-7-2013.”

I humbly submit that this Article of Charge consists of the following two limbs.

1. The ROR entries with those of web-land data are not verified.

2. Govt lands were admitted for registration without verification of prohibited property list.

Explanation to the First Limb:

I humbly submit that in the Internal Audit Report No 88/2014 of Buchireddypalem it was remarked that the ROR entries with those of web-land data are not verified.

1. Document No 1192/2014:

This is a Sale Deed. The Executant is one Smt Syed Parveen W/O Sirajuddin. Herself and her two brothers had inherited right of schedule of the property from her father Sri Shaik Gafoor Saheb. After demise of Sri Shaik Gafoor Saheb, the three Executants have partitioned the properties in registered Partition deed No 2274/2011.

According to the registered Partition Deed No 2274/2011 Smt Parveen got an extent of 1.00 Acres in Survey No 84/4 of Challayapalem village.

The Revenue Authorities have issued Pattadar Pass-Book and Title Deed bearing No J 517547 with unique ID No 090118060303 in the name of Smt Parveen for the extent of Ac1.00 Cents In survey No 84/4 of Challayapalem village. She produced Adangal copy and I B issued by Tahsildar but it was not changed to her name as Pattadar in pahani and her father was shown as Pattadar.

The Hard copies of Adangal and IB issued by Tahsildar are enclosed.

I submit that I have followed the instructions under Rule 58 of the Registration Act.

I submit that I have not committed any irregularity as I have duly verified the ROR with Revenue Webland data.

2. Document No 1288/2014:

This is a Settlement deed. One Smt Chapala Venkata Subbamma is the Donor and the recipient was her daughter Smt Gampala Dhanamma.

The transaction is the only settlement in between the family members and no transfer of Property is affected in this Document.

I submit that I have verified the Pattadar Pass Book, Title Deed and other Revenue Record to be genuine.

I submit that I have followed the the instructions under Rule 58 of the Registration Act.

I submit that I have not committed any irregularity as I have duly verified the Revenue record.

3. Document No 1238/2014:

This is a registered sale Deed. The Executants are 1. Dega Sujatha 2. Dega Surender Reddy and 3. Dega Ravindra Reddy. The Pattadar Pass-Books and the Title deeds are in name of Late Dega Ramachandra Reddy, the husband of Executant 1 and father of Executants 2 & 3.

After demise of Sri Dega Ramachandra reddy, his wife and two sons have sold out the property.

I submit that I have followed the instructions under Rule 58 of the Registration Act.

I submit that I have not committed any irregularity as I have duly verified the Revenue record.

4. Document No 1327/2014:

This is a Settlement deed. The names of the parties mentioned in the Document are not tallied with the names mentioned in the IA Report.

The transaction is the only settlement in between the family members and no transfer of Property is affected in this Document.

I submit that I have verified the Pattadar Pass Book, Title Deed and other Revenue Record to be genuine.

I submit that I have followed the instructions under Rule 58 of the Registration Act.

I submit that I have not committed any irregularity as I have duly verified the Revenue record.

5. Document No 986/2014:

This is a Sale Deed.

The Pattadar Pass Books and Title Deeds were issued in the name of Smt Pallavarapu Ramanamma.

Sri Katta Yedukondalu and Katta Ramanaiah became the absolute owners of the Properties of Smt Pallavarau Ramanamma through registered will No 34/1996 of BK3.

The schedule of property involved is Ac 0.341/2 cents in Survey No 356/A of Patur village.

I submit that I have verified the Pattadar Pass Book, Title Deed and other Revenue Record to be genuine.

I submit that I have followed the instructions under Rule 58 of the Registration Act.

I submit that I have not committed any irregularity as I have duly verified the Revenue record.

6. Document No 1007/2014:

This is a sale deed.

The Pattadar Pass Books and Title Deeds were issued in the name of the husband and father of the Executants.

Smt Cheepiri Lakshmi and Cheepiri Ramanaih became the absolute owners of the Properties after the demise of the husband of the former and the father of the latter.

The schedule of property involved is Ac 0.12 cents in Survey No 35/11A of Lingalapadu village.

I submit that I have verified the Pattadar Pass Book, Title Deed and other Revenue Record to be genuine.

In the Manual Pass-0 Books the Unique number could not be traced. But it is available in the computerized Pattadar pass-books and title deeds.

I submit that I have followed the instructions under Rule 58 of the Registration Act.

I submit that I have not committed any irregularity as I have duly verified the Revenue record.

7. Document No 1054/2014.

This is a Sale deed.

The Pattadar Pass-Books and Title Deeds No J460355 with Unique identification No 0909118040084 were produced at the time of registration by Sri Alapaka Ravi the Executant of the Document.

The Extent of land involved is 0.33cents in Survey No 523 of Rebala Village.

I submit that due to mistake on the part of the Revenue officials, the details are not included in the Adangal and I B

I submit that I have verified the Pattadar Pass Book, Title Deed and other Revenue Record to be genuine.

In the Manual Pass-0 Books the Unique number could not be traced. But it is available in the computerized Pattadar pass-books and title deeds.

I submit that I have followed the instructions under Rule 58 of the Registration Act.

8. Document No 1165/2014

This is a sale deed.

The Pattadar Pass-Books and title deed were issued in the name of Dandu Muninadam and Venkatamma. Both of them are the uncle and aunt of the Executant Smt Dandu Mallika a widow. Webland data, I B, and Adangal are in their names only.

I submit that I have verified the Pattadar Pass Book, Title Deed and other Revenue Record to be genuine.

In the Manual Pass- Books the Unique number could not be traced. But it is available in the computerized Pattadar pass-books and title deeds.

Second limb of the Article of Charge:

I humbly and respectfully submit that the Following Documents were registered without verifying the Prohibited Property registers.

1. Document No :1068/2014:

This is Settlement deed wherein the Brother Sri Meesaragandu Ramesh transferred his right to his own sister Smt Meesaragandu Bujamma W/O China Venkatesh.

Though the land is noted as "Darakath" in the Webland Data, it is not mentioned as Govt Land or Assigned Land in the Prohibitory Property List as Communicated by the Revenue Authorities.

I submit that I have verified the Pattadar Pass Book, Title Deed and other Revenue Record to be genuine.

In the Manual Pass- Books the Unique number could not be traced. But it is available in the computerized Pattadar pass-books and title deeds.

I submit that I have followed the instructions under Rule 58 of the Registration Act.

2. Document No 1195/2014:

This is a Sale Deed.

The Properties involved are Plot Nos 5, 6, 7 located in Survey No 38/1 & 38/2 of Vaviletipadu Revenue Village. The Matter is under stay granted by the Honourable Court in IA No 222/2014. Plot No 1 does not come under the purview of the Prohibited properties.

I submit that I have verified the Pattadar Pass Book, Title Deed and other Revenue Record to be genuine.

In the Manual Pass- Books the Unique number could not be traced. But it is available in the computerized Pattadar pass-books and title deeds.

I submit that I have followed the instructions under Rule 58 of the Registration Act.

3. Document No 1190/2014:

This is a Sale Deed.

The schedule mentioned property related to survey Nos 1009/A, 1009/B of Vavveru village. The survey No 1009/A of Vavveru village is not noted under Section 22 A of the Registration Act.

I submit that the schedule mentioned property is different from the property noted under section 22 A of the registration Act 1908.

I submit that I have followed the instructions under Rule 58 of the Registration Act.

4. Document No 1268/2014:

As per the Adangal Data and the entries in the Revenue Webland the property involved is Patta Lands. The lands are not Prohited properties for registration U/S 22 a of the registration Act 1908.

5. Document No 1192/2014:

This is a sale deed.

The Schedule mentioned property related to Survey No 84/4 of Challayapalem village. The Revenue Authorities have issued Pattadar Pass Books Nos J 517547 and Title Deeds with unique identification No 090118060303 to the Executant Smt. Syed Parveen. In Pattadar Pass-Book the Revenue Authorities have mentioned the Land to be the Govt land.

As per the old Basic register the land admeasuring to an extent of Ac 1.41 cents in Survey No 84/4 of Challayapalem village was noted as the Govt land.

I submit that the Revenue Authorities have furnished New List of Prohibited properties for registration in 2010. Copy is enclosed for ready reference.

I further submit that the Joint Collector gave instructions to all the Registering officers to effect registrations as per the lists provided by MRO/RDOs in the year 2010.

I n the list furnished in 2010 this property does not find place as the prohibited properties for registration.

I submit that the instructions of the Joint Collector were followed and the registration was effected basing on the lists furnished by the Revenue Authorities in 2010.

6. Document No 1311/2014

This is a sale deed.

The Schedule mentioned property related to Survey No 84/4 of Challayapalem village. The Revenue Authorities have issued Pattadar Pass Books Nos J 517547 and Title Deeds with unique identification No 090118060303 to the Executant Smt. Syed Parveen. In Pattadar Pass-Book the Revenue Authorities have mentioned the Land to be the Govt land.

As per the old Basic register the land admeasuring to an extent of Ac 1.41 cents in Survey No 84/4 of Challayapalem village was noted as the Govt land.

I submit that the Revenue Authorities have furnished New List of Prohibited properties for registration in 2010. Copy is enclosed for ready reference.

I further submit that the Joint Collector gave instructions to all the Registering officers to effect registrations as per the lists provided by MRO/RDOs in the year 2010.

I n the list furnished in 2010 this property does not find place as the prohibited properties for registration.

I submit that the instructions of the Joint Collector were followed and the registration was effected basing on the lists furnished by the Revenue Authorities in 2010.

7. Document No 1320/2014:

This is a sale deed.

The Schedule mentioned property related to Survey No 84/4 of Challayapalem village. The Revenue Authorities have issued Pattadar Pass Books Nos J 517547 and Title Deeds with unique identification No 090118060303 to the Executant Smt. Syed Parveen. In Pattadar Pass-Book the Revenue Authorities have mentioned the Land to be the Govt land.

As per the old Basic register the land admeasuring to an extent of Ac 1.41 cents in Survey No 84/4 of Challayapalem village was noted as the Govt land.

I submit that the Revenue Authorities have furnished New List of Prohibited properties for registration in 2010. Copy is enclosed for ready reference.

I further submit that the Joint Collector gave instructions to all the Registering officers to effect registrations as per the lists provided by MRO/RDOs in the year 2010.

I n the list furnished in 2010 this property does not find place as the prohibited properties for registration.

I submit that the instructions of the Joint Collector were followed and the registration was effected basing on the lists furnished by the Revenue Authorities in 2010.

8. Document No 1365/2014:

This is Settlement Deed executed in favour of other family members. The property involved in this Document is Ac0.64 cents in survey No 264. The land is classified as Patta land. But is noted as the Govt land I old property register of Challayapalem village.

I submit that the Land is a settlement Patta Land by the Settlement officer, Nellore. The order copy of the Settlement officer is enclosed.

I submit that all the Audit Remarks were duly complied and the benign officer was also pleased to record the Audit Remarks on the recommendation of the District Registrar Nellore

I submit that I have followed the instructions under Rule 58 of the Registration Act.

EXPLANATION TO ARTICLE OF CHARGE: III

Article of Charge III:

“That you while discharging duties as Joint Sub-Registrar in Buchireddypalem and Sullurpet in Nellore District, you have committed Mis-Conduct as you have registered many as documents affecting SRO Buchireddypalem and 99/2014 of SRO Sullurpet by violating the provisions of section 22-A of IR Act 1908 and thereby contravened Rule 3 of APCS (Conduct) Rules 1964.”

I humbly and respectfully submit that District Registrar (MV & A) Nellore had made the remark in his Audit Report No 88/2014 that the following Documents that the Govt lands as furnished by the Revenue authorities in 2011 were registered.

It was further remarked that particulars of prohibited properties for the villages alone have been entered in CCA.

It was remarked that the following Documents were admitted for registration without entering the information furnished by the Revenue Authorities in CCA in 2013.

S.No	Document No	Survey No	Village
1.	2090/14	42/4	Akkampeta
2.	2128/14	40/1	Pulivendra
3.	2132/14	40/1	Pulivendra
4.	2161/14	40/1	-do- -do-
5.	2349/14	40/1	-do- -do-
6.	2351/14	40/1	-do- -do-
7.	2412/14	40/1	-do- -do-
8.	2531/14	40/1	-do- -do-
9.	2658/14	41/1	-do -do-
10.	2276/14	62/2	Padamati Kandrika.

I submit that from out of the above list of Documents, Document Nos 2531/20-14 and 2658/2014 were registered by me and the rest of the Documents were registered by Smt R. Rohini Joint sub-Registrar Sullurpet and Sri P. Venkatewarlu, Junior Assistant (clerk in-charge).

With regard to Document Nos 2531/20-14 and 2658/2014, I humbly and respectfully submit that the Revenue Divisional Officer Gudur, in his office proceedings No L.Dis 9 B2) 1824/2013 dated 24-6-2013 had given permission to survey No 40/1A for utilization of the same for non-agricultural purpose in an extent of Ac 0.81 cents.

The schedule mentioned property in the above Documents related to Survey No 40/1A. Hence the documents were admitted for registration.

Thus I submit that I have not committed any irregularity in registration of Documents.

I humbly and respectfully submit all the above Articles of Charges are not tenable and maintainable for the following reasons.

1. I humbly and respectfully submit that I have submitted my Explanation with regard to all the above Documents mentioned in the Internal Audit Reports as a compliance to the Audit remarks and the benign officer was pleased to record the remark paras of the Audit Report of the DR (MV&A) Nellore pertaining to several of the above Documents after being fully satisfied with the explanation submitted by me.

As my Explanation was already considered to be logical by the benign officer and the Audit remarks were already recorded, I beseech the benign officer to drop further action.

I humbly and respectfully bring to the benevolent notice of the benign officer that it would be not in accordance with the principles of Natural justice to revoke the already recorded matter and propose punishment.

Copy of the Recorded Audit Reports is enclosed for ready reference.

2. I bring to the kind notice of the benign officer that the Honourable Division Bench of the Honourable Court of Judicature at Hyderabad comprising of two Honourable Judges while disposing the Writ Appeal No 715 of 2009 categorically held on 10-6-2009 that:

“That the Enquiry into the title of Vendor is beyond the jurisdiction of the Sub-Registrar and the Registrar has to merely ensure compliance of the Registration Act & Rules.”

I submit that in view of the above Judgment, no blame can be attributed to me.

3. I humbly and respectfully submit that as per Section 86 of the Registration Act 1908 “No Registering Officer shall be liable to any suit, claim or demand by reason of anything in good faith done or refused in his official capacity”. Thus for the above said act done in good faith after due verification of the particulars and also basing on the NOC from Tahsildar & the precedent registrations, I cannot be blamed for effecting the Registration.

4. The Schedule of Property mentioned in the above Documents did not fall in to the ambit of section 22 A of the Registration Act as there were no entries showing the schedule of property in the above Documents entered in the prohibited list of property.,

5. I humbly and respectfully submit that there is no discretion to me as the Registering officer to refuse for registration of the Document particularly when Section 22-A of the [Registration Act](#), 1908 does not apply to the property mentioned in the Schedule of property.

PRAYER:

I, therefore, beseech the benign officer with folded hands to be compassionate enough to drop further action on the Articles of charges duly exonerating me as I had submitted satisfactory explanation to almost all the Audit remarks and the benign officer himself was pleased to order for recording of those remarks on the recommendation of the District registrar Nellore.

PROCEEDINGS OF THE ENQUIRY:

No witness was examined as Prosecution Witnesses on behalf of the disciplinary authority during the enquiry. Presenting officer deposed as a witness on behalf of the disciplinary authority.

(1). DEPOSITION OF SRI M.MUNISANKARAI AH, DISTRICT REGISTRAR, GUDUR (Presenting Officer) (PO):

It is submitted that I M. Munisankariah S/o M. Krishnaiah, District Registrar, Gudur and presenting officer in the departmental regular enquiry on charges framed by the Deputy Inspector General of Registration and Stamps, Nellore vide charges Proceedings No.G2/197/2016, dated 04-05-2016 in departmental proceedings under Rule 20 of A.P.Civil Services [CC&A] Rules 1991 against Smt.. K. Padmavathy, Joint Sub-Registrar, Sullur pet in Gudur Registration District is stated before Regular Enquiry officer and District Registrar, Nellore is that.

Smt. K. Padmavathy formerly Joint Sub-Registrar-I R.O.[O.B] Gudur ad presently working as Joint Sub-Registrar, Sullur pet in Gudur Registration District she has registered Document Nos.7770/2011, 7771/2011, 2256/2011 and 3371/2011 by adopting the incorrect market value of the property causing loss of revenue of Rs.46,61.950/-, Rs.8,53,150/- 7,17,890/- and Rs.3,87.050/- respectively to the Government exchequer as was remarked in the Internal Audit report No.57/2011 and 84/2011 of R.O.[OB] Gudur thereby violated Departmental instructions and contravened Rule 3 of A.P.Civil Services [Conduct] Rules 1964, Internal Audit report Nos.57/2011,84/2011 of R.O[O.B] Gudur and copies of Internal Audit review reports of the Deputy Inspector General of Registration and Stamps, Nellore vide Review Nos.57/2011,84/2011 of R.O.[O.B] Gudur in Gudur Registration District for kind perusal.

Smt. K.Padmavathy formerly Joint Sub-Registrar, Buchireddy palem and presently worked as Joint Sub-Registrar Sullur pet in Gudur Registration District she has registered as many as the documents in I.A.Report No.88/2014 of Sub-Registrar office, Buchireddypalem without verifying the R.O.R. entries related to the sellers/Executants of the documents with those of web land thereby violated section 6[d] of the Andhra Pradesh Rights in land Pattadar Pass Book Act 1971 in the executive instructions issued by the Commissioner and Inspector General of Registration and Stamps, A.P.Hyderabad vide Memo.No.G1/17480/1996, dated 08-05-2012, G1/9732/2013, dated 17-07-2013. Internal Audit report Nos.88/2014 of S.R.O.Buchireddypalem and copies of Internal Audit review reports of the Deputy Inspector General of Registration and Stamps, Nellore vide review Nos.88/2014 of S.R.O.Buchireddypalem in Nellore Registration District for kind perusal.

Further Smt. K. Padmavathy, formerly Joint Sub-Registrar-I,S.R.O.Buhireddypalem and presently working as Joint Sub-Registrar, Sullur pet in Gudur Registration District she has registered as many as documents affecting prohibited properties as pointed out in the Internal Audit report Nos.88/2014 of S.R.O.Buchireddypalem and 99/2014 of S.R.O.Sullurpet by violating the provisions which the schedule properties above audit report documents are classified as prohibited property for registration in the provisions of Section 22-A [1][a] of the Registration Act and section 5 of the A.P.Assigned lands Act 1977. Thus she has violated Section 22A of Registration Act by registering above document. Further submit that here with submitted copies of District registrar [M.V.& Audit] Nellore Internal Audit report Nos.88/2014 of S.R.O.Buchireddy Palem and I.A. Report No.99/2014 of S.R.O.Sullur pet and copies of Internal audit review reports of the deputy Inspector General of Registration and stamps, Nellore vide review Nos.88/2014 of S.R.O.Buchireddypalem and I.A. Report No.99/2014 of S.R.O.Sullur peta, Gudur in Registration District for kind perusals.

This is submitted for kind perusal in this regard.

EXHIBITS MARKED ON BEHALF OF PROSECUTION:

In order to substantiate the charge leveled against the charged officer above, the following records as mentioned in the Annexure-IV of the charge memo issued to the charged officer are marked as exhibits on behalf of the disciplinary authority.

- 1) District Registrar [Market Value & Audit] Nellore Audit Report
Nos.99/2014 of S.R.O.Sullur pet, 57/2011 and 84/2011 of R.O.[O.B]Gudur and 88/2014 of S.R.O.Buchieddy palem.
- 2) Copies of documents pointed out in Internal Audit Report
Nos.99/2014 of S.R.O.Sullur pet, 57/2011 and 84/2011 of R.O.[O.B]Gudur and 88/2014 of S.R.O.Buchieddy palem.

After the deposition of the Presenting officer and letting in the above evidence, the prosecution evidence was concluded and there after the charged officer was afforded the opportunity to let in her defense. She has opted not to produce any witnesses and depose in defense of herself. The enquiry was concluded. The Charged officer was informed that she may file any written briefs if she desires to do so.

The charged officer was supplied with copies of the statement of Presenting officer recorded during the enquiry and informed that she may file any written final defense statement if she so desires. She has submitted her final written statement of defense which is extracted below.

"It is humbly submitted that in the Charge-I it was alleged that I have registered documents with improper adoption of market values and there by caused loss to the Government Revenues. The FOUR documents are [1] 7770/2010, 7771/2010. 2256/2011 and 3371/2011 of R.O.[O.B]Gudur in which property affected in Divipalem Village H/o west Gudur affecting S.No.1650,1651,1653,1654 AND 1961 in document No.7770/2010, Survey No.1653 in Document No.7771/2010, survey No.1640 in Document no.2256/2011 and Survey No.1672/2 in Document no.3371/2011 . The market value of the property affected fixed with a market value of Rs.2,00,000/- per Acre. But in the Internal audit it was remarked the property should have valued with a value of Rs.38,72,000/- per acre and accordingly the deficit was remarked. In this connection it is further submitted that the District Registrar Market value & Audit in report to the Commissioner and Inspector General Letter No.87/2010, dated 09-01-2012 has reported that as the District Registrar, Gudur in his procgs.No.G3/616/2009 dated 9-4-2010 has reduced the market value of the survey numbers 1634 to 1672 under Section 47-A considering the above situation w.e.f. 1-8-2010 the value fixed by the market value committee at the rate of Rs.2,00,000/- per acre. The Market value revision took place in 2010 w.e.f. 1-8-2010 the value was proposed @ Rs.2,00,000/- per acre to the survey Nos. 1634 to 1672 of West Gudur and approved by the committee without changing the classification from Agricultural land fit for house sites to Dry lands. As the classification was not changed the District Registrar M.V. & Audit remarked that these survey numbers were classified under 04 classification [Agrl. Land fit for house sites] the value to be adopted Rs.38,72,000/- But as per the approval of Market value guidelines in 2010 the value of survey numbers which are under remark are not included in Form-IV which was meant for other than the common values fixed in Form – III. In form –III common classification wise common values are fixed. As there is no a specific value was fixed in Form-IV of west Gudur for S.No.1650,1651,1653,1654 AND 1961 [in document No.7770/2010], Survey No.1653 [in Document No.7771/2010], survey No.1640 [in Document no.2256/2011] and Survey No.1672/2 [in Document no.3371/2011] the common values fixed for Dry lands at the rate of Rs.2,00,000/- per acre is adopted and as there is no any deficiency in adoption of the market values. Five Market value Revisions came in to force after the Market value Revision w.e.f 01-08-

2010 i.e (1) 01-04-2013 (2) 01-08-2015 (3) 01-08-2016 (4) 01-08-2017 (5) 01-08-2018 in these Market Value Revisions also the Market value was fixed under the classification of dry land only according to the approval of the Market value revision committee. According to the Market value Revision which came in to force w.e.f 01-04-2013 the survey numbers under the audit remark were specifically noted in form- IV of West Gudur under the classification of Dry land with the Rs.2,00,000/- per acre and got approved by the Market value Revision committee for implementation. [Market value Revision copies enclosed for your kind perusal]. It is also submitted that the District Registrar, M.V. & Audit, Nellore in their letter No.87/2010, dated 20-12-2010 addressed to Dy. Inspector General, Nellore reported that w.e.f.01-08-2010 implemented and as per the records in S.R.O.Gudur the S.No.1639 to 1644 and S.No.1653 to 1656 market value fixed at Rs.2,00,000/- per acre. Again in their report dated 9-1-2012 to the Commissioner and Inspector General reported that consequent to the issuance of the orders by the District Registrar Gudur in G3/616/2009, dated 9-4-2010 reduced the market value of S.Nos. with a value of Rs.1,00,000/- per acre the market values of S.Nos. 1639,1640,1641,1643,1644,1653,1654,1655,1656 with a value of Rs.2,00,000/- per acre. The Dy. Inspector General, Nellore in their letter No.A/582/2010, dated 4-3-2015 also reported that Sri V. Srinivasulu and others represented to fix the market value of Sy.Nos.1639,1640,1641,1643,1644, and 1653 to 1658 of Divipalem and seen from the in form-III the value of Rs.2,00,000/- was fixed for agricultural land and the same value purports to be approved to the said survey numbers as they are not reflected in form-IV. As such the value adopted in the documents for S.No.1650,1651,1653,1654 AND 1961 [in document No.7770/2010], Survey No.1653 [in Document No.7771/2010], survey No.1640 [in Document no.2256/2011] and Survey No.1672/2 [in Document no.3371/2011] is sufficient and there is no improper adoption the market value and there is no basis for the adoption of the value of Rs.38,72,000/- fixed for Agricultural land fit for house site classification. Hence I pray to kindly drop the charges as there is no deficit as charged against me.

In this regard it is humbly as I already submitted and presented during the course of enquiry it is once again submitted that the District Registrar, Gudur in his proceedings No. G3/616/2009 dated 09.04.2010 issued orders for rectification of the error and fixed the Market value at Rs. 1,00,000/- per acre for the pending document Nos. P2/2007 and P3/2007 of R.O.(O.B) Gudur with instructions that the values will applicable in future also. As per these orders the values were noted by the then Sub-Registrar in the Market value guidelines register of West Gudur Village and subsequently the Market value was revised to Rs.2,00,000- per acre and accordingly I applied the value for the documents remarked in the Audit. When I have adopted the value fixed in the Market value guidelines remarking that I adopted improper market values and there by caused loss to Government is no meaning and not justified. Copies of the District Registrar, Gudur proceeding orders here with enclosing for kind perusals and the reports of the District Registrar, Market Value and Audit , Nellore dated 20-12-2010,9-1-2012 and Dy.Inspector General , Nellore report dated 4-3-2015 for kind perusal.

As regards to the Charge-II, it is humbly submitted that I have registered the documents figured in the Internal Audit Reports No. 88/2014 of S.R.O.Buchireddy palem on being tallying the web land details with that of the Documents and hence it is also submitted that in respect of all the documents which are remarked in the Internal Audit reports the name of the claimants of the respective documents were mutated in the revenue records and are presently in the name of the claimants of the respective documents. It is submitted that it itself is a proof that there is no mismatch of web land details with that of the executants, because had there is no any mismatch of web land details the Revenue Department might have not mutated in the name of the pattadars in

the name of the claimants of the present document which are remarked in the internal Audit.

It is submitted that the parties have produced the Pattadar pass books and Title deeds and after verification of them only the registrations were affected. I submit that I have not committed any such irregularity of non verification of pattadar pass books and the Title deeds.

As per the Hon'ble A.P. High Court decision in W.P.No.37118 of 2014, the relevant proofs are fabricated, if any, it is not in the jurisdiction and competence to cross verify their genuineness by the Sub Registrar and thus it cannot be said that she has violated any rule position. The Hon'ble A.P. High Court held that when the document is presented for registration, the Sub-Registrar would only verify the relevant entries in the document and supporting identity there was no occasion for the Sub-Registrar to doubt the genuineness of identity of a person, who presented the document. Thus it cannot be said that the Sub Registrar acted in excess of her powers of erroneously presented the document for registration. It was also held that a criminal complaint is lodged by the petitioner and complaint under investigation. Ultimately, in the investigation if it is proved that a person impersonated the petitioner and a wrong person has undertaken registration by giving false declaration, it would become void transaction and then it would be open petitioner to work out his remedies and in so far as the Sub-Registrar is concerned as per the material documents filed before her, she has acted in accordance with the same and it cannot be said that her decision to undertake registration was illegal."

It is submitted that as already submitted by me that the Documents which are remarked in the Internal Audit Report No. 88/2014 of S.R.O.Buchireddyapalem that documents registered without verifying the R.O.R. entries related to the Sellers/Executants of the documents with those of web land and there by violated the section 6[d] of the Andhra Pradesh Rights in Land and Pattadar Pass Book Act 1971 and the executive instructions issued by the Commissioner and Inspector General of Registration and Stamps, Memo.No. G1/17480/1996, dated 08-05-2012 and G1/9732/2013, dated 17-07-2013, registered the documents is not true and correct.

It is also submitted that in respect of all the documents which are remarked in the Internal Audit reports the name of the claimants of the respective documents were mutated in the revenue records and are presently in the name of the claimants of the respective documents. It is submitted that it itself is a proof that there is no mismatch of web land details with that of the executants, because had there is no any mismatch of web land details the Revenue Department might have not mutated in the name of the pattadars in the name of the claimants of the present document which are remarked in the internal Audit.

As regards to the Charge –III That I have registered as many documents as affecting prohibited properties as pointed the document in the Internal Audit Reports No.88/2014 of S.R.O.Buchireddypalem and No.99/2014 of S.R.O.Sullurpet and thereby contravened Rule 3 of APCS (Conduct) Rules 1964 it is submitted as follows

In this connection it is submitted that the survey numbers affected in the documents which are remarked in the above Internal audit reports may find place but they are not in the prohibited properties as furnished as the Hon'ble A.P.high Court W.A.Nos.343 OF 2015 and batch dated 23-12-2015.

In this I would like to bring to your kind notice the document wise and Audit report details for your kind perusal to stated they are not prohibited properties.

AUDIT REPORT NO.99/2014 of S.R.O.Sullur pet

In this connection it is submitted that of the documents remarked in the Audit report only two documents viz., 2531/2014 and 2658/2014 only registered by me and other document were registered by Smt. R. Rohini as Sub-Registrar, Sullur pet.

Document No.2531/2014 and 2658/2014 : These are sale deeds affecting Survey No.40/1 and 41/1 of Pulivendra Village of Tada mandal. As per the list of prohibited properties as furnished by the Revenue department as per Hon'ble A.P.high Court W.A.Nos.343 OF 2015 and batch dated 23-12-2015 are not prohibited properties. It is further submitted the Revenue Divisional officer, Gudur in their Procs.No.L.Dis.[B2] 1824/2013, dated 24-06-2013 had accorded permission for conversion of the agricultural land into non agricultural purpose which is another evidence that the property affected in the documents are not government lands, if they are happens to government land the Revenue Divisinoal officer,Gudur won't accord permission for non agricultural purposes.

AUDIT REPORT NO.88/2014 ofS.R.O.Buchireddy palem.

[1]Document No. 1068/2014:

The property affected in the document is in S.No.1008/1/2 of Chiramana Village as per the list of prohibited properties furnished Hon'ble A.P.high Court W.A.Nos.343 OF 2015 and batch dated 23-12-2015 it is not a prohibited property.

Document No.1195/2014 and 1196/2014 is a sale deed affecting an extent of 29 ankanams with building therein Plot Nos.1 in survey No.38/1 and 38/2 of Vissavaviletipadu of Nellore Mandal and Document No.1196/2014 is a sale deed affecting an extent of 32 ankanams with building therein Plot Nos.9 in survey No.38/1 and 38/2 of Vissavaviletipadu of Nellore Mandal. There is an injunction order pertaining to Plot No.5,6,7 in survey No.38/2 of Vissavaviletipadu Village in I.A.No.222./2014/O.S.No.169/2014 on the file of District Judge Court, Nellore but not for these properties relating to the plot nos. 1 and 9 affected in the sale deed Nos.1195/2014and 1196/2014 . Hence no prohibited properties registered in the said documents.

Document No.1268/2014: The property affected in the document is in survey No.238/1A 242and 1009/c an extent of 90 sq.yards of site situated at Butchireddy palem H/0 Vavveru in Ward No.6 Block no.10, N.G.O.Colony sold by Chereddy Prabhakar Reddy. As per the prohibited properties list there are no prohibited property. But there is an attachment orders by Debt Recovery Tribunal, Vishakhapatnam as regards to an extent of 180.5 sq.yards in Oil Mill Street in 6th ward 10th Block in S.No.1009/B of B.R.Palem in R.P.No.41/2008 relating to Neelam chenchu Mohan Rao. Hence this property affected in the document No.1268/2014 is not connected to the poperty under attachment. Hence there is no violation of Section 22[A] of registration act.

Document No.1190/2014: The property affected in the document is in survey No.1009/A and 1009/B an extent of 160 sq.yards of site situated at Butchireddy palem H/0 Vavveru in Ward No.6 Block no.10, L.I.C. Malakondaiah street sold by Kothaluru Venkateswarlu. As per the prohibited properties list there are no prohibited property. But there is an attachment orders by Debt Recovery Tribunal, Vishakhapatnam as regards to an extent of 180.5 sq.yards in Oil Mill Street in 6th ward 10th Block in S.No.1009/B of B.R.Palem in R.P.No.41/2008 relating to Neelam chenchu Mohan Rao. Hence this property affected

in the document No.1268/2014 is not connected to the property under attachment. Hence there is no violation of Section 22[A] of registration act.

Document No.1192/2014: The property affected is in S.No.84/4 of Chellayapalem Village of B.R.Palem Mandal..

Document No.1311/2014:The property affected is in S.No.52/6 of chellayapalem Village of B.R.Palem Mandal.

Document No.1320/2014:The property affected is in S.No.52/6 of chellayapalem Village of B.R.Palem Mandal.

Document No.1365/2014:The property affected is in S.No.26/4 of chellayapalem Village of B.R.Palem Mandal.

As per the list of prohibited properties furnished as per the Honble A.P.high Court W.A.Nos.343 OF 2015 and batch dated 23-12-2015 the above said survey numbers not come under the classification of prohibited properties and hence there is no violation of Section 22-A of Registration act as remarked in the Audit.

In this connection it is further submitted as per the S.O.459 a declaration to the effect that the properties affected in the documents are not affected with prohibited properties were duly recorded by the transferor and hence there is no any contravention of the conduct rules and the documents are not affected with prohibited properties as declared by the transferor and hence I request to kindly exonerate me from the charges framed against me. I submit herewith the copies of prohibited properties and Court orders in O.S.No.169/2014 and Debt recovery tribunal orders R.P.No.41/2008 in O.A.No.1/2006 as evidence in support of my explanations.

As such the enquiry report is prepared on the basis of the evidence adduced during the enquiry and material available on record.

Analysis and Assessment of Evidence :

The case emanated from the Internal Audit Reports of District Registrar Market Value & Audit Nellore Nos.99/2014 of S.R.O.Sullur pet, 57/2011 and 84/2011 of R.O.[O.B]Gudur and 88/2014 of S.R.O.Buchieddy palem. The disciplinary authority on the strength of the internal Audit report Nos. 57/2011 and 84/2011 of R.O.[O.B]Gudur of the District Registrar [Market Value & Audit] Nellore has observed that while discharging duties as Sub-Register, Gudur charged officer registered documents mentioned in Internal Audit report Nos.57/2011 and 84/2011 causing loss of revenue to Government with improper adoption of market values. It was further observed that as remarked in the Internal Audit report No.88/2014 of S.R.O.Buchireddypalem registered documents without verifying the ROR entries related to the sellers/executants of the documents with those of web land and there by violated the section 6 (D) of the Andhra Pradesh rights in land Pattadar passbooks Act.1971 and the executive instructions issued by the commissioner and Inspector General of Registration and Stamps, A.P., Hyderabad vide memo No.G1/17480/1996 Dated 08-05-2012 and G1/9732/2013 Dated 17-07-2013 and commissioner and Inspector General of Registration and Stamps, A.P., Hyderabad vide memo No.G1/1249/2012, dated 29-01-2014 and it is also observed that as remarked in the Internal Audit Report Nos.88/2014 of S.R.O.Buchireddypalem and 99/2014 of S.R.O.Sullur pet registered documents affecting prohibited property in violation of the provisions of Section 22-A of Registration Act and thereby have contravened Rule-3 of A.P. Civil Services (Conduct) Rules, 1964.

The Charge has the following issues to be analyzed:

- (1) Whether the Charged officer has registered the documents remarked in Internal Audit Report No.57/2011 & 84/2011 of R.O.[O.B] Gudur causing loss of revenue due to improper adoption of market values.?
- (2) Whether the charged officer has registered the documents as remarked in the Internal Audit Report Nos 8 No. 88/2014 of S.R.O.Buchireddy palem in r/o the documents without verifying the the ROR entries related to Sellers/executants of the documtns with those of web land in violation of commissioner and Inspector General of Registration and Stamps, A.P. Hyderabad vide memo No.G1/17480/1996 Dated 08-05-2012 and G1/9732/2013 Dated 17-07-2013.?
- [3] Whether the Charged officer had registered documents as remarked in Internal Audit Report Nos.88/2014 of S.R.O.Buchireddypalem and 99/2014 of S.R.O.Sullur pet affecting prohibited property in violation of the provisions of Section 22-A of Registration Act?

[A] Charges relating to registration of documents remarked in Internal Audit Report No.84/2011 causing loss of revenue due to improper adoption of market values. The contention of the charged officer is that **the document No.s 1770/2011,1771/2011, 2256/2011 and 3371 of 2011 of R.O.[O.B]Gudur in which property affected in Divipalem Village H/o west Gudur affecting S.No.1650,1651,1653,1654 and 1661, 1640, and 1672/2. The market value of the property affected** fixed with a market value of Rs.2,00,000/- per Acre. But in the Internal audit it was remarked the property should have valued with a value of Rs.38,72,000/- it was also contended that the District Registrar Market value & Audit in report to the Commissioner and Inspector General Letter No.87/2010, dated 09-01-2012 has reported that as the District Registrar, Gudur in his proccs.No.G3/616/2009 dated 9-4-2010 has reduced the market value of the survey numbers 1634 to 1672 under Section 47-A considering the above situation w.e.f. 1-8-2010 the value fixed by the market value committee at the rate of Rs.2,00,000/- per acre w.e.f. 1-8-2010. The committee constituted by the Commissioner and Inspector General Proccs. No.MV1/18736/2011 dated 30-01-2012 for submission of a comprehensive report regarding the improper revision took place in the 2010 has also in their letter. No.S/526/2012, dated 2-4-2012 reported that during the revision took place in 2010 w.e.f. 1-8-2010 the value was proposed @ Rs.2,00,000/- per acre to the survey Nos. 1634 to 1672 of West Gudur and approved by the committee without changing the classification from Agricultural land fit for house sites to Dry lands. As the classification was not changed the District Registrar M.V. & Audit remarked that these survey number were classified under -04 classification [Agrl. Land fit for house sites] the value to be adopted Rs.38,72,000/- But as per the approval of Market value guidelines in 2010 the value survey numbers which are under remark are not included in Form-IV which was meant for other than the common values fixed in From -III. In form -III common classification wise common values are fixed. As there is no a specific value was fixed in From-IV of west Gudur for the Survey Nos. **1650,1651,1653,1654 and 1661, 1640, and 1672/2** and as such the common values fixed for Dry lands at the rate of Rs.2,00,000/- per acre is adopted and as there is no any deficiency in adoption of the market values.

FINDINGS IN CHARGE-I

After very careful and detailed scrutiny, examination consideration, analysis and assessment of all the documentary facts (material papers), statutory provisions, Rule Position, Circular instructions of the Government and the Commissioner & I.G. and also Catena of the case law cited on the validity of the Articles of charge framed against

Smt.K. Padmavathy, Joint Sub-Registrar, Sullur pet and material evidence presented before me by the Presenting Officer and that of the charged officer, the depositions of Sri M. MuniSankaraiah, (Presenting Officer) (PO), **District Registrar** Gudur during the Regular Enquiry before me having elaborately examined and discussed in my analysis and assessment of the evidence supra, the following findings are made after very careful and detailed analysis and assessment of the evidence before me.

On verification of all the materials regarding the charge it reveals that the schedule of property in registered document **No.s 1770/2011,1771/2011, 2256/2011 and 3371 of 2011 of R.O.[O.B]Gudur** of Book-I of R.O.(O.B) Gudur are in Survey Nos. **1650,1651,1653,1654 and 1661, 1640, and 1672/2** of Divipalem village H/o West Gudur. **The market value of the property affected** fixed with a market value of Rs.2,00,000/- per Acre. The District Registrar Market value & Audit in report to the Commissioner and Inspector General Letter No.87/2010, dated 09-01-2012 has reported that as the District Registrar, Gudur in his procs.No.G3/616/2009 dated 9-4-2010 has reduced the market value of the survey numbers 1634 to 1672 under Section 47-A considering the above situation w.e.f. 1-8-2010 the value fixed by the market value committee at the rate of Rs.2,00,000/- per acre. The committee constituted by the Commissioner and Inspector General Procs. No.MV1/18736/2011 dated 30-01-2012 for submission of a comprehensive report regarding the improper revision took place in the 2010 has also in their letter. No.S/526/2012, dated 2-4-2012 reported that during the revision took place in 2010 w.e.f. 1-8-2010 the value was proposed @ Rs.2,00,000/- per acre to the survey Nos. 1634 to 1672 of West Gudur and approved by the committee. As the classification was not changed the District Registrar M.V. & Audit remarked that these survey number were classified under -04 classification [Agrl. Land fit for house sites] as per the old basic register the value to be adopted Rs.38,72,000/- But as per the approval of Market value guidelines in 2010 the value survey numbers which are under remark are not included in Form-IV which was meant for other than the common values fixed in Form -III. In form -III common classification wise common values are fixed.. As there is no a specific value was fixed in Form-IV of west Gudur for the Survey Survey Nos. **1650,1651,1653,1654 and 1661, 1640, and 1672/2** and as such the common values fixed for Dry lands at the rate of Rs.2,00,000/- per acre is adopted and as there is no any deficiency in adoption of the market values.

In view of the above detailed discussion in the analyses as well as on verification M.V. guidelines it is fact that the documents **No.s 1770/2011,1771/2011, 2256/2011 and 3371 of 2011 of R.O.[O.B]Gudur** are properly valued as per the then District Registrar, Gudur proceedings No. G3/616/2009 dated 09.04.2010 wherein it was categorically specified that the value shall applicable to future transactions also. As per the approval of Market value guidelines in 2010 the value survey numbers which are under remark are not included in Form-IV which was meant for other than the common values fixed in Form -III. In form -III common classification wise common values are fixed. As there is no a specific value was fixed in Form-IV of west Gudur for the Survey Survey Nos. **1650,1651,1653,1654 and 1661, 1640, and 1672/2** and as such the common values fixed for Dry lands at the rate of Rs.2,00,000/- per acre is adopted, the remark in Internal audit was made considering the values fixed in the year 2008 revisions basing on the classification of the survey numbers under remark should have adopted after 2010 revision also basing the classification noted in old basic registers of 2008. As the survey numbers value Survey Nos. **1650,1651,1653,1654 and 1661, 1640, and 1672/2** was not fixed with specific values in form-IV they are to be adopted with the common value fixed in Form-III is to be adopted and accordingly the values was applied by the Joint Sub-Registrar in registering the Document No.s **1770/2011,1771/2011, 2256/2011 and 3371 of 2011 of R.O.[O.B]Gudur**. As per the D.E1,2 and 3 it is evident that the

District Registrar, M.V. & Audit, Nellore in their letter No.87/2010, dated 20-12-2010 addressed to Dy. Inspector General, Nellore reported that w.e.f.01-08-2010 implemented and as per the records in S.R.O.Gudur the S.No.1639 to 1644 and S.No.1653 to 1656 market value fixed at Rs.2,00,000/- per acre. Again in their report dated 9-1-2012 to the Commissioner and Inspector General reported that consequent to the issuance of the orders by the District Registrar Gudur in G3/616/2009, dated 9-4-2010 reduced the market value of S.Nos. with a value of Rs.1,00,000/- per acre the market values of S.Nos. 1639,1640,1641,1643,1644,1653,1654,1655,1656 with a value of Rs.2,00,000/- per acre. The Dy. Inspector General, Nellore in their letter No.A/582/2010, dated 4-3-2015 also reported that Sri V. Srinivasulu and others represented to fix the market value of Sy.Nos.1639,1640,1641,1643,1644, and 1653 to 1658 of Divipalem and seen from the in form-III the value of Rs.2,00,000/- was fixed for agricultural land and the same value purports to be approved to the said survey numbers as they are not reflected in form-IV. As such the value adopted in the documents for S.No.1650,1651,1653,1654 AND 1961 [in document No.7770/2010], Survey No.1653 [in Document No.7771/2010], survey No.1640 [in Document no.2256/2011] and Survey No.1672/2 [in Document no.3371/2011] is sufficient and there is no improper adoption the market value and there is no basis for the adoption of the value of Rs.38,72,000/-fixed for Agricultural land fit for house site classification and I am of the considered opinion that the charge leveled against the charged officer hold **as not proved**.

[B] FINDINGS IN CHARGE-II

After very careful and detailed scrutiny, examination consideration, analysis and assessment of all the documentary facts (material papers), statutory provisions, Rule Position, Circular instructions of the Government and the Commissioner & I.G. and also Catena of the case law cited on the validity of the Articles of charge framed against Smt. K. Padmavathy, Joint Sub-Registrar, S.R.O.Sullur pet and material evidence presented before me by the Presenting Officer and that of the charged officer, the depositions of Sri M. Munisankaraiah (Presenting Officer) (PO), **District Registrar**, Gudur during the Regular Enquiry before me having elaborately examined and discussed in my analysis and assessment of the evidence supra, the following findings are made after very careful and detailed analysis and assessment of the evidence before me.

It is a fact of law that obtaining of Pattadar Passbooks and Title Deeds are mandatory under Section 6(D)(1) and (2) read with Section 6 (1) of Records of Rights Act, 1971 and the production of the same are made compulsory under C&IG Circular Memo No. G1/17480/96, dt. 8-5-2012, Memo.No.G1/9732/2013, dated 17-7-2013 and the same which are in the name of the executants are presented before the registering officer at the time of registration of the Document no matter whether they are genuine or forged

As per the Hon'ble A.P. High Court decision in W.P.No.37118 of 2014, the relevant proofs are fabricated, if any, it is not in the jurisdiction and competence to cross verify their genuineness by the Sub Registrar and thus it cannot be said that he has violated any rule position. The Hon'ble A.P. High Court held that when the document is presented for registration, the Sub-Registrar would only verify the relevant entries in the document and supporting identity there was no occasion for the Sub-Registrar to doubt the genuineness of identity of a person, who presented the document. Thus it cannot be said that the Sub Registrar acted in excess of his powers of erroneously resented the

document for registration. It was also held that a criminal complaint is lodged by the petitioner and complaint under investigation. Ultimately, in the investigation if it is proved that a person impersonated the petitioner and a wrong person has undertaken registration by giving false declaration, it would become void transaction and then it would be open petitioner to work out his remedies and in so far as the Sub-Registrar is concerned as per the material documents filed before him, he has acted in accordance with the same and it cannot be said that his decision to undertake registration was illegal.”

As seen from the present web land data also most of the properties were already mutated in the name of the purchaser which were find place in the documents remarked in the Internal Audit and as such it has become difficult to prove that by the time of registration of the documents mentioned in the Internal Audit reports are registered without verifying the R.O.R. entries related to the Sellers/Executans of the documents with those of web land and thereby violated Section 6[D] of R.R.O.Act 1971. It is further observed that except remarking the Internal audit no other material evidence was placed by the Prosecution in support of their remarks by the time of registration of the documents remarked there are mismatching of the sellers name with that of in the documents remarked in the Internal audit Reports . And the charged officer has submitted in his explanations that the document which are remarked in the Audit reports were registered by him in complying the Commissioner and Inspector General of Registration and Stamps, Memo.No.G1/9732/2013, dated 17-7-2013 and having tallied the names of the executants and sellers of the documents with those of web land if, there is any variations in the web land details relating to the documents remarked in the Internal Audit reports, it might be due to the changes in the web land details by the Revenue Department who is maintaining the data and the Registering officers cannot be made responsible for such variations.

The Assessment and Analysis of Evidence made above shows and as per the present web land details shows that the charged Officer while registering the document remarked in I.A. No. 88/2014 of S.R.O.Buchireddypalem has complied with the instructions of the Commissioner and Inspector General in their Memo.No.G1/17490/96, dt. 8.5.2012 and G1/9732/2013, dated 17-7-2013, the prosecution has failed to produce any evidence regarding the mismatching of web land data by the time of registration of the documents remarked in the Audit report in the absence of such clinching evidence against the charged officer, I am of the considered opinion that the charge leveled against the charged officer hold **as not proved.**

[C] FINDINGS IN CHARGE-III

After very careful and detailed scrutiny, examination consideration, analysis and assessment of all the documentary facts (material papers), statutory provisions, Rule Position, Circular instructions of the Government and the Commissioner & I.G. and also Catena of the case law cited on the validity of the Articles of charge framed against Smt. K. Padmavathy, Joint Sub-Registrar, S.R.O.Sullur pet and material evidence presented before me by the Presenting Officer and that of the charged officer, the depositions of Sri M. Munisankaraiah (Presenting Officer) (PO), **District Registrar**, Gudur during the Regular Enquiry before me having elaborately examined and discussed in my analysis and assessment of the evidence supra, the following findings are made after very careful and detailed analysis and assessment of the evidence before me.

It is fact that as per Section 22[A][1] of Registration Act 1908 a prohibition was imposed restraining any registration affecting properties as enumerated under Sub-Sections [a] to [e]. It was remarked in the Internal audit report No.88/2014 of S.R.O. Buchieddypalem and No.99/2014 of S.R.O.Sullur pet the documents in report were

registered violating the provision of Section 22[A][1] of Registration. As seen from the explanations and the evidences marked as exhibits on behalf of the Charged officer the document wise analysis is furnished hereunder whether the documents registered were affected the properties or not.

AUDIT REPORT NO.99/2014 of S.R.O.Sullur pet

The Document Nos. 2531/2014 and 2658/2014 only registered by the charged officer and other document Nos.2090/2014, 2128/2014, 2132/2014,2161/2014,2349/2014,2351/2014,2412/2014, and 2276/2014 were registered by Smt. R. Rohini as Sub-Registrar, Sullur pet. As regards to the remaining two documents which were registered by the charged officer it was observed that,

Document No.2531/2014 and 2658/2014 : In this two sale deeds Survey No.40/1 and 41/1 of Pulivendra Village of Tada mandal were affected. As per the list of prohibited properties as furnished by the Revenue department as per Hon'ble A.P.high Court W.A.Nos.343 OF 2015 and batch dated 23-12-2015 the S.nos. 40/1 and 41/1 of puliverndra are not included in the prohibited properties lists. It is further observed that the Revenue Divisional officer, Gudur in their Procs.No.L.Dis.[B2] 1824/2013, dated 24-06-2013 had accorded permission for conversion of the agricultural land into non agricultural purpose which is another evidence that the property affected in the documents are not government lands, if they are happens to government land the Revenue Divisional officer, Gudur might have not accord permission for non agricultural purposes.

AUDIT REPORT NO.88/2014 of S.R.O.Buchireddy palem.

[1]Document No. 1068/2014: The survey No.1008/1/2 of Chiramana village was affected in the document but as per the list of prohibited properties furnished as per Hon'ble A.P.high Court orders in W.A.Nos.343 OF 2015 and batch dated 23-12-2015 it is not listed in the prohibited properties.

Document No.1195/2014 is a sale deed affecting an extent of 29 ankanams with building there in Plot Nos.1 in survey No.38/1 and 38/2 of Vissavaviletipadu of Nellore Mandal and Document No.1196/2014 is a sale deed affecting an extent of 32 ankanams with building therein Plot Nos.9 in survey No.38/1 and 38/2 of Vissavaviletipadu of Nellore Mandal. As per the I.A.No.222./2014 in O.S.No.169/2014 on the file of District Judge Court, Nellore as regards to Plot No.5,6,7 in survey No.38/2 of Vissavaviletipadu Village there are injuncction orders, but not for these properties relating to the plot nos. 1 and 9 affected in the sale deed Nos.1195/2014and 1196/2014.

Document No.1268/2014: The property affected in the document is in survey No.238/1A 242 and 1009/c an extent of 90 sq.yards of site situated at Butchireddy palem H/0 Vavveru in Ward No.6 Block no.10, N.G.O.Colony sold by Chereddy Prabhakar Reddy. The Debt Recovery tribunal, Visakhapatnam has issued an attachment order as regards to an extent of 180.5 sq.yards in Oil Mill Street in 6th ward 10th Block in S.No.1009/B of B.R.Palem in R.P.No.41/2008 relating to property of Neelam chenchu Mohan Rao. Hence there is no violation of Section 22[A][1] of Registration Act.

Document No.1190/2014: The property affected in the document is in survey No.1009/A and 1009/B an extent of 160 sq.yards of site situated at Butchireddy palem H/0 Vavveru in Ward No.6 Block no.10, L.I.C. Malakondaiah street sold by Kothaluru Venkateswarlu. The Debt Recovery tribunal, Visakhapatnam has issued an attachment order as regards to an extent of 180.5 sq.yards in Oil Mill Street in 6th ward 10th Block in S.No.1009/B of

B.R.Palem in R.P.No.41/2008 relating to property of Neelam chenchu Mohan Rao. Hence there is no violation of Section 22[A][1] of Registration Act..

Document No . Village Survey No.affected in the document

Document No.1192/2014: The property affected is in S.No.84/4 of Chellayapalem Village of B.R.Palem Mandal..

Document No.1311/2014:The property affected is in S.No.52/6 of chellayapalem Village of B.R.Palem Mandal.

Document No.1320/2014:The property affected is in S.No.52/6 of chellayapalem Village of B.R.Palem Mandal.

Document No.1365/2014:The property affected is in S.No.26/4 of chellayapalem Village of B.R.Palem Mandal.

As per the list of prohibited properties of Chellayapalem village furnished as per the Honble A.P.high Court W.A.Nos.343 OF 2015 and batch dated 23-12-2015 the above said survey numbers not come under the classification of prohibited properties and hence there is no violation of Section 22-A of Registration act as remarked in the Audit.

The Assessment and Analysis of Evidence made above shows and as per the present evidences produced by the charged officer the documents remarked said to be registered in violation of Section 22-[A][1] of Regsitratio n Act, in the Internal audit report No.88/2014 of S.R.O. Buchieddypalem and No.99/2014 of S.R.O.Sullur pet, I am of the considered opinion that the charge leveled against the charged officer hold **as not proved**.

All the material papers relating to the enquiry are herewith enclosed separately annexed as per instructions for ready reference.

PLACE: R.O.Nellore
Date:28-11-2018

(M.ABRAHAM)
REGULAR ENQUIRY OFFICER &
DISTRICT REIGSTRAR:NELLORE