

Circular

No:47547/C1/2023, Dated. 03.09.2024.

Sub: Registration Department – Issue of Certified Copies of registered documents to the persons affected by Michaung & Thoothukudi floods – Exemption from payment of Stamp Duty and other fees – instructions – for issuing certified copies-regarding

Ref:

1.Inspector General of Registration Circular No.22482/C1/2022, Dated. 02.02.2023

2.Inspector General of Registration Letter No.47547/C1/2023 dated 22.01.2024,31.07.2024

3.G.O. (Ms) No.104/Commercial Taxes and Registration Department (J1) dated 03.09.2024

In the reference third cited, the Government has ordered for issuing of certified copies of registered documents, free of cost as per Section 57 (5) of the Registration Act, 1908 to the persons who lost the original registered documents in the inundation caused by the Michaung cyclone and Thoothukudi floods. The following instructions are issued in this regard to facilitate the seamless issue of necessary certified copies to the Claimant/Applicants.

(2) The process of the issuing certified copies of the registered documents are to be completed within one month (03.09.2024 to 03.10.2024 – both days inclusive) and this exercise shall be confined only in respect of the following applications.

(i) Applications already received through the Tahsildhars, who have forwarded the applications received from the public during the special camps conducted on account of Michaung Cyclone & Thoothkudi Floods.

(ii) Applications received from the general public directly to this office and various Sub-Registrar offices, District Registrar Offices prior to the date of issuing of the Government Order (i.e) 02.09.2024.

(3) A committee headed by Deputy Inspector General of Registration of the concerned zones along with concerned District Registrars (Administration) and District Registrars (Audit) should look after the process of the issuing of the certified copies to the public based on the applications already received before the issuing of the Government Order (i.e) 02.09.2024. Strictly no, new applications received after 02.09.2024 should be entertained and only the applications already received on or before 02.09.2024 should be processed.

(4) The above committee should ensure smooth process of the issuing of the certified copies to the public and to monitor that the certified copies are issued as per the Government Orders cited in the reference 3, and due procedures are strictly followed without any lapses. The overall process to be completed at the stipulated time mentioned in the Government Order.

(5) Each application should be given a running serial number.

(6) The Deputy Inspector General of Registration shall collect all the original applications received within their zone and scan the applications of their zone and send it to the concerned Sub Registrar's Office through e-mail of their zone and if the application pertains to other zones, then the applications shall be scanned and forwarded to the concerned zones through e-mail.

(7) The details of the application so received shall be entered in a register under the following headings in the concerned Deputy Inspector General's office.

(1) Sl.No. (2) Applicant name (3) Sub Registrar Office to which application has been mailed (4) Date on which sent (5) Date of delivery of certified copy (6) Remarks (7) Initials of the Deputy Inspector General

(8) The details of the application so received shall be entered in a Register under the following Headings in the concerned Sub Registrar's office.

(1) Sl.No. (2) Applicant name (3) Date of receiving of Application (4) Date on which certified copy sent (5) Date of delivery (6) Remarks (7) Initials of the Sub Registrar

(9) On receipt of the applications through e-mail, the concerned Sub Registrar should verify the document number with year and to search the official records whether the document mentioned application is registered in the office or not. After verification of the document details, before issuing the certified copies, the Sub Registrar Concerned should verify the Encumbrance details of the mentioned document in the application, and should satisfy regarding the subsisting right in the property in favour of the person who had applied for the certified copy and should also verify the details of the identification of the person/s with the details mentioned/attached in the application. If no ID proof is attached with the application, necessary ID proof should be obtained from the applicant.

(10) For, a document involving transfer of property, copy shall be issued only to claimant(s) alone. In respect of the other documents copy shall be issued to the executant(s). Only one copy shall be issued for one document to the applicant and due acknowledgement should be received from the concerned public. More than one application for certified copy for a document should not be entertained, as it may lead to unnecessary legal issues and

complications. If, more than one application is received for the same document then the applications should be verified for genuineness based on the material evidences available and the concerned Sub Registrar should confirm and satisfy the genuineness before processing the application and other similar applications for the same document should be rejected mentioning the valid reason. **While verifying Encumbrance Certificate the Sub Registrars should ensure that before issuing the certified copies of documents that there are no entries indicating pendency of Mortgage loan, DoT, Power of attorney or Sale Agreement or any other encumbrances where the Original document might have been kept as security in a bank or pledged in bank as collateral or pledged to a private person or given to Power Agent or given to Agreement holder etc.,.**

(11) After, issuing the certified copy of the registered document, a certificate (as mentioned in Sl.no.13) regarding the issuing of the certified copy should be made in Index II which will be reflected in the Encumbrance Certificate. The certificate (as mentioned in Sl.no.13) should also be added as link in the Scanned copies/as note in the Manual copies for the corresponding documents maintained in the concerned Sub Registrar's Office which will be reflected, when a certified document copy is applied and received by the Public in the future. The above process should be strictly followed by the Sub Registrars who are issuing the certified copies under the Government Order 3rd cited to avoid registration of fraudulent documents, in future.

(12) If, any application is found to have been rejected without a valid reason then severe action will be taken and disciplinary proceedings will be initiated against the concerned officials for dereliction of their duties

(13) All the certified copies granted under the Government Orders cited in reference 3 shall be signed and sealed by the Sub Registrar by adding the following certificate:

"A certified copy bearing Document No. _____ and registered on _____ has been issued free of cost as per G.O.(Ms) No.104 CT&R(J1) Department dated 03.09.2024 and as per section 57(5) of the Registration Act, 1908 the said certified copy shall be admissible for the purpose of proving the contents of the Original document."

(14) It is also informed that above certificate should be added to the certified copy, after verifying the genuineness of the claim. The certified copy will be treated and accepted as original for future registration purposes.

(15) The concerned District Registrars (Administration) and District Registrars (Audit) of the district should daily monitor the issuing of the certified copy to the public and check that there is no delay or hassles while issuing the certified copies and should submit progress report to the concerned Deputy Inspector Generals on daily basis.

(16) If, there is any delay in issuing the certified copies or if there is any procedure lapse it should be immediately reported by the concerned District Registrars (Administration) or District Registrars (Audit) as the case may be to this office through concerned Deputy Inspector Generals, to initiate disciplinary proceedings against the concerned erred officials.

(17) All the Deputy Inspector Generals are instructed to get the acknowledgment of the Sub Registrars for receipt of this circular through the District Registrars concerned and to report the same to this Office immediately.

(18) All the Deputy Inspector Generals are also instructed to send a weekly progress report and a completion report on 04.10.2024 without fail.

Sd./ 03.09.2024

Inspector General of Registration

/By Order/

Additional Inspector General of Registration
(Stamps & Registration)

To,

1. All Deputy Inspector Generals
2. All District Registrars (Admin & Audit)
3. All Sub Registrars

Copy To,

1. The Special Personal Assistant to
Hon'ble Minister (C T & Regn. Dept), Ch-9
2. All the Higher Officials O/o IGR
3. The RTI, Chennai
4. U, CS, CA Section O/o IGR
5. Stock File