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తెలంగాణ రాజపత్రము
THE TELANGANA GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.1] HYDERABAD, SATURDAY, JUNE 17, 2017.

**TELANGANA ACTS, ORDINANCES AND
REGULATIONS Etc.**

The following is the authoritative text in English language of the Ordinance Promulgated by the Governor on the 17th June, 2017 being published under article 348(3) of the Constitution of India general information:-

TELANGANA ORDINANCE No. 1 OF 2017.

Promulgated by the Governor in the Sixty-Eighth year of the Republic of India.

**AN ORDINANCE FURTHER TO AMEND THE
TELANGANA RIGHTS IN LAND AND PATTADAR
PASS BOOKS ACT, 1971.**

Whereas, the Rulers of the erstwhile Hyderabad State made grants in the nature of Jagir, Samsthan, Maktha,

[1]

O-78 (pc)

Paigha, Inam etc. The law relating to Crown Grants made in former Hyderabad State is well settled by Courts. Every Grant made by the Ruler was only for the life time of the grantee and it is neither heritable nor alienable. On the death of the Grantee, the Grant reverts to the Crown and it was in the sole discretion of the Crown to re-grant;

And whereas, after the accession of the Hyderabad State in to the Union of India, the Hyderabad State abolished all the Jagirs and Inams under the Hyderabad (Abolition of Jagirs) Regulation, 1358F. and commutation amounts were paid to the grantees under the Hyderabad Jagir (Commutation) Regulation, 1359F. The said Regulations were inserted in the Ninth Schedule under article 31B of the Constitution of India. The validity of the abolition of Jagirs was upheld by the Constitution Bench of the Hon'ble Supreme Court of India in Sarwalal v. State of Andhra Pradesh in Civil Appeal No.392/1956 & 686/1957 reported in [1960 (3) SCR, 311]. By virtue of abolition of Jagirs, all the Jagir, Samsthan, Maktha, Inam lands stood vested in the State;

And whereas, the enquiry relating to Atiya (i.e. Grants) are governed by the Andhra Pradesh (Telangana Area) Atiyat Enquiries Act, 1952. As per the provisions of the said Act, the orders of the Atiyat Court are final and conclusive;

And whereas, as per section 12 of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, the provisions of the said Act have no application to the lands belonging to the State Government or Central Government. Notwithstanding the vesting of the land in the State by virtue of the Hyderabad (Abolition of Jagirs) Regulation, 1358 F., claims have been made for mutation of such lands by amending Record of Rights;

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 Passbooks 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 Passbooks Act, 1971 with the following 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.

(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.

(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 Mee Seva etc.

(vii) these amendments will enable the goals of ease of doing business and greater transparency and accountability in the department.

(viii) to protect the lands belonging to the State Government or Central Government;

And whereas, it has been considered necessary to strengthen certain provisions of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, to realise the said objectives and accordingly it has been decided to amend the relevant provisions of the Act by undertaking a legislation;

And whereas, it has been decided to give effect to the above decision immediately;

And whereas, the Legislature of the State is not now in session and the Governor of Telangana is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor hereby promulgates the following Ordinance:-

Short title
and
extent.

1. (1) This Ordinance may be called the Telangana Rights in Land and Pattadar Pass Books (Amendment) Ordinance, 2017.

(2) It extends to the whole of the State of Telangana.

2. In the Telangana Rights in Land and Pattadar Pass Books Act, 1971 (hereinafter referred to as the principal Act), in section 4,-

**Amend-
ment of
section 4.
Act No.26
of 1971.**

(1) for sub-section (1) including the proviso thereunder, the following sub-section shall be substituted, namely,-

“(1) Any person acquiring by succession, survivorship, inheritance, partition, Government patta, decree of a Court or otherwise any right as owner, pattadar 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 thirty days from the date of such acquisition. The 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:

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.”.

(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.

Amendment of section 5. 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”.

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

Amendment of section 6-A. 5. In the principal Act, in section 6-A,-

(1) in sub-section (1),-

(i) the words “mortgagee or tenant” shall be omitted;

(ii) in second proviso, after the word “suo-motu”, the words “or mandatorily mutate and complete the process within a period of fifteen days” shall be inserted.

(2) in sub-section (4), for the words “pattadars, mortgagages or tenants”, the word “pattadars” shall be substituted.

Amendment of section 6-C. 6. In the principal Act, in section 6-C, after sub-section (3), the 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.”.

Amendment of section 6-D. 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.

8. In the principal Act, after section 6-D, the following section shall be added, namely,- Insertion of section 6-E.

“Certificate ROR Form I-B. 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 unamended Act.”.

9. In the principal Act, after section 12, the following section shall be inserted, namely,- Insertion of section12-A.

“Protection to the State and Central Government lands. 12-A. (1) Notwithstanding any judgment, decree, order, proceeding of court or any other authority, save the authority prescribed under the Hyderabad (Abolition of Jagirs) Regulation, 1358F., and rules thereof, all the Jagir lands including Paigah, Samsthans part of Jagir, Muktha, Village Agrahar, Umlu and Mukasa, etc., within the meaning of Hyderabad (Abolition of Jagirs) Regulation, 1358F., 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.

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

(3) The provisions of sub-section (1) and (2) will have no application to such Jagir lands which are settled, transferred, assigned, allotted, otherwise alienated by the State.

E.S.L. NARASIMHAN,
Governor of Telangana.

BACHINA RAMANJANEYULU,
Secretary to Government (i/c),
Legal Affairs, Legislative Affairs & Justice,
Law Department.