Office of the Inspector General of Registration,

Chennai 600 028.

CIRCULAR

Letter No.41530/U1/2017 dated 9.11.2018

Sub: Complaints - 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 – appeal prescribed to the orders passed by the District Registrars – modification of appeal provision - instructions issued - regarding.

Ref:
1. Letter No.41530/U1/2017 dated 8.11.17 of Inspector General of Registration, Chennai -28.
2. Letter No.41350/U1/2017 dated 31.7.2018 of Inspector General of Registration, Chennai -28.

****

1. Vide reference first cited a detailed mandatory procedure was prescribed by invoking Section 69 of the Registration Act, 1908 by the Inspector General of Registration directing the 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 the said Circular it has been informed that the District Registrars shall pass speaking order by way of the proceedings and the same shall have to be communicated to the petitioner through RPAD.

Verified RegEstate ™

2. Vide reference second cited it was instructed to the District Registrars to add the following sentence in every order passed by them under the circular issued vide reference 1st cited. **"If the concerned party/ies wishes, he/they can appeal to the Inspector General of Registration, 100, Santhome High Road, Chennai – 28 against this order within 60 days from the date of receipt of this order."** For the cases in which orders have been passed already, a separate letter shall be sent with a message that "if they are aggrieved by the order they can file an appeal to Inspector General of Registration within 60 days from the date of receipt of this order".

3. Since, appellate authority prescribed in the circular 2nd cited is being Inspector General of Registration; the petitioner has to travel all the way to Chennai to file their appeal. Further, all petitioners, respondents and witnesses have to travel to Chennai during the enquiry and it is causing hardships for the all the parties concerned. Some of the vital witnesses in some of the cases happened to be very old and unable to travel to Chennai. This prolongs the enquiry process also. So, considering hardship faced by the petitioners and others, the appellate provision provided vide letter 2nd cited is modified as follows.

- **"If the concerned party/ies wishes, he/they can appeal to the Deputy Inspector General of Registration, ---------- (Place and address to be mentioned) against this order within 60 days from the date of receipt of this order."**

Verified RealEstate™

- ❖ For the cases in which orders have been passed already, a separate letter shall be sent with a message that "if they are aggrieved by the order they can file an appeal to Deputy Inspector General of Registration, ---------- ---------- **(Place and address to be mentioned) instead of Inspector General of Registration** within 60 days from the date of receipt of this order".

4. A time limit of 2 months is prescribed for completing enquiry and passing orders in appeal. Deputy Inspector General of Registration is instructed to stick on the time limit while passing order in appeal.

5. This circular is issued invoking the powers conferred under section 69 of Registration Act 1908.

9/11/2018

Inspector General of Registration

To

All Deputy Inspector General of Registration,
All District Registrars (Admin).

Copy to

1. Senior PA to Hon'ble Minister for Commercial Taxes and Registration Department,
2. Principal Secretary to Government, Commercial Taxes and Registration Department
3. All Registering Officers.

Verified RegiEstate™