Office of the Inspector General of Registration,

Chennai 600 028.

CIRCULAR

Letter No.41530/U1/2017 dated 9.4.2018

Sub: Complaints - Fraudulent Registration - Cancellation of Registration of documents – Withdrawal of Circular No.67 dated 3.11.2011 – Involvement of Registering Officers in the fraudulent registration - Enquiry to be conducted under Section 68 (2) of the Registration Act, 1908 by the District Registrars (Admin) - Procedure prescribed by invoking Section 69 of the Registration Act, 1908 - To be followed scrupulously in letter and spirit – Further instructions regarding passing of rescinding orders – Making index entries in respect of the rescinding orders – Orders to be communicated to the concerned –Report to be submitted to IGR - Regarding.

Ref:1.Inspector General of Registration Circular No: 67 dated 3.11.2011.

2.Letter No.41530/U1/2017 dated 20.10.2017 of Inspector General of Registration, Chennai -28.

3.Letter No.41530/U1/2017 dated 8.11.17 of Inspector General of Registration, Chennai -28.

1. Circular vide reference first cited was issued by the Inspector General of Registration prescribing a mandatory procedure to deal with the complaints relating to the fraudulent registration through

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impersonation or production of false documents/evidences. In the above said Circular it was said as follows,

'Once the enquiry is completed following summary procedure and it is proved that the registration has taken place through impersonation and through production of false documents and statements/admissions, he shall pass orders to this effect, recording his findings and issue direction to the concerned registering officers to file FIR against the concerned persons and also to make a note in the Index-II of the document which was fraudulently registered to the effect that the "registration is annulled as per the proceedings of the District Registrar (Proceeding no. to be noted) and is shall have same effect as prescribed under Section 49 of the Registration Act." '

After receiving the order of the District Registrar, the registering officer shall immediately file FIR and make entries as stated above in Index-II without any loss of time. The Registering officer shall maintain a separate register in this regard in his office to register all such orders of the District Registrar in following format.

Sl.No	*Date of receipt of order of DR*	*Proceeding No*	*Doc No.of the Document to be annulled*	*Date of Filing FIR*	*Date of making note in Index-II*	*Signature of the Registering officer*

2. Vide reference second cited the said Circular No.67 dated 3.11.2011 was withdrawn with immediate effect and the District Registrar

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(Admin) were directed to return the petitions received under the said circular to the petitioners concerned by RPAD with intimation slip that these cannot be taken up for enquiry,in view of the reason that the said Circular No.67/2011 dated 3.11.2011 has been withdrawn by the Inspector General of Registration vide Circular No.41530/U1/2017 dated 20.10.17. **Circular vide reference second cited is based on the judgment delivered by the Hon'ble Supreme Court of India in Civil Appeal No.6673 of 2014.**

3. Vide reference third cited, a detailed mandatory procedure was prescribed by invoking Section 69 of the Registration Act, 1908 by the Inspector General of Registrationdirectingthe District Registrars to conduct enquiry under Section 68(2) of Registration Act 1908, i.e. verifying the complaints received in respect of fraudulent registration. In that, circular it has been informed that the District Registrars shall passspeaking order by way of the proceedings and the same shall have to be communicated to the petitioner through RPAD.

4. Now it has come to my knowledge that certain documents have been annulled by the District Registrars vide circular first citedand the same have been entered in the Index-II by the Registering Officers. Now it is informed that since the said circular 67/2011 dated 3.11.2011 has been withdrawn,anyorders passed by the District Registrar (Admin) by invoking the said circular **are also deemed to be withdrawn**. Hence, all the District Registrars who have passed ordersannulling the documents in question are hereby directed to do the following,

a. Annulment orders passed by the District Registrar (Admin) are to be rescinded by way of proceedings to be issued by the District Registrar concerned.

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b. District Registrar shall communicate the rescinding orders/proceedings to the Registering Officer concerned so as to makenecessary entriesin Index-II without any loss of time.

c. The entry in Index II shall be made as "The annulment of registration made as per the proceedings of the District Registrar (Proceeding no. to be noted) is rescinded as per the proceedings of the District Registrar (Proceeding no. to be noted)."

d. The District Registrar should send the detailed action taken report to the Inspector General of Registration by duly consolidating the further action taken by the Registering Officers concerned in this regard on or before 30.4.2018.

9/4/18

Inspector General of Registration

9/4/18 9/4/2018 9/4/18

To,

All District Registrars (Admin),

Copy to All DIGs and Additional IGR(S&R).

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