

Registration Department

From

The Inspector General of
Registration
O/o the Inspector General of
Registration,
100, Santhome High Road,
Chennai - 28.

To

1. All Deputy Inspectors General
of Registration
2. All District Registrars (Admin &
Audit),
3. All Sub Registrars.
(with enclosure)

Letter No.13006/C2/2020 Dated: 22.05.2020

Sir/Madam,

Sub: Registration Department - Non - insistence of
production of renewed Planning Permit - Issue of
clarification - Reg

Ref: 1. Inspector General of Registration, Circular
No. 16345/C2/2013 Dated:28.10.2013
2. Inspector General of Registration, Circular
No. 40164/E3/2018 Dated:26.06.2018
3. The President, CREDAI, Chennai representation
Dated:10.03.2020
4. Chief Secretary to the Government, Letter
No.3202/J2/2020-1 Dated:18.03.2020
5. Inspector General of Registration clarification
Letter No.11672/C2/2020 Dated:11.05.2020
6. The Chairman, CREDAI, Chennai representation
Dated:09.03.2020
7. Principal Secretary to Government(FAC),
Commercial Taxes and Registration Department
Letter No.3248/J2/2020-1, Dated:04.05.2020

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With reference to the above subject, the letter of instructions issued as
in the reference 7th cited which is self-explanatory is circulated for
information and further action.

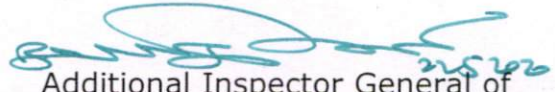
....2

As per the above instructions, the followings points are to be scrupulously followed:

1. If a deed of construction agreement is presented for registration, the Registering officers are hereby instructed not to demand or insist for the submission of renewed planning permission for the sole reason that the validity period of **Building planning permission** issued by the appropriate authority to the project has expired.
2. However, it is also instructed that all Registering Officers are required to follow the circulars 1st and 2nd cited issued by this office without any let up, subject to the recent Government clarifications 4th and 7th cited.
3. All instructions contained in letter 4th and 7th cited should be followed scrupulously in true spirit without giving any room for complaints.
4. All DIGs are requested to send their acknowledgement immediately to IGR and DIGs shall obtain and file acknowledgment from the District Registrars and Sub Registrars.

Sd. 22.5.2020.

Inspector General of Registration.



Additional Inspector General of
Registration (Stamps & Registration).

Copy to:

1. The Principal Secretary to Government,
Government of Tamil Nadu,
Secretariat, Chennai-9.
2. The Chairman,
CREDAI TAMIL NADU,
GF3, Century Plaza,
526, Anna Salai, Teynampet,
Chennai - 18.
3. Stock file



Commercial Taxes and
Registration Department,
Secretariat, Chennai - 9.



013006

Letter No.3248/J2/2020-1, dated 04.05.2020

From
Thiru. N.Muruganandam, I.A.S.,
Principal Secretary to Government (FAC).

To
✓ The Inspector General of Registration,
Chennai-28. (w.e).

Madam,

Sub: Registration Department – Non-insistence of production of
renewed Planning Permit – Issue of Clarification -
Regarding.

Ref From the Chairman, CREDAI TAMILNADU, Chennai
representation dated 09.3.2020.

I am directed to enclose a copy of the reference cited, wherein Tvl.CREDAI, Chennai have represented to issue directive orders to the Registrars concerned to ensure registration on basis of authenticity of planning permission produced on construction, the gist of which is as follows:-

- ✓ In the Real Estate Sector in our State, both the sale and construction agreements are registered as per relevant provisions of law.
- ✓ While presenting the construction/ builders agreement for registration, the member developers attach the planning permit issued by the authorities concerned based on the internal office order issued by the IGR. In some cases the validity period of planning permits have expired owing to lapse of time, completion of project etc. because of insistence of renewed planning permission by the DS/SRs.
- ✓ The intent of the order dated 7.6.2018, ensure registration on basis of authenticity of planning permission produced on construction issued by the authorities concerned without going into veracity of the validity period of the said permission.

2. In this regard, I am to state that none of the provisions in the Indian Stamp Act, 1899 or the Registration Act, 1908 mandates the registering officers to *insist for attaching the planning permit issued by the Authorities concerned*. Further, it will suffice if Stamp duty is collected on the property that is conveyed through the document and the registering officers need not go beyond the scope of the document.

3. I am, therefore, directed to request you to issue necessary clarification to all the District Registrars and Sub Registrars on the above lines and send a compliance report to Government at once.

Yours faithfully,


for Principal Secretary to Government (FAC).

SS/MT
5/5/2022

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Stock File.