

BEFORE THE NATIONAL GREEN TRIBUNAL
South Zone Bench At Chennai, T.N.

Application No. 3 of 2021
(Public Interest Litigation)

Between:

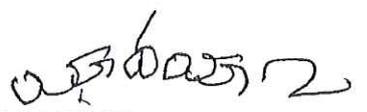
Tribunal on its own motion-SUO MOTU
news item in The Hindu Newspaper,
edition dated 6.12.2020, "Lake Encroachment
in full swing at Mazid Banda"

... Petitioner

And

1. Union of India, Rep. by its Secretary,
Ministry of Environment, Forests and Climate change
Indira Paryavaran Bhavan,
Jorbagh Road, New Delhi 110003
2. The Principal Secretary of Telangana,
Environment, Science & Technology,
A-3, Paryavaran Bhavan, Sanath Nagar Rd,
Sanath Nagar Industrial Estate, Sanath Nagar,
Hyderabad, Telangana -- 500018.
3. The Principal Secretary to Government of Telangana
Irrigation and CAD Department
Jala Soudha, Erra Manzil Colony,
Panjagutta, Hyderabad, Telangana - 500082
4. The Commissioner,
Greater Hyderabad Municipal Corporation,
CC Complex, Tank Bund Road, Lower Tank Bund,
Hyderabad - 500063.

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5. The Member Secretary,
Telangana State Pollution Control Board,
A-3, Paryavarana Bhavan, Sanath Nagar Rd,
Sanath Nagar Industrial Estate, Sanath Nagar,
Hyderabad, Telangana – 500018
6. The Metropolitan Commissioner,
Hyderabad Metropolitan Development Authority
Swarna Jayanthi Complex,
Sanjeeva Reddy Nagar Rd,
Srinivasa Nagar,
Ameerpet, Hyderabad – 500038
Telangana, India.
7. The District Collector
Hyderabad District,
Nampally, 5-8-505,
Chirag Ali Lane, Abids,
Hyderabad, Telangana 500001
8. The PCCF (HoFF) &
Member Secretary,
III floor, Aranya Bhavan,
State Wetland Authority of Telangana,
Saifabad, Hyderabad.
9. M. Raju Yadav, son of late M. Durgaiyah,
Aged about 55 years, business,
R/o.H.No.1-59-15/1, Maseed Banda
Kondapur village, Serilingampally Mandal,
Ranga Reddy District.

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10. M. Yadaiah son of late M. Durgaiyah,
Aged about 60 years, business,
R/o.H.No.1-5, Maseed Banda
Kondapur village, Serilingampally Mandal,
Ranga Reddy District.

.... Respondents

COUNTER - AFFIDAVIT OF RESPONDENTS NO. 9 AND 10 HEREIN

I, M. Yadaiah son of late Durgaiyah, aged about 60 years, Occ: Business, R/o. H. No.1-5, Kondapur village, Serilingampally Mandal, Ranga Reddy district, do hereby solemnly affirm and state as follows:

1. I am the 10th Respondent herein and I know the facts of the case. I'm authorized to file this affidavit on behalf of my brother, the 9th Respondent also.
2. I submit that the report of The Hindu dated 6.12.2020 and the orders passed by this Honourable Tribunal in the above *Suo Motu* application are read over and explained to me in Telugu. I deny the allegations that the land in Sy.No.123, 124, 125,144 and 145 of Kondapur village, Serilingampally Mandal, Ranga Reddy district including the land of these respondents has at any point of time, there has been water body in the said Survey Numbers, or any Tank by name Masjid Banda Lake in Kondapur village at any point of time. Since there are no pleadings to traverse, in the present *Suo Motu* application, these respondents beg to submit the present counter, with out prejudice to file further pleadings, if necessary. These respondents filed IA No.118 of 2022 to get impleaded in the present O.A. No.3 of 2021 along with documents and crave the leave of this Honourable tribunal to read the same as part and parcel of this counter affidavit.

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The true facts are as under:

3. It is submitted that these respondents No. 9 and 10 along with their brother Krishna are absolute owners and possessors of land admeasuring Ac.4.00 Gts in Sy.No.123, 124, 125, 128, 144 and 145 of Kondapur village, Serelingampally Mandal, Ranga Reddy district, having purchased the same under registered sale deed bearing Doc No. 3109 of 1995 dated 9.3.1995 from the original Pattedar B. Balraj and others. Copies of the said sale deed along with Mutation Proceeding and Pattedar Pass Books were already filed along with their implead petition.

4. I submit that the sixth Respondent issued a draft notification bearing No.1404/HMDA/EE L&P/2013-14/10 dated 23.7.2014 calling for objections for notifying certain lands in Kondapur village, including the petitioner's land as buffer zones U/s 11, 13 and 54 of HMDA Act, 2008. It does not disclose the extent of area or Sy. Nos. Though, the draft notification did not mention any survey numbers as such, the extract of village map annexed thereto, with a marking of the proposed water body, which covers Sy. No. 130, 131, 132 137 fully and Sy.No.128, 129, 138, 139, 136 and 133 partly. All these lands are agricultural land held by the individual Pattadars. These respondents No. 9 and 10 are filing copy of the Sethwar, Pahanis showing them as Patta lands. These Respondents Nos. 9 and 10 are also filing Topo Sheet and village map clearly showing that there is no Kunta/Tank as alleged in the Draft Notification Sheet by the 6th Respondent.

5. I submit that in the Sethwar for the year 1959, the land in Sy Nos. 123 to 125, 128, 129, 131 to 133, 136 to 139, 144 and 145 of Kondapur (notified as alleged Mazid Banda Tank by HMDA) is shown as Patta Land by showing the names of Khatadars and the land was assessed for payment of tax. The Sethwar is the settlement register prepared by survey officer at the time of device survey and such entry is evidence of right and title of the person mentioned therein or his predecessor in title. AIR 2003 AP 329 (Para 21). The Sethwar register is regarded as King of all registers. 2014 (4) ALD 358. In Khasra Pahani (1954-55) which is the settlement year in Telangana region, the name/identification for the

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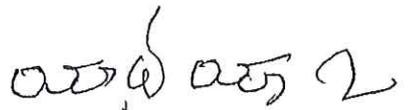

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land was given by mentioning Maisamma chalka, Eswaruni Bavi, Jangam Kunta Venuka (back side of Jangam Kunta) etc, and the type of soil was also mentioned like red soil or black soil. Khasra Pahani is prepared under the Land Census Rules and should form the basis for the record of rights and should be integrated with the annual (Jamabandi) accounts. AIR 2003 SC 3592 (para 5). Pahani for 1971-72 shows the assessment of the tax as per the Sethwar, source of irrigation and the same entries continued in the subsequent pahanis. The entries in sethwar, Khasra Pahani and revenue records clinchingly establish that the land in these survey numbers is Patta land which had been under cultivation and that there is no tank at all at any time.

6. I submit that curiously, the western part of the area marked in the plan annexed to the draft notification issued by the 6th respondent HMDA does not bear any survey numbers or extent at all, as stated above. The draft notification was issued without any verification of the relevant records and without any basis. There was never any water body at any point of time in the aforesaid survey numbers covered by the draft notification at all. The plan annexed to the draft notification issued by HMDA is totally false and contrary to the record and ground situation.

7. These lands are Patta lands and agriculture was carried on till urbanization started from 1997 onwards, when Hitech city was established in the vicinity. The Government and the local authorities started construction of roads and permitted massive construction of buildings in the neighbouring lands, from 2004 onwards making the cultivation difficult. Kondapur is situated within Hyderabad Urban agglomeration under the repealed Urban Land Ceiling Act, 1976 and within the urban area notified under the AP Urban Development Act, 1975. In 2008, the Hyderabad Metropolitan development Act, 2008 was enacted to constitute Hyderabad Metropolitan Development Authority for Hyderabad Metropolitan Development Area, in the place of Hyderabad Urban Development Authority. The aforesaid lands of these respondents are reserved for residential purpose in the master plan prepared and notified under the provisions of The HMDA Act, 2008, under G.O.Ms. No.288 M.A. Dept., dated 03.04.2008. Land use certificate issued

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by the 6th respondent was filed as a document annexed to the implead application IA No.118 of 2022. The fact that the lands are reserved for residential purpose under the master plan prepared by the 6th respondent and accepted by the government after calling for objections, as per the Provisions of the HMDA Act itself falsifies existence of any water body in the land proposed by the 6th respondent in its draft notification.

8. I submit that most curiously, "Tataji residency" apartments is shown on the south-western side of the proposed water body in the plan annexed to the draft notification. It is actually situated in Sy. No.125 and 144, but the plan annexed to draft notification shows as if it is situated in Sy.No.116. Similarly, there is no road in Sy.No.128, 125 and 143 of Kondapur village, but a 100 Ft., road is erroneously shown in the plan annexed to the draft notification, across these Sy. Nos.128, 125, and 143, for reasons best known to the officers concerned of the 6th respondent. The village map shows the road from Kondapur to Central University/Old Bombay Road that passed through survey numbers 148, 145 and 146 etc. The said village road in survey numbers 148, 145 and 146 etc., was developed by HMDA as 100 ft. road and thereafter it was taken through Sy.No.124, 123 and 122 of Kondapur village. In fact, another 100 feet road was formed recently by the respondent authorities through Sy. No. 135 to 137 and 131 connecting with the aforesaid 100 ft. road at "Tataji Residency" apartments and passing through survey numbers 148, 145, 146, 124, 123 and 122 of Kondapur village, from RTA office situated in Kondapur. The plan annexed to the draft notification of HMDA shows only Jungam Cheruvu as Kunta (pond) in Sy.No.134. Kudikunta is situated towards the south-east of the lands covered by the plan annexed to the draft notification of HMDA. Gopi Cheruvu is situated towards north-west of the lands covered by the plan annexed to draft notification of HMDA. There is a surplus channel from Kudikunta to Gopi Cheruvu passing alongside the said new 100 feet road. The printouts of the Google Earth image for the years from 2003, 2004, 2007, 2008, 2010, 2012 to 2015 in respect of the aforesaid survey numbers as downloaded and stored in the computer of these respondents, were annexed as documents to IA No.118 of 2022. They establish that the plan annexed to the draft notification issued by the 6th respondent is contrary to the ground situation.

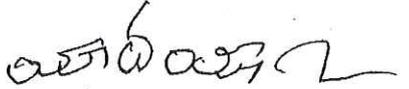
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9. I submit that these respondents are filing the topo sheet (map) prepared by the survey of India as late as in 2010, which show the aforesaid water bodies in Kondapur village, with water spread area. Gopi Cheruvu falls between $17^{\circ} 28' 46''$ Latitude and $78^{\circ} 19' 42''$ Longitude of the said topo sheet. Kudikunta falls between $17^{\circ} 28' 01''$ Latitude and $78^{\circ} 20' 46''$ Longitude of the said topo sheet. There is no water body in the lands of these respondents shown in yellow and green colour.

10. I submit that the said surplus channel was closed by the builders who made constructions in the downstream area of the said channel and adjacent to the land of these respondents towards West. On account of the said obstruction, the surplus storm water flowing from Kudikunta started getting stagnated from the year 2009 onwards and taking advantage of the same, the residents/builders in the nearby colonies/ Apartments started letting their sewerage open into the land in these survey numbers, illegally earmarked as water body, in the draft notification. Most curiously, the surplus channel which is evident from the topo sheet of the survey of India, the traces of which are also still available on the ground up to the point, where it was obstructed by the recent constructions. The surplus channel which is a natural drain is not shown in the plan annexed to the draft notification for obvious reasons. These patent infirmities in the draft notification and plan annexed thereto, speak volumes about the manner in which said draft notification is manipulated, with false plan annexed to the draft notification to benefit the builders and others who illegally closed the natural stream and letting the sewerage open. On knowing about the same, these respondents No. 9 and 10 filed objections dated 20.7.2015 along with land use certificate and master planning extract issued by the 6th respondent and other supporting documents including the annual Satellite images of Google Earth, to the said notification. As the said objections were not considered and no orders were passed in pursuance of the draft notification dated 23.7.2014, the respondents submitted another representation dated 13.3.2019.

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11. It is submitted that though these respondents submitted objections to the draft notification dated 23.7.2014, the 6th respondent did not consider and pass any final orders in pursuance of the draft notification. Therefore these respondents No. 9 and 10 filed W.P.No.11211 of 2019 before the Hon'ble High Court of Telangana and the same was allowed by order dated 14.11.2022. In the said Writ Petition, the Hon'ble High court was pleased to suo moto implead the state of Telangana Represented by its Principal Secretary, Irrigation Department, 3rd Respondent herein, by order dated 10.6.2019 and later these respondents filed I.A.No.1 & 2 of 2020 to implead District Collector, R.R. Dist., and to direct him to send his report to 6th respondent and the said IAs were allowed by common order dated 14.12.2020. These orders were already filed as documents annexed to IA.No.118 of 2022. As per the orders of the Honourable High Court of Telangana, the 7th respondent submitted his report to the 6th respondent under the cover of his letter Lr. No. DCO-RR/LP/100/0037/2020 dated 19.3.2021. The Hon'ble High Court by Order dated 14.11.2022 directed the 6th Respondent to consider the objections filed by the Respondents No. 9 and 10 and finalize the preliminary notification dated 23.7.2014 within 3 months from the date of the order. Copy of the District Collector Report dated 19.3.2021 is filed along with this counter.

12. It is submitted that these respondents No. 9 and 10 came to know that this Hon'ble Tribunal, on its own motion Suo Motu based on the news item published in The Hindu Newspaper dated 06.12.2020 published under "Lake encroachment in full swing at Masjid Banda". In Original Application No. 3 of 2021 (SZ), and by an order dated 06.01.2021, this Hon'ble Tribunal Constituted the joint committee consisting of 1). The District Collector of R.R. District Telangana (7th Respondent) 2). A senior officer from irrigation and the CAD Department, Hyderabad, Telangana 3). The Commissioner from Greater Hyderabad Municipal Corporation 4). A Senior Officer from Hyderabad Metropolitan development Authority (fifth Respondent) 5). Telangana Lake Protection Committee and 6). A senior officer from Telangana State pollution control board, to inspect the area in question and submit a factual as well as action taken Report, if there is any

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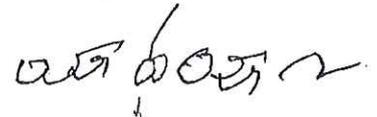

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violation found and directed the Respondents to file the report. As per the directions of this Hon'ble Tribunal, they submitted a report dated 6.5.2021 clearly stating that the lands are Patta lands of these respondents, there is no water body in Sy.No.123, 124, 125, 144 and 145 of Kondapur village and rain water in the neighbouring land became stagnant on account of the obstruction created and also the sewerage from the neighbouring colonies and that the writ petition was filed by these respondents which is pending. Having set out the entire report dated 6.5.2021 of the joint committee report filed on 20.8.2021 in para-2 of the order dated 25.11.2021, this Hon'ble Tribunal, has observed in para 4 that the first respondent filed the report wherein they have stated that this water body has been identified as a wet land and a letter dated 17.8.2021 has been issued to PCCF (HoFF) Member Secretary, State Wetland Authority, Telangana directing to take appropriate steps to protect all water bodies, which are identified by the Central Government and earlier as directed by the Honourable Apex Court vide order dated 4.10.2017 in WP (C) No.230 of 2001". However, without impleading and issuing notice to the affected parties, required for compliance with the principles of natural justice, as mandated in section 19 (1) of the Green Tribunal Act, 2010, this Hon'ble Tribunal proceeded with the matter and directed the state of Telangana and official respondents to file their independent statement regarding the status of the water body and the action taken by them for protecting the water body that has been declared as wetland on the basis of the letter issued by MoEF & CC referred to above. But, it is submitted there is no such declaration as water body.

13. It is submitted that the said letter dated 17.08.2021 bearing F.No.J-22012/01/2021 addressed by Dr M. Ramesh Scientist E to The PCCF (Ho FF) And Member Secretary, State Wetland Authority of Telangana, reads as under:

**"F.No.J-22012/01/2021
Government of India
Ministry of Environment, Forests and Climate Change
(Wetlands Division)**

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Sub: Action Taken Report in OA.No.3 of 2021 (SZ) before the Hon'ble in GT regarding encroachment of Masjid Banda Cheruvu in Hyderabad.

- Ref. 1. MoEF & CC email dated 23.04.20 21
2. State Wetland Authority Reply Rc No. 3073/2019/WL1 dated 03.05.2021

Madam,

This has reference to the above communications in the Subject Matter.

2. The Integrated Regional Office (IRO), Hyderabad of this Ministry vide its monitoring report of Mazid Banda Cheruvu dated 23.06.2021 (copy enclosed) confirmed that the size of Mazid Banda Cheruvu has been diminished from all sides due to construction activities, Mazid Banda Cheruvu has been totally dumped by construction debris and also construction of temporary labour sheds and the inflow and outflow of the lake are totally blocked due to dumping of the debris.
3. As communicated vide this Ministry's letter No. J- 22012/48/2016- CS (W) dated 07.11.2017 (copy enclosed), the Hon'ble Supreme Court vide order dated 04.10.2017 in WP (C).230 of 2021(copy enclosed) has inter alia , directed that, "we make it clear and reiterate that in terms of our order dated 8th February 2017, 2,01,503 wet lands that have been mapped by the Union of India should continue to remain protected on the same principles as formulated in Rule 4 of the wetlands (Conservation and Management) Rules, 2010".
4. With reference to the above said 2,01,503 wet lands, the total wetlands(>2.25 ha) are 2,01,503 including rivers/streams. An inventory of 1,75,740 wetlands (State -wise/sorted on state code), is available on this Ministry's website at <http://moef.gov.in/wpcontent/uploads/2019/National-Wetland-Inventory.pdf>. Rivers /streams (~25,763 polygons) are not included in the list.


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5. In view of the above, the State Wetland Authority of Telangana is requested to take appropriate action in the matter and provide the action taken report to this Ministry on priority.

Encl. as above

Dr M. Ramesh
Scientist E
Tel.011-24695327
Email:ramesh.motipalli@nic.in"

14. It is submitted the letter bearing File No. EP (A)/NGT (SZ)/077/IRO-HYD//2021/26 dated 23.06.20 21 addressed to Dr. M. Ramesh (First Respondent) by Dr. E. Arockia Lenin, Scientist C, (8th Respondent) which was referred to in the aforesaid letter of Dr. M. Ramesh and was relied on by this Hon'ble Tribunal in the order dated 25.11.2021, reads as under:

"Sub: Monitoring report of IRO, MoEF & CC, Hyderabad in the matter of O.A. No.03 of 2021 before the Hon'ble NGT (SZ), Chennai

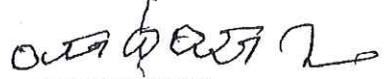
Ref: Your communication through email to IRO, MoEF & CC, Hyderabad dated 23.04.2021 and 21.06.2021.

Sir,

Your attention is invited on the subject and references cited above and to submit that the undersigned has monitored the Mazid Banda Cheruvu on 06.05.2021. Monitoring report is submitted herewith for your information and further necessary action.

2. This issue with the approval of Regional Officer, IRO, MoEF & CC, Hyderabad"

Yours faithfully,
Dr. E. Arockia Lenin


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Thus, the above letter is only a covering letter to the alleged monitoring report and does not have any content at all. The alleged monitoring report does not refer to any letter of the Ministry dated 7.11.2017 of the order of the Hon'ble Supreme Court dated 4.10.2017 or the list of wetlands, referred to in paragraph 3 and 4 of the letter of Dr. M. Ramesh, Scientist E, Ministry of Environment, Forests and Climate Change, (Wetlands Division), Government of India, relied on by this Hon'ble Tribunal in the orders dated 4.11.2021 and 25.5.2022.

15. It is submitted that the alleged monitoring report annexed thereto, entirely relies on the information allegedly submitted by Lake Protection committee, HMDA, Hyderabad. It reads as under:

"Monitoring report of IRO, MoEF & CC, Hyderabad in the matter of O.A.No.03 of 2021 before Hon'ble NGT,(SZ), Chennai

Mazid Banda Cheruvu:

This lake is located in Kondapur Village, Serilingampally Mandal, Ranga Reddy District, Telangana (17_28'05.1"N 78_20'16.0"E, Annexure-1). As per submission by Lake Protection Committee, Hyderabad Metropolitan Development Authority (HMDA), Hyderabad, there was 501 lakes existed in old Hyderabad Urban Development Authority (HUDA) and Municipal Corporation of Hyderabad (MCH). Presently, 176 out of 501 lakes are existed within the present Greater Hyderabad Municipal Corporation (GHMC).

It is submitted further that HMDA has identified 455 lakes inside the ORR (Outer Ring Road). Among them, Mazid Banda Cheruvu was listed (Sl.No.377) as notified lake (ID No.3752) vide HMDA, Preliminary notification dated 23.07.2014. FTL of the area of lake is about 12.520 Acre as preliminary notification (Annexure-2)

Land status of Mazid Banda Cheruvu:

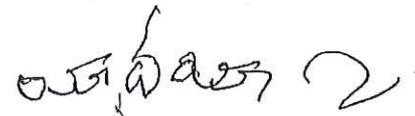
As per HMDA map, the surveys numbers from 127-142 were included for fixing FTL points of Mazid Banda Cheruvu (Annexure-3). It is further observed that there were disputes involved in rights of ownership due to inclusion of survey number no.123,124,125,128,143 and 145 in the FTL of Mazid Banda Lake as these survey numbers were recorded as patta land in the revenue record.

Past and Present status of the lake:

- . Google earth images from 2003-2020 (Plate 1 to 5) and HMDA FTL Map were taken into the analysis to understand the past and present status of the Mazid Banda Cheruvu.*
- . It was confirmed that the size of Mazid Banda Cheruvu has been diminished from all sides due to construction activities.*
- . It was confirmed that the Mazid Banda Cheruvu has been totally encroached by construction debris and construction of temporary labour sheds etc.,*
- . It was observed that the inflow and outflow of the lake are totally disturbed due to dumping of debris construction activities."(Emphasis supplied)*

16. It is submitted that, curiously the letter dated 17.08.2021 of Dr. M. Ramesh on behalf of the first respondent addressed to 8th respondent, (relied on the order dated 25.11.2021 by this Hon'ble Tribunal), **has clearly mixed up the alleged monitoring report of IRO, MoEF & CC, Hyderabad, with the letter of the Ministry dated 7.11.2017 of the order of the Hon'ble Supreme Court dated 4.10.2017 or the list of wetlands, referred to in paragraph 3 and 4 of the letter in such a way that it gave an impression to this Honourable Tribunal that the alleged Mazid Banda Cheruvu is a wetland, as observed by this Hon'ble Tribunal in paragraph 4 of the order dated 25.11.2021. But, in fact, the letter of the first respondent is contrary to the data are furnished to this Hon'ble Tribunal along with the letter dated 17.8.2021.**

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17. It is submitted that the inventory of 175,740 wetlands (state-wise/sorted on state code is available on the Ministry's website at <http://moef.gov.in/wp-content/uploads/2019/08/National-Wetland-Inventory.pdf>. These respondents No. 9 and 10 downloaded, stored in their system and verified the content of more than 2,600 pages of content in the said website and to their shock and surprise found that the **alleged Masjid Banda Cheruvu or the Geo-tag identification of the land in question as 17_28'05.1"N 78_20'16.0"E, is not one of the 2,01,503 wetlands** listed in the website and the first respondent filed a **false letter dated 17.8.2021, contrary to their own record referred to in the said letter**. There is no tank or water body called Masjid Banda Cheruvu and the Website does not show any inventory state wise or State code as alleged in their letter dated 17.8.2021. At serial No. 1, 21,180, it refers to Gopi tank situated in Serelingampally village. But, there is no tank called Masjid Banda Cheruvu or any tank with geo-tag **17_28'05.1"N 78_20'16.0"E**, in the said website data referred in the Monitoring Report of IRO, MOEF and CC, Hyderabad filed by the 1st Respondent. No details as to Survey number or village or other geographical description to identify the wetlands listed on the website. The only details available in the website are with reference to geo-tag. The petitioner's lands in Sy.Nos.123, 124, 125,144 and 145 of Kondapur village covered by geo-tag **17_28'05.1"N 78_20'16.0"E is not one of the wetland shown in the website**. These respondents are filing the plan of the alleged Masjid Banda Cheruvu filed by executive engineer, North Tanks division Hyderabad, which discloses that there is no water body in land of petitioners with geo-tag as **17_28'05.1"N 78_20'16.0"E**. There is no tank with such geo-tag particulars, in the data available with the website of the Ministry of Environment, Forests and Climate Change, Government of India as allegedly mentioned in the letter dated 17.8.2021 filed by the first respondent Union of India. Thus, the letter dated 17.8.2021 of the first respondent is false and misleading and it was filed without any sense of impunity or responsibility. Such actions of Government and public authorities are violative of Article 300-A of the Constitution. It is to be noted that the first respondent **Government of India, has no records pertaining to agricultural lands or irrigation tanks and other local water bodies (Which are state subjects under the Constitution) and has to necessarily depend on the records available with the State Governments, Particularly their Revenue and irrigation departments.**

18. It is further submitted that the Central Government made the Wetlands (Conservation and Management) Rules, 2017 for conservation and management of wetlands, in exercise of the powers conferred by section 25, read with sub-section (1) and clause (v) of sub-section (2) and sub-section (3) of section 3 and section 23 of the Environment (Protection) Act, 1986 and in supersession of the Wetlands (Conservation and Management) Rules, 2010, except as respects things done or omitted to be done before such supersession. Rule 3 reads as follows:

These rules shall apply to the following wetlands or wetlands complexes, namely:—

(a) wet lands categorised as 'wetlands of international importance' under the Ramsar Convention;

(b) wetlands as notified by the Central Government, State Government and Union Territory Administration:

Provided that these rules shall not apply to the wetlands falling in areas covered under the Indian Forest Act, 1927, the Wild Life (Protection) Act, 1972, the Forest (Conservation) Act, 1980, the State Forest Acts, and the Coastal Regulation Zone Notification, 2011 as amended from time to time.

The "wetland" is defined in Rule 2 (g), which reads as follows:

"wetland" means an area of marsh, fen, peatland or water; whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six meters, **but does not include river channels, paddy fields, human-made water bodies/tanks specifically constructed for drinking water purposes and structures specifically constructed for aquaculture, salt production, recreation and irrigation purposes;**
(Emphasis supplied)

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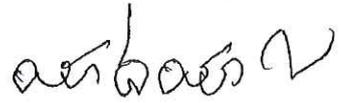
As per Rule 2 (h) "wetlands complexes" means two or more ecologically and hydrologically contiguous wetlands and may include their connecting channels/ducts;

As per Rule 2 (i) "wise use of wetlands" means maintenance of their ecological character, achieved through implementation of ecosystem approach within the context of sustainable development;

As per (j) "zone of influence" means that part of the catchment area of the wetland or wetland complex, developmental activities in which induce adverse changes in ecosystem structure, and ecosystem services.

19. I submit that "river channels, paddy fields, human-made water bodies/tanks specifically constructed for drinking water purposes and structures specifically constructed for aquaculture, salt production, recreation and irrigation purposes" **are excluded from the definition of the Wetlands.** However, the data pertaining to Telangana, available in the **website of the First respondent consists of only human made water bodies/tanks for the purpose of drinking water and irrigation**, including the famous Osman Sagar and Himayat Sagar constructed by the late Nizam for drinking water supply to the city of Hyderabad at serial No.1,21,200 and 1,21,202 respectively and also several tanks in Hyderabad which were converted as parks by the Government itself, like Masab tank, now called Jawaharlal Nehru Park (at serial No.1,21,288) man made dead water tank Hussain Sagar (at serial No.1,21,970) Singur dam on Manjira river for drinking Water supply (at serial No.1,20,048), many other man made Reservoir/Barrage for irrigation and water supply constructed by Late Nizam and State government including Nizam Sagar (at serial No.1,19,909), Dindi reservoir (at serial No.1,22,003), Musi Reservoir (at serial No.1,22,230) Sri Ram Sagar Reservoir serial No.1,18,215). This is sufficient to show the patent infirmities in the data maintained by the first respondent.

16th page.
Corrections:


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20. It is submitted that the power under Section 11, 13 and 53 of the HMDA Act is exclusively vested in the HMDA and the state government, the respondents No. 2 and 6 herein. The action of this Hon'ble Tribunal *suo motu* to entertain proceedings, on the basis of newspaper report in respect of the statutory proceedings pending before the 6th respondent and directing the respondent authorities to implement the draft notification is illegal and without jurisdiction. This Hon'ble Tribunal ought to have seen that the power to issue final notification under the HMDA Act has to be exercised in expeditious manner, as it affects the property rights of the citizens and keeping such proceedings pending for indefinite period is illegal, arbitrary and violate of Article 14, 31A and 300 A of the Constitution of India and therefore ought to have directed the 6th respondent HMDA to conclude their enquiry and pass appropriate orders in expeditious manner. Such function is statutorily conferred on it and power and jurisdiction under section 13 of the HMDA Act vests in it. It amounts to embarking a parallel enquiry, prejudicial to the proceedings before the 6th respondent HMDA. In fact, the Hon'ble Supreme Court held that keeping draft notification is pending indefinitely in similar circumstances as illegal and it may vitiate draft notification itself. The matter is already sub judice before the Hon'ble High Court of Telangana and therefore parallel proceedings may not be continued before this Hon'ble Tribunal. The question whether the alleged Masjid Banda Cheruvu proposed in the draft notification is a water body or agricultural land is to be enquired into and determined by the 6th respondent who has to send the report to the state government under section 13 of the HMDA Act. The final authority vests in state Government to issue final notification under Section 14. Till such final notification, this Hon'ble Tribunal cannot have jurisdiction to treat it as water body and initiate proceedings or direct coercive action on that basis. It amounts to usurping the jurisdiction of the statutory body under the HMDA Act and direct the official respondent authorities to take coercive action on the basis of the draft notification is illegal and arbitrary and without jurisdiction and violates these Respondents' fundamental rights under article 19, 21 and 31-A read with Article 300-A of the Constitution of India. Therefore, these respondents No. 9 and 10 filed W.P. No. 32728 of 2022 before the Hon'ble High Court of Telangana questioning the present proceedings, in which the Hon'ble High Court was pleased to direct notice on 18.8.2022.

17th page.
Corrections:

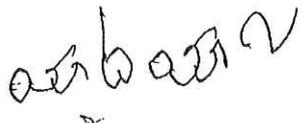

DEPONENT

21. It is submitted that the respondent authorities, in spite of their own report that the land covered by the draft notification of HMDA is not a water body but agricultural land, of which these respondents No. 9 and 10 are Pattadars filed a false complaint which was registered as FIR No. 789/2022 for offences under sections 447 and 427 IPC, 3 of PDPPA (Prevention of Damage to Public Property Act, 1983) and submitted a compliance report to the first respondent Tribunal. The expression "Public property" is defined in section 2 (b) of the said Act, as, under:

"(b) "public property" means any property; whether immovable or movable (including any machinery) which is owned by, or in the possession of, or under the control of— (i) the Central Government; or (ii) any State Government; or (iii) any local authority; or (iv) any corporation established by, or under, a Central, Provincial or State Act; or (v) any company as defined in section 617 of the Companies Act, 1956 (1 of 1956); or (vi) any institution, concern or undertaking which the Central Government may, by notification in the Official Gazette, specify in this behalf: Provided that the Central Government shall not specify any institution, concern or undertaking under this sub-clause unless such institution, concern or undertaking is financed wholly or substantially by funds provided directly or indirectly by the Central Government or by one or more State Governments, or partly by the Central Government and partly by one or more State Governments".

22. It is submitted, admittedly, the land covered by the draft notification is a Patta land owned by these respondents No. 9 and 10 and hence the said Act cannot have any application at all. Further, the question of these respondents No. 9 and 10 trespassing into the property or committing mischief in respect of their own property does not arise. Therefore, the Prevention of Damage to Public Properties Act, 1984 cannot have any application at all. Thus, the fundamental/ Constitutional rights of these Respondents No.9 and 10 under of article 14, 31A and 300- A of the Constitution of India are violated.

18th page.
Corrections:


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23. It is submitted that Section 14 of the Green Tribunal Act, 2010 confers jurisdiction on this Hon'ble tribunal over all civil cases where a substantial question relating to environment (including enforcement of any legal right relating to environment) is involved in such question arises out of the implementation of the enactments specified in Schedule I of the Act. There is no such civil case or dispute arising out of the schedule I Acts, involved in the present case or the report of the HINDU newspaper to attract the jurisdiction of this Hon'ble Tribunal. It is submitted that the question whether the land covered by the draft notification issued by the HMDA is a water body or not is not a question which involves any legal right or a substantial question relating to environment and it does not arise out of implementation of the enactments specified in schedule I of the Act. On the other hand, the draft notification is issued under section 13 of the HMDA Act, within the exclusive domain of the State and its authorities under the Constitution.

24. The relevant provisions of the constitution are:

1]PART IXA THE MUNICIPALITIES

243P. In this Part, unless the context otherwise requires, —

(a) xxxxxx

(b) xxxxx

(c) "Metropolitan area" means an area having a population of ten lakhs or more, comprised in one or more districts and consisting of two or more Municipalities or Panchayats or other contiguous areas, specified by the Governor by public notification to be a Metropolitan area for the purposes of this Part;

243W. Subject to the provisions of this Constitution, the Legislature of a State may, by law, endow — (a) the Municipalities with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Municipalities, subject to such conditions as may be specified therein, Disqualifications for membership. Powers, authority and responsibilities of Municipalities, etc. with respect to—

19th page.
Corrections:


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- (i) the preparation of plans for economic development and social justice;
- (ii) the performance of functions and the implementation of schemes as may be entrusted to them **including those in relation to the matters listed in the Twelfth Schedule;**
- (a) the Committees **with such powers and authority as may be necessary to enable them to carry out the responsibilities conferred upon them including those in relation to the matters listed in the Twelfth Schedule.** (Emphasis added)

246. (1) Notwithstanding anything in clauses (2) and (3), Parliament has exclusive power to make laws with respect to any of the matters enumerated in List I in the Seventh Schedule (in this Constitution referred to as the "Union List").

(2) Notwithstanding anything in clause (3), Parliament, and, subject to clause (1), the Legislature of any State 1*** also, have power to make laws with respect to any of the matters enumerated in List III in the Seventh Schedule (in this Constitution referred to as the "Concurrent List").

(3) **Subject to clauses (1) and (2), the Legislature of any State 1*** has exclusive power to make laws for such State or any part thereof with respect to any of the matters enumerated in List II in the Seventh Schedule (in this Constitution referred to as the "State List").**

(4) Parliament has power to make laws with respect to any matter for any part of the territory of India not included 2[in a State] notwithstanding that such matter is a matter enumerated in the State List. (Emphasis added)

Entries 5, 13 and 17 of List II of Schedule VII of the Constitution are as under:

5. Local Government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self-Government or village administration.

13. *Communications, that is to say, roads, bridges, ferries, and other means of communication not specified in List I; municipal tramways; ropeways; inland waterways and traffic thereon subject to the provisions of List I and List III with regard to such waterways; vehicles other than mechanically propelled vehicles.*

17. Water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of entry 56 of List I.

18. Land, that is to say, rights in or over land, land tenures including the relation of landlord and tenant, and the collection of rents; transfer and alienation of agricultural land; land improvement and agricultural loans; colonization. 1 ***

Entries 1 and 8 of Schedule XII of the constitution, read as under:

1[TWELFTH SCHEDULE (Article 243W)

1. Urban planning including town planning.

2. Regulation of land-use and construction of buildings.

3. Planning for economic and social development.

4. Roads and bridges.

5. Water supply for domestic, industrial and commercial purposes.

6. Public health, sanitation conservancy and solid waste management.

7. Fire services.

8. Urban forestry, protection of the environment and promotion of ecological aspects.

9. Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded.

10. Slum improvement and upgradation.

11. Urban poverty alleviation.

21st page.
Corrections:


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12. Provision of urban amenities and facilities such as parks, gardens, playgrounds.

13. *Promotion of cultural, educational and aesthetic aspects.*

14. *Burials and burial grounds; cremations, cremation grounds; and electric crematoriums.*

15. *Cattle pounds; prevention of cruelty to animals.*

16. *Vital statistics including registration of births and deaths.*

17. *Public amenities including street lighting, parking lots, bus stops and public conveniences.*

18. *Regulation of slaughter houses and tanneries.] (Emphasis added)*

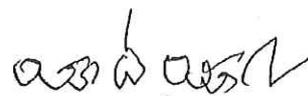
25. It is therefore clear from the aforesaid provisions of the Constitution that the matters relating to Urban forestry, protection of environment and promotion of ecological aspects in Metropolitan area falls within the exclusive domain of the state and by virtue of the provisions of the HMDA Act, the matters relating to the environment and ecology within the metropolitan area and which forms part of the urban development and town planning, are outside the scope of Schedule I of the Green Tribunal Act, 2010. This is also clear from Section 2 (13), 2 (19) and 2(20).

26. Section 11,13 and 14 of the HMDA Act, read as under:

Section 2 (13):

'Land Use' means the principal use of land for which a plot of land or building thereon is used or intended to be used. For the purpose of classification of a plot according to the land uses, a land use shall deemed to include subsidiary land uses which are contingent upon it;

22nd page.
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Section 2(19):

'Owner' means a person, group of persons, a Company, Trust, Institute, Registered body, State or Central Government and its attached subordinate departments, undertakings and the like, in whose name the property stands registered in the Revenue Records;

Section 2(20):

'Plan' includes a map or maps indicating proposals; and/or sets of documents and/or statements and policies and development briefs for securing, promoting and regulating development in the metropolitan region or for any area;

Section 11:

Preparation and contents of Metropolitan Development Plan and Investment Plan. - Subject to the provisions of this Act and rules made in this behalf, the Metropolitan Development Authority shall-

(1) within two years of its constitution prepare a Metropolitan Development Plan & Metropolitan Investment Plan with time frame of twenty years, having due regard to,-

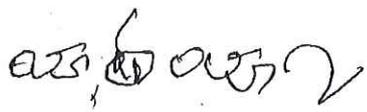
(i) proposals and policies for promoting growth and securing economic development in the Metropolitan area;

(ii) proposals for conservation, optimum utilization and development of resources in the Metropolitan area;

(iii) a land use plan indicating the broad areas of development and general location of residential, industrial, **agriculture and areas for conservation and protection of ecologically fragile areas, including, -**

(a) a Infrastructure network Plan showing existing and proposals of major infrastructure facilities like transport, power, communications network and related facilities like power plants, roads, highways, railways, airports and waterways;

23rd page.
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- (b) policies for preservation, **conservation and development of areas of natural beauty and scenic spots** and areas of historic and archaeological interest and tourism areas;
 - (c) proposals and policies for **watershed management, water supply, water harvesting, recharge of ground water, flood control and prevention of water pollution;**
 - (d) proposals and plans for **river front development and/or lake front development;**
 - (e) proposals and policies for improvement and development of public amenities and services including water supply, electricity, gas, **storm water drainage**, sewerage, waste disposal, educational facilities, health facilities, social welfare and prevention of air and water pollution;
 - (f) policies for promoting development and regulating uses and activities through zoning and other development regulations;
 - (g) policies for promoting housing and community facilities;
 - (h) proposals and policies for traffic and transportation and promoting mass transportation facilities;
 - (i) proposals and policies for industrial development;
 - (j) siting of major development projects;
 - (k) strategies and priorities for implementation of the various proposals with time frame and programmes;
 - (l) Development Promotion Regulations for promoting and regulating development;
 - (m) any other matter which may be necessary for the orderly development and management of the metropolitan region.
- (2) Undertake surveys, research and studies and the creation and maintenance of metropolitan region data base and information system and collection of such information and preparation of reports and maps and associate advisors, consultants as may be necessary for the preparation of the Plans mentioned above.

(3) Undertake detailed area level plans for specific areas, plan programming and phasing of development and enforce special development regulations for the purpose of securing planned development.

(4) Review and revise the Metropolitan Development Plan and Investment Plan and other statutory area plans within the expiry of the plan period.

Section 13:

Submission of Plan to Government for sanction. - (1) After preparing any of the said plans in accordance with section 11, the Metropolitan Development Authority shall notify the same in such form and manner as may be prescribed, inviting objections and suggestions from any person or body giving minimum of one month time for filing objections and suggestions.

(2) After considering all objections, suggestions and representations that may have been received, the Metropolitan Development Authority shall make modification/revision to the plan in such manner as it may think fit and submit to the Government for the sanction of the Metropolitan Development Plan and Metropolitan Investment Plan together with draft policies, development promotion regulations and reports along with remarks on the suggestions, if any, received.

Section 14:

Sanction of Plan by Government. - (1) On receipt of the Plans under section 13, the Government shall consult the metropolitan planning committee and immediately sanction the said plans with or without modifications or reject the plan with directions to modify or prepare fresh plans.

(2) The sanction accorded by the Government shall be notified in the [Telangana] Gazette and the plans shall come into force from the date of its publication in the Gazette.

25th page.
Corrections:


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(3) *The Metropolitan-Commissioner shall take necessary action as may be necessary to ensure that each development project or scheme is executed in the interest of overall development of the development area and in accordance with any plan, project or scheme duly approved either by the Metropolitan Development Authority or under any law in force or by the Government.*

27. It is to be noted that in entries 5, 13 and 17 in list II of schedules VII of the Constitution pertaining to urban bodies, irrigation fall within the exclusive domain of the state. It is only interstate rivers that fall within the union list. It is also significant that the entry No.1 and 8 pertaining to urban/ metropolitan development and environment in schedule XII of the Constitution also fall within the exclusive domain of the state in view of Article 243W of the Constitution of India. In view of the same, even environmental and ecological matters in metropolitan planning form pith and substance of the HMDA Act. Therefore, the Green Tribunal Act, 2010 or the Acts in Schedule I thereof, cannot have any overriding effect over HMDA Act, even in case of any inconsistency.

28. It is clear from the above that the matters relating to environment within the urban area fall within the exclusive domain of the HMDA by virtue of the HMDA Act and the authorities under the acts in schedule I Of the Green Tribunal Act, 2010 cannot have any jurisdiction whatsoever in respect of the matters dealt with Under the HMDA Act. Therefore, this Hon'ble Tribunal has no jurisdiction in the matter which is dealt with under section 13 of the HMDA Act. Section 53 of the HMDA act has got overriding effect and the same reads as under:

53. Effect of other laws. - (1) *Notwithstanding anything contained in the Grater Hyderabad Municipal Corporation Act, 1955 [the Telangana Municipalities Act, 1965] the Telangana Panchayat Raj Act, 1994, or any other law which are contrary to the provisions of this Act, the provisions of this Act shall have an over-riding effect over all such laws.*

(2) *The provisions of the [Telangana Urban Areas (Development) Act, 1975 which are inconsistent with the provisions of this Act shall not be applicable to the metropolitan region constituted under section 3 of this Act.*

26th page.
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(3) *Notwithstanding anything in any other law,-*

(a) when Development permission for development in respect of any land has been obtained under this Act, such development shall not be deemed to be unlawfully undertaken or carried out by reason only of the fact that any permission, approval or sanction required under such other law for such development has not been obtained;

(b) when Development permission for such development in respect of any land has not been obtained under this Act, such development shall not be deemed to be lawfully undertaken or carried out by reason only of the fact that permission, approval or sanction required under such other law for such development has been obtained.

(4) Any Development permission, No Objection Certificate or other clearance given under this Act shall be construed as from the planned development point of view and shall in no way either confer the ownership rights or affect the ownership under the land revenue laws. The Metropolitan Development Authority shall stand absolved of any ownership disputes or discrepancies.

(5) Once a Development permission is given, the right to develop the land in that way can be exercised by anyone acquiring and occupying the land. It is not restricted to the person making the application unless a specific condition is incorporated in the grant of the Development Permission.

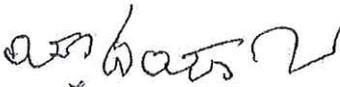
(6) Any draft development plan prepared by the Metropolitan Planning Committee for the Metropolitan area (region) under section 10 of 25 the Telangana Metropolitan Planning Committee Act, 2007 shall be construed as a draft development plan by the Authority and the plan shall be subject to the review of the Authority.

27th page.
Corrections:

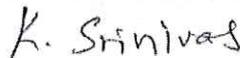

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DEPONENT

29. It is therefore prayed that this Hon'ble Tribunal may be pleased to drop the proceedings in the above Suo Moto application, vacating the interim orders passed in the above OA No.3 of 2021 and allowing the HMDA and the government of Telangana to discharge their statutory obligations under sections 13 and 14 of the HMDA Act, 2008 in the interests of justice and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

28th and last page
Corrections:


DEPONENT

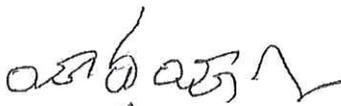
Sworn and signed before me
on this the 18th November,
2022 at Hyderabad.


ADVOCATE :: HYDERABAD.

VERIFICATION

I, M. Yadaiah son of late Durgaiah, aged about 60 years, business, resident of Kondapur village, Serelingampally Mandal, Ranga Reddy district, do hereby declare that the contents stated in the above affidavit filed in support of the writ petition are true to the best of my knowledge and belief and also on legal advice. Hence, verified on this the 18th November, 2022 at Hyderabad.

ADVOCATE


DEPONENT

BEFORE THE NATIONAL
GREEN TRIBUNAL
South Zone Bench
At Chennai, T.N.

Application No. 3 of 2021
(Public Interest Litigation)

Between:

Tribunal on its own motion-
SUO MOTU

... Petitioner

And

Union of India and others.

.... Respondents

**COUNTER- AFFIDAVIT OF
RESPONDENTS NO. 9 AND 10
HEREIN**

Filed on: .11,2022.

Filed by:

M/s. M.V.DURGA PRASAD,
B.VENKATESWARA RAO
M.SURENDER REDDY,
G.VENKAT RAMANAN
ADVOCATES

COUNSEL FOR THE PETITIONER.

BEFORE THE NATIONAL GREEN TRIBUNAL
South Zone Bench At Chennai, T.N.
Application No. 3 of 2021

Between :

Tribunal on its own motion-SUO MOTO

And

Union of India, Rep. by its Secretary and Others

... Respondents

LIST OF DOCUMENTS FILED BY RESPONDENTS NOS. 9 AND 10

Sl No	Date	Particulars of the Document	Page No
1.	11.8.2022	Memo issued under RTI Act with regard to Certified Copy of Collector Report	31
2.	19.3.2021	Report of the District Collector, Ranga Reddy vide Lr No.DCO-RR/LP/100/0037/2020	32 To 34
3.	--	Khasra Pahani for the year 1954-55 along with translation	35 To 40
4.	--	Pahani for the year 1959-60	41 To 46
5.	--	Pahani for the year 1971-72 along with translation	47 To 52
6.	--	Pahani for the year 1975-76 along with translation	53 To 65
7.	--	Pahani for the year 1985-86 along with translation	66 To 74
8.	--	Pahani for the year 1989-90 along with translation	75 To 88
9.	--	Pahani for the year 1995-96 along with translation	89 To 104
10.	--	Pahani for the year 1999-2000 along with translation	105 To 128
11.	--	Pahani for the year 2004-05 along with translation	129 To 152
12.	--	Topo Sheet	153
13.	--	Village Map	154
14.	--	Permission No.2696/P4/Plg/2007 MSB in Sy Nos.125 and 144 of Kondapur Village in respect of Tataji Residency	155 To 156
15.		Sale Deed No.13765/2022 dt. 10.8.2022 in respect of Flat No.104 in Tatajis Residency in Sy Nos.125 and 144 of Kondapur Village	157 To 174
16.		2014 (4) ALD 358	175 To 226
17.		AIR 2003 AP 329	227 To 239

Dt : 18.11.2022


Counsel for the Respondents No. 9 and 10

31

GOVERNMENT OF TELANGANA
REVENUE DEPARTMENT

Office of the Collector,
Rangareddy District

Lr.No.RTI/ LP/4159/2022

Dated: 11.08.2022

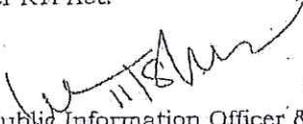
M E M O

Sub:- RTI Act- 2005 – Ranga Reddy District – Request to provide certified copy of the Letter No.DCO-RR/LP/100/0037/2020, dt:19-03-2021 – Reg.

Ref: - A/o Sri K. Kanaka Rao, R/o Banjara Hills, Hyderabad, dt:08-08-2022.

With reference to the application filed by the petitioner, a copy of the Letter No.DCO-RR/LP/100/0037/2020, dt:19-03-2021 is furnished herewith under RTI Act, 2005 as desired.

The above information is furnished under RTI Act.


Public Information Officer &
Spl. Deputy Collector (LP),
Ranga Reddy District

To,
Sri K.Kanaka Rao,
202, Astral Heights,
6-3-352/2&3, Road No.1, Banjarahills,
Hyderabad.

GOVERNMENT OF TELANGANA
REVENUE DEPARTMENT

From:
D. Amoy Kumar, I.A.S.,
District Collector,
Rangareddy District

To:
The Metropolitan Commissioner,
Hyderabad Metropolitan
Development Authority (HMDA),
Hyderabad

Lr.No. DCO-RR/LP/100/0037/2020 Dated: 19.03.2021

Sir,

Subj: Tanks - R. R. District - Serilingampally Mandal - Kondapur village -
Sy.Nos. 123, 124, 125, 128, 144 & 145 admeasuring Ac 4-00 Gts -
Request for de-notification of the Sy. Nos wrongly notified under
FTL of Mazid Banda Cheruvu - Joint inspection conducted by
Revenue & Irrigation authorities - Report submitted - Reg.

Ref: 1. A/o Sri M. Raju Yadav R/o Hyderabad dated 21.12.2020 along
with the orders of the Hon'ble High Court dated 14.12.2020 in IA
No 1 & 2 of 2020 in WP No 11211 of 2019
2. Collector, Rangareddy District Lr. No. even, dated 04.01.2021
addressed to Revenue & Irrigation authorities
3. DC & Tahsildar, Serilingampally Mandal Lr. No. 8/13/2021
dated 19.02.2021
4. This office Lr. No. even dated 05.03.2021 addressed to RDO,
Rajendranagar Division
5. RDO, Rajendranagar Division Lr. No. D/18/2021 dated
09.03.2021.

I invite kind attention to the reference 1st cited, wherein one Sri M. Raju
Yadav R/o Hyderabad has filed an application stating that he is the owner and
possessor of land admeasuring Ac 4-00 Gts in Sy Nos 123, 124, 125, 128, 144 &
145 of Kondapur Village, Serilingampally Mandal and the said Sy. Nos. were
wrongly notified under FTL of Mazid Banda cheruvu and requested to take
necessary steps for de-notification of the same. Further, the applicant has also
enclosed the copy of the orders of the Hon'ble High Court dated 14.12.2020 in IA
No 1 & 2 of 2020 in WP No 11211 of 2019, wherein the Hon'ble Court has made
the order "These applications are not opposed. Hence ordered".

In this regard it is submitted that, vide reference 2nd and 4th cited, the
RDO, Rajendranagar Division along with the DC & Tahsildar, Serilingampally and
Irrigation authorities were requested to conduct joint inspection and submit
detailed report duly verifying all the connected records for taking further
necessary action in the matter.

Through the reference 3rd & 5th cited, the RDO, Rajendranagar Division
and DC & Tahsildar, Serilingampally Mandal along with the Irrigation authorities
have conducted joint inspection and reported that the DC & Tahsildar,
Serilingampally Mandal along with EC, NTD, Hyderabad has inspected the land in
question and reported that, originally (501) lakes existed in old HUDA and MCH
areas and out of the said lakes around (176) lakes are existing in present GHMC

Issued under R.T.I. Act. 2005 Scanned by CamScanner

area. The HMDA has identified (455) lakes inside ORR with the help of NGR. It has uploaded the same in HMDA website and the lake by name Mazid Banda is one such lake identified and assigned Lake ID No.3752. Further, as per draft guidelines for fixation of FTL, the FTL survey of Mazid Banda tank was conducted and FTL map was prepared and draft notification was issued by the HMDA.

Further, reported that the land owner Sri M. Yadalah & others, Hyderabad objected to the draft notification and requested to de-notify the Sy.Nos.123, 124, 125, 128, 143 and 145 of Kondapur Village, Serilingampally Mandal notified under FTL of Mazid banda Lake. The DC & Tahsildar, Serilingampally Mandal was requested to verify the Revenue records and submit report for taking further necessary action in the matter. Accordingly, the DC & Tahsildar, Serilingampally Mandal has reported that the matter was enquired by the AMRI and records have been verified. As per the Khasia Pahanl for the year 1954-55, the land Sy.Nos.123 (Ac. 0-07 gts), 124 (Ac 0-23 gts), 125 (Ac 1-30 gts), 128 (Ac 1-13 gts), 143 (Ac 0-15 gts) & 145 (Ac 0-07 gts) are classified as 'Patta' and recorded in the name of Buyya Lachmalah & Buyya Pochalah. Further, as seen from the Pahanl for the year 2005-06, the said Sy Nos are classified as 'Patta' and recorded in the names of Marabolna Durgalah S/o Mallalah, Marabolna Yaddalah S/o Durgalah, Marabolna Krishna S/o Durgalah and Marabolna Raju S/o Duragalah as Pattadars. Further, as per the draft notification uploaded in HMDA website in respect of said lake with ID No.3752, part of Sy.No.128 is falling in FTL and the location of tank has been verified with Survey of India Topo sheet and noticed that a stream is passing through the subject location. Further, reported that as seen from the village map there is no kunta existing over the subject lands.

Further, the RDO, Rajendranagar has reported that vide Lr. No. D/192/2019 dated 29.01.2019, a letter has been addressed to the Zonal Commissioner, West Zone, Serilingampally and Executive Engineer, North Tank Division, Hyderabad stating that Masid Banda Lake is notified by HMDA with Lake ID No. 3752 and requested to protect the water body.

The RDO, Rajendranagar Division has further reported that as per the observations made by the Irrigation authorities, a natural course of stream has been obstructed and diverted along the boundary of subject lands due to construction of group of apartments along its natural course on downstream and presently the water that got stagnated is due to open sewer drains discharging into the stream. However, on the ground there exists a Nala but no tank appurtenant components like bund, sluice and weir are existing in the location. Further, reported that as per the Village map and Revenue records, there is no kunta existing in the subject land but the same was notified by the HMDA with Lake Id No 3752.

Issued under R.T.I. Act. 2005

Issued under R.T.I. Act. 2005

Scanned by CamScanner

Collector, Rangareddy

The Joint inspection report conducted by the Revenue and Irrigation authorities along with the orders of the Hon'ble High Court, Pahani extracts, Village map and Google Images are submitted herewith for taking further action in the matter.

Yours faithfully

Encl: (a/a)

62
District Collector
N.T. Rangareddy District

- Copy to RDO, Rajendranagar Division for Information
- Copy to the DC & Tahsildar, Serilingampally Mandal for information
- Copy to EE, North Tanks Division, Buddha Bhavan, Hyderabad for Information

Issued under R.T.I. Act. 200

Issued under R.T.I. Act. 2005

W. T. An
11/1/2010
Collectorate, Ranga Red

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Translation from old illegible telugu to English:

KHASRA PAHANI OF KONDAPUR VILLAGE, SERILINGAMPALLY MANDAL, RANGAREDDY DISTRICT FOR THE YEAR 1954-55

144	123	1	0-7	0-4	Maisamma cheika	Yerra dubba	Patta	Buyya Lachmaiah s/o Pochaiah	-	-	0-7	-	-	-	50	1)Buyya Lachmaiah 2)Buyya Pochaiah	Joint cultivators
145	124	1	0-23	8-0	Eshwaruni bhavi vadda	"	"	"	E	0-1	0-22	Abi	0-22	-	50	"	"
146	125	1	1-30	33-7	"	Nalla bhoomi	"	"	E	0-3	1-27	Abi Tabi	1-27	-	50	"	"
147	126	1	1-3	2-0	Chunnu miya katta kinda	"	"	Vadde Anmaiah	-	-	1-3	-	-	-	52	Mobashir Ali Azizunnisa Begum Anumaiah	Purchased on plain paper for Rs.(700/-).
148	127	1	0-2	0-12	Bandla kunta	"	Mafi inam	Lachmaiah Pochaiah	-	0-2	-	Abi Tabi	-	-	35	1.Gandu Balaiah 2.Ramadu 3.Buyya Yelluga 4.Buyya Saiga 5.Buyya Pochiga	-
149	128	1	1-13	18-0	Talari inam	"	Patta	Buyya Lachmaiah Pochaiah	E	0-7	1-6	"	-	Chintal	50	1)Buyya Lachmaiah 2)Buyya Pochaiah	Joint cultivators

i// True copy //

Sd/-

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39

Translation from old illegible telugu to English:

KHASRA PAHANI OF KONDAPUR VILLAGE, SERILINGAMPALLY MANDAL, RANGAREDDY DISTRICT FOR THE YEAR 1954-55

150	129	1	0-13	5-0	Bandla kunta venka	Nalla bhoomi	Chouta inam	Mangali shivvadu	-	-	0-13	Bandla kunta	Abi	0-13	-	27	Mangali Pentigadu	Varasu inamdar's son
151	130	1	0-9	3-8	"	"	Patta	Buyya Lachmaiah Pochaiiah	-	-	0-9	"	Abi	0-9	-	50	1)Buyya Lachmaiah 2)Buyya Pochataiah	Joint cultivators
152	131	1	0-18	6-8	Bandla kunta	Nalla bhoomi	"	Mangali Shivvanna	E	0-1	0-17	"	Abi Tabi	1-27	-	37	1.Mohd. Hussain 2.Shaik Mohd.	Purchased from the pattedar Shivanna for (500) vide doct.No. 163 dt. 15 th Ardibahiest,1332 Fasli
153	132	1	1-15	19-0	"	"	"	"	E	0-2	1-13	"	"	1-13	-	37	"	"
154	133	1	1-32	1-4	"	"	"	"	-	-	1-32	-	6	-	-	37	"	"
155	134	1	2-35	8-0	Jangam kunta venka	"	"	Ladli Begum saheba	-	-	2-35	-	-	-	-	52	Mobashir Ali Azizunnisa Begum Anumaiah	Purchased from pattedar

i// True copy //

Sd/-

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140

140

Translation from old illegible telugu to English:

KHASRA PAHANI OF KONDAPUR VILLAGE, SERILINGAMPALLY MANDAL, RANGAREDDY DISTRICT FOR THE YEAR 1954-55

162	141	1	1-33	6-7	Jangam kunta venka	Nalla bhoomi	Patta	Maraboina Malliah Pentaiah Sandaiah	E	0-4	1-29	Kunta	Abi Tabi	1-29	-	21	1.Maraboina Malliah 2. Maraboina Pentaiah 3. Sandaiah	Joint patta being P.Ts and joint cultivators
163	142	1	1-14	4-14	"	"	"	Bala Shivanna	E	0-2	1-12	"	Abi	1-12	-	37	1.Mohd. Hussain 2.Shaik Mohd.	Purchased from the pattadar Shivanna for (500) vide doct.No. 163 dt. 15 th Ardibehist,1332 Fasil
164	143	1	0-15	6-8	Eshwaruni bhavi	"	"	Buyya Lachmaiah Pochaiah	-	-	0-15	Bandla kunta	Abi	0-15	Others	50	1.Buyya Lachmaiah 2.Buyya POchaiahBuyya Lachmaiah 1)	Joint patta being P.Ts and joint cultivators
165	144	1	0-27	11-8	"	"	"	"	E	0-8	0-19	"	"	0-19	-	50	"	Release of water from this No. well to No.125 for cultivation
166	145	1	0-19	1-0	"	Erra dubba	"	"	-	-	-	-	-	-	-	50	"	"
167	146	1	12-15		Bomma chenu	"	"	Maraboina Pentaiah Sandaiah	AA	-	-	-	-	-	-	21	1.Maraboina Pentaiah 2. Sandaiah	Joint patta being P.Ts and joint cultivators

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Kondak (V)

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Translation from old illegible telugu to English:

PAHANI PATRIKA OF KONDAPUR VILLAGE, SERILINGAMPALLY MANDAL, RANGAREDDY DISTRICT FOR THE YEAR 1959-60

131	0-18	0-1	0-17	5-69	Chervu	Abi	0-17	-	Kummari Narsaiah	Patta	-	-	-	-	-	-	-	-	Kummari Narsaiah
132	1-15	0-2	1-13	16-25	Chervu	Abi	1-13	-	-do-	"	-	-	-	-	-	-	-	-	"
133	1-32	-	1-32	1-6	Dry	"	"	-	-do-	"	-	-	-	-	-	-	-	-	"
134	2-35	-	2-35	6-50	"	"	"	-	Vazeerunnissa etc.	Patta	-	-	-	-	-	-	-	-	-
135	0-19	-	0-19	0-44	"	"	"	-	Maraboina Lachmaiah Pochaiiah	Patta	-	-	-	-	-	-	-	-	Maraboina Lachmaiah Pochaiiah
136	1-13	0-4	1-14	23-13	JANGAM KUNTA	Abi	1-14	-	Maraboina Lachmaiah Pochaiiah	Patta	-	-	-	-	-	-	-	-	Maraboina Lachmaiah Pochaiiah
137	1-7	0-2	1-4	12-81	"	Abi	"	-	Gandu Baliah	"	-	-	-	-	-	-	-	-	Gandu Baliah
138	2-25	0-11	2-14	6-13	Jangam kunta	Abi	"	-	-do-	"	-	-	-	-	-	-	-	-	-do-
139	0-18	0-2	0-16	5-12	"	"	"	-	Buyya Lachmaiah Sandaiah	"	-	-	-	-	-	-	-	-	Buyya Lachmaiah Sandaiah

i// True copy //

Sd/-

Deputy Tahsildar,
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Rangareddy Dist.



[Handwritten Signature]

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45

49

1971-72

Kondapur IV

49

No. of plots	Area of plots			Area of fields			Area of roads			Area of other			Total area						
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
1																			
151	136	136	136	136	136	136	136	136	136	136	136	136	136	136	136	136	136	136	136
158	137	137	137	137	137	137	137	137	137	137	137	137	137	137	137	137	137	137	137
159	138	138	138	138	138	138	138	138	138	138	138	138	138	138	138	138	138	138	138
160	139	139	139	139	139	139	139	139	139	139	139	139	139	139	139	139	139	139	139
161	140	140	140	140	140	140	140	140	140	140	140	140	140	140	140	140	140	140	140
162	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141	141

Handwritten notes in Telugu script, including the name 'G. Hanumanth' and other details.

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Translation from old telugu to English:

STATEMENT NO.3 PAHANI PATRIKA OF VILLAGE: KONDAPUR FOR THE YEAR: 1971-72

Khata No.	BANDOBUST RECORD				RIGHTS OF RECORD							CULTIVATION PARTICULARS					
	Extent		Irrigation particulars as per sethwar		Land revenue as shown in sethwar (Rs.)	Source of irrigation	Abi, Tabi, double crop or extent under irrigation	Khata No.	Name of possessor with father's name and address	Nature of possession	Other rights & responsibilities	Trees Nos. & Variety	Year and total	Name of actual cultivator with father's name and address	Nature of his cultivation	Extent given in Kowl	Kowls (leases)
Pot Kharab	Balance	Pot	Bandla	7													
1	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
145	0-23	0-01	0-22	8-92	Bandla kunta	Abi	0-22	36	Boyya Lachmaiah Boyya pochaiah	Patta	-	-	1972 abi	Boyya Lachmaiah Boyya pochaiah	-	-	-
146	1-30	0-03	1-27	31-20	"	"	1-27	36	Boyya Lachmaiah Boyya pochaiah	Patta	-	-	1972 abi	Boyya Lachmaiah Boyya pochaiah	-	-	-
147	1-03	-	1-03	3-01	Dry	-	-	37	Muvva Veeraghava Rao	"	-	-	1972	-	-	-	-
148	0-02	-	0-02	0-85	Bandla kunta	Abi	0-02	27	Gondula Balaiah etc.	"	-	-	1972	Boyya Lachmaiah Boyya Pochaiah	-	-	-
149	1-13	0-07	1-06	20-05	Bandla kunta	Abi	1-06	36	Boyya Lachmaiah Boyya pochaiah	Patta	-	-	1972	Boyya Lachmaiah Boyya pochaiah	-	-	-
150	0-13	-	0-13	5-56	Bandla kunta	Abi	0-13	22	Mangali Pentaiah	"	-	-	1972	Mangali Pentaiah	-	-	-

// True copy //



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Cell: 9160517440

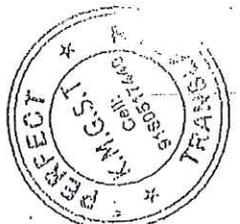
51

Translation from old telugu to English:

STATEMENT NO.3 PAHANIPATRIKA OF VILLAGE: KONDAPUR FOR THE YEAR: 1971-72

Khata No.	BANDOBUST RECORD				RIGHTS OF RECORD										CULTIVATION PARTICULARS				
	Sy.No./ Pot hissa/ Field Name Patta or Inam land	Extent			Land revenue as shown in sethwar (Rs.)	Irrigation particulars as per sethwar				Khata No.	Name of possessor with father's name and address	Nature of possession	Other rights & responsibilities	Trees Nos. & Variety	Year and total	Name of actual cultivator with father's name and address	Nature of his cultivation	Extent given in Kowl (leases)	Kowls Agreed
		Total	Pot Kharab	Balance		Source of Irrigation	Abi, Tabi, double crop or Extent under	7	8										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
151	130/kunta venka polam	0-09	-	0-09	3-90	Bandla kunta	Abi	0-22	36	Boyya Lachmaiah Boyya pochaiah	Patta	-	-	1972	Boyya Lachmaiah Boyya pochaiah	-	-	-	
152	131/bandla kunta venka polam	0-18	0-01	0-17	7-22	"	"	0-17	40	Shaik Ahmed etc.	Patta	-	-	1972	Shaik Ahmed	-	-	-	
153	132/bandla kunta venka polam	1-15	0-02	1-13	21-11	"	"	1-13	40	Shaik Ahmed etc.	Patta	-	-	1972	Shaik Ahmed	-	-	-	
154	133/-do- kunta	1-32	-	1-32	1-89	Dry	-	-	40	Shaik Ahmed etc.	Patta	-	-	1972	Shaik Ahmed	-	-	-	
155	134/jangam kunta venka	2-35	-	2-35	12-00	Dry	-	-	37	Muvva Veeraraghava aRao	"	-	-	1972	-	-	-	-	
156	135/-do-	0-19	-	0-19	0-73	Dry	-	-	17	Maraboina Durgaiah, Pentaiyah, Bikshapati etc.	"	-	-	1972	-	-	-	-	

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51

102

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Translation from old telugu to English:

STATEMENT NO.3 PAHANI PATRIKA OF VILLAGE: KONDAPUR FOR THE YEAR: 1971-72

Khata No.	Sy.No./ Pot hissa/ Field Name Patta or Inam land	BANDOBUST RECORD			RIGHTS OF RECORD			CULTIVATION PARTICULARS										
		Extent			Land revenue as shown in sethwar (Rs.)	Irrigation particulars as per sethwar			Name of possessor with father's name and address	Nature of possession	Other rights & responsibilities	Trees Nos. & Variety	Year and total	Name of actual cultivator with father's name and address	Nature of his cultivation	Extent given in kowl	Kowls (leases)	
		Total	Pot Kharab	Balance		Source of irrigation	Abi, Tabi, double crop or	Extent under irrigation										Khata No.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
157	136/jangam kunta venka tari	1-38	0-04	1-34	30-08	Bandla kunta	Abi	1-34	17	Maraboina Durgaiyah, Pentaiyah, Bikshapati etc.	"	-	-	1972	Shaik Ahmed	-	-	-
158	137/ kanugula vadda tari	1-07	0-02	1-05	16-72	"	"	1-5	40	Shaik Ahmed etc.	Patta	-	-	1972	Shaik Ahmed	-	-	-
159	138/ Bandla kunta vadda	2-25	0-11	2-14	10-72	Dry	-	-	40	Shaik Ahmed etc.	Patta	-	-	1972	Shaik Ahmed	-	-	-
160	139/jangam kunta venka tari	0-18	0-02	0-16	6-68	Bandla kunta	Abi	0-16	17	Maraboina Durgaiyah, Pentaiyah, Bikshapati etc.	"	-	-	1972	Shaik Ahmed	-	-	-
161	140/bandla kunta venka polam	2-19	0-14	2-05	11-92	(bhavi) Dry	Abi	2-05	17	Maraboina Durgaiyah, Pentaiyah, Bikshapati etc.	"	-	-	1972	Shaik Ahmed	-	-	-
162	141/ Bhavi chenu dry	1-33	0-04	1-29	9-62	Bhavi dry	Abi	1-29	17	Maraboina Durgaiyah, Pentaiyah, Bikshapati etc.	"	-	-	1972	Shaik Ahmed	-	-	-

RECEIVED
M.G.S.T.
MANGALAM

Sd/-Deputy Tahsildar, Serilingampally Mandal, Ranga Reddy Dist.

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53

1975-76

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(247

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
631	811	101	101	101	101	101	101	101	101	34	X				1976	X			
640	119	101	101	101	101	101	101	101	101	4	X				1976	X			
641	101	101	101	101	101	101	101	101	101	101	X				1976	X			
642	101	101	101	101	101	101	101	101	101	101	X				1976	X			
643	101	101	101	101	101	101	101	101	101	101	X				1976	X			
644	101	101	101	101	101	101	101	101	101	101	X				1976	X			
645	101	101	101	101	101	101	101	101	101	101	X				1976	X			
646	101	101	101	101	101	101	101	101	101	101	X				1976	X			
647	101	101	101	101	101	101	101	101	101	101	X				1976	X			
648	101	101	101	101	101	101	101	101	101	101	X				1976	X			
649	101	101	101	101	101	101	101	101	101	101	X				1976	X			
650	101	101	101	101	101	101	101	101	101	101	X				1976	X			

HYDERABAD

1975-76

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Translation from old telugu to English:

STATEMENT NO.3 PAHANI PATRIKA OF VILLAGE: KONDAPUR FOR THE YEAR: 1975-76

Khata No.	Extent				Land revenue as shown in sethwar (Rs)	Irrigation particulars as per sethwar				Name of possessor with father's name and address	Nature of possession	Other rights & responsibilities	Trees Nos. & Variety	Year and total	CULTIVATION PARTICULARS				
	Sy.No./ Pot hissa/ Field Name Patta or Inam land	Total	Pot Kharab	Balance		Source of Irrigation	Abi, Tabi, double crop or	Extent under irrigation	Khata No.						Name of actual cultivator with father's name and address	Nature of his cultivation	Extent given in	Kowls (leases)	Agreed
139	2 118/ Ongula vadda patta	3 1-34	4 -	5 1-34	6 3-74	7 -	8 -	9 -	10 34	11 Mariboina Durgaiah, Pentiah, Bikshapati Gandu Balaiah etc.	12 -	13 -	14 -	15 1976 abi	16 -	17 -	18 -	19 -	
140	119/tari bandla kunta venka	2-11	0-04	2-07	33-44	Bandla kunta	Abi	2-11						1976 abi	Gandu balaiah etc.				
141	120/ bandla kunta venka polam	0-17	-	0-17	0-38	"	"	"		-do-				1976 abi	Chintala Balaiah Shiviah etc./ Purchasers.				
142	121/ Eddula edi patta	1-15	-	1-15	1-50	"	"	"	34	Mariboina Durgaiah, Pentiah, Bikshapati				1976 abi	Prakashrao etc.				
143	122/ -do-	1-26	-	1-26	2-62	"	"	"	32	Muvva Veeraraghavaiah				1976 abi					
144	123/ Maisamma chelka pateta	0-07	-	0-07	0-38	"	"	"	30 31	Buyya Lachmaiah Buyya Pochaiiah				1976 Abi					

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59

Translation from old telugu to English:

STATEMENT NO.3 PAHANI PATRIKA OF VILLAGE: KONDAPUR FOR THE YEAR: 1975-76

Khata No.	Sy.No./ Pot hissa/ Field Name Patta or Inam land	Extent			BANDOBUST RECORD				RIGHTS OF RECORD					CULTIVATION PARTICULARS				
		Total	Pot Kharab	Balance	Land revenue as shown in sethwar (Rs.)	Source of irrigation	Abi, Tabi, double crop or	Extent under irrigation	Khata No.	Name of possessor with father's name and address	Nature of possession	Other rights & responsibilities	Trees Nos. & Variety	Year and total	Name of actual cultivator with father's name and address	Nature of his cultivation	Extent given in Kowl (leases)	Kowls Agreed
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
145	124/ Eshwaruni bhavi mirra polam tari	0-23	0-01	0-22	8-92	Bandla kunta	Abi	0-22	30	Boyya Lachmaiah	-	-	-	1976	Balraj Pochaiah	1	-	-
146	125/ Eashwaruni bhavi polam	1-30	0-03	1-27	31-20	"	"	1-30	31	Boyya Lachmaiah	-	-	-	1976	Balraj Pochaiah	2	-	-
147	126/eashwa runi bhavi vadda polam	1-03	-	1-03	3-01	Dry	-	-	32	Muvva Veeraghava Rao	"	-	-	1976	-	-	-	-
148	127/ Kunta venka polam	0-02	-	0-02	0-85	Bandla kunta	Abi	0-02	-	Gondula Balaiah etc.	"	-	-	1976	-	-	-	-
149	128/ Kunta venka polam	1-13	0-07	1-06	20-05	Bandla kunta	Abi	1-13	30	Boyya Lachmaiah	-	-	-	1976	Balraj Pochaiah	1	-	-
150	129/Kunta venka	0-13	-	0-13	5-56	Bandla kunta	Abi	0-13	22	Mangali Pentaiah	"	-	-	1976	Mangali Pentaiah	1	-	-

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60

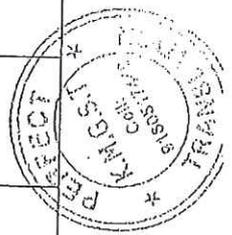
Translation from old telugu to English:

STATEMENT NO.3 PAHANI PATRIKA OF VILLAGE: KONDAPUR FOR THE YEAR: 1975-76

Khata No.	Sy.No./ Pot hissa/ Field Name Patta or Inam land	Extent			Land revenue as shown in (Rs)	Irrigation particulars as per sethwar				Name of possessor with father's name and address	RIGHTS OF RECORD					CULTIVATION PARTICULARS				
		Total	Pot Kharab	Balance		Source of Irrigation	Abi, Tabi, double crop or	Extent under irrigation	Khata No.		Nature of Possession	Other rights & responsibilities	Trees Nos. & variety	Year and total	Name of actual cultivator with father's name and address	Nature of his cultivation	Extent Given in Kowl	Kowls (leases) Agreed		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19		
151	130/tari bandla kunta venka patta	0-09	-	0-09	3-90	Bandla kunta	Abi	0-22	30	Boyya Lachmaiah Boyya poochataiah	-	-	-	1976 abi	-	-	-	-		
152	131/tari jangam kunta venka patta	0-18	0-01	0-17	7-22	"	"	0-18	37	Shaik Ahmed etc.	-	-	-	1976 abi	Shaik Mohd. etc. 1. Shaik Mohd. 2. " Abdullah 3. " Wahid 4. " Ahmed 5. Mohd. Moulana	-	-	-		
153	132/tari jangam kunta venka patta	1-15	0-02	1-13	21-16	"	"	1-15	37	Shaik Ahmed etc.	-	-	-	1976 abi	Shaik Mohd. etc. 1. Shaik Mohd. 2. " Abdullah 3. " Wahid 4. " Ahmed 5. Mohd. Moulana	-	-	-		

M.M. CHOWDHURY, B.Com (U.P.)
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mrahman@yahoo.com



61

154	133/-do-	1-32	-	1-32	1-39	Dry	-	-	-	1976 abi	Shaik Mohd. etc. 1. Shaik Mohd. 2. " Abdullah 3. " Wahid 4. " Ahmed 5. Mohd. Moulana	-	-
155	134/jangam kunta shikam patta	2-35	-	2-35	12-00	Dry	-	-	-	1976 abi 1976 tabi	- Prakash Rao	-	-
156	135/ -do-	0-19	-	0-19	0-73	"	-	-	-	1976 abi	Own	-	-

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Sd/-
Deputy Tahsildar,
Serilingampally Mandal,
Ranga Reddy Dist.

[Handwritten Signature]

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kinghouse@yahoo.com

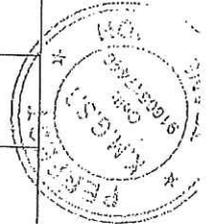


62

Translation from old telugu to English:

STATEMENT NO.3 PAHANI PATRIKA OF VILLAGE: KONDAPUR FOR THE YEAR: 1975-76

Khata No.	Sy.No./ Pot hissa/ Field Name Patta or Inam land	Extent			BANDOBUST RECORD				RIGHTS OF RECORD					CULTIVATION PARTICULARS				
		Total	Pot Kharab	Balance	Land revenue as shown in sethwar (Rs.)	Source of Irrigation	Abi, Tabi, double crop or Extent under Irrigation	Khata No.	Name of possessor with father's name and address	Nature of possession	Other rights & responsibilities	Trees Nos. & Variety	Year and total	Name of actual cultivator with father's name and address	Nature of his cultivation	Extent given in Kowls (leases)	Agreed Kowls	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
157	136/tari Jangam kunta venka patta	1-38	0-04	1-34	30-08	Bandla kunta	Abi	1-38	16	Maraboina Durgaiyah, Pentaiyah, Bikshapati etc.	"	-	-	1976 abi 1976 tabi	Own	2	-	-
158	137/tari kanugula vadda patta	1-07	0-02	1-05	16-72	"	"	1-07	37	Shaik Ahmed etc.	-	-	-	1976 abi 1976 tabi	Shaik Mohd. etc. 1. Shaik Mohd. 2. " Abdullah 3. " Wahid 4. " Ahmed 5. Mohd. Moulana	-	-	-
159	138/ Bhavi kinda polam patta	2-25	0-21	2-04	1-72	"	-	-	37	Shaik Ahmed etc.	-	-	-	1976 abi 1976 tabi	Shaik Mohd. etc. 1. Shaik Mohd. 2. " Abdullah 3. " Wahid 4. " Ahmed 5. Mohd. Moulana	-	-	-
160	139/tari jangam kunta venka patta	0-18	0-02	0-16	6-68	Bandla kunta	Abi	0-18	16	Maraboina Durgaiyah, Pentaiyah, Bikshapati etc.	"	-	-	1976 abi	Shaik Aahmed	-	-	-



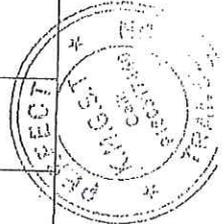
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64

Translation from old telugu to English:

STATEMENT NO.3 PAHANI PATRIKA OF VILLAGE: KONDAPUR FOR THE YEAR: 1975-76

Khata No.	Sy.No./ Pot hissa/ Field Name Patta or Inam land	Extent			BANDOBUST RECORD				RIGHTS OF RECORD					CULTIVATION PARTICULARS					
		Total	Pot Kharab	Balance	Land revenue as shown in sethwar (Rs.)	Source of irrigation	Abi, Tabi, double crop or	Extent under irrigation	Khata No.	Name of possessor with father's name and address	Nature of Possession	Other rights & responsibilities	Trees Nos. & Variety	Year and total	Name of actual cultivator with father's name and address	Nature of his cultivation	Extent given in Kowl	Kowls (leases)	Agreed Kowl
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	
163	142/tari Jangam kunta venka patta	1-14	0-02	1-12	7-44	Bandla kunta	Abi	1-38	37	Shaik Ahmed etc.	-	-	-	1976 abi	-	-	-	-	
164	143/tari Bhavi mirra vadda patta	0-15	-	0-15	7-22	"	"	0-15	30	Buyya Lachmaiah Buyya Pochaiah	-	-	-	1976 abi	Buyya Lachmaiah Buyya Pochaiah	-	-	-	
165	144/ tari bhavi polam patta	0-27	0-08	0-19	8-92	"	"	0-27	30	Buyya Lachmaiah Buyya Pochaiah	-	-	-	1976 abi	Buyya Lachmaiah Buyya Pochaiah	-	-	-	
166	145/tari Bhavi polam patta	0-19	-	0-19	1-49	"	"	-	30	Buyya Lachmaiah Buyya Pochaiah	-	-	-	1976 abi	Buyya Lachmaiah Buyya Pochaiah	-	-	-	
167	146/ Bhavi ralla chelka patta	12-15	0-10	12-05	21-00	"	"	-	16	Maraboina Durgaiyah, Pentaiyah, Bikshapati etc.	-	-	-	1976 abi	Own	-	-	-	



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Cell: 9100517440.

65

8

168	147/ Bhavi ralla chelka patta	1-10	-	1-10	1-89	"	"	30 31	Buyya Lachmaiah Buyya Pochaiah	-	-	1976 abi 1976 tabi	Own	-	-
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Serilingampally Mandal
,Ranga Reddy Dist.

M.M. Chouss, B.Com (LL.B.)

Senior Translator,

Urdu, Telugu to English

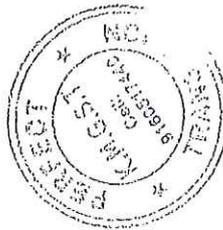
All old (Fasif) & New Documents.

All Khatas, Chain Writing (Golusu Rate)

Tolichewki, Hyderabad-500 008. T.S.

Cell: 9160517440,

kinghouse@yahoo.com



66

1985-86

2

Kandampani V.V.
 సమీపించి ఉమ్మడి గ్రామపంచాయతీ లెక్కలకు నెం. 2 (అదనం) గ్రామ పంచాయతీ లెక్కలకు నెం. 3 (ఉమ్మడి పత్రం) నెం. 198 -- -- 198

Sl. No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
169	103	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01
170	121	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01
171	125	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01
172	126	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01
173	127	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01	0-01



Handwritten notes in Telugu, including a signature and some illegible text.

67

1985-86

Konstapulu

ಸವರಿಂದ ಕಟ್ಟು ಪ್ರಮಾಣದ ಸಂ. 2 (ಅಂಕಣ) ಪ್ರಮಾಣದ ಸಂ. 8 (ಅಂಕಣ) ಸಂ. 1985-86

ಕ್ರ. ಸಂ.		ಸಂಖ್ಯೆ		ತಾರೀಖು		ಸಮಯ		ಪ್ರಾ. ಸಂ.											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
176	176	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09	0-09
177	177	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13
178	178	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15	0-15
179	179	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32	0-32
180	180	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35	0-35
181	181	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37	0-37
182	182	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38	0-38

Handwritten notes and signatures in the right margin, including a large signature and some illegible text.

Kondalpur
 ಸಂಖ್ಯೆ 1985-108
 ಸರ್ಕಾರಿ ಕಚೇರಿ, ಗ್ರಾಮಪಂಚಾಯತ್, 2 (ಅಧಿಕಾರ) ಗ್ರಾಮ ಪಂಚಾಯತ್, 3 (ಸಹಾಯಕ ವರ್ಗ)

ಕ್ರ. ಸಂ.	ನಾಮ	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
170	ಶ್ರೀ 170	0-27	0-08	0-19	0-16	18-92	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
171	ಶ್ರೀ 171	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
172	ಶ್ರೀ 172	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
173	ಶ್ರೀ 173	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
174	ಶ್ರೀ 174	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
175	ಶ್ರೀ 175	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
176	ಶ್ರೀ 176	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
177	ಶ್ರೀ 177	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
178	ಶ್ರೀ 178	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
179	ಶ್ರೀ 179	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
180	ಶ್ರೀ 180	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19

ಶ್ರೀ 170-180
 ಸರ್ಕಾರಿ ಕಚೇರಿ, ಗ್ರಾಮಪಂಚಾಯತ್, 2 (ಅಧಿಕಾರ) ಗ್ರಾಮ ಪಂಚಾಯತ್, 3 (ಸಹಾಯಕ ವರ್ಗ)



69

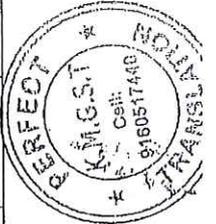
Translation from Telugu(xerox copy) into English:

STATEMENT NO.3 PAHANI PATRIKA AMENDED JOINT VILLAGE ACCOUNTS REGISTER NO.2(ADANGAL) OF VILLAGE: KONDAPUR FOR THE YEAR: 1985-86

Serial No.	Sy.No./ Sub-Divn.No.	Extent			Nature of land patta/inam or Govtland	Irrigation particulars as per sethwar			Extent under irrigation	Khatra No.	Pattedar's name	RIGHTS OF RECORD				If kowli, total kowli amount payable		
		Total (in acres)	Pot Kharab (uncultivable)	Net extent		Land revenue	Dry patta land/wet single or double crop	Source of irrigation				Name of unauthorised possessor	Extent under unauthorised possession	Nature of unauthorised possession	Name of Kowli dar (share holder) Mortgagor		Extent	If mortgaged, total mortgage amount received
169	2 Eddula edi dry patta	3 0-07	4 -	5 0-07	6 Patta	7 0-38	8 Dry	9 -	10 -	11 37	12 Buyya Balraj s/o Lachmarah 0-3-0-9 Buyya Pochaiiah s/o Balaiah 0-4-0-19	13 -	14 -	15 -	16 16	17 17	18 18	
170	124 Eshwaruni bhavi polam tari patta	0-23	0-01	0-22	"	8-92	Abi ek fasla	Ban dta kunta	0-22	37	Buyya Balraj s/o Lachmarah 0-11 4-46 Buyya Pochaiiah s/o Balaiah 0-11 4-46	-	-	-	-	-	-	-
171	125 Eshwaruni bhavi polam tari patta	1-30	0-03	1-27	"	31-20	"	"	1-27	37	Buyya Balraj s/o Lachmarah 0-35 15-60 Buyya Pochaiiah s/o Balaiah 0-35 15-60	-	-	-	-	-	-	-
172	126	1-03	-	1-03	"	3-01	Dry	-	-	39	Muvva Veera Raghavaiah	-	-	-	-	-	-	-

K.M. Ghose, B.Com (U.S.)

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71

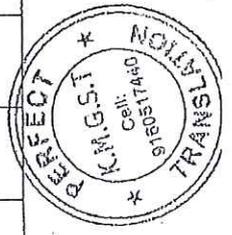
Translation from Telugu(xerox copy) into English:

STATEMENT NO.3 PAHANI PATRIKA AMENDED JOINT VILLAGE ACCOUNTS REGISTER NO.2(ADANGAL) OF VILLAGE: KONDAPUR FOR THE YEAR: 1985-86

Serial No.	Sy.No./ Sub-Divn.No.	Extent			BANDOUBUST RECORD			RIGHTS OF RECORD					Name of Kowidar(share holder) Mortgagor	Name of unauthorised possessor	Extent under unauthorised possession	Nature of unauthorised possession	Name of unauthorised possessor	Pattedar's name	Khatra No.	Irrigation particulars as per sethwar			Extent under irrigation	If kowl, total kowl amount payable	If mortgaged, total mortgage amount received			
		Total (in acres)	Pot Kharab (uncultivable)	Net extent	Nature of land patta/inam or Govtland	Land revenue	Dry patta land/wet single or wet double crop	Source of irrigation	7	8	9	10								11	12	13				14	15	16
176	130	0-09	-	0-09	Patta	3-90	Abi ek fasia	Bandla kunta	0-09	37	Buyya Balraj s/o Lachmaiah 0-4, 1-95	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
177	131	0-18	0-1	0-17	"	7-22	"	"	0-18	48	Shaik Omar Sab	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
178	132	1-15	0-02	1-13	"	21-16	"	"	1-13	49	Shaik Samad Sab	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
										50	Shaik Abdullah	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
										51	Shaik Wahid sab	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
										52	Shaik Ahmed Bi	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
										53	Mohd. Yousuf	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
										48	-do-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

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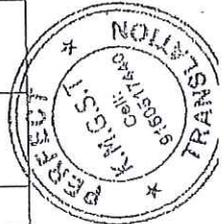


13

Translation from Telugu(xerox copy) into English.

STATEMENT NO.3 PAHANI PATRIKA AMENDED JOINT VILLAGE ACCOUNTS REGISTER NO.2(ADANGAL) OF VILLAGE: KONDAPUR FOR THE YEAR: 1985-86

Serial No.	Sy.No./ Sub-Divn.No.	Extent			Irrigation particulars as per sethwar			Nature of land Govt./nam or Patta	Land revenue	Rights of Record			Name of Kowidar(share holder) Mortgagor	If kowl, total kowli amount payable If mortgaged, total mortgage amount received		
		Total (in acres)	Pot Kharab (uncultivable)	Net extent	Irrigation particulars as per sethwar					Name of unauthorised possessor	Extent under unauthorised possession	Nature of unauthorised possession			Extent	
					Dry patta land/wet single or wet double crop	Source of irrigation	Extent under irrigation									Khata No.
190	144 Bhavi polam tari pattas	0-27	0-08	0-19	8.92	8	8	8.92	37	0-19	10	11	Buyya Balraj s/o Lachmaiah 0-3 0-46	16	17	18
191	145 Bhavi vadda dry patta	0-19	-	0-19	1-49	1-49	1-49	1-49	37	-	-	-	Buyya Balraj s/o Lachmaiah 0-10 0-75	-	-	-
192	146 Bhamini ralla chelka dry patta	12-15	0-10	12-05	21-00	-	-	21-00	20	-	-	-	Mariboina Durgaiyah S. Narsimlu S. Vijaya etc. s/o Malliah S. pentaiyah s/o Durgaiyah Bikshapati etc. s/o Sandaiah	-	-	-
193	147 Bhamini	1-10	-	1-10	1-89	-	-	1-89	37	-	-	-	Buyya Balraj s/o Lachmaiah	-	-	-



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 k.m.grupei@yahoo.com

7
45
1

Kondapur (V)

1988

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
169	123	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07
170	124	0-23	0-23	0-23	0-23	0-23	0-23	0-23	0-23	0-23	0-23	0-23	0-23	0-23	0-23	0-23	0-23
171	125	1-30	0-03	1-27	4	3-12	4	4	1-27	38	0-35-15-60	0-35-15-60	0-35-15-60	0-35-15-60	0-35-15-60	0-35-15-60	0-35-15-60
172	126	1-03	1-03	1-03	4	3-01	4	4	3-01	39	0-04-0-19	0-04-0-19	0-04-0-19	0-04-0-19	0-04-0-19	0-04-0-19	0-04-0-19

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76

2

Kondapur IV

1989

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
గ్రామం	సబ్ డివిజన్	వార్డు	సబ్ డివిజన్	వార్డు													
177	177	0-02	0-02	0-02	0-02	0-02	0-02	0-02	0-02	0-02	0-02	0-02	0-02	0-02	0-02	0-02	0-02
178	178	1-13	1-07	1-06	1-06	1-06	1-06	1-06	1-06	1-06	1-06	1-06	1-06	1-06	1-06	1-06	1-06
179	179	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13	0-13
180	180	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07	0-07

గ్రామం పేరు
సబ్ డివిజన్ పేరు
వార్డు పేరు

వార్డు పేరు
సబ్ డివిజన్ పేరు
గ్రామం పేరు

77 3

Kondapur (V)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
సంఖ్య	పేరు	సంఖ్య															
177	...	0-18	0-01	0-12
178	...	1-15	0-02	1-13
179	...	1-32	...	1-30
180	...	2-35	...	2-35

Handwritten signatures and notes in the right side of the table.

(H)

87

Kondapur W

1989

చి.కె.సి.సి.

పట్టణం

చుట్టూరు

నామం, అంకం

సంఖ్య	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
సంఖ్య	సంఖ్య (కామం)															
135																
181	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19	0-19
136																
182	1-28	1-28	1-28	1-28	1-28	1-28	1-28	1-28	1-28	1-28	1-28	1-28	1-28	1-28	1-28	1-28
183	1-07	1-07	1-07	1-07	1-07	1-07	1-07	1-07	1-07	1-07	1-07	1-07	1-07	1-07	1-07	1-07
184	2-25	2-25	2-25	2-25	2-25	2-25	2-25	2-25	2-25	2-25	2-25	2-25	2-25	2-25	2-25	2-25

చి.కె.సి.సి. పట్టణం చుట్టూరు

సంఖ్య

సంఖ్య (కామం)

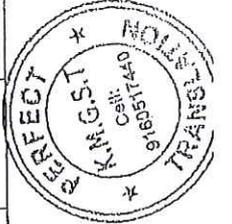
81

Translation from Telugu(xerox copy) into English:
STATEMENT NO.3 PAHANI PATRIKA AMENDED JOINT VILLAGE ACCOUNTS REGISTER NO.2(ADANGAL) OF VILLAGE: KONDAPUR FOR THE YEAR: 1989-90

Serial No.	Sy.No./ Sub-Divn.No.	Extent			Irrigation particulars as per sethwar			Pattadar's name	Name of unauthorised possessor	Extent under unauthorised possession	Name of Kowidar (share holder) Mortgagor	If kowl, total amount payable					
		Total (in acres)	Pot Kharab (uncultivable)	Net extent	Land revenue	Dry patta land/wet	single or wet double crop						Source of irrigation				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
169	Eddula edi	0-07	-	0-07	Patta	0-38	Dry	-	-	37	Buyya Balraj s/o Lachmaiah 0-3, 0-19	-	-	-	-	-	-
170	Eshwaruni bhavi polam tari	0-23	0-01	0-22	"	8-92	Abi ek fasla kanta	Bandla kanta	0-22	37	Buyya Balraj s/o Lachmaiah 0-11 4-46	-	-	-	-	-	-
171	125 -do-	1-30	0-03	1-27	"	31-20	"	"	1-27	37	Buyya Balraj s/o Lachmaiah 0-35 15-60	-	-	-	-	-	-
172	126 Chunnu miya kunta	1-03	-	1-03	"	3-01	Dry	-	-	39	Muvva Veera Raghavaiah s/o Nagabhushanam	-	-	-	-	-	-

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82

Translation from Telugu(xerox copy) into English:

STATEMENT NO.3 PAHANI PATRIKA AMENDED JOINT VILLAGE ACCOUNTS REGISTER NO.2(ADANGAL) OF VILLAGE: KONDAPUR FOR THE YEAR: 1989-90

Serial No.	Sy.No./ Sub-Divn.No.	Extent			Nature of land patta/inam or Govt.land	Irrigation particulars as per sethwar			Extent under irrigation	Khatra No.	Pattedar's name	Name of unauthorised possessor	Extent under unauthorised possession	Nature of unauthorised possession	Name of Kowidar(share holder) Mortgagor	Extent	If kowl, total kowl amount payable	
		Total (in acres)	Pot Kharab (uncultivable)	Net extent		Land revenue	Dy patta land/wet single or wet double crop	Source of irrigation									If mortgaged, total mortgage amount received	
173	127	0-02	-	0-02	Mafi inam	0-83	Abi ek fasla	Bandla kunta	0-02	1	Gandu Balaiah etc. Harijan Kothaguda	Buyya Balraj Buyya Pochaiiah	-	-	-	17	-	
174	128	1-13	0-07	1-06	Patta	20-05	"	"	1-06	37	Buyya Balraj s/o Lachmaiah 0-27, 10-3 Buyya Pochaiiah s/o Balaiah 0-28, 10-2	Own	-	-	-	-	-	
175	129	0-13	-	0-13	Kowl Inam	5-56	"	"	0-13	4	Mangali Pentaiiah s/o Shirvaiah	Ramulu etc.	-	-	-	-	-	
176	130	0-09	-	0-09	Patta	3-90	Abi ek fasla	Bandla kunta	0-09	37	Buyya Balraj s/o Lachmaiah 0-4, 1-95 Buyya Pochaiiah s/o Balaiah 0-05, 1-95	-	-	-	-	-	-	



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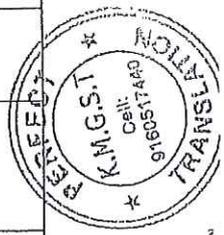
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83

Translation from Telugu(xerox copy) into English:
 STATEMENT NO.3 PAHANI PATRIKA AMENDED JOINT VILLAGE ACCOUNTS REGISTER NO.2(ADANGAL) OF VILLAGE: KONDAPUR FOR THE YEAR: 1989-90

Serial No.	Sy.No./ Sub-Divn.No.	Extent			Irrigation particulars as per sethwar			Khatra No.	Pattedar's name	Name of unauthorised possessor	RIGHTS OF RECORD			If kowl, total amount payable If mortgaged, total mortgage amount received						
		Total (in acres)	Pot Kharab (uncultivable)	Net extent	Land revenue	Dry patta single or wet land/wet	Source of irrigation double crop				Extent under irrigation	Extent under unauthorised possession	Nature of unauthorised possession		Name of Kowl/dar/share holder Mortgageor	Extent				
177	131 Jangan kunta venka tari	0-18	0-1	0-17	7-22	Abi Ek fasia	8	9	10	11	12	13	14	15	16	17	18			
178	132 -do-	1-15	0-02	1-13	21-16	"	"	"	48	49	50	51	52	53	48	49	50	51	52	53
179	133 -do-	1-32	-	1-32	1-89	Dry	-	-	48	49	50	51	52	53	48	49	50	51	52	53

[Signature]
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84

180	134 -do-	2-35	-	2-35	"	12-01	"	-	44	M.A. Raghavaiah M.A. Seetaram Rao Subba Rao V.G. Varaprasad Rao K.B. Tilak K. Vijaymohan	K.S.V. Prasad Rao K.V.V. Prasad Rao K.V.N.V. Prasad Rao	-	-	-	-
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83

Translation from Telugu(xerox copy) into English.
 STATEMENT NO.3 PAHANI PATRIKA AMENDED JOINT VILLAGE ACCOUNTS REGISTER NO.2(ADANGAL) OF VILLAGE: KONDAPUR FOR THE YEAR: 1989-90

Serial No.	Sy.No./ Sub-Divn.No.	Extent			Irrigation particulars as per sethwar			Nature of land Govt./land patta/ham or	Extent under irrigation	Khatra No.	Pattadar's name	Name of unauthorised possesor	Extent under unauthorised possession	Name of Kowldar (share holder) Mortgagor	If kowl, total amount payable	
		Total (in acres)	Pot Kharab (uncultivable)	Net extent	Land revenue	Dry patta land/wet single or wet double crop	Source of irrigation									
1	2	3	4	5	7	8	9	10	11	12	13	14	15	16	17	18
181	135 Jangam kunta venka dry	0-19	-	0-19	0-73	"	"	"	20	Mariboina Durgaiiah S. Narsimlu S. Vjaya etc. s/o Malliah S. pentaiiah s/o Durgaiiah Bikshapati etc. s/o Sandaiah	Own	-	-	-	-	-
182	136 -do- Tari	1-38	0-04	1-34	30-08	Abi Ek fasla	Bandla kunta	1-34	20	-do-	Own	-	-	-	-	-
183	137 Kanugula vadda tari	1-07	0-02	1-05	16-72	Abi Ek fasla	"	1-05	48	Shaik Omar Sab Shaik Samad Sab Shaik Abdullah Shaik Wahid sab Shaik Ahmed Bi Mohd. Yousuf	Own	-	-	-	-	-
184	138 -do-	2-25	0-21	2-04	10-72	Dry	-	-	48	-do-	Own	-	-	-	-	-

[Handwritten Signature]

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86

Translation from Telugu (xerox copy) into English:
 STATEMENT NO.3 PABANI PATRIKA AMENDED JOINT VILLAGE ACCOUNTS REGISTER NO.2(ADANGAL) OF VILLAGE: KONDAPUR FOR THE YEAR: 1989-90

Serial No.	Sy.No./ Sub-Divn.No.	Extent			Nature of land	Land revenue	Irrigation particulars as per sethwar			Khatra No.	RIGHTS OF RECORD				If kowl, total kowl amount payable		
		Total (in acres)	Pot Kharab (uncultivable)	Net extent			Dry patta hand/wet single or wet double crop	Source of irrigation	Extent under irrigation		Name of unauthorised possessor	Extent under unauthorised possession	Nature of unauthorised possession	Name of Kowl/dar (share holder) Mortgagor		Extent	If mortgaged, total mortgage amount received
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
185	Jangam kunta venka tari	0-18	0-02	0-16	Patta	6-68	Abi Ek fasla	Bandia kunta	0-16	20	Marboina Durgaiah S. Narsimlu S. Vjaya etc. s/o Malliah S. pentaiah s/o Durgaiah Bikshapati etc. s/o Sandaiah	Own	-	-	-	-	-
186	Bhavi chenu dry	2-19	0-14	2-05	"	11-92	Dry	-	-	20	-do-	-	-	-	-	-	-
187	141 -do-	1-33	0-04	1-29	"	9-62	"	-	-	20	-do-	-	-	-	-	-	-
188	Jangam kunta venka dry	1-14	0-02	1-12	"	7-44	"	-	-	48	Shaik Omar Sab Shaik Samad Sab Shaik Abdullah Shaik Wahid sab Shaik Ahmed Bi Mohd. Yousuf	-	-	-	-	-	-

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87

Translation from Telugu(xerox copy) into English:
 STATEMENT NO.3 PABANI PATRIKA AMENDED JOINT VILLAGE ACCOUNTS REGISTER NO.2(ADANGAL) OF VILLAGE: KONDAPUR FOR THE YEAR: 1989-90

Serial No.	Sy.No./ Sub- Divn.No.	Extent			Nature of land patta/inam or Govtland	Irrigation particulars as per sethwar			Khalta No.	Pattedar's name	Name of unauthorised possessor	Extent under unauthorised possession	Name of Kowldar(share holder) Montgagor	Extent	If kowli, total amount payable If mortgaged, total mortgage amount received			
		Total (in acres)	Pot Kharab (uncultivable)	Net extent		Land revenue	Dry patta land/wet single or wet double cro	Source of irrigation								Extent under irrigation		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
185	Jangam kunta venka tari	0-18	0-02	0-16	Patta	6-68	Abi Ek fasla	Bandla kunta	0-16	20	Mariboina Durgaiyah S. Narsimlu S. Vjaya etc. s/o Malliah S. pentaiyah s/o Durgaiyah Btkshapati etc. s/o Sandataiah	Own	-	-	-	-	-	
186	Bhavi chenu dry	2-19	0-14	2-05	"	11-92	Dry	-	-	20	-do-	-	-	-	-	-	-	-
187	Jangam kunta venka dry	1-33	0-04	1-29	"	9-62	"	-	-	20	-do-	-	-	-	-	-	-	-
188	Jangam kunta venka dry	1-14	0-02	1-12	"	7-44	"	-	-	48	Shaik Omar Sab Shaik Samad Sab Shaik Abdullah Shaik Wahid sab Shaik Ahmed Bi Mohd. Yousuf	-	-	-	-	-	-	-

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Translation from Telugu(xerox copy) into English.
 STATEMENT NO.3 PAHANI PATRIKA AMENDED JOINT VILLAGE ACCOUNTS REGISTER NO.2(ADANGAL) OF VILLAGE: KONDAPUR FOR THE YEAR: 1989-90

Serial No.	Sy.No./ Sub-Divn.No.	Extent			BANDOBUST RECORD				RIGHTS OF RECORD											
		Total (in acres)	Pot Kharab (uncultivable)	Net extent	Nature of land	Govt./land	Land revenue	Irrigation particulars as per sethwar		Extent under irrigation	Khata No.	Pattadar's name	Name of unauthorised possessor	Extent under unauthorised possession	Nature of unauthorised possession	Name of Kowidar (share holder) Mortgagor	Extent	If kowl, total amount payable	If mortgaged, total mortgage amount received	
189	143 Bhavi vadda mirra tari	0-15	-	0-15	Patta	7-22	8	9	10	11	12	13	14	15	16	17	18			
							Dry patta land/wet single or wet	Source of irrigation			Buyya Balraj s/o Lachmaiah 0-8 3-61									
190	144 Bhavi polam tari	0-27	0-08	0-19	Patta	8-92	8	9	10	11	12	13	14	15	16	17	18			
							Abi Ek fasla	Bandla kunta			Buyya Pochaiiah s/o Balaiah 0-07 3-61									
191	145 Bhavi vadda dry	0-19	-	0-19	"	1-49	Dry	-	-	38	0-13 4-46									
											-do- 0-14 4-46									
192	146 Bhamini ralla chelka dry	12-15	0-10	12-05	"	21-00	"	-	-	20	Marboina Durgaiah S. Narsimlu S. Vijaya etc. s/o Malliah S. pentaiah s/o Durgaiah Biktshapati s/o Sandaiah									

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 k.m.ghouse@yahoo.com

1995-96 ✓

Kondapur (V)

వాలము వారి అనుభవము.

గ్రామ లెక్క నెం-3 తడంగళ్ల/పతాళి

సంఖ్య	వర్ష మురియు గణనములు మార్చుట			సంఖ్య														
	సంఖ్య	సంఖ్య	సంఖ్య															
173	172/2	0-02	0-02	106	0-15	మూడు	మూడు											
174	122/2	0-56	0-53	1-56														
175	122/5	0-57	0-53	1-26														
176	128	0-07	0-07	0-38														
177	124	0-23	0-22	8-72														

Handwritten notes and signatures in the right margin, including names like M. Suresh and M. Suresh, and dates like 10-25.

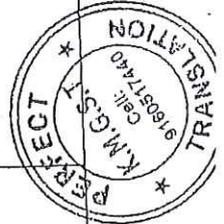
Translation from telugu (Xerox copy) into English:

VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1995-96

FIELD POSSESSION DETAILS

RIGHTS OF RECORD													
Sl. No.	Survey & Sub. Dn. No. & field or Chelka name If any	SURVEY AND SETTLEMENT BANBADOBUST			Land Revenue Amount (Rs.)	Classification of land dry/water Irrigation dry/single crop wet/double	Source & well	Extent under Irrigation (ayaat)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation									
1	2	3	4	5	7	8	9	10	11	12	13	14	15
173	122/1 Eddula edi, chelka dry	0-02	-	0-02	Patta 0-15	Metta(dry)	-	-	-	N.V. Seetaram Rao s/o Subbaiah	K.V.V. Prasad s/o K.S.V. Prasad Rao	-	-
174	122/2 -do-	0-33	-	0-33	"	"	-	-	-	K. Venkat Subba Rao s/o Veeriah VGL Prasad s/o Venkat Subbarao Tilak s/o Venkat Subbarao Veera Raghavaiah s/o Nagabhushanam Seetaram Rao s/o Subba Rao	-	-	-
175	122/3 -do-	0-33	-	0-33	"	"	-	-	-	M. Veera Raghavaiah s/o Nagabhushanam	I. Movva Anjamma w/o Raghavaiah 2. Movva Ramakrishna s/o M.V. Raghavaiah	-	-

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 Cell: 3160517440,



(70)

2

176	123-do-	0-07	0-07	0-38	"	"	"	"	"	Buyya Balraj s/o Lachmaiah Buyya Pochaiiah s/o Balaiiah -do-	M. Durgaiiah	0-07	File No.B/236/2004 - Government
177	124/Eshwaruni bhavi wet	0-23	0-22	8-92	"	Single crop Magani(wet)	0-22	"	"	"	M. Durgaiiah	0-23	

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kmgthouse@yahoo.com

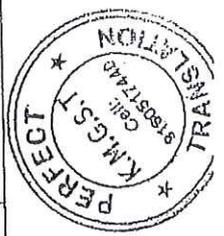


918

Translation from telugu (Xerox copy) into English: VILLAGE ACCOUNT NO.3 ADANGAL/PABANI OF KONDAPUR VILLAGE FOR THE YEAR 1995-96

FIELD POSSESSION DETAILS														
SURVEY AND SETTLEMENT BANADOBUST					RIGHTS OF RECORD									
Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	Extent		Land Revenue Amount (Rs.)	Nature of land Patna/Inam/Govt.	Classification of land dry/water irrigation dry/single crop wet/double	Source & well old/new if any	Extent under irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	His nature of possession	
		Total Extent	Land not Fit for Cultivation (pot kharab)											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
178	125/Eshwaruni bhavi wet	1-30	0-03	1-27	Patta	31-20	Single crop Magani(wet)	Bandla kunta	1-27	-	Buyya Balraj s/o Lachmaiah Buyya Pochaiiah s/o Balaiiah	M. Durgaiiah	1-30	Purchaser
179	126/chinnamayya kunta	1-03	-	1-03	"	3-01	Metta(dry)	-	-	-	M. Veera Gavhagaiah s/o Nagabhushaniam Gandu Balaiiah			
180	127/bandla kunta venka tari mafi inam	0-02	-	0-02	Mafi inam	0-83	Single crop wet	Bandla kunta	0-02	-	Buyya Balraj s/o Lachmaiah Buyya Pochaiiah s/o Balaiiah	M. Durgaiiah		
181	128/talari inam tari patta	1-13	0-07	1-06	"	20-05	"	"	1-06	-	Buyya Balraj s/o Lachmaiah Buyya Pochaiiah s/o Balaiiah Mangali Pentaiiah s/o Shivaiiah			
182	129/	0-13	-	0-13	Mafi inam	5-56	"	"	0-13	-	Buyya Balraj s/o Lachmaiah Buyya Pochaiiah s/o Balaiiah			
183	130/Bandla kunta tari	0-09	-	0-09	Pattas	3-90	"	"	0-09	-	Buyya Balraj s/o Lachmaiah Buyya Pochaiiah s/o Balaiiah			

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Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1995-96

Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	SURVEY AND SETTLEMENT BANDDOBUST			RIGHTS OF RECORD					Possessor's name	Extent under his possession	His nature of possession		
		Total Extent	Extent Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation	Nature of land Patta/Inam/Govt.	Land Revenue Amount (Rs.)	Classification of land dry/water	Irrigation dry/single crop well/double	Source & own source, well old/new if any				Extent under Irrigation (ayacu)	Khata No.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
184	131/jangam kunta venka tari	0-18	0-01	0-17	Patta	7-22	Single crop Magani(wet)	Bandia kunta	0-17	-	Shaik Omer Sab Samad Sab Shaik Abdul Mariyam Bi Zainab Bi Aminah Bi Yousuf Ahmed Shaik Wahid	Own		
185	132/-do-	1-15	0-20	0-35	"	21-16	Metta(dry)		0-35	-	Ghousia Bi Shaik Wahid Omer Sab Samad Sab Abdullah & Mariyam Bi Aminah Bi Yousuf Ahmed	Own		
186	133/	1-32	-	1-32	"	1-89								

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 kmghouse@yahoo.com

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 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1995-96

SURVEY AND SETTLEMENT BANBODUBUST										RIGHTS OF RECORD				
Sl. No.	Survey & Sub. Dn. No. & field or Chelka name If any	Extent			Nature of land	Land Revenue Amount (Rs.)	Classification of land dry/water Irrigation dry/single crop wet/double	Source & own source, well old/new if any	Extent under Irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
187	134/	2-35	-	2-35	Patta	12-01	Metta(dry)				M. Veera Raghavaiah s/o nagabhushanam Seefaramrao s/o Subbaiah VGL Prasad s/o Venkat Subbarao Tilak s/o Venkat Subbarao Vijaymohan s/o Venkat Subbarao			
188	135/jangam kunta dry	0-19	-	0-19	"	0-73	"				M. Durgaiiah s/o Maliah M.Narsimlu s/o " Vijaykumar s/o " Ramulu s/o " Pentajiah s/o Durgiah Bikshapati s/o Sandaiah	Own		



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 kmghouse@yahoo.com

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6

189	138/ -do-	1-38	0-04	1-34	30-08	"	"	1-05	Own	
190	137/kangula vadda tari	1-07	0-02	1-05	16-72	"	"	1-05	Own	

-do-

Shaik Omer Sab
" Samad Sab
Abdullah &
Mariyam Bi
Amina Bi
Yousuf Ahmed

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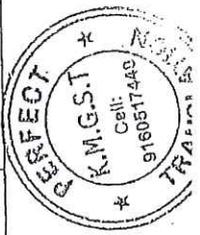
102

Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1995-96

SURVEY AND SETTLEMENT BANBUOBUST										RIGHTS OF RECORD				
Sl. No.	Survey & Sub.Dn. No. & field or Cheika name If any	Extent			Nature of land	Land Revenue Amount (Rs.)	Classification of land dry/water irrigation dry/single crop wet/double source, well old/new if any	Extent under irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	His nature of possession	
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
191	138/kangula vadda tari	2-35	0-21	2-14	Patta	10-72					Shaik Omer Sab " Samad Sab Abdullalh & Maryam Bi Amina Bi Yousuf Ahmed	Own		
192	139/jangan kunta	0-18	0-02	0-16	"	6-68	Single crop magani				Maraboyi Durgalah s/o Malliah Narsimlu s/o Vijaykumar s/o " Ramulu s/o " Pentiah s/o Durgiah Bikshapati s/o Sandaiah	Own		
193	140/bhavi venka dry	2-19	0-14	2-05	"	11-92	Metta(dry)				-do-	Own		
194	141/-do-	1-33	0-04	1-29	"	9-62	"				-do-	Own		

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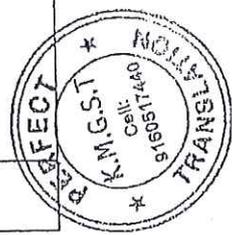


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Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1995-96
 FIELD POSSESSION DETAILS

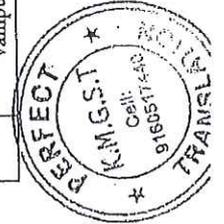
Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	Extent			Land Revenue Amount (Rs.)	Nature of land Patta/inam/Govt.	CLASSIFICATION OF LAND					RIGHTS OF RECORD						
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation			Classification of land dry/water	Irrigation	dry/single crop	well/double	Source & well	old/new if any	Extent under Irrigation (ayacut)	Khata No.	Khatedar/pattadar Name	Possessor's name	Extent under his possession	His nature of possession
195	142/jangam kunta	1-14	0-02	1-12	7-44	Patta	Metta(dry)						11	12	13	14	15	
196	143/bhavi vadda mirra tari	0-15	-	0-15	7-22	"	"								M. Durgaiyah	0-15	Purchaser	
197	144/ -do-	0-27	0-08	0-17	8-92	"	Single crop magani								M. Durgaiyah	0-27	"	



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 Tolichowki; Hyderabad-500 008. T.S.
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 E-mail: m.ghose@yahoo.com

Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1995-96
 FIELD POSSESSION DETAILS

Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water irrigation or dry/single crop	Source & well	Extent under Irrigation (ayacu)	Khata No.	Khatedar/pattadar Name	RIGHTS OF RECORD			His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation							Pattana/Govt. Nature of land	Possessor's name	Extent under his	
1	2	3	4	5	7	8	9	10	11	12	13	14	15	
198	145/bbavi vadda dry	0-19	-	0-19	1-49	Metta(dry)				Leelavati w/o Suresh Suresh s/o Satyanarayana S. Veeresham s/o " S. Venkataximi d/o Veeresham Pochalaiah s/o Balaiah	M. Durgaiah	0-19	Purchaser	
199	146/baruni ralla chelka dry	12-15	0-10	12-05	21-00	"				M. Durgaih s/o Mallaiiah Narsimlu s/o " Vijaykumar s/o " Ramulu s/o " Pentalaiah s/o " Bikshapati s/o Sandaiah B. Balraj s/o Lachmiaiah Pochalaiah s/o Balaiah	Own			
200	147/	1-10	-	1-10	1-29	"					P. Srinivas s/o Joan B.Satyamma w/o Swamy			MRO proc.No.C/587/93
201	148/akulavani vampu	1-34	0-04	1-30	32-33	Single crop magani		1-31		-do-	B.Satyamma w/o Swamy	1-35		



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101

1999-2001

1

వాలము వారి అనుభవము

Kondapur (V)

అడంగల్/పహళి

గ్రామ లెక్క నెం-3

క్ర. సం.	వయస్సు			అక్షరాస్యత	సం. సం.														
	0-4	5-9	10-14																
1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15				
187	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15				
188	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15				
189	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15				

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Kondalw (VI)

1999-2000

12

గ్రామ తక్కు సం-3

అడవిగట్టు పనులే

పోలము వాటి దమగవము

సంఖ్య	సర్కారు పనులు			సంఖ్య														
	1	2	3															
1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
2	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
4	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
5	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
6	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
7	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
8	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
9	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
10	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
11	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
12	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
13	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
14	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			
15	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15			

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Translation from telugu (Xerox copy) into English:

VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000

Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	Extent			Nature of land	Patta/Inam/Govt.	Land Revenue Amount (Rs.)	Classification of land dry/water irrigation dry/single crop wet/double	Source & own source, well old/new if any	Extent under irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	RIGHTS OF RECORD		
		Total Extent	Land Fit for Cultivation (pot kharab)	Land Useful For Cultivation									Possessor's name	Extent under his possession	His nature of possession
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
184	123/ Eddula peda chelka dry	0-07	-	0-07	Patta	0-38	Metta(dry)	-	-	-	-	Buyya Balraj s/o Lachmaiah Buyya Pochaiiah s/o Balaiiah	M. Durgaiah etc.	0-07	
185	124/Eshwaruni bhavi wet	0-23	0-01	0-22	"	8-92	Single crop Magani(wet)	Bandla kunta	0-22	-	-	Buyya Balraj s/o Lachmaiah Buyya Pochaiiah s/o Balaiiah	M. Durgaiah etc.	0-23	
186	125/Eshwaruni bhavi wet	1-30	0-03	1-27	Patta	31-20	Single crop Magani(wet)	Bandla kunta	1-27	-	-	Buyya Balraj s/o Lachmaiah Buyya Pochaiiah s/o Balaiiah	M. Durgaiah etc.		
187	126/chinnamayya kunta	1-03	-	1-03	"	3-01	Metta(dry)	-	-	-	-	M. Veera Gavhagaiah s/o Nagabhushanam			

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Translation from telugu (Xerox copy) into English:

VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000

Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	SURVEY AND SETTLEMENT BANBDOBUST				FIELD POSSESSION DETAILS								
		Extent		Land Revenue Amount (Rs.)	Classification of land dry/water	Irrigation dry/single crop wet/double	Source & own source, well old/new If any	Extent under Irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	His nature of possession	
		Total Extent	Land not Fit for Cultivation (pot kharab)											Land Useful For Cultivation
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
188	127/bandla kunta venka tari mafi inam	0-02	-	0-02	Mafi inam	0-83	Single crop wet	Bandla kunta	0-02	-	Gandu Balaiiah			
189	128/talari inam tari patta	1-13	0-07	1-06	"	20-05	"	"	1-06	-	Buyya Balraj s/o Lachmaiah Buyya Pochataiah s/o Balataiah Mangali Pentaiah s/o Shirvaiah	M. Durgaaiah etc.		
190	129/-do-	0-13	-	0-13	Mafi inam	5-56	"	"	0-13	-	Buyya Balraj s/o Lachmaiah Buyya Pochataiah s/o Balataiah			
191	130/Bandla kunta tari	0-09	-	0-09	Patta	3-90	"	"	0-09		Buyya Balraj s/o Lachmaiah Buyya Pochataiah s/o Balataiah			

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VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000

FIELD POSSESSION DETAILS													
SURVEY AND SETTLEMENT BANBIDOBUST					RIGHTS OF RECORD								
Sl. No.	Survey & Sub. Dn. No. & field or Chelka name If any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water irrigation dry/single crop wet/double	Source & own source, well old/new if any	Extent under irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation									
1		3	4	5	7	8	9	10	11	12	13	14	15
192	131/jangam kunta venka tari	0-18	0-01	0-17	7-22	Single crop Magani(wet)	Bandla kunta	0-17	-	Shaik Omer Sab " Samad Sab Shaik Abdul Maryam Bi Zainab Bi Amina Bi Yousuf Ahmed Shaik Wahid	Own		
193	132/jangam kunta venka tari	1-15	0-20	0-35	21-16			0-35	-	Shaik Omer Sab " Samad Sab Shaik Abdul Maryam Bi Zainab Bi Amina Bi Yousuf Ahmed Shaik Wahid	Own		

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120

Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.5 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000

FIELD POSSESSION DETAILS													
SURVEY AND SETTLEMENT BANDBUST					RIGHTS OF RECORD								
Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water Irrigation dry/single crop wet/double	Source & well old/new if any	Extent under Irrigation (ayacu)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation									
1	2	3	4	5	7	8	9	10	11	12	13	14	15
194	133/jangam kunta venka tari	1-32	-	1-32	1-89	Metta(dry)				Ghousia Bi Shaik Wahid Omer Sab Sanad Sab Abdullah Mariyam Bi Amina Bi Yousuf Ahmed	Own		
195	134/jangam kunta venka tari	2-35	-	2-35	12-01	"				M. Veera Raghavaiah s/o Nagabhushanam Seetaramrao s/o Subbaiah VGL Prasad s/o Venkat Subbarao Tilak s/o Venkat Subbarao Vijaymohan s/o Venkat Subbarao	Own		

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Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000

FIELD POSSESSION DETAILS

Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water irrigation dry/single crop wet/double source, well old/new if any	Extent under Irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	His nature of possession	
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation									
1	2	3	4	5	7	8	9	10	11	12	13	14	15
196	135/Jangam kunta dry	0-06	-	0-06	0-23	Metta(dry)	-	-	-	M. Durgaiyah s/o Malliah M.Narsimha s/o Malliah M. Sadanandam 2. Raju 3. Ravinder 4. Surender 5. Gopal 6. Malliah 7. Srihari 8. Shanker s/o late Ramulu	Own	-	-
197	135/A Jangam kunta dry	0-06	-	0-06	0-23	"	-	-	-	Srinivas s/o late Mallesh Sampath s/o " M.Raju s/o Rajaram M. Ravi s/o " M.Krishna s/o Pentaiah A. Anil s/o late Ilaiyah Durgaiyah s/o Pentaiah Sandeep s/o " Venkatesh s/o "	Own	-	-

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Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000
 FIELD POSSESSION DETAILS

Sl. No.	Survey & Sub. Dn. No. & field or Chelka name If any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water irrigation dry/single crop wet/don't	Source & well old/new If any	Extent under Irrigation (ayaacut)	Khata No.	Khatadar/pattedar Name	Possessor's name	Extent under his	His nature of possession	
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
198	135/jangan kunta dry	0-07	-	0-07	Patta	0-24	Metta(dry)				Bikshapati s/o late Sandaiah M. Satyanarayana s/o late Sandaiah	Own		
199	136/janga kunta dry	0-26	0-02	0-24	"	10-03	"				M. Durgaiiah s/o Mallaiiah M.Narsimha s/o Mallaiiah Sadanandam, Raju, Ravinder, Surender, Gopal, Mallaiiah, Srihari, Shanker s/o late Ramulu	Own		
200	136/AA Janga kunta dry	0-26	0-02	0-24	"	10-03	"				Srinivas s/o late Mallesh Sampath s/o Mallesh M. Raju s/o late Rajaram M. Ravi s/o " M. Krishna s/o Pentaiah M. Anil s/o late Ilaiah Durgaiiah, Sandeep, Venkatesh s/o Ilaiah	Own		

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Translation from telugu (Xerox copy) into English:
VILLAGE ACCOUNT NO.3 ADANGALPAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000

FIELD POSSESSION DETAILS

Sl. No.	Survey & Sub. Dn. No. & field or Chelka name If any	SURVEY AND SETTLEMENT BAND DOBUST			RIGHTS OF RECORD					His nature of possession				
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation	Nature of land	Land Revenue Amount (Rs.)	Classification of land dry/water irrigation	Source & well	Extent under Irrigation (ayacu)		Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
201	136/AA Jangam kunta dry	0-26	-	0-26	Patta	10-03	Metta(dry)				M. Bikshapathi s/o Sandiah M. Sathyanarayana s/o Sandiah	Own	0-26	Pattedar
202	137/Kanugala vadda tari	1-07	0-02	1-05	"	16-72	"	1-05			Shaik Omer Sab " Samad Sab Shaik Abdulla Maryam Bi Zainab Bi Yousuf Ahmed	Own	1-07	Pattedar
203	138/-do-	2-35	0-21	2-14	"	10-72	"	2-14			Shaik Omer Sab " Samad Sab Shaik Abdulla Maryam Bi Zainab Bi Amina Bi Yousuf Ahmed	Own	2-35	Pattedar

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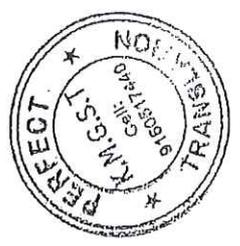
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Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000

SURVEY AND SETTLEMENT BANDEBUST										RIGHTS OF RECORD			FIELD POSSESSION DETAILS	
Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water	Irrigation dry/single crop	Source & well source, well	Extent under irrigation (ayacu)	Khata No.	Khatedar/pattadar Name	Possessor's name	Extent under his	His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
204	139/ Jangam kunta dry	0-06	0-01	0-05	Patta	2-23	Single crop	-	-	-	M. Durgaiiah s/o Mallaiiah M.Narsimha s/o Mallaiiah Sadanandam, Raju, Ravinder, Surender, Gopal, Mallaiiah, Srihari, Shanker s/o late Ramulu	Own	0-06	Pattadar
205	139/A Jangam kunta dry	0-06	0-01	0-05	"	2-23	"	-	-	-	Srinivas s/o late Mallesh Sampath s/o Mallesh M. Raju s/o late Rajaram M. Ravi s/o " M. Krishna s/o Pentaiah M. Anil s/o late Itaiiah Durgaiiah, Sandeep, Venkatesh s/o Itaiiah	Own	0-06	Pattadar
206	139/AA Jangam kunta dry	0-06	-	0-06	"	2-23	"	-	-	-	M. Bikshapathi s/o Sandaiiah M. Sayanarayana s/o Sandaiiah	Own	0-06	Pattadar

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Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000
 FIELD POSSESSION DETAILS

Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water	Irrigation dry/single crop well/double	Source & own source, well old/new if any	Extent under irrigation (ayacut)	Khata No.	Khatedar/pattadar Name	Possessor's name	Extent under his	His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation										
1	207	3	0-32	0-05	0-28	4-00	Metta(dry)			11	M. Durgaiah s/o Mallaiiah M.Narsimha s/o Mallaiiah Sadanandam, Raju, Ravinder, Surender, Gopal, Mallaiiah, Srihari, Shanker s/o late Ramulu	Own	14	15
208	140/A Bhavi venka dry	0-33	0-05	0-28	4-00						Srinivas s/o late Mallesh Sampath s/o Mallesh M. Raju s/o late Rajaram M. Ravi s/o " M. Krishna s/o Pentaiah M. Anil s/o late Ilaiiah Durgaiah, Sandeep, Venkatesh s/o Ilaiiah	Own	0-33	Pattadar

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Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000

SURVEY AND SETTLEMENT BANBADOBUST										RIGHTS OF RECORD					
Sl No.	Survey&Sub.Dn. No.&field or Chelka name If any	Extent			Nature of land	Land Revenue Amount (Rs.)	Classification of land dry/water	Irrigation dry/single crop	Source & own well/double	Extent under irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his	His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
209	140/AA bhavi venka dry	0-33	0-04	0-29	Patta	3-92	Metta(dry)	-	-	-	M. Bikshapathi s/o Sandiah M. Sathyarayana s/o Sandiah	Own	0-33	Pattadars	
210	141/A Bhavi venka dry	0-25	0-01	0-24	"	3-21	"	-	-	-	M. Durgaiiah s/o Mallaiiah M.Nairimha s/o Mallaiiah Sadanandam,Raju,Ravinder, Surender,Gopal,Mallaiiah, Srihari, Shanker s/o late Ramulu	Own	0-25	Pattadars	
211	141/AA Bhavi venka dry	0-24	0-01	0-23	"	3-21	"	-	-	-	Srinivas s/o late Mallesh Sampath s/o Mallesh M. Raju s/o late Rajaram M. Ravi s/o " M> Krishna s/o Pentaiah M.Anil s/o late Ilaiiah Durgaiiah,Sandeep, Venkatesh s/o Ilaiiah	Own	0-24	pattadars	

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Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000

SURVEY AND SETTLEMENT BANDOBUST										RIGHTS OF RECORD			
Sl. No.	Survey & Sub.Dn. No. & field or Chelka name if any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water irrigation dry/single crop wet/double source & well old/new if any	Extent under irrigation (ayacut)	Khata No.	Khatedar/pattadar Name	Possessor's name	Extent under his	His nature of possession	
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation									Patta/inam/Govt.
1	2	3	4	5	7	8	9	10	11	12	13	14	15
212	141/AA Bhavi venka dry	0-24	0-02	0-22	3-20	Metta(dry)	-	-	-	M. Bikshapathi s/o Sandiah M. Satyanarayana s/o Sandaiah	Own	0-24	Pattadars
213	142/ Jangam kunta	1-14	0-02	1-12	7-44	"	-	-	-	Shaik Omer Sab " Samad Sab Shaik Abdulla Maryam Bi Zainab Bi Amina Bi Yousuf Ahmed	Own	1-14	Pattadars
214	143/ Bhavi vadda tari	0-15	-	0-15	7-02	Single crop Magani	-	-	-	Buyya Balraj s/o Achhamma Pochaiah s/o Balaiah	Own	0-15	Pattadars
215	144/ Bhavi vadda tari	0-27	0-08	0-17	8-92	"	-	-	-	M. Balraj s/o Lachmaiah Pingavarapu Leelavati w/o Suresh	Own	0-27	Pattadars

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Translation from telugu (Xerox copy) into English:

VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 1999-2000

Sl. No.	Survey & Sub.Dn. No. & field or Chelka name If any	SURVEY AND SETTLEMENT BANBIDOBUST				RIGHTS OF RECORD								His nature of possession
		Extent		Land Revenue Amount (Rs.)	Classification of land dry/water	Irrigation dry/single crop	Source & well old/new if any	Extent under Irrigation (ayacu)	Khata No.	Khatedar/pattadar Name	Possessor's name	Extent under his		
		Total Extent	Land not Fit for Cultivation (pot Kharab)										Land Useful For Cultivation	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	144/ Contd....										S. Suresh s/o Satyanarayana S. Veeresham s/o Satyanarayana S. Venkataiahshmi d/o Veeresham Pochaiiah s/o Balaiah			
216	145/ Bhavi vadda dry	0-19	-	0-19	Patta	1-49	Metta(dry)	-	-	-	Singavarapu Leelavathi w/o Suresh S. Suresh s/o Satyanarayana S. Veeresham s/o Satyanarayana S. Venkataiahshmi d/o Veeresham Pochaiiah s/o Balaiah	Own	0-19	Pattadars

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 136
 18

1	2	3	4	5	6	7	8	9	10	11	12
ಕ್ರ. ಸಂ. / ಸಂಖ್ಯೆ	ಪ್ರಾ. ಸಂ. / ಸಂಖ್ಯೆ	ಕ್ರ. ಸಂ. / ಸಂಖ್ಯೆ									
157	143 / 143	0215	0202	1=12	ಹಂಪಿ	7=22	1-ಹಂಪಿ ಮುಗುಳಿ	-	-	11	12
158	144 / 144	0217	0208	0219	ಹಂಪಿ	8=42	4	-	-	11	12
159	145 / 145	0207	-	0207	ಹಂಪಿ	0214	4	-	-	11	12
160	146 / 146	0212	-	0212	ಹಂಪಿ	1200	6	-	-	11	12
161	146 / 146	5200	0210	4230	ಹಂಪಿ	6200	6000	-	-	11	12

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 ಅನುಭವವಾರು ಪೆರು / Anubhavavaru Peru
 136

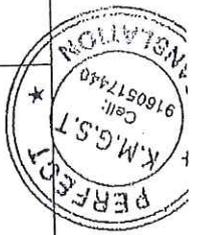
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Translation from telugu (Xerox copy) into English:

VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 2004-05

FIELD POSSESSION DETAILS													
SURVEY AND SETTLEMENT BANBADOBUST					RIGHTS OF RECORD								
Sl. No.	Survey & Sub.Dn. No. & field or Cheeka name If any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water irrigation dry/single crop	Source & well	Extent under irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation									
1	2	3	4	5	7	8	9	10	11	12	13	14	15
221	121/3 Eddula edi padi cheelka dry	0-13	-	0-13	0-27	Metta(dry)	-	-	-	Muvva Ramakrishna s/o Veera Raghavaiah P. Ramadevi w/o Panduranga Vittal			
222	122/1 -do-	0-02	-	0-02	0-15	Metta(dry)	-	-	-	M.V. Seetaram Rao s/o Subbaiah			
223	122/2 -do-	0-33	-	0-33	1-36	"	-	-	-	K. Venkat Subba Rao s/o Veeraiah VGL Prasad s/o Venkat Subbarao Tilak s/o Venkat Subbarao Vijaymohan s/o Venkat Subbarao Veera Raghavaiah s/o Nagabhushanam Seetaram Rao s/o Subbaiah			
224	122/3 -do-	0-33	-	0-33	1-26	"	-	-	-	Muvva Ramakrishna s/o Veera Raghavaiah P. Ramadevi w/o			

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225	123/-do-	0-07	-	0-07	Pattaa	0-38	"	-	-	-	Panduranga Vittal Maraboina Durgaiyah s/o Mallaiyah " Yadaiah s/o Durgaiyah " Krishna s/o Durgaiyah " Raju s/o Durgaiyah
226	124/Eshwaruni bhavi tari	0-23	0-01	0-22	Pattia	8-92	Single crop Magani	Bandu kunta	-	-	Maraboina Durgaiyah s/o Mallaiyah " Yadaiah s/o Durgaiyah " Krishna s/o Durgaiyah " Raju s/o Durgaiyah
227	125/-do-	0-20	-	0-20	Pattia	6-20	"	"	-	-	Buyya Balraj s/o Lachmaiah Pochaiyah s/o Balaiyah
228	125/A -do-	1-10	0-03	1-07	Pattia	25-00	"	"	-	-	Maraboina Durgaiyah s/o Mallaiyah " Yadaiah s/o Durgaiyah " Krishna s/o Durgaiyah " Raju s/o Durgaiyah -
229	126/-do-	1-03	-	1-03	Pattia	3-01	"	"	-	-	Muvva Ramakrishna s/o Veera Raghavaiah P. Ramadevi w/o Panduranga Vittal

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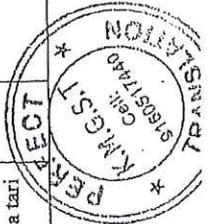
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Translation from telugu (Xerox copy) into English:
 VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 2004-05

Sl. No.	Survey&Sub.Dn. No.&field or Chelka name If any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water irrigation dry/single crop wet/double	Source & own source, well old/new if any	Extent under irrigation(ayacu)	Khata No.	Khatadar/pattadar Name	RIGHTS OF RECORD		
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation							Nature of land	Patna/inam/Govt	Possessor's name
1	2	3	4	5	7	8	9	10	11	12	13	14	15
230	127/bandla kunta venka tari -mafi inam	0-02	-	0-02	0-83	Single crop wet	Bandla kunta	0-02	-	Gandu Balaiah			
231	128/talari inam tari patta	1-13	0-07	1-06	20-05	"	"	1-06	-	Maraboina Durgaiyah s/o Mallaiyah " Yadaiah s/o Durgaiyah " Krishna s/o Durgaiyah " Raju s/o Durgaiyah			
232	129/ Bandlakunta tari	0-13	-	0-13	5-56	"	"	0-13	-	Mangali Pentaiah s/o Shivaiah			
233	130/ -do-	0-09	-	0-09	3-90	"	"	0-09	-	Buyya Balraj s/o Lachunaiyah Buyya Pochaiyah s/o Balaiah			
234	131/jangam kunta venka tari	0-18	0-01	0-17	7-22	Single crop Magaui(wet)			-	Shaik Omer Sab " Samad Sab Shaik Abdulla			

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 kmghouse@yahoo.com



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235	132/ -do-	1-15	0-20	0-35	"	21-16	-	0-35	Own	Mariyam Bi Ghousia Bi Zainab Bi Amina Bi Shaik Yousuf Shaik Ahmed Shaik Wahid Shaik Omer Sab " Samad Sab Shaik Abdulla Mariyam Bi Ghousia Bi Zainab Bi Amina Bi Shaik Yousuf Shaik Ahmed Shaik Wahid

// True copy //

Sd/-
Deputy Tahsildar,
Serilingampally (M)
Rangareddy Dist.



K.M.G.
K.M.G. Ghouse, B.Com (LL.B.)
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 kmghouse@yahoo.com

141

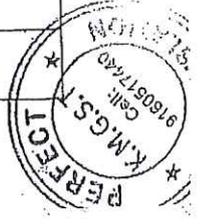
Translation from telugu (Xerox copy) into English:

VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 2004-05

FIELD POSSESSION DETAILS

Sl. No.	Survey & Sub. Dn. No. & field or Chelka name If any	Extent			Nature of land Patta/Inam/Govt.	Land Revenue Amount (Rs.)	Classification of land dry/water irrigation crop dry/single wet/double	Source & own source, well old/new if any	Extent under irrigation (ayacu)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	His nature of possession
		Total Extent	Land Fit for Cultivation (pot kharab)	Land Useful For Cultivation										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
236	133/jangam kunta venka tari	1-32	-	1-32	Patta	1-89	Metta(dry)				Ghousia Bi Shaik Wahid Shaik Omer Sab Shaik Saamad Sab Shaik Abdullath Mariyam Bi Amina Bi Shaik Yousuf Shaik Ahmed			
237	134/ -do-	1-37	-	1-37	Patta	9-00	"				Seelaram Rao s/o Subbaiah VGL Prasad s/o Venkata Subba Rao Anil s/o Venkata Subba Rao Vijaymohan s/o Venkata Subbarao			
238	134/A -do-	0-38	-	0-38	Patta	3-00	"				Muvva Ramakrishna s/o Veera Raghavaiah P. Ramadevi w/o Panduranga Vittal	K. M. CHOUSE, B.Com (U.B.) Senior Translator, Urdu, Telugu to English		

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All Pahanies, Chain Writing (Gokus Rata)
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kinghouse@yahoo.com



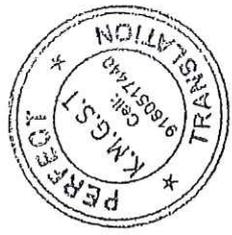
142

239	135/jangam kunta dry	0-06	-	0-06	Patta	0-23	Metta(dry)	-	-	-	M. Durgaiiah s/o Malliah M. Vijaykumar s/o Malliah M.Narsimha s/o Malliah M. Sadanandam s/o Ramulu M. Raju s/o Ramulu M.Ravinder s/o Ramulu M.Surender s/o Ramulu M.Gopal s/o Ramulu M. Malliah s/o Ramulu M. Srihari s/o Ramulu M.Shanker s/o Ramulu		
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Deputy Tahsildar,
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K.M. Ghose, B.Com (L.B.)

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173

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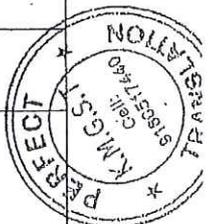
Translation from telugu (Xerox copy) into English:

VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 2004-05

FIELD POSSESSION DETAILS

Sl. No.	Survey&Sub.Du. No.&field or Chelka name If any	SURVEY AND SETTLEMENT BANEDOBUST			RIGHTS OF RECORD										
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation	Nature of land	Patna/Inam/Govt.	Land Revenue Amount (Rs.)	Classification of land dry/water	irrigation dry/single crop	Source & own source, well old/new if any	Extent under irrigation(ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
240	135/A Jangan kunta dry	0-06	-	0-06	"	0-24	"	-	-	-	Srinivas s/o late Mallesh Sampath s/o " M.Raju s/o Rajaram M. Ravi s/o " MKrishna s/o Pentaiah A.Anil s/o late Ilaiah Durgaiiah s/o Pentaiah Sandeep s/o " Venkatesh s/o "				
241	135/jangan kunta dry	0-07	-	0-07	Patna	0-24	Metta(dry)	-	-	-	Bikshapati s/o Sandaiah M. Sathanarayana s/o Sandaiah				
242	136/ -do-	0-26	0-02	0-24	"	10-03	"	-	-	-	M. Vijaykumar s/o Malliah M. Durgaiiah s/o Malliah M.Narsimha s/o Malliah Sadanandam s/o Ramulu ,Raju s/o Ramulu ,Ravinder s/o Ramulu				

[Handwritten Signature]
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Senior Translator,
Lirali, Telugu to English



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145

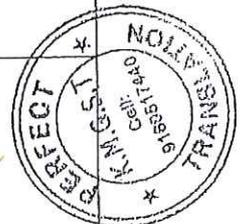
Translation from telugu (Xerox copy) into English:

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FIELD POSSESSION DETAILS

Sl. No.	Survey & Sub. Dn. No. & field or Chelka name If any	SURVEY AND SETTLEMENT BANDDOBUST			RIGHTS OF RECORD					His nature of possession				
		Total Extent	Extent Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation	Nature of land	Land Revenue Amount (Rs.)	Classification of land dry/water Irrigation dry/single crop	Source & well old/new If any	Extent under Irrigation (ayacu)		Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
244	136/AA jangam kunta dry	0-26	-	0-26	Patta	10-03	Metta (dry)				Bikshapati s/o Sandaiah M. Satyanarayana s/o Sandaiah			
245	137/Kanugala vadda tari	1-07	0-02	1-05	"	16-72	"	1-05			Shaik Omer Sab " Samad Sab " Wahid s/o Osman Shaik Abdulla Maryam Bi Ghousia Bi Zainab Bi Amina Bi Shaik Yousuf Ahmed			
246	138/-do-	2-35	0-21	2-14	"	10-03	Single crop Magani	2-14			Shaik Omer Sab " Samad Sab " Wahid s/o Osman Shaik Abdulla Maryam Bi Ghousia Bi Zainab Bi Amina Bi Shaik Yousuf Ahmed			

[Signature]
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 k.m.chouse@vsnl.com



146

247	139/ jaugam kunta diri	0-06	0-01	0-05	Patia	2-23	Metta(dry)	-	-	-	M. Durgaiah s/o Mallaiiah M. Vijaykumar s/o Malliah M.Narsimha s/o Mallaiiah Sadanandam s/o Ramulu Reju s/o Ramulu Ravinder s/o Ramulu Surender s/o Ramulu Gopal s/o Ramulu Mallaiiah s/o Ramulu Srihari s/o Ramulu Shanker s/o Ramulu		
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Deputy Tahsildar,
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Rangareddy Dist.



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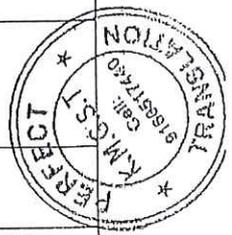
Translation from telugu (Xerox copy) into English:

VILLAGE ACCOUNT NO.3 ADANGAI/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 2004-05

FIELD POSSESSION DETAILS

Sl. No.	Survey & Sub.Dn. No. & field or Chelka name if any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water	Irrigation dry/single crop wet/double	Source & well	Extent under Irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his	His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Culti-Vation										
1	2	3	4	5	7	8	9	10	11	12	13	14	15	
248	139/A Jagan kunta dry	0-06	0-01	0-05	2-23	Metta(crop)	-	-	-	-	Srinivas s/o Mallesh Sampath s/o Mallesh M. Raju s/o Rajaram M. Ravi s/o " M. Krishna s/o Pentaiah Anil s/o Ilaiah Durgaiah s/o Pentaiah Sandeep s/o Pentaiah Venkatesh s/o Pentaiah			
249	139/AA -do-	0-06	-	0-06	2-22	"	-	-	-	-	M. Bikshapathi s/o Sandiah M. Satyanarayana s/o Sandaiah			
250	140/bhavi venka dry	0-33	0-05	0-28	4-00	Metta(dry)	-	-	-	-	M. Durgaiah s/o Malliah M. Vijaykumar s/o Malliah M.Narsinha s/o Malliah Sadanandam s/o Ramulu Raju s/o Ramulu Ravinder s/o Ramulu Surender s/o Ramulu Gopal s/o Ramulu			

K.M.G.S.T. Registrar



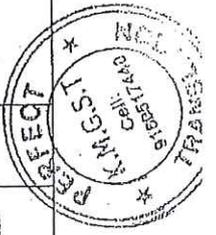
K.M. Ghose, B.Com (LL.B.)
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krmghouse@yahoo.com

149

Translation from telugu (Xerox copy) into English:

VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 2004-05.

FIELD POSSESSION DETAILS													
SURVEY AND SETTLEMENT BANDBOUST					RIGHTS OF RECORD								
Sl. No.	Survey & Sub. Dn. No. & field or Chelka name If any	Extent			Land Revenue Amount (Rs.)	Classification of land dry/water irrigation dry/single crop wet/double	Source & known source, well old/new if any	Extent under irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his possession	
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation									
1	2	3	4	5	7	8	9	10	11	12	13	14	15
252	140/AA bhavi venka dry	0-33	0-04	0-29	3-92	Metta(dry)	-	-	-	M. Bikshapathi s/o Sandiah M. Satyanarayana s/o Sandiah			
253	141/A Bhavi venka dry	0-25	0-01	0-24	3-21	"	-	-	-	M. Vjjaykumar s/o Malliah M. Durgaiah s/o Malliah M.Narsimha s/o Malliah Sadanandam s/o Ramulu Raju s/o Ramulu Ravinder s/o Ramulu Surender s/o Ramulu Gopal s/o Ramulu Malliah s/o Ramulu Srihari s/o Ramulu Shanker s/o Ramulu			
254	141/AA Bhavi venka dry	0-24	0-01	0-23	3-21	"	-	-	-	Srinivas s/o late Mallesh Sampath s/o Mallesh M. Raju s/o late Rajeganni M. Ravi s/o " "	M. GHOUSE, B.Com (L.B.) SETTLER Translator, Urusu, Tetegu to English		



All old (Fasli) & New Documents,
At Paharies, Chain Writing (Gotsu Rata)
Tolichowki, Hyderabad-500 008. T.S.
Cell: 916517440,
krghouse@yahoo.com

255	141/E -do-	0-24	0-02	0-22	Patta	3-20	"	-	-	-	M> Krishna s/o Perataiah M. Anil s/o late Ilaiah Durgaiiah, Sandeep, Venkatesh s/o Ilaiah		
											M. Bikshapati s/o Sandaiah -M. Satyanarayana s/o Sandaiah.		

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Sd/-

Deputy Tahsildar,
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Rangareddy Dist.

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15

Translation from telugu (Xerox copy) into English:

VILLAGE ACCOUNT NO.3 ADANGAL/PAHANI OF KONDAPUR VILLAGE FOR THE YEAR 2004-05

FIELD POSSESSION DETAILS

Sl. No.	Survey & Sub.Dn. No. & field or Cheika name If any	Extent			Land Revenue Amount (Rs.)	Nature of land Patta/Inam/Govt.	Classification of land dry/water Irrigation dry/single crop wet/double	Source & own source, well old/new if any	Extent under Irrigation (ayacut)	Khata No.	Khatedar/pattedar Name	Possessor's name	Extent under his	His nature of possession
		Total Extent	Land not Fit for Cultivation (pot kharab)	Land Useful For Cultivation										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
256	142/ Jangam kunta	1-14	0-02	1-12	Patta	7-44	Metta(dry)	-	-	-	Shaik Omer Sab " Samad Sab Shaik Abdulla Mariyam Bi Zainab Bi Ghousia Bi Amina Bi Yousuf Ahmed			
257	143/ Bhavi vadda tari	0-15	-	0-15	"	7-02	Single crop Magani	-	-	-	Maroboina Durgaiyah s/o Mallaiyah " Yadaiah s/o Durgaiyah " Krishna s/o Durgaiyah " Raju s/o Durgaiyah			
258	144/ Bhavi vadda tari	0-27	0-08	0-17	"	8-92	"	-	-	-	M. Bairaj s/o Lachmariah Singavarapu Leelavati w/o Suresh Suresh s/o Satyanarayana S. Veeresham s/o " Pochaiyah s/o Baaiyah Venkatalaxmi w/o Veeresham	K.M. CHOUSE, B.Com (L.B.) Senior Translator		

REPECT
* K.M.G.S. *
Cell: 9160517440
9160517440
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152

259	145/ Bhavi vadda tari	0-07	-	0-07	Patta	0-49	"	"	"	Singavarapu Leelavati w/o Suresh Suresh s/o Satyanarayana S. Veeresham s/o " S. Venkatalaxmi w/o Veeresham		
260	145/A Bhavi vadda dry	0-12	-	0-12	Patta	1-00	"	"	"	Maroboina Durgaiiah s/o Mallaiiah " Yadaiah s/o Durgaiiah " Krishna s/o Durgaiiah " Raju s/o Durgaiiah		
261	146/ Bhavi vadda chelka dry	5-00	0-10	4-30	Patta	6-00	"	"	"	M. Vijaykumar s/o Mallaiiah M. Durgaiiah s/o Mallaiiah M.Narsimha s/o Mallaiiah Ramulu s/o Mallaiiah Pentaiiah s/o Mallaiiah Bikshapati s/o Sandaiiah		

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Rangareddy Dist.



[Signature]
K. RA. GHOSH, B.Com (LL.B.)
Senior Translator,
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All Pahaniyas, Chain Writing (Golusu Rata)
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kraghhouse@yahoo.com

153

Subject Land
in a/n 100-3/202-1
N&T South Zone Book.



No. E44M7
Scale 1:50,000

E44M2	E44M6	E44M10
E44M3	E44M7	E44M11
E44M4	E44M8	E44M12

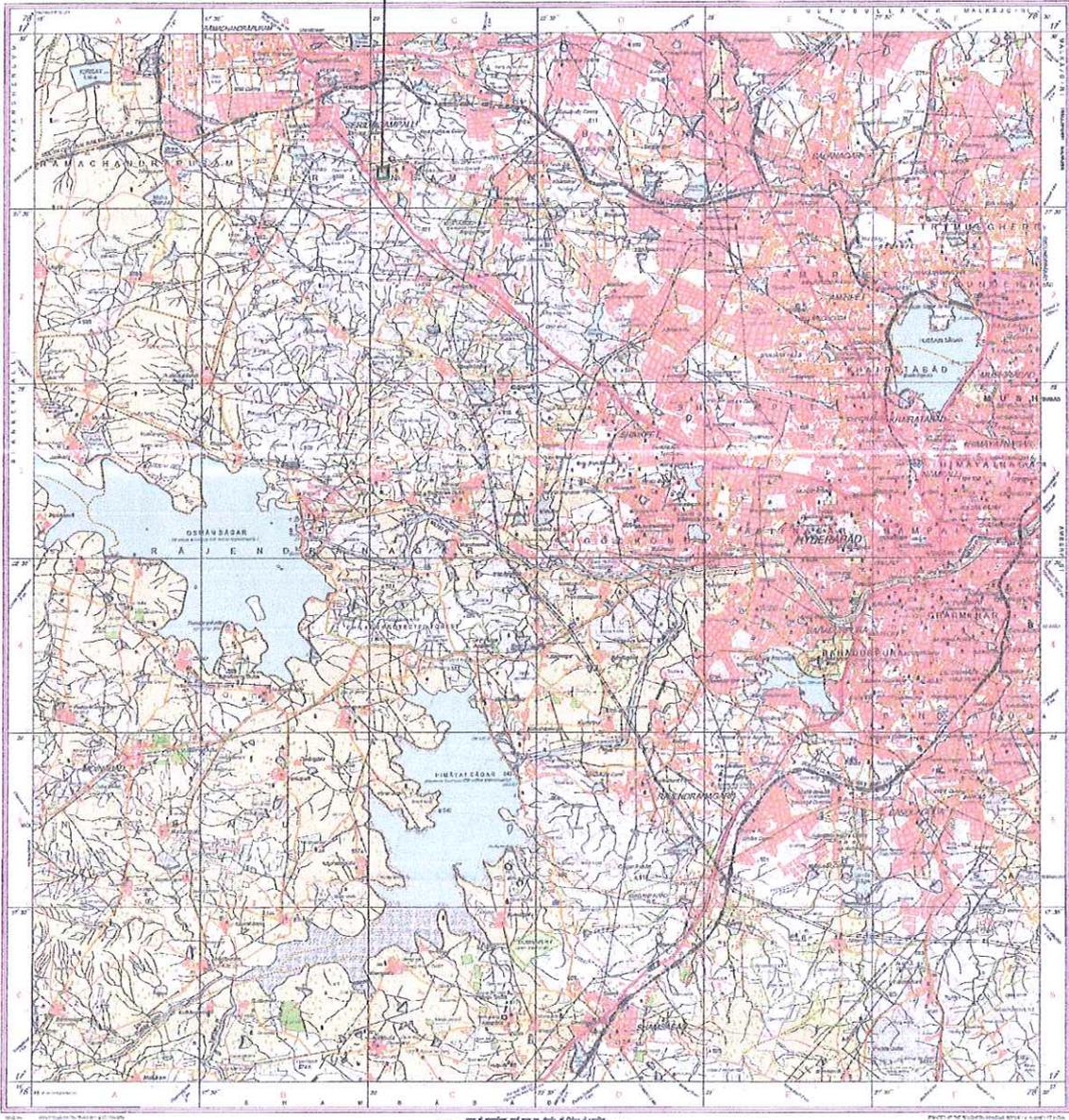
CONVENTIONAL SYMBOLS

Water	Blue
Canals	Blue lines
Roads	Black lines
Railways	Black lines with cross-ticks
Boundaries	Red lines
Buildings	Black outlines
Vegetation	Green
Relief	Brown contour lines

REFERENCE

Notes:
1. This map is based on the Survey of India maps of the area.
2. The boundaries shown on this map are for general reference only.
3. The names of the villages and towns are given in Telugu and English.
4. The names of the rivers and streams are given in Telugu and English.
5. The names of the roads and railways are given in Telugu and English.
6. The names of the canals are given in Telugu and English.
7. The names of the boundaries are given in Telugu and English.
8. The names of the buildings are given in Telugu and English.
9. The names of the vegetation are given in Telugu and English.
10. The names of the relief are given in Telugu and English.

Projection: UTM Datum: 1972 BM
Map Scale: 1:50,000
Scale bar: 1:50,000



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Department of Surveying & Mapping, Government of India.

151



ಕ್ರ. ಸಂ.	ವಿವರ	ಮಾಪ	ಮಾಪ
1	ಮಾನ್ಯ ಸರ್ಕಾರಿ ಭವನ	100	100
2	ಮಾನ್ಯ ಸರ್ಕಾರಿ ಕಚೇರಿ	200	200
3	ಮಾನ್ಯ ಸರ್ಕಾರಿ ಶಾಲೆ	300	300
4	ಮಾನ್ಯ ಸರ್ಕಾರಿ ಕಚೇರಿ	400	400
5	ಮಾನ್ಯ ಸರ್ಕಾರಿ ಭವನ	500	500
6	ಮಾನ್ಯ ಸರ್ಕಾರಿ ಕಚೇರಿ	600	600
7	ಮಾನ್ಯ ಸರ್ಕಾರಿ ಭವನ	700	700
8	ಮಾನ್ಯ ಸರ್ಕಾರಿ ಕಚೇರಿ	800	800
9	ಮಾನ್ಯ ಸರ್ಕಾರಿ ಭವನ	900	900
10	ಮಾನ್ಯ ಸರ್ಕಾರಿ ಕಚೇರಿ	1000	1000

- ಮಾನ್ಯ ಸರ್ಕಾರಿ ಭವನ
- 1-1
 - 2-2
 - 3-3
 - 4-4
 - 5-5
 - 6-6
 - 7-7
 - 8-8
 - 9-9
 - 10-10

ಮಾನ್ಯ ಸರ್ಕಾರಿ ಭವನ

ಮಾನ್ಯ ಸರ್ಕಾರಿ ಕಚೇರಿ

ಮಾನ್ಯ ಸರ್ಕಾರಿ ಶಾಲೆ

ಮಾನ್ಯ ಸರ್ಕಾರಿ ಭವನ

ಮಾನ್ಯ ಸರ್ಕಾರಿ ಕಚೇರಿ

ಮಾನ್ಯ ಸರ್ಕಾರಿ ಶಾಲೆ

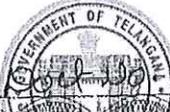
ಮಾನ್ಯ ಸರ್ಕಾರಿ ಭವನ

ಮಾನ್ಯ ಸರ್ಕಾರಿ ಕಚೇರಿ

ಮಾನ್ಯ ಸರ್ಕಾರಿ ಶಾಲೆ

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भारतीय सर न्यायिक

एक सौ रुपये

रु. 100



सत्यमेव जयते

TSGGDE 948 0760
Rs. 100
ONE
HUNDRED RUPEES

भारत INDIA
INDIA NON JUDICIAL

తెలంగాణ తెలంగాణ TELANGANA

S.No. 14033 Date: 10/08/2022

Sold to : Mahidhar Reddy

S/o : Srihari Reddy R/o Hyd.

For Whom : M/s. Creative Constructions, Hyd.

[Signature]

AM 172413

V. SRIKANTH

LICENCED STAMP VENDOR

LIC No. 15-10-018/2000, REN No. 19-10-018/2021

P.No. 49, Sy. No. 10, Beside Sankhi School,

Maddur, Serilingampally (R), R.R. Dist.

Phone: 9493014949

SALE DEED

This deed of Sale is made and executed on this the 10th day of August 2022 by and between:-

1) SMT. SWAPNA R MEHTA W/O. SRI MR. RAMESH MEHTA, Age about 60 years, Occupation: Business, R/O Plot No 67, HNo: 10-2-117, Road No: 2, West Marredpally, Secunderabad-500026.

Represented by her DAGPA holder M/S Creative constructions, Vide Registered Development Agreement cum General Power of Attorney (Dev. AGPA) Document No 21067/2006 and Supplemental development agreement-cum-General power of attorney Document No 1685/2008, Respectively Registered at Dist. Registrar Office, Ranga Reddy.

2) M/s Creative Constructions a partnership Firm represented by its Managing Partner Sri K.Premchander Reddy S/o Late K. Gopal reddy, Age 58 Years, Occupation Business, R/o 12-13-64B/G3, Creative Manner, Tarnaka, Secunderabad-500017.

(Herein after called the Land owners/first part which expression shall unless repugnant or inconsistent mean and include all their heirs, executors, administrators and assignees etc).

For CREATIVE CONSTRUCTIONS

[Signature]

N. Anusha

M.S. Premchand.

MANAGING PARTNER

158

ఎలక్ట్రానిక్ సేవలను అందించుటకు అధీకృత ప్రతినిధి ఇచ్చు ధృవీకరణ పత్రము
Declaration by the Authorized Agent for Delivering the Electronic Services

(i) ఈ కంప్యూటర్ ముద్రణా ప్రతిలోని సమాచారము అధీకృతమైన కంప్యూటర్ సిస్టమ్స్ నుండి నేను పొందిన అసలైన సమాచారానికి సరియైన నకలు అయి వున్నది.

The computer output in the form of computer printouts attached herewith is the correct representation of its original as contained in the computer systems accessed by me for providing the service.

(ii) ఈ కంప్యూటర్ ముద్రణా ప్రతిలోని సమాచారము నియోగింపబడిన అధీకృతమైన కంప్యూటర్ సిస్టమ్స్ నుండి క్రమబద్ధమైన పద్ధతిలో సేకరింపబడినది.

The information contained in the computer printouts has been produced from the aforesaid computer systems during the period over which the computer was used regularly.

(iii) ఈ కంప్యూటర్ ముద్రణా ప్రతిలోని సమాచారము కంప్యూటర్ సిస్టమ్స్ లో క్రమమైన పద్ధతిలో నమోదు చేయబడినది.

During the said period, information of the kind contained in the computer printout was regularly recorded by the aforesaid computer systems in the ordinary course of the activities.

(iv) ఈ కంప్యూటర్ ముద్రణా ప్రతిలోని సమాచార సేకరణ సమయంలో కంప్యూటర్ సిస్టమ్స్ సరిగ్గా పనిచేయుచున్నవి మరియు సదరు కంప్యూటర్ సిస్టమ్స్ లో ఉన్న ఎలక్ట్రానిక్ రికార్డుల యధార్థతను ప్రభావితం చేసే ఏవిధమైన నిర్వహణ సమస్యలు లేవు.

Throughout the material part of the said period, the computer was operating properly, and there have been no such operational problems that affect the accuracy of the electronic record contained in the aforesaid computer systems.

పైన పేర్కొన్న విషయాలు నాకు తెలిసినంత వరకు మరియు నా విశ్వాసం మేరకు సరియైనవి.

The matter stated above is correct to the best of my knowledge and belief.


సంతకము
Signature

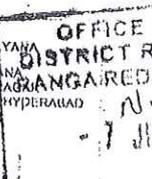
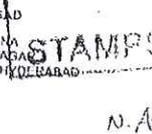
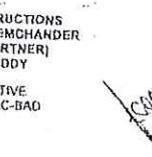
SDP-SREJ
SRI BALAJI INTERNET
AREA: PUNJAGUTTA
MANDAL: KHAIRATHABAD
Seal

GOVERNMENT OF TELANGANA GOVERNMENT OF TELANGANA
GOVERNMENT OF TELANGANA GOVERNMENT OF TELANGANA

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Presentation Endorsement:

Presented in the Office of the Joint SubRegistrar, Ranga Reddy (R.O) along with the Photographs & Thumb Impressions as required Under Section 32A of Registration Act, 1908 and fee of Rs. 46600/- paid between the hours of 3 and 4 on the 10th day of AUG 2022 by Sri K.Premchander Reddy Execution admitted by (Details of all Exponents/Claimants under Sec 32A):

Sl No	Code	Thumb Impression	Photo	Name & Address	Signature/Impression
1	CL			SIVARAM PRASAD S/O LATE N.ADINAH YANA RESIDENCY, SHIRAM NAGAR COLONY, KONDAPUR, HYDERABAD	
2	CL			N.ANUSHA S/O N SIVARAM PRASAD R/O.H AT NO.401 ANJANA RESIDENCY, SHIRAM NAGAR COLONY, KONDAPUR, HYDERABAD	
3	EX			MIS.CREATIVE CONSTRUCTIONS (DAGPA) REP BY K.PREMCHANDER REDDY (MANAGING PARTNER) S/O. LATE K.GOPAL REDDY H/O. 12-13-645/G3, CREATIVE MANNER, TARNAKA, SEC-BAD	



OFFICE OF THE
DISTRICT REGISTRAR
RANGA REDDY DISTRICT
HYDERABAD
7 JUL 2022
STAMPS DEPT

Bk - 1, CS No 13765/2022 & Doct No 13765/2022
Joint SubRegistrar
Ranga Reddy (R.O)
Page 1 of 8

Identified by Witness:

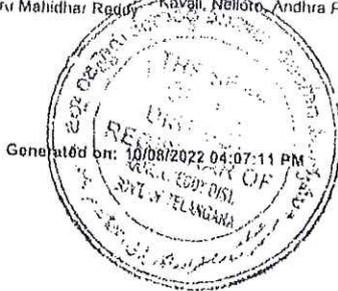
Sl No	Thumb Impression	Photo	Name & Address	Signature
1			B PURNAPRAKASH REDDY HYD	
2			K MAHIDHAR REDDY HYD	

10th day of August, 2022

Signature of Joint SubRegistrar
Ranga Reddy (R.O)

E-KYC Details as received from UIDAI:

Sl No	Aadhaar Details	Address:	Photo
1	Aadhaar No: XXXXXXXX9428 Name: Bodireddy Purnaprakash Reddy	S/O Chinnaswamy Reddy, Sirangerajapuram, Chittoor, Andhra Pradesh, 517167	
2	Aadhaar No: XXXXXXXX9183 Name: Kanumuru Mahidhar Reddy	C/O Sithari Reddy, Kavali, Nellore, Andhra Pradesh, 524201	



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3.M/s Creative Constructions a partnership Firm represented by its Managing Partner Sri K.Premchander Reddy S/o Late K. Gopal reddy, Age 58 Years, Occupation Business, R/o 12-13-645/G3, Creative Manner, Tarnaka, Secunderabad-500017,Aadhaar No:6899-6594-5600, Pan No:AAAF6078N.Contact:9848022963.

(Here in after referred to as the Developer/Builder which expression shall unless repugnant to the context or meaning include the heirs, executors, and administrators of the above said Partnership Firm).

(Land Owners and Developer/Builder herein after called and referred to as "VENDORS" which expression shall mean and include all their respective heirs, executors, administrators, legal representatives, successors-in interest and assignees etc of the first part).

In Favor Of

1)N. ANUSHA W/o N Sivaram Prasad, aged about 37 years, Occ: Pvt service, Aadhaar NO:9185-8342-6723, Pan No:AXTPN8396C.

2)N.SIVARAM PRASAD S/o late N. Adinarayana, aged about 45 Years, Occ: Pvt service,Aadhaar No:5936-6509-8243, Pan No:AEKPN9571P,both are residents of Flat no- 401, Anjana residency, Sriram nagar Colony, Kondapur, Serilingam pally Mandal, R.R.Dist.

(Hereinafter called as the VENDEE/VENDEES)

(The terms VENDOR/VENDORS & VENDEE/VENDEES wherever they occur hereunder shall mean and include their respective heirs, representatives, successors, executor's administrators and assigns etc).

Whereas the Vendor / Land Owner No 1 of the first party here in is the sole and absolute owner and possessor of the property bearing survey no 125 admeasuring 3630 sq yds, situated at Kondapur Village, Serilingampally Mandal, R.R. dist having purchased the same under a registered sale deed doct no's 3171/1995 dt 10-03-1995, and 19263/2006 Dt 23-09-2006 both are registered at R.O.Rangareddy.

Whereas the Vendor / Land Owner No 2 of the first party here in is the builder and also sole and absolute owner and possessor of the property bearing survey no's 125 &144 admeasuring 700 sq yds, situated at Kondapur Village, Serilingampally Mandal, R.R. dist having purchased the same under a registered sale deed doct no's 17510/2006 dt 28-08-2006 and release doct No 21061/2006 Dt 20-10-2006 both are registered at R.O.Rangareddy.

For CREATIVE CONSTRUCTIONS


MANAGING PARTNER

N. Anusha

N.S. Prasad.

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E-KYC Details as received from UIDAI:

Sl No	Aadhaar Details	Address:	Photo
3	Aadhaar No: XXXXXXXX5600 Name: Komalla Premchander Reddy	S/O Late Komalla Gopal Reddy, Secunderabad, Hyderabad, Andhra Pradesh, 500017	
4	Aadhaar No: XXXXXXXX6723 Name: Nallamothu Anusha	W/O Siva Ram Prasad, Nadendla, Guntur, Andhra Pradesh, 522234	
5	Aadhaar No: XXXXXXXX6243 Name: Nallamothu Siva Ram Prasad	S/O Adinarayana, Nadendla, Guntur, Andhra Pradesh, 522234	

Endorsement: Stamp Duty, Transfer Duty, Registration Fee and User Charges are collected as below in respect of this instrument.

Description of Fee/Duty	Stamp Papers	Challan u/S 41 of IS Act	In the Form of			Stamp Duty u/S 16 of IS act	DD/DC/ Pay Order	Total
			E-Challan	Cash				
Stamp Duty	100	0	512250	0	0	0	512250	
Transfer Duty	NA	0	139750	0	0	0	139750	
Reg. Fee	NA	0	46600	0	0	0	46600	
User Charges	NA	0	500	0	0	0	500	
Mutation Fee	NA	0	9350	0	0	0	9350	
Total	100	0	708450	0	0	0	708550	

Rs. 652800/- towards Stamp Duty including T.D under Section 41 of I.S. Act. 1899 and Rs. 46600/- towards Registration Fees on the chargeable value of Rs. 8315000/- was paid by the party through E-Challan/BC/Pay Order No. 850BF5090822 dated 09-AUG-22 at SBIN.

Online Payment Details Received from SBI e-P

(*) AMOUNT PAID: Rs. 708500/- DATE: 09-AUG-22, BANK NAME: SBIN, BRANCH NAME: BANK REFERENCE NO: 1677862566025 PAYMENT MODE: CASH-1001138, ATRN: 1677862556025, REMIT TER NAME: N SIVARAM PRASAD EXECUTANT NAME: CREATIVE CONSTRUCTIONS, CLAIMANT NAME: N ANUSHA AND N SIVARAM PRASAD

Date:

10th day of August, 2022 / 10/08/2022 SE Shivan 19/8

Signature of Registering Officer
Ranga Reddy (R.O)

Certificate of Registration

Registered as document no. 13765 of 2022 of Book-1 and assigned the identification number 1 - 1510 - 13765 - 2022 for Scanning on 10-AUG-22

Registering Officer
Ranga Reddy (R.O)
(G Sandhya Rani)



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Whereas the vendor/land Owner no 2 being the Builder, wanted to develop their property admeasuring 700 Sq yds along with the properties of the Vendor No 1/ Land Owner admeasuring 3630 sq yds, totally 4330 sq yds to construct a multi storied Residencila Complex.as such the Vendor no 2/Land Owner entered into development Agreement Cum GPA with the Vendor no 1/land Owner Vide doct No 21067/2006 Dt 20-10-2006 registered at R.O Ranga Reddy.

Whereas the Vendor no 2 has obtained Building permission for construction of Multistoried Building From HUDA vide permit no 2696/P4/PLG/HUDA/2007 dt 24-11-2007 and Zonal Commissioner west Zone vide proceeding no G/153/BP/WZ/191/2007 Dt 03-12-2007 for construction of Cellar + stilt for parking +12 upper floors.The Vendor no2/ Land Owner after fulfilling the requirements of the DAGPA has executed a supplemental agreement for for allocation of Flats vide doct no 1685/2008 registered at R.O Ranga Reddy.

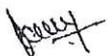
Whereas, the Developer have been allotted the Flat bearing No 1202 in 12th Floor along with undivided share of land admeasuring 80 Sq Yds with Built up Area of 2214 Sft (which includes common area).and car parking No 1202 In Cellar Floor in the Building complex Tathaji's Creative Heights, Situated at Kondapur Village, Serilingampally Mandal, R.R.Dist as per the registered supplementary Agreement Cum GPA doct no 1685/2008 Dt 10-03-2008 At R.O.Rangareddy.

Whereas, the Vendor No 1/ Land owner have been allotted the Flat bearing No 104 in 1st Floor along with undivided share of land admeasuring 75 Sq Yds with Built up Area of 2070 Sft(which includes common area) and car parking No 104 In Cellar Floor in the Building complex Known as Tathaji's Creative Heights, Situated at Kondapur Village, Serilingampally Mandal, R.R.Dist as per the registered supplementary Agreement Cum GPA doct no 1685/2008 Dt 10-03-2008 At R.O.Rangareddy.

Whereas the Vendor no 2/ Developer and the Vendor no1/ Land Owner No 1 Mutually agreed to exchange their respective Flats to each other and executed an Exchange Deed vide Doct No 7831/2022 registered at R.O. Ranga Reddy, as per the above exchange deed the Flat No 104 in 1st Floor has been allocated to the Developer and the Flat bearing No 1202 in 12th Floor has been allocated to the Land Owner No1.

Whereas the vendor no 2/ Developer' agreed to sell their share of Flat bearing no 104 in 1st Floor admeasuring 2070 Sft including common areas and Two Car Parking's no 104 in Cellar floor along with undivided share of Land 75 Sq yds in the building Complex Known as Tataji's Creative Heights situated in Sy no 125 &144, Kondapur Village, Serilingampally Mandal,R.R.Dist.

For CREATIVE CONSTRUCTIONS


MANAGING PARTNER

N. Anusha

N.S. Pongal. cad.

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Joint SubRegistrar
Ranga Reddy (R.O)



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WHEREAS pursuant to the above scheme, the Purchaser(s) being interested in acquiring a residential apartment has gone through (1) the title deeds of the Vendor in respect of the Schedule Property, (2) the plan sanctioned by the GHMC and other details and after having been fully satisfied with the title of the Vendor and all the necessary consents, clearances, sanctions, permissions and all the relevant documents connected therewith and has agreed to purchase from the Vendor Flat bearing no 104 in 1st Floor admeasuring 2070 Sft including common areas and Two Car Parking's (slot no 104) in Cellar floor along with undivided share of Land 75 Sq yds with a right, title and interest in Schedule Property which is more fully described in the Schedule and hereinafter referred to as the Schedule Property.

WHEREAS the Vendor have represented that they have a clear and marketable title to the Schedule Property and that they can vest clear and marketable title to the Schedule Property in the Purchaser/s and that there is no impediment in them selling, transferring and vesting title to the Schedule Property which is free from all encumbrances, mortgages, lien, claims including minor claims, attachments, acquisitions etc..

WHEREAS in pursuance of the above, the Vendor have agreed to sell and the Purchaser/s herein has agreed to purchase the Schedule Property for a sale consideration Rs 93,15,000/- (Rs Ninty three lakhs fifteen thousand only).

That the parties herein deem it necessary to reduce to writing mutually agreed terms and conditions for sale of the Schedule Property as set forth hereunder.

NOW THIS DEED OF SALE WITNESSETH AS FOLLOWS:

1. That in pursuance of the said offer and acceptance the purchasers paid the entire sale consideration of Rs 93,15,000/- (Rs Ninty three lakhs fifteen thousand only).in the Following Manner.

- a) Rs 10,00,000/- (Rupees Ten lakhs only) vide cheq no 027445, Drawn on S.B.I.
- b) Rs 10,00,000/- (Rupees Ten lakhs only) vide cheq no 027446, Drawn on S.B.I.
- c) Rs 20,00,000/- (Rupees Twenty lakhs only) vide cheq no 027447, Drawn on S.B.I.
- d) Rs 7,21,850/- (Rupees seven Lakhs twenty one thousand eight hundred fifty only) vide cheq no 027448, Drawn on S.B.I.
- e) Rs 45,00,000/- (Rupees forty five lakhs only) by availing loan from State Bank Of India RACPC, Madhapur Vide DD/BC no 338280 Dt 05-08-2022.
- f) Rs 93,150/- (Rupees Ninty three thousand one hundred fifty only) paid towards TDS @1% on Sale Consideration to the Income Tax Department.

Thus the Developer/ Vendors having received total sale consideration hereby sell and convey the flat shown in the schedule B given below unto the Vendees with all rights, title and interest etc., to enjoy as owner.

For CREATIVE CONSTRUCTIONS


MANAGING PARTNER

N. Anusha N.S. Pongredd.

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Joint SubRegistrar
Ranga Reddy (R.O)



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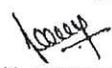
2. The vendors handed over physical and vacant possession of the flat shown in Schedule B given below to the Vendees before registration.
3. The vendors hereby declare schedule property given below is free from encumbrances, loans, liens and prior sales etc. And all the original documents with vendor only, if any found the vendors shall make the good of the loss to the Vendees against all such losses and damages that may be incurred in the said regard.
4. The Vendees shall use and enjoy common areas and facilities provided in the building complex along with co-flat owners without any disturbance or nuisance.
5. The Vendees agreed to become member of the association to be formed by the flat owners and agreed to abide by the association rules and regulations for smooth running and maintenance of flats in the building.
6. The Vendees is entitled to enjoy terrace rights of the building along with other co-flat owners.
8. The Vendees, shall pay the property tax and electricity charges to the authorities concerned for their flat.
9. The Vendees do here by declare that he is satisfied himself about the location of the schedule property after verifying revenue and town survey numbers, boundaries that they are not coming under any prohibitory properties.
10. The Vendees satisfied with the construction and specification of the flat.
11. The Vendees received Xerox copies of title deeds, papers and records etc., from the vendors relating to the flat.

SCHEDULE OF PROPERTY

All that the Flat bearing no 104 in First Floor (Municipal No 1-3/125&144/TCH/104 PTIN: 1119974926) in the building Complex known as "TATAJI'S CREATIVE HEIGHTS" along with undivided share of land admeasuring 75 Sq Yds with built up area of 2070 Sft (which Includes common area) along with 2 car parking's no 104 in Cellar floor in survey no 125 & 144 situated at Kondapur Village, Serilingampally Mandal. R.R.Dist and bounded by:

- | | |
|-------|---------------|
| North | : Open to Sky |
| South | : Open to Sky |
| East | : Corridor |
| West | : Open to Sky |

For CREATIVE CONSTRUCTIONS


MANAGING PARTNER

N. Anusha

N.S. Prasad

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13765/2022. Sheet 5 of 8
Joint SubRegistrar
Ranga Reddy (R.O)



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Annexure 1 A

- 1. (a) Nature of Roof : RCC
- (b) Type of Structure : Framed
- 2. Age of the Building : 10years
- 3. Total Extent in Site : UDS 75 Sq.Yds.
- 4. In the First Floor : 2070Sft.
- 5. Market value of The Property : 2070 X4500=93,15,000/-

IN WITNESSES WHEREOF the parties hereto have set their hands unto this agreement of their own free will and consent and signed the same of the day at the place herein before mentioned.

For CREATIVE CONSTRUCTIONS

WITNESSES

1. *B. Pradyumna*

Land Owner NO-1 *[Signature]*
MANAGING PARTNER
(Represented by DAGPA Holder)
For CREATIVE CONSTRUCTIONS

2. *CE. R. Prady*

Land Owner No-2 & Vendor/Developer *[Signature]*
MANAGING PARTNER
N. Anusha N.S. Prady, c. and.

VENDEES

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13765/2022. Sheet 6 of 8 Joint Sub Registrar
Ranga Reddy (R.O)



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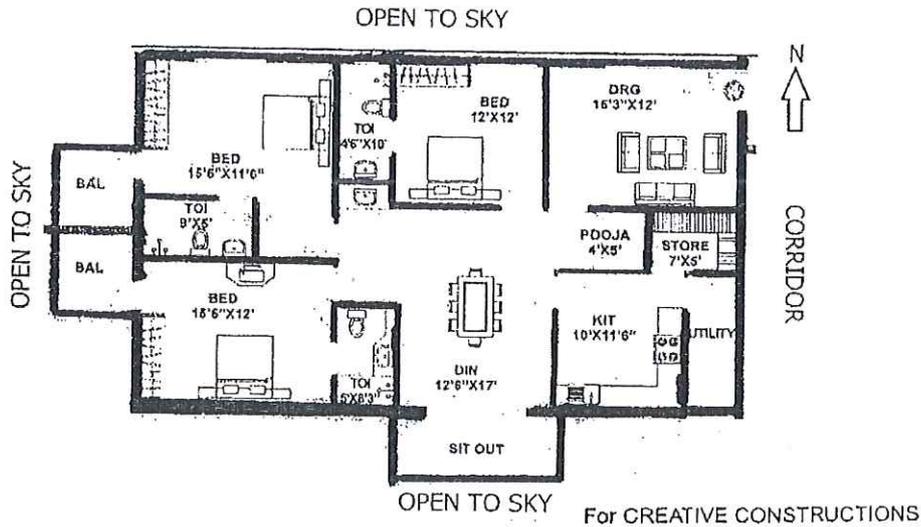
REGISTRATION PLAN SHOWING THE RESIDENTIAL 3 BHK FLAT BEARING NO 104 IN FIRST FLOOR IN THE BUILDING COMPLEX KNOWN AS 'TATAJI'S CREATIVE HEIGHTS' IN SY.NO'S:125&144 SITUATED AT KONDAPUR VILLAGE, SERLINGAMPALLY MANDAL, RR DISTRICT UNDER GHMC.

Land owner no-1 Swapna R. Mehta w/o Ramesh Mehta rep by her DAGPA Holder M/s Creative Constructions rep by its Managing Partner SRI .K.PREMCHANDER REDDY S/O LATE K. GOPAL REDDY.

VENDOR: CREATIVE CONSTRUCTIONS REPRESENTED BY ITS MANAGING PARTNER SRI .K.PREMCHANDER REDDY S/O LATE K. GOPAL REDDY.

VENDEES : 1.N.ANUSHA W/O N.SIVARAM PRASAD
2. N.SIVARAM PRASAD S/O LATE. N.ADINARAYANA.

UDS AREA : 75 SQYDS FLAT AREA 2070 SFT INCLUDED



WITNESSES:

1. *B. dudumy*

2. *C. S. Reddy*

Land Owner NO-1 *[Signature]* MANAGING PARTNER

(Represented by their DAGPA Holder)
For CREATIVE CONSTRUCTIONS

Land Owner NO-2 *[Signature]* MANAGING PARTNER

N. Anusha N.S. Sivaram Prasad.

Signature of the Vendees



(ghmc.aspx)

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Wed Aug 10 2022 10:21:59 AM

PROPERTY TAX DETAILS

Joint Sub Registrar
Ranga Reddy (R.O)

Bk - 1, CS No 14315/2022 & Doct No 13768/2022, Sheet 7 of 8

i) Property Details

TIN :

19974926

Owner Name :

WAPNA R MEHTA

Owner Father Name :

Door No :

1-3/125&144/TCH/104

Address :

1-3/125&144/TCH/104

Pincode :

0

Mobile No :



*****4513

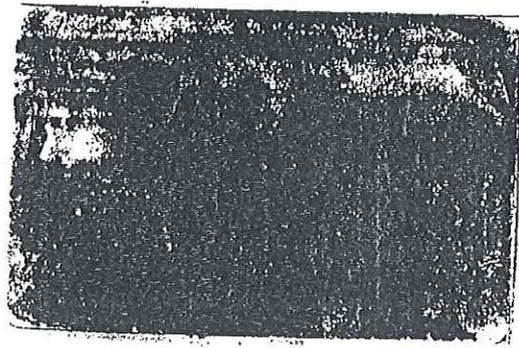
Distt. Area/In. Code :

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भारत सरकार
GOVERNMENT OF INDIA
KOMALLA VENKATACHANDRA REDDY
GOPAL REDDY
9863
Account Number
431C
भारत सरकार



भारत सरकार
GOVERNMENT OF INDIA
Nallamothu Anusha
పుట్టిన తేదీ/ DOB: 01/01/1985
సై / FEMALE
N. Anusha
9186 8342 8723
న ఆధార్ నా గుర్తింపు

भारत सरकार
GOVERNMENT OF INDIA
దేవునామా:
W/O: శివ రామ్ ప్రసాద్, 9-66-3,
3, నాదెండ్ల, నాదెండ్ల, గుంటూరు,
ఆంధ్ర ప్రదేశ్ - 522234
Address:
W/O: Shiva Ram Prasad, 9-66-3,
nadendla, Nadendla, Guntur,
Andhra Pradesh - 522234
ఆంధ్ర ప్రదేశ్ - 522234

9186 8342 8723
MERA AADHAAR, MERI PEHACHAN

నల్లమోతు శివ రామ్ ప్రసాద్
Nallamothu Shiva Ram Prasad
పుట్టిన తేదీ/ DOB: 28/07/1977
పురుషుడు / Male
5936 6509 8243
मेरा आधार, मेरी पहचान

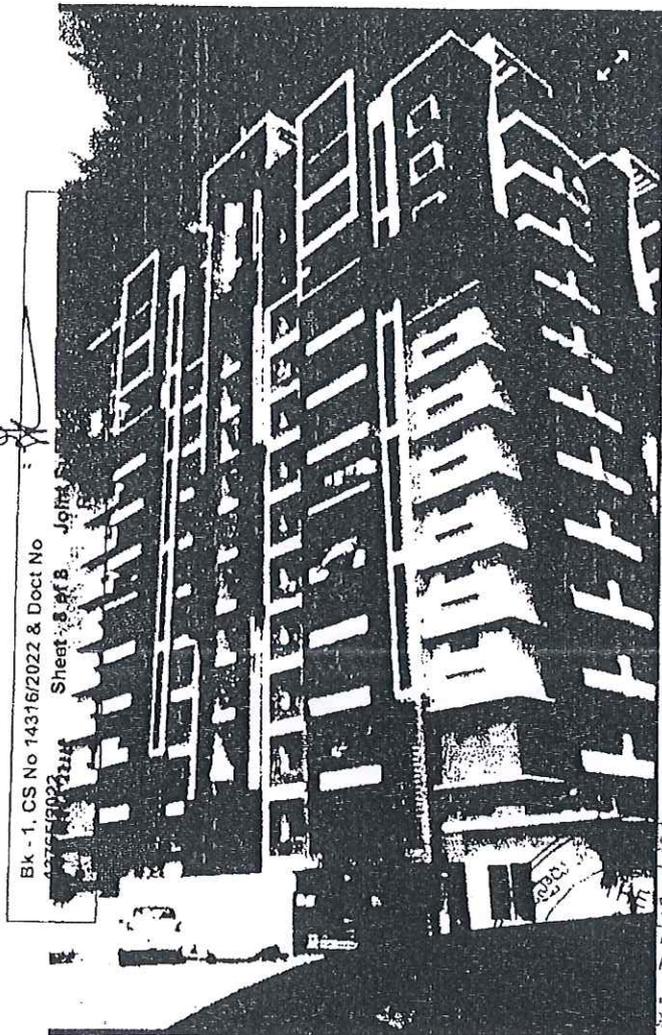
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నాదెండ్ల, గుంటూరు, ఆంధ్ర ప్రదేశ్, 522234
Address: W/O: Adinarayana, 9-66-3,
nadendla, Nadendla, Guntur, Andhra
Pradesh, 522234
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www.aadhaar.gov.in

దొడ్డి పున్నమనేని రేణుకా
Doddreddy Purnamaneeni Reddy
పుట్టిన తేదీ/ DOB: 10/06/1972
పురుషుడు / MALE
4245 4259 9428
VID: 9186 8371 8428 7843
న ఆధార్, నా గుర్తింపు

GOVERNMENT OF INDIA
దేవునామా:
S/O చిన్నావరమ రేణుకా, 00, మంగుల్, మంగుల్,
మంగుల్, చిత్తూరు, ఆంధ్ర ప్రదేశ్ - 517167
Address:
S/O Chinnawamy Reddy, 00,
MANGUNTA, MANGUNTA,
Srirangapatnam, Chittoor,
Andhra Pradesh - 517167
4245 4259 9428
VID: 9186 8371 8428 7843

B. Sridhar

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Bk - 1, CS No 14376/2022 & Doct No
Sheet - 8 of 8








కనుమూరు మాధిధర్ రెడ్డి
 Kanumuru Mahidhar Reddy
 పుట్టిన తేదీ / DOB: 03/10/1994
 పురుషుడు / Male

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मेरा आधार, मेरी पहचान

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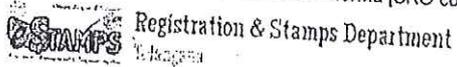
Address: C/O: Situel Reddy, Plot No 500,
 MK Residency, Old Town, Hyderabad
 Street, Opposite Ganga Travellers Office
 Kevul, Kevul, Holu, Kevul
 524201

OFFICE OF
 REGISTRAR
 8815 0542 9183

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Online Challan Proforma [SRO copy]



Challan No: 850BFS090822

Bank Code : SBIN

Payment : CASH

Remitter Details
 Name N SIVARAM PRASAD
 PAN Card No AEKPN9571P
 Aadhar Card No *****599
 Mobile Number *****599
 Address HYDERABAD

Executant Details
 Name CREATIVE CONSTRUCTIONS
 Address HYDERABAD

Claimant Details
 Name N ANUSHA AND N SIVARAMPRASAD
 Address HYDERABAD

Document Nature
 Nature of Document Sale Deed
 Property Situated in(District) RANGAREDDY
 SRO Name RANGA REDDY (R.O)

Amount Details
 Stamp Duty 512250
 Transfer Duty 139750
 Registration Fee 46600
 User Charges 500
 Mutation Charges 9350
 Hariltha Nidhi 50
 TOTAL 708500
 Total in Words Seven Lakh Eight Thousand Five Hundred Rupees Only
 Date(DD-MM-YYYY) 09-08-2022
 Transaction Id 1677862556025

Stamp & Signature _____

Online Challan Proforma[Citizen copy]



Challan No: 850BFS090822

Bank Code : SBIN

Payment : CASH

Remitter Details
 Name N SIVARAM PRASAD
 PAN Card No AEKPN9571P
 Aadhar Card No *****599
 Mobile Number *****599
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 Total in Words Seven Lakh Eight Thousand Five Hundred Rupees Only
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 Transaction Id 1677862556025

Stamp & Signature _____

W.P. Nos. 15438, 31582 of 2012

G. Satyanarayana v. Govt. of A.P.

2014 SCC OnLine AP 334 : (2014) 4 ALD 358 : (2014) 3 ALT 473

(BEFORE C.V. NAGARJUNA REDDY, J.)

G. Satyanarayana Petitioner

v.

The Government of Andhra Pradesh, Represented by its Secretary,
Revenue Department, Secretariat, Hyderabad and others

Respondents

Counsel for petitioner: Sri Prabhakar Sripada

Counsel for respondents: Government Pleader for Revenue (Telangana Area)

W.P. Nos. 15438, 31582 of 2012; 23447, 23595, 23599, 23615, 25333, 25356,
25387, 25727, 25993, 26106, 27589 of 2013

Decided on April 28, 2014

COMMON JUDGMENT:

PART-I

Introduction:

Though the facts vary from case to case, a common issue is involved in all these Writ Petitions, namely, what documents determine title and ownership to land. While some petitioners claimed their rights based on entries in revenue record, others based their claims on long standing possession as evidenced by registered sale deeds. The Government denied their title mainly based on the entries in the revenue records such as Re-Survey and Re-settlement Register (RSR) and Town Survey Land Register (TSLR). This Court, therefore, felt the necessity of dealing with these cases together by addressing this common aspect, which is faced by it day-in and day-out.

Before discussing the general law governing the subject, it is appropriate to briefly refer to the facts of each case hereunder:

Brief facts:

W.P. Nos. 23595, 23599 & 23615 of 2013:

The petitioners in these Writ Petitions who claimed ownership under registered sale deeds were denied pattadar passbooks and title deeds by the Tahsildar, Bandaganipalli village, Udaigiri Mandal, Nellore District on the ground that as per the Adangals, the lands are shown as Government lands. The petitioners claimed that the RSR shows these lands as private persons. They have also relied upon separate but identical certificates issued by the Tahsildar concerned.

The respondents have not filed counter-affidavit in any of these cases.

W.P. Nos. 25333 and 25356 of 2013:

The facts in both these cases are identical. The petitioners have claimed right under

registered sale deeds. They were granted pattadar passbooks and title deeds for Ac.39-33 cents each in Sy. Nos. 436, 438, 439 to 442 of Boodili village, Gorantla Mandal, Anantapur District. The petitioners vendor was declared as a surplus land holder to the extent of Ac.5-59 cents under the provisions of the A.P. Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (for short the 1973 Act) vide C.C. No. 93/75/HUP and compensation was paid to the declarant on 10-3-1978 for taking over the surplus land. The Tahsildar issued pattadar passbooks and title deeds to the petitioners. The land admeasuring Ac.624-00 in Chilamathur, Gorantla Mandal, Anantapur District was proposed to be alienated for establishment of BDL Project and that out of the said land, an extent of Ac.96-49 cents was found to be assigned land. In W.P. No. 23223/2011 filed by the brother of the petitioners vendor, this Court has directed the Tahsildar to settle the rival claims for compensation. The Tahsildar, Gorantla Mandal has passed an order in Rc. No. 208/2010/A, dated 16-10-2012 holding that in the RSR of Bodili village, the lands are recorded as Government land and that there were no entries in the village records showing that the lands were assigned to any person. While admitting that the lands are subjected to sale transactions from the year 1934 and that the entries in 10(1) Register recorded the names of private persons, it was however maintained that the incorporation of those entries was without verification by any officer.

Separate, but identical counter affidavits have been filed in W.P. Nos. 25333 and 25356 of 2013 by the Revenue officials and the A.P. Industrial and Infrastructure Corporation (APIIC). In both these Writ Petitions, the petitioners claim for compensation has been denied based on the entries in the RSR showing the land as belonging to the Government.

W.P. No. 31582/2012:

The mother of petitioner No. 1 M. Sesharatnamma, purchased an extent of 2000 sq. yards under registered sale deed No. 677/1963, dated 21-2-1963. In the year 1975, she obtained permission from the then Vijayawada Municipality and constructed an A.C. sheet shed, which is being used as a godown-cum-mosaic tiles manufacturing unit. Since the death of his mother in the year 1975, petitioner No. 1 is in possession and enjoyment of the subject property. Petitioner No. 2 has succeeded to an extent of 180 ½ sq. yards under a registered will executed by one Vemuri Nancharamma who has purchased the said property under registered sale deed dated 16-5-2008. Petitioner No. 3 purchased 125.27 sq. yards of land under registered sale deed dated 20-12-1979.

The petitioners pleaded that their lands form part of Ac.2-73 cents of land recorded as burial ground poramboke in the Town Survey records; that Machavaram village, in which the lands are situated, was an estate village under the possession and enjoyment of Jagirdars; that initially survey of the village was conducted in the year 1923 and since then the Jagirdars are in possession and enjoyment of Ac.2-73 cents and that sale transactions have taken place between the Jagirdars and individuals from the year 1901 onwards in respect of Ac.155-00 cents of land. The petitioners further pleaded that the lands have changed many hands during the last 110 years and that the burial ground is situated over an extent of 9111.36 sq. yards and the same is surrounded by a compound wall on all the sides and the said extent of Ac.2-73 is outside the compound wall; that as the land was classified as Burial ground poramboke in the Town Survey records, the petitioners are not able to obtain permission from respondent No. 6-Corporation for construction of houses. The petitioners have approached the respondents for change of classification of the land from Burial ground poramboke to Assessed Waste Dry (AWD). The Revenue Divisional

officer, Vijayawada submitted his report to the Collector, Krishna District, Machilipatnam. He has stated in his report that the land admeasuring Ac.155-00 was registered through a sale deed during the year 1901 in favour of Vahejullah Saheb s/o. Afizullah Saheb and that the same changed hands under subsequent sale deeds dated 17-11-1931 and 20-6-1940. The report has also referred to as many as 18 sale deeds, in all, in respect of smaller extents of lands forming part of Ac.155-00. Based on the facts placed by the Mandal Revenue Inspector and the Mandal Surveyor, the Revenue Divisional officer has summarised the background as under:

1. Machavaram village in Vijayawada Urban Mandal is an Estate village.
2. As verified from the copies of the Registered Documents the land in question is Government Dry and there are link documents to that effect since 1901 and it was known as Government Dry.
3. Registered sale transactions occurred several times since 1901 to 1978 and there are link documents to that effect.
4. Since 1971, the Municipal Authorities have given the assessment number and allotted Door Nos.
5. Since 1969, the Municipal Authorities have approved the building plans in the subject land in favour of the petitioners.
6. The contention of the petitioners is that the land in question is a private land but not Government land.
7. In the year 1943, the Jageer Machavaram village was merged into Vijayawada Municipality much prior to Estate Abolition Act.

He has finally summed up in his report as under:

Finally the field staff have reported that the said land inspected on ground and confirmed and said boundaries for an extent of 4000 sq. yards and also as per the documentary evidences the land in question is merged in burial ground in detail Town Survey instead of patta land in the year 1964 and further submitted that the petitioners are resided in the said land since several decades. Hence there is no objection for Re-classification of land measuring 4000 sq. yds. In NTS No. 45, Block No. 21, Revenue Ward 16, of Machavaram village from Burial Ground to patta land.

The Tahsildar, Vijayawada Urban has reported that the circumstances explained above and as per the documentary evidences filed by the petitioners the land in question is earmarked in Town Survey Records as Burial Ground but the land in question is merged in burial ground in detail Town Survey instead of patta land in the year 1964.

On the report of the Tahsildar, Vijayawada, Urban, I have inspected the land in question along with Tahsildar, Vijayawada Urban, Mandal Surveyor, Vijayawada Urban on 2.4.2010 and I agree with the report of the Tahsildar, Vijayawada Urban.

The District Collector, in his report dated 21-2-2011 sent to the Chief Commissioner of Land Administration (CCLA) requested for permission to change the classification of the land admeasuring 4000 sq. yards in N.T.S. No. 45, Block 21, Revenue Ward No. 16 of Machavaram village from Burial ground to AWD. The CCLA appeared to have addressed the Collector, Krishna District to re-verify the facts and submit a fresh report. The Collector, in his fresh report dated 3-9-2011 opined that no records are

available to indicate that the land is a private land and the same was wrongly classified as Burial ground. The CCLA in turn has submitted his report in CCLAs Lr. No. B2/375/2011, dated 18-10-2011 wherein he has referred to the entry in the Fair Adangal prepared in the year 1968 describing the land as Smasanam. He has further stated that the Assistant Director, Survey and Land Records reported that the Settlement Records under the Estates/Inam Abolition Act are not available for examination; that the petitioners have produced only the sale transactions from the year 1901 as evidence that the schedule land is a private land; that the sale transactions alone cannot be taken as evidence to prove that the schedule land is a private land and that the petitioners have not produced any other relevant evidence, such as, Ryotwari Patta in support of their claim.

Based on the above mentioned reports, respondent No. 1 has rejected the petitioners claim for conversion of the land from Burial Ground to patta land.

The Collector, Krishna District, filed a counter affidavit wherein he has inter alia averred that mere occupation of the land classified as Burial Ground and sale of the same through registered sale deeds will not confer title on the claimants; that no Ryotwari Patta has been obtained by the petitioners under the Estates Abolition Act; that the petitioners failed to approach the authorities concerned during Survey and Settlement operations taken place in the year 1964-65 seeking proper classification; and that the Settlement process was completed and Town Survey Register was prepared in the year 1968. It is further averred that as seen from the Fair Adangal of Machavaram village prepared in the year 1968, the ground rent was not fixed as per Section 18(4)(i) of the Estates Abolition Act and that the land was noted as Smasanam.

W.P. Nos. 25727/2013 & 26106/2013

The petitioner in W.P. No. 25727/2013 claimed that the land admeasuring 800 sq. mts. is a part of Matruka property; that a compromise decree was passed in O.S. No. 1420/1983 in the Court of the learned II Additional Judge, City Civil Court, Hyderabad, as per which the petitioner and his wife were allotted 1000 sq. yards each, comprised in house bearing No. 23-1-433/7 and 23-1-433/8, Talab Katta, Bahadurpura Mandal, Hyderabad; that the petitioners wife died on 26-7-2010 and that after her death, the petitioner is in possession of the said property. The petitioner in W.P. No. 26106/2013 claimed that he was allotted a portion of 479 sq. yards, comprised in house bearing No. 23-1-433/9, Talab Katta, Bahadurpura Mandal, Hyderabad, in the above mentioned compromise decree and that he is the absolute owner and possessor of the same. On 13-6-2013 and 30-8-2013, notices under Section 7 of the A.P. Land Encroachment Act, 1905 (for short the 1905 Act) were issued alleging that the land in T.S. No. 89, Block-M, Ward No. 212 is recorded as G-Abadi in the Town Survey record and that therefore the petitioners are encroachers over an extent of 450 and 130 sq. mts. respectively. The petitioners submitted their explanations stating that the entries in the TSLR are not conclusive proof of title. Rejecting the said explanations, eviction orders under Section 6 of the 1905 Act has been passed by the Tahsildar on 30-8-2013. Assailing the said orders, the petitioners filed these Writ Petitions.

In the counter affidavit filed by the respondent-Tahsildar, Bahadurpura Mandal, Hyderabad District, it is inter alia stated that the land admeasuring 6630 sq. mts. in T.S. No. 89/M, Ward No. 212 is recorded as G-Abadi (Government land); that once the Town Survey was conducted, the same becomes final and that a Gazette notification as required under Section 13 of the A.P. Survey and Boundaries Act, 1923 (for short

the 1923 Act) was published vide notification No. 36, dated 12-7-1977; that as the petitioners failed to file suits challenging the same, the entries in the TSLR have become final; that the entries in the Town Survey records will prevail over any other document and the same are conclusive proof of title as they have become final and remained unchallenged as provided under Section 14 of the 1923 Act.

W.P. No. 27589/2013:

The dispute pertains to 925 sq. yards of property comprised in H. No. 17-2-258 and 17-2-258/2 of Kurmaguda, Madannapet, Hyderabad. The petitioners traced their title to the said land as under:

One Shahazadi Bi w/o. Gulam Dastagir, sold the property to P. Mallesh through registered sale deed dated 17-6-1959. One B. Krishna purchased the said property from P. Mallesh. Under registered sale deed dated 15-4-1966, the said B. Krishna sold the property to Satyamma w/o. Eswar Chandra. Satyamma and her husband filed O.S. No. 555/1985 on the file of the learned V Additional Judge, City Civil Court, Hyderabad, for declaration of title and the said suit was decreed in their favour on 26-9-1995. After the death of Satyamma's husband, her family members executed agreement of sale-cum-G.P.A. in favour of B. Vasanth Rao under registered document No. 3674/2005. The family members of B. Vasanth Rao executed registered sale deed dated 8-3-2006 in favour of P. Om Prakash through registered document No. 1165/2006. The said P. Om Prakash sold the property to the petitioners under registered document No. 4610/2006.

Respondent No. 1-Tahsildar, Sayeedabad Mandal, Hyderabad, issued a impugned notice under Section 7 of the 1905 Act wherein it was alleged that the subject land in T.S. No. 40, Block-K, Ward No. 175 is recorded as G-Abadi in the TSLR; that the petitioners have encroached an extent of 773 sq. mts. with structures raised in about 50 sq. yards with a compound wall. In their reply, the petitioners have pleaded that the entries in the TSLR do not have any evidentiary value and that the summary eviction proceedings cannot be initiated in view of the law laid down by the Apex Court in *Government of Andhra Pradesh v. Tummala Krishna Rao*. However, respondent No. 1 vide his order dated 19-9-2013 ordered eviction of the petitioners under Section 6 of the 1905 Act. Respondent No. 1 initiated the impugned proceedings for eviction of the petitioners under the 1905 Act. Questioning these proceedings, the petitioners filed this Writ Petition.

The petitioners have pleaded that no notice was issued to them under Sections 5 and 6 of the 1923 Act. They have also relied upon the Judgment of this Court in *Hyderabad Potteries Pvt. Ltd. v. Collector, Hyderabad District* in support of their plea that the entries in the TSLR do not have any presumptive value to hold that the subject land belongs to the Government.

Respondent No. 1 filed a counter affidavit wherein it was inter alia averred that during 1964-70, Town Survey was conducted in the twin cities of Hyderabad and Secunderabad duly following the procedure laid down under the 1923 Act; that general notifications under Section 5 and 6 thereof were published in the Gazette informing the public that the Town Survey operations have commenced in the twin cities; that as required under Section 9(2), individual notices were given to the registered holders of the properties for raising objections, if any, with regard to fixation of boundaries; that a final notification under Section 13 was published in the Hyderabad Gazette; that in respect of the subject land, notification was published in Gazette No. 22, dated 18-4-1977, under which boundaries were determined and

recorded and that the same have become final and conclusive proof that they are deemed to be correct as no person has filed a suit within three years from the date of the notification. It is further averred that the subject land forms part of the village site of Saidabad village, which was not surveyed in the Revenue Survey (Cadastral survey); that during the Town Survey, the village sites were also surveyed taking into account the physical enjoyment of the land and the names of the occupants in the village sites were shown as present enjoyers in column No. 20 of the TSLR and in column No. 10, the land is mentioned as village site/Abadi. It is further averred that with regard to the unclaimed vacant land in the village site, the Town Survey authorities have obtained clarification from the Government vide G.O.Ms. No. 1039, dated 13-9-1972, as per which the unclaimed vacant lands in the village site area are recorded as Government Abadi. It is thus pleaded that as per the TSLR entries, the Government of Andhra Pradesh is the absolute owner and possessor of the property, and that no one, except the Government, has any right, title or interest over it.

In the reply affidavit, the petitioners, while reiterating their plea that the TSLR entries cannot constitute conclusive proof of title, pointed out the contradiction in the stand taken by the respondents. Along with the reply affidavit, they have filed a copy of the proceedings in E/3412/2012, dated 12-9-2012 of respondent No. 1 whereunder he has rejected the petitioners application for grant of No Objection Certificate (NOC). A copy of the Check Memo enclosed to the said proceeding giving reasons for rejection is also filed. At column No. 8 of the Check Memo, it was mentioned As per the file No. J/B7/84 to the sketch by DIS of this office 375 sq. mts. is covered in surplus land out of 639.65 sq.mts. From this, the petitioners averred that if the subject land belongs to the Government, the same would not have been the subject matter of the Urban Land (Ceiling and Regulation) Act, 1976 (for short "the 1976 Act").

W.P. No. 15438/2012: The petitioner claimed title to 2300.46 sq. yards of land situated at premises bearing municipal No. 1-7-496/1 of Zamistanpur village, Musheerabad, Hyderabad under three registered sale deeds dated 5-6-1985, 14-6-1985 and 15-11-1985. Proceedings under the 1976 Act were initiated in respect of the said property. The Primary Authority, by its order dated 30-8-1995 in C.C. No. 7576/1975 declared 270 sq. mts. as surplus land. However, the Appellate Authority, by order No. H1/7576/76, dated 20-6-1996, declared the petitioner as a non-surplus holder. The petitioner sold 1124 sq. yards out of the subject property to a third party under a registered sale deed. When the petitioner was intending to sell the remaining 1176.46 sq. yards, he was informed by the Sub-Registrar, Chikkadpally that the District Collector, Hyderabad vide his letter No. C3/5042/2007, dated 4-7-2011, instructed the registering authorities not to register any document on the ground that the subject property is included in the prohibitory list prepared under Section 22-A of the Registration Act, 1908 (for short "the 1908 Act"). The petitioner averred that even before he has purchased the said property in the year 1985, he was in possession of the land as a tenant and running a plastic industry in the name and style of M/s. Himayala Plastic Industry by obtaining licence. The petitioners application dated 8-2-2012 for deletion of the land from the prohibitory list was rejected by the District Collectors endorsement dated 7-5-2012 on the ground that as per the TSLR, column No. 10 is kept blank and column No. 20 is recorded as G-Abadi. The petitioner has filed a copy of the Mutation Register of the year 1980 issued by the Tahsildar, Musheerabad Taluq under which the property has been mutated in the names of as many as 10 private persons including Shah Mohd. Khan and Smt. Chunnu Begum.

The Tahsildar, Musheerabad Mandal, filed a counter affidavit wherein it is inter alia averred that the subject property has been identified on ground as falling in T.S. No. 56, Block-A, Ward No. 153 correlated to Sy. No. 181/P of Zamistanpur village,

Musheerabad Mandal, Hyderabad District, which is vacant on ground; that as per the Town Survey records, the property is recorded in column No. 10 as Blank and in column No. 20, it was recorded as G. Abadi. From this, the Tahsildar has concluded that the subject property belongs to the Government. It is further stated that the petitioner has made an application seeking deletion of the subject property from the prohibitory list and that as the property was recorded as G. Abadi in the TSLR, an endorsement was issued by the District Collector on 7-5-2012 rejecting the said request. An averment similar to that made in W.P. No. 27589/2013 has been made with regard to the conduct of Town Survey under the 1923 Act, to buttress the plea that in view of the failure of the petitioner to question the entry by filing a civil suit within three years under Section 14 of the said Act, the same have become final and title of the Government to the subject property stands confirmed. W.P. No. 23447/2013: An extent of 271 sq. yards of vacant site, situated in Sy. No. 211 of Banoo colony, Domalguda, Himayathnagar Mandal, Hyderabad, is the subject matter of this Writ Petition. One Dr. Fareed s/o. J.D. Italia, has purchased the subject property from Mrs. Pramila Mody w/o. Dr. C.L. Mody under registered sale deed dated 14-8-1956. The petitioners mother purchased the property from the said Dr. Fareed under registered sale deed dated 10-12-1984. The application filed by the petitioners mother for issue of NOC in connection with approval of building plan by the Municipal Corporation of Hyderabad was rejected by the Joint Collector, Hyderabad, vide proceedings dated 31-8-2005 on the ground that the land was shown as GVM Drain in the TSLR. After the death of her mother, the petitioner made an application to the District Collector on 15-10-2012 seeking conversion of the land from GVM Drain to patta. The District Collector, Hyderabad, vide his endorsement No. E2/2539/2013, dated 24-6-2013, rejected the said request by stating that the petitioner has purchased the subject property after preparation and implementation of the TSLR. The petitioner pleaded that her title to the subject property cannot be determined merely on the basis of the entry in the TSLR.

In the counter affidavit, the respondents asserted that the land is shown as GVM Drain in the TSLR. It is further averred that the subject land was under the management of the Municipality and it was being utilised for drainage and as such the classification of the land was mentioned as GVM in the TSLR. In short, the plea of the respondents is that similar to that in W.P. No. 27589/2013 and W.P. No. 15438/2012. W.P. No. 25387/2013: The petitioner claims ownership over Ac.1-43 cents in Sy. No. 931 and Ac.1-32 cents in Sy. No. 932 of Goran Cheruvu village, Gaaliveedu Mandal, Kadapa District. He has averred that registered sale transactions exist with regard to the subject lands from the year 1950. He has referred to registered sale deed dated 5-7-1963, under which his vendor Karimi Reddy Chandra Reddy has purchased the land from Karimi Reddy Mal Reddy. Under registered sale deed dated 6-12-1995, the petitioner purchased the land from the said Karimi Reddy Chandra Reddy.

Respondent No. 3-Tahsildar, Gaaliveedu Mandal, issued notice in Form-1 on 2-9-2011 alleging that the petitioner has purchased the subject lands in contravention of the provisions of the A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (for short "the 1977 Act"). Questioning the said notice, the petitioner filed W.P. No. 26061/2011. The said Writ Petition was disposed of by this Court by order dated 22-8-2012, leaving the petitioner free to submit his explanation and directing the respondents to consider the explanation and pass an appropriate order. On 4-9-2012, to the petitioner submitted his explanation wherein he has referred to the sale transactions from the year 1950 and denied that the lands belong to the Government or that the same were assigned. In the impugned proceedings Roc No. B/168/2011, dated 8-8-2013, the respondent No. 3-Tahsildar agreed with the plea of the petitioner that the records do

not show that the lands were assigned to any one and he has accordingly dropped further action under the provisions of the 1977 Act. Respondent No. 3 has referred to the historical background relating to the title over the lands under different regimes. Respondent No. 3 opined that the RSR has become the basic record by which one can know the status of each and every piece of land; that if any land belongs to a private person, an entry in that regard will be made in the RSR and that if the RSR contains dots, such lands will automatically become the Government lands. He has further observed that the land admeasuring Ac.1-43 cents in Sy. No. 931 is classified as Government Waste (Gayalu) in the RSR and that as no settlement patta or assignment patta was granted in respect of the said land, the private sale transactions taken place from the year 1950 do not bind the Government. Referring to the pattadar passbooks and title deeds, respondent No. 3 remarked that they might have been issued under a mistaken impression that the lands are private patta lands and that the petitioner would not get any right over the Government lands. As regards the land admeasuring Ac.1-23 cents in Sy. No. 932, respondent No. 3 stated that the RSR contains dots and that as the petitioner or his predecessors have not obtained any settlement patta, the said land is deemed to be Government land. Questioning these proceedings, the petitioners filed this Writ Petition.

The counter affidavit filed by the respondent is also in the same vein. Therefore, no specific reference to its contents need be made. W.P. No. 25993/2013: The dispute in this Writ Petition pertains to Ac.0-50 cents in Sy. No. 1008/1/A2 and Ac.2-50 cents in Sy. No. 1008/1/A3 (patta No. 219) of Jagadevipeta village, Indukurpet Mandal, Nellore District. The petitioners application for conversion of the lands from agricultural to non-agricultural was kept pending on the ground that instructions from the Government are awaited. The petitioners pleaded that the subject lands are private lands. It has traced the transactions from 5-12-1930 when a mortgage deed was executed by one Kande Guravaiah in favour of Ponnalur Venkata Narayana Reddy in respect of Ac.1-59 cents in Sy. No. 1008/2/A. The petitioner have referred to registered sale deeds dated 19-9-1945, 17-4-1955, 15-7-1968, 17-11-1971, 23-2-1999, 23-3-1999, 23-3-1999, 15-7-2008, 9-9-2009 and 3-3-2010 under which the subject properties have changed hands from persons to persons.

Though no counter affidavit is filed, the stand of the respondents is reflected from the two proceedings dated 23-2-2013 and 20-6-2013 of the respondent No. 3-Revenue Divisional officer, Nellore, wherein she has informed that in the first mentioned proceedings, respondent No. 3 has informed the petitioner that the land is recorded as. (Anadeenam Punja) as per the village Diglot and that as per the directions of the District Collector, Nellore, in case of *Anadeenam Punja* lands, further instructions from the Government shall be awaited. The said stand was reiterated in the latter proceedings dated 20-6-2013 of respondent No. 3.

PART-II

From the respective pleadings and the stands taken by them, the following Points emerge for consideration:

- 1.(a) What documents constitute title for lands?
- (b) Whether the entries in the revenue records constitute conclusive proof of title and if not whether they have evidentiary value in determination of title?
2. Whether multiple registered sale transactions reflecting long standing possession give rise to a presumption of title to the property?

3. Whether the entries in Resurvey and Resettlement Register (RSR) and Town Survey Land Register (TSLR) are conclusive in determining title?

4. Whether eviction proceedings under the 1905 Act can be initiated when there is a bonafide title dispute.

I have heard the learned Counsel for the petitioners, the learned Government Pleader for Revenue (Andhra Area), the learned Government Pleader for Revenue (Telangana Area) and perused the record. Some of the learned Counsel for the petitioners and both the learned Government Pleaders have presented their written submissions, besides filing material pertaining to land tenures. Re Point No. 1: The Courts are quite often faced with the problem of resolving the disputes between two private parties or between private parties on one side and the State on the other side on the question of ownership over lands. The competing claims by these adversary parties are based on the entries in the various records which are mostly Survey and Settlement records and revenue records. No statutory enactment has, with precision, indicated as to what constitutes title with reference to the land records. Unless a proper insight into the history and evolution of the land systems is acquired, resolution of title disputes continues to pose difficulties for the Courts. It is in this context that this Court feels the necessity of tracing the history of land tenures. Evolution of ryotwari system in British India:

Two seminal works, one by B.H. Baden Powell, a member of Bengal Civil Service and one of the former Judges of the Chief Court of Punjab and another by S. Sundara Raja Iyengar, extensively dealt with the land systems prevailed prior to the advent of the East India Company and the introduction of ryotwari system by the British. These two books Land Systems of British India by B.H. Baden Powell and Land Tenures in Madras Presidency by S. Sundara Raja Iyengar, along with another fabulous piece of work titled Land Law in Madras Presidency by B.R. Chakravarthi, published by P. Rama Iyer & Co. (1927) throw great light on the subject. The book titled The Revenue Code containing all the existing Revenue Regulations and Acts applicable to the Madras Presidency from 1802 to December 1860 by C. Annadurai Aiyar, is also of great help in knowing the background of the Ryotwari system. The valuable information contained in these books is made basis by me in dealing with the Ryotwari system in the British India.

The East India Company started acquiring the country around Madras, known as jagir in the 18th century from the Nawab of Mysore and the final acquisition of the territory which was in piece-meal was between 1750 and 1760 A.D. By 1780, the British officers took regular charge of revenue collection. At that time, the entire Chingalput District formed jagir and from out of the same, a single taluq of Madras was formed as a separate District. In the year 1765, the East India Company has acquired parts of Andhra area, then called as Northern Circars, from the Mughal Emperor. The then Madras Government has also obtained a grant in the year 1768 from the Nizam of the Deccan, who was laying a claim over the said territory. The Northern Circars were divided into five administrative divisions, namely, Chicacole (Srikakulam), Rajamahendravaram (Rajahmundry), Ellore (Eluru), Kandapili (Mustafanagar) and Murtazanagar (Guntur). They are presently Visakhapatnam, East and West Godavari, Ganjam and Guntur, respectively. After the areas came under the British administration, Provincial Councils were established to supervise collection of revenue from the ryots by the zamindars and other middlemen. The lands were divided under two categories i.e., (i) lands settled under zamindars as in Bengal and (ii) Haveli lands i.e., those reserved for the support of the Royal family and its immediate dependents

(otherwise known as Crown property).

The Ceded Districts: The Southern and Western frontiers of the Mysore State, namely, Salem District (Baramahal, excluding the hill taluk of Hosur), some taluks of Madura, Dindigal (Tindukhal) and Palni, were ceded by Tipu Sultan to the British in the year 1792. Coimbatore, Kanara and Hosur taluks were ceded in 1799. The Districts of Bellari, Anantapur, Palaud taluk of Kitsna (Krishna) Kurapa (Kadapa) and Karnul (Kurnool) were transferred by the Mysore sultan to the Nizam in the year 1799. These Districts were however ceded by the Nizam to the British in 1800 A.D.

Baden Powell made a graphic description of the condition of the North-Eastern and ceded Districts regarding revenue administration when the British has taken over.

British administration of Northern Circars: When the British took over, the Northern Circars were managed by the existing zamindars wielding importance and influence and others of the ordinary type of revenue agent. The Haveli lands which belonged as private estates to the Mughal Crown or to the members of the Royal family, were given to lessees (renters). The Haveli lands were made into parcels or mutthas and sold to the highest bidders. The mutthadars became the proprietors and permanent settlement holders.

Provincial Councils were formed in 1769 on the model of Bengal. These Councils were unsuccessful in managing and supervising the Revenue Arrangements. In the ceded Districts, lands were in the hands of local chieftains, called Poligars, who were used by the rulers as semi-independent Revenue Collectors and also as Police in aid of Revenue Collector.

Mr. B.R. Chakravathi wrote that when the British took over the reins, three categories of persons were controlling the lands. They were: (1) Princes and Rajas; (2) Poligars and (3) Chowdaries under Hindu Rule who were also called Crores (Tax gatherers) under Muslim Rule. They were later recognised as zamindars in the Northern Districts. There were also Mattas (Muttas) and inamdars who were permitted to hold lands under their control by the Rulers. All these categories of persons used to allow ryots to cultivate and collect revenue from them as the agents of the Rulers.

Permanent settlements: About the year 1790, Lord Cornwallis attempted a ten year settlement in Bengal under instructions from the Court of Directors. Even before the expiry of decennial settlement, permanent settlement was introduced into that Presidency in 1792 under the instructions from the Court of Directors. Having found the system a success in Bengal, a suggestion was made by the Court of Directors on the advise of Lord Cornwallis to extend it to other parts of India, especially to Madras. Under the permanent settlement, zamindars and poligars and other landholders who were in-charge of estates were offered the choice of settling their pesh-kush (revenue payable to the Government) at an unalterable amount. Many availed themselves of the opportunity and got the benefit of Government demand once and for all fixed. But some looked upon this act of the Government with suspicious eye and avoided permanent settlement. A few poligars, according to Baden Powell, attempted to resist the local authorities in the hope of continuing the same course of lawless exaction and plunder that they had adopted for a long time. Mr. Chakravathi attributed this as a reason for some of the lands having remained unsettled. The Havelley lands not under the control of zamindars and poligars were permitted to be converted into muttas of varying sizes and sell them in public auction to the highest bidders.

Control of growth of permanent settlement: In 1803, Lord William Bentinck became

the Governor of Madras and objected to the further expansion of the zamindari settlement. Administrators like Thomas Munro, the then Chief Controller of the ceded districts, constantly worked for putting a stop to the zamindari settlement and introducing individual or ryotwar settlement whereunder individual settlements or settlement with each ryot not with a view to give the government an opportunity to review the assessment once in 30 years or in shorter intervals if need be, but with a view to give the ryots all the advantages of permanency in settlement without any of the disadvantages inevitable in the zamindari system are envisaged.

Due to the stalling of the further growth of permanent settlement, only 1/3rd of the Madras Presidency was permanently settled in favour of zamindars and other landholders.

Period of transition: Consequent on stoppage of permanent settlement, the question arose as to what was the system of settlement to be adopted with advantage as regards the lands which had not been permanently settled. Several alternative systems were tried. Prominent among them were individual settlement whereunder each individual mirasidar or ryot separately without there being any community either of interest or of responsibility between the several mirasidars or ryots of a village, was made. There were again sub-categories of this system Amani system, Appanam system, Pathukattu system, Tarambarthi system and the Dittam system.

Under Mozawar or village settlement system, the assessment is fixed on the body of cultivators as a whole in the village instead of with each cultivator. Under this system, there was joint liability on the part of the cultivators so that if one ryot failed to pay his quota, the others must make good the loss. The Olungu or Oolungu, the Bill Muktha or Muktha and Veasabudi were most common instances of Mozawar system.

Ryotwari settlement: At last all these systems were abolished and the system of ryotwari settlement invented by Colonel Read and Colonel Munro and tried by them in Salem District was adopted throughout the Presidency. Under these reforms, not only all the lands which have not come under the permanent settlement but also zamindari and mita lands that had lapsed to Government for arrears of revenue or otherwise were settled on ryotwari tenure. Thus, these administrative measures culminated in establishing two modes of revenue administration: (1) Permanent settlement system and (2) Ryotwari system.

Legal regime:

With a view to ameliorate the condition of ryots in zamindaries and permanently settled estates and regulate the relationship between the zamindars or holders of permanently settled estates and the ryots under them, several legislative measures were taken by the British India. The first of these was the Permanent Settlement Regulation 25 of 1802. This regulation provided for issue of permanent title deeds called sunnad-i-milkayat-istimarari by the Government to the zamindars and other land holders where estates had been settled and in return these zamindars and landholders should execute what are called Kabullats in favour of the Government. This Regulation recognised the zamindars absolute power of alienation of lands under their control subject to the condition of such alienations being registered in the Collectors register. The zamindars or landholders shall within a reasonable period of time grant each ryot a patta or kaul defining the amount to be paid by him and explaining the further conditions of engagement. The zamindars or landholders shall grant regular receipts to the ryots for discharges in money or in kind made by the ryots on account of the zamindars.

Regulation 28 of 1802 conferred power on the holders of estates to distrain for arrears of revenue. This Regulation was later repealed by the Rent Recovery Act 1865, which contained similar provisions.

Regulation 29 of 1802 created the office of Kernam (Karanam as in later years came to be popularly known as). This office of Kernam was created for the purpose of preservation of the rights and the property of the people, to facilitate the decision of suits in the courts of judicature, prevent diminution of the fixed revenue of the Government and securing individual persons from injustice by enabling the public officers of government and the courts of judicature to procure authentic information and accounts.

Regulation 30 of 1802, otherwise known as Patta Regulation, provided for grant of patta by zamindar or landholder and execution of counter-part by the ryot called muchilika. The patta should contain the description of the property, the terms of the holding such as the rent payable by the ryot and the time or duration of the tenure. Pattas and muchilikas must be registered in the office of the Kernam. Even the landholder could not make any demand except as provided for in the deed and for any illegal exaction, he would be liable in damages to the extent of three times of the amount so exacted. If the ryot demanded patta and there was refusal or delay, he could sue the landholder for damages.

Incongruities of Regulation 25 of 1802: The language of this Regulation created confusion over the mutual rights and obligations of zamindars or landholders and the ryots. The title to the Regulation read: A regulation for declaring the proprietary right of the lands to be vested in individual persons. The Preamble, inter alia, stated that the idea was to grant the zamindars and landholders their heirs and successors, permanent property in land in all the time to come. Section 2 declared that the proprietary right of the soil shall become vested in the zamindars and other proprietors of land and in their heirs and lawful successors forever.

Regulations 4 and 5 of 1822: The Board of Revenue brought to the notice of the local Government of the lacunae in the previous Regulations and in particular, Regulation 25 of 1802. Regulations 4 and 5 of 1822 were issued with a view to clarify the provisions of Regulation of 1802. Regulation 4 declared that in passing Regulation of 1802, it had no intention of authorising any infringement or limitation of any established rights for any class of its subjects whatever and consequently the Regulations should not be understood as having been meant to define, limit, infringe or destroy the actual rights of any description of landholders or tenants but merely to point out in what manner the tenants may be proceeded against in the event of their not paying the rents justly due from them.

Regulation 5 was issued to remedy certain defects in previous Regulations.

Rent Recovery Act 1865 (8/1865): Regulations 4 and 5 did not repeal Regulations of 1802. The ryots were so completely under the control of the landholders that they could not easily take advantage of the provisions of Regulations 4 and 5, which were intended for their benefit. Therefore Act 8 of 1865 was passed which contained similar provisions regarding exchange of pattas and muchilikas and for enhancement of rent etc. Even after these legislative measures, the main question whether the zamindars and landholders were the absolute owners of the land or whether the tenants had any rights in the soil remained unanswered and gave rise to numerous decisions, some favouring ryots and the others favouring zamindars and landholders. It is in this background that Estates Land Act 1 of 1908 was passed.

Features of Estate Land Act: Section 2 of the Act defined estate as under:

Estate means:

- (a) any permanently settled estate or temporarily settled Zamindari;
- (b) any portion of such permanently settled estate or temporarily settled Zamindari which is separately registered in the office of the collector;
- (c) any unsettled Palaiyam or Jagir;
- (d) any village of which the land revenue alone has been granted in inam to a person not owning the Kudivaram thereof, provided that the grant has been made, confirmed or recognised by the British Government, or any separated part of such village;
- (e) any portion consisting of one or more villages of any of the estates, specified above in clauses (a), (b) and (c) which is held on a permanent under tenure.

The term Land holder is defined as:

Land holder means a person owning an estate or part thereof and includes every person entitled to collect the rents of the whole or any portion of the estate by virtue of any transfer from the owner or his predecessor in title or any order of a competent court or of any provision of law.

The Act divided the lands in an estate as ryoti lands and private lands. Ryoti lands were further divided as ryoti lands proper and old waste. Ryoti land means cultivable land in an estate other than private land, but does not include

- (a) tank beds;
- (b) threshing floors, cattle stands, village-sites, and other lands situated in an estate which are set apart for the common use of the villagers;
- (c) lands granted on service tenure either free of rent or on favourable rates of rent if granted before the passing of the Act, or free of rent if granted after that date, so long as the service tenure subsists.

Ryot is defined as a person who holds for the purpose of agriculture ryoti land in an estate on condition of paying to the landholder the rent which is legally due upon it. Occupancy right is defined as a ryot having a permanent right of occupancy in his holding and the term Kudivaram interest is generally used only in this sense. Private land means the domain or home-farm land of a landholder by whatever designation known such as Kambattam, Khas, Sir or Pannai. Section 6 of the Act declared the right of the tenant in the soil by conferring on him permanent right of occupancy in his holding.

In order to treat the possession as lawful, a ryot in possession of land must show that his possession was with the consent of the landholder or at least not against his will.

Occupancy right of a ryot is heritable and also transferable by sale, gift or otherwise. If a ryot dies intestate in respect of a right of occupancy leaving no heirs except the Crown, his right of occupancy will be extinguished, but the land in respect of which he had such right of occupancy does not cease to be a ryoti land. A ryot is liable to pay rent either in money or in kind as the landholder will be entitled to collect. A

landholder is entitled to collect rent in respect of a ryoti land occupied by ryots and the rent so payable by the ryot and any interest which may be due in respect thereof will be the first charge on the holding and upon the produce of the land. The landholder is entitled to distrain and sell the properties of the ryot for non-payment of rent. Principles of settlement under Ryotwari system: A field to field settlement, called, Kulwar settlement, was followed by Thomas Munro to ascertain what fields are occupied by each ryot and to enter them with fixed rents attached to them in his patta, their aggregate constitutes his rent (revenue) for the year. As per Munro, the term settlement was used not for the money rate, but for the extent of land.

In his report sent to the British Government in 1807, Munro stated that the ryotwari system is better adopted to preserve simplicity of manners and good order, because every ryot will, on his own estate, be a proprietor, farmer and labourer; because a great body of small proprietors instead of a few zamindars or mutthadars will be interested in supporting the Government.

As a result of the Read and Monro reforms accepted by the British Government, the annual settlement hitherto followed by the settlement system of leases for fixed tenures has given way to a somewhat permanent settlement (30 years duration) in favour of ryots, subject to availability of option to them to give up the land in their holding and opt for another land, subject to its availability.

Identification of land in Ryotwari settlement: Baden Powell described ryotwari settlement as survey-assessment. He quoted Dr. Maclean saying, it (revenue settlement) as the division of all arable land whether cultivated or not, into fields, and the assessment of each field at fixed rate for a term of years. The occupant pays the revenue so assessed on the area he actually occupies. This area may be standard or varied from year to year by relinquishment of old fields and taking up of new, which are either available as waste or as given up by some one else. The occupant deals directly with the Government and is responsible for no ones revenue, but his own. He holds in every case, a patta showing his fields and the revenue assessed. Every year, an annual settling up or jamabandi takes place at which the patta of each ryot is tested, and if need be corrected, to see what land he has actually held and what remissions, if any, he is entitled to, on the full revenue of his holding.

The settlement so undertaken was completed in 1886-87 in as many as 14 Districts in Madras Presidency and was in progress in five Districts. The completed Districts included Godavari, Krishna, Nellore, Kadapa and Kurnool, and the settlement was in progress in Bellari and Anantapur Districts.

Preparation of record: On completion of settlement, the entire area of the village was entered in the Land Registers under the following categories: (i) Assessed ryotwari land; (ii) Inam land granted free or at reduced rates for village service, charitable, religious or other purposes, within the village (iii) Waste cultivable; (iv) Unassessed waste, including poramboke, which means, unassessed waste set-aside for special purposes as for the village residences site, threshing floor, burial ground, site of a well, grazing ground etc. Rough pattas (like chitta of village settlement in Punjab) are then given out so that each ryot may see what is going to be put down in the Register as far as it affects him. After all that is done, the completed Registers of each village prepared in English and in the vernacular (Diglott) are forwarded to the Settlement Commissioners office to be printed. The following are the records prepared after settlement:

(i) Settlement Register: This register is also termed as Diglot or A Register. It is the

foundation on which the whole revenue administration rests. It forms complete recording of accurate information as to whether it is Government or inam land, dry, wet, unassessed or poramboke, source of irrigation, class and sort of soil, taram, rate per acre, extent etc. It records every separate holding, whether large or small. The area is given in acres and cents and the assessment thereon stands in parallel columns. If a single field on the survey map is divided among ryots, a special letter is allotted to each ryot with a separate line giving full particulars of his holding.

(ii) Ledger/Chitta: From the Settlement Register is prepared a ledger known as Chitta giving each ryot personal account with the Government. Every field or a fraction of a field held by the same ryot is picked out from the Settlement Register and entered in this ledger under his name with particulars of area, assessment and other details. The total of the area shows the extent of his different holdings in the village and the total of the assessment is the amount due thereon by him to the Government. A copy of this is given to each ryot with a note as to the date on which each instalment falls due and the same is known as patta.

(iii) Memoir and village maps: This memoir is prepared in English giving full description and details touching each village and its settlement and an account of all lands held revenue rent free or on favourable tenure is also printed. A sketch map of the village showing the tanks and channels and all similarly assessed fields laid out into blocks is attached to it. It is an index to the Field Measurement Book (FMB).

(iv) Field Measurement Book: It contains pictorial representation of the survey fields and sub-divisions. A record of measurement of individual fields and sub-divisions is thus provided which will enable any inspecting officer to identify the boundaries whenever it is required for investigation of the disputed boundaries, for detection of encroachments, for measurement of further sub-divisions etc. It also enables the revenue officials to check the cultivation of each holding during azmaish. Three copies are prepared by the survey authorities. The original copy is preserved in State Archives, duplicate is supplied to Tahsildars office and the triplicate copy is supplied to the Village functionary.

Settlement of Inam claims: The settlement was done under ryotwari tenure. Where parts of land were revenue free or covered by reduced revenue, they were shown in the Village Registers. Where the whole village is inam, it constitutes a separate estate like a zamindari or a pollam and it does not come within the scope of settlement. The Government had no claim to the land or to the revenue unless there is a fixed quit rent, which is recorded as permanently settled revenue or pesh-kash of the zamindar or pollam estate. A special procedure was adopted under which the right and title of the holders of these favoured estates was elucidated and put on a sound basis. In Madras Presidency, as was in Bombay, while the ryotwari lands were treated as Government lands the inam lands were treated as alienated as the Government has parted with its right of assessing the land and revising the assessment, the same being either rent free or more commonly charged with jodi or quit rent, which is unalterable. The following imams were recognised:

- (i) Inams proper, where the land granted is either a field, or a village, or a village or a group of villages;
- (ii) Mohammadan jagirs, which were personal grants.
- (iii) Shrotriyams and agraharams: These are grants to certain classes of Brahmins.

These imams include the inams given for religious institutions, public utility such as for the support of choultries etc.; construction maintenance and repair of irrigation works in the ceded Districts, in Kistna, Nellore, North Arcot and Salem; to Brahmins and other religious persons for their maintenance; maintenance grants for the families of poligars ancient land officers in the ceded Districts, Changanput etc. Permanent accounts at Taluq/Mandal Level: These accounts consisted of five Registers representing the state of the land and its assessment as fixed at settlement. They are adaptations of the Registers made at survey-settlement.

(i) Register-A: It shows every field (survey field and sub-division) in the village, whether Government or inam, wet, dry, cultivated or poramboke, the source of irrigation; whether one crop or two, what group it is in, what is its soil class, the taram or revenue rate applied, the extent in area and the total assessment, the name of the occupant and remarks.

(ii) Register-B: It is a register of any inam fields in the village, giving particulars of the field, its taram, its quit-rent, the part of this payable to Imperial Revenue and the part to the village service fund.

(iii) Register-C: It shows the sources of irrigation and the fields included in the area of or ayacut supplied by each.

(iv) Register-D: It shows the area occupied and charged as irrigated under each source of irrigation for a series of years.

(v) Register-E: It shows the land revenue settlement for a series of years under dry and wet showing the area and assessment of holdings, waste remitted (i.e., allowance for unculturable bits like the pot kharab of Bombay), the waste, and the net charge, besides miscellaneous revenue, local and special funds. Columns at the end show the actual collections on this demand.

While the above discussed record pertains to survey and settlement of both Government (ryotwari) and inam lands maintained at Taluq level, the record discussed infra relates to Revenue accounts maintained at village level.

Village accounts (Pre-Independence): These accounts consist of as many as 38 Registers. The following are notable among them:

No. 1 Accounts: This Register shows the particulars of monthly cultivation for each field by its number and letter, whether Government or inam, the source of irrigation, the name of the holder, the kind of crop raised (first and second).

No. 2 Account: It is also popularly known as Adangal or annual statement of occupation and cultivation, field by field. It shows the fields (Government or inam, number and letter, revenue-rate (taram), single or double crop, area and assessment) as they appear in the Settlement survey or Mamool account. The next follows the name of the holder, sources of irrigation if any, the occupation, the actual cultivation and remarks of the karnam. Adangal forms the main basis of annual jamabandi settlement.

No. 3 Account: It is the Annual Register of changes. It contains entries of fields taken up on darkhast, transferred by sale, relinquished, sold for arrears of Government revenue, converted from single to double crop land etc.

No. 10 Account: It is a sort of individual chitta or personal ledger of each cultivator.

Section-I shows the particulars of the original holding, additions by transfer, or by land taken up on application etc., under dry and wet separately. Section-II shows the assessment on these lands, deducting remissions and adding miscellaneous revenue, land cess, village service and special funds.

No. 11 Account: It is the form of patta granted to each ryot. Register of Holdings: This is a very important Register maintained at the village level under Board Standing Order 31. It is apt to extract sub-para-1 thereof, which is as under:

The register of holdings kept in every village should, as far as possible, show the names of persons who are the real owners or who, in virtue of their title, whatever its nature, are in the enjoyment of the lands and it is of great importance that the register should be maintained accurately and upto-date, as it is to the registered-holder that the Collector must look for the revenue from the land. The following instructions are therefore laid down for regulating the procedure to be adopted in effecting changes of registry in the revenue accounts when transfers of landed property take place. (Emphasis added)

The agrarian reforms:

A.P. (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act, 1948:

This was the first legislation made after the Independence governing the agrarian reforms. As could be seen from its Statement of Objects and Reasons, the main purpose of the Enactment was to abolish the Zamindari system in the Madras province. The Act is intended to confer rights in lands on cultivators/pattadars by introducing ryotwari system in the Estates. The Statement by the Honble Revenue Minister while presenting the report of the Joint Select Committee to the Legislative Assembly throws light on the land tenure in the Madras province under the British rule. It is evident from the said speech that permanent settlement introduced by Lord Cornwallis acting for the British Government, was sought to be done away with, thereby bringing the cultivators directly under the control of the Government. The long title of the Act reads:

An Act to provide for the repeal of the Permanent Settlement, the acquisition of the rights of land holders in permanently settled and certain other estates in the State of Andhra Pradesh and the introduction of the ryotwari settlement in such estate.

Whereas it is expedient to provide for the repeal of Permanent Settlement, acquisitions of the rights of landholders in permanently settled and certain other estates in the State of Andhra Pradesh and the introduction of the ryotwari settlement in such estates;

The Act repealed the Estate Land Act, 1908. Under Section 3 of the Act, on and from the notified date, the entire estate land and communal lands, porambokes, other non-ryoti lands, waste lands, pasture lands, lanka lands, forests, mines and minerals, quarries, rivers and streams, tanks and irrigation works, fisheries and ferries, shall stand transferred to the Government and vest in them free of all encumbrances. However, under the proviso to Section 3 of the Act, the Government shall not dispossess any person of land in the estate in respect of which they consider that he is prima facie entitled to a ryotwari patta under the proviso to Section 3 of the Act. The Act envisaged appointment of functionaries such as Director of Settlements, Settlement Officers, Managers of Estates etc., and gave control to the Board of Revenue inter alia for giving effect to the provisions of the Act, superintendence of

taking over of estates to make due arrangements for interim administration therefor. The Act also abolished inam estates. Under Section 11 of the Act, every ryot in an estate shall, with effect on and from the notified date is entitled to a ryotwari patta in respect of all ryoti lands which immediately before the notified date were properly included or ought to have been properly included in his holding and which are not either lanka lands or lands in respect of which a landholder or some other person is entitled to a ryotwari patta under any other provision of the Act and all lanka lands in his occupation immediately before the notified date, such lands having been in his occupation or in that of his predecessors-in-title continuously from 1st day of July 1939. Under Section 12, in case of *Zamindari Estate*, the land holder shall with effect on and from the notified date be entitled to ryotwari patta in respect of all the lands mentioned in clauses(a) and (b) thereof. Section 13 enumerated the lands situated in an inam estate in which the land holder is entitled to a ryotwari patta. Under Section 14, the land holder is entitled to ryotwari patta in respect of the lands in an under-tenure estate. The Act also made provision for survey and settlement of the estates, the manner of effecting ryotwari settlement of estates, determination of land revenue before the ryotwari settlement is brought into force, payment of compensation to land holders etc. A.P. (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956: This Act was made for the abolition of minor imams, including charitable and religious service imams. Under Section 4 of the Act, in case of inam land in a ryotwari or Zamindari village, a person or institution, holding such land as inamdar on the date of commencement of the Act shall be entitled to a ryotwari patta in respect thereof. Under Section 7, the Tahsildar may suo motu and shall on application by a person or institution, after serving notice in the prescribed manner on all the persons or institutions interested in the grant of ryotwari pattas in respect of the inam lands concerned and after giving them a reasonable opportunity of being heard and examining all the land records determine the persons or institutions in accordance with the provisions of Section 4 and grant them pattas in the prescribed form. Land tenure in Telangana Area: Before the Telangana Area was included in the State of Andhra Pradesh with effect from 1-11-1956, it was a part of the Hyderabad State. The land revenue system in the Hyderabad State is extensively dealt by the book titled Survey and Settlement Manual of Hyderabad published under the auspices of the then Revenue Secretary Nagendra Bahadur and P.N. Krishna Swami, Officer on Special Duty. This Manual in turn has gathered information from two standard books i.e., Hyderabad Affairs by Moulvi Syed Mehdi Ali and Hyderabad under Sir Salar Jung by Moulvi Chirag Ali. I am able to collect the history concerning the land revenue system in the Hyderabad State by referring to the above mentioned Manual. I have also referred to and relied on the Hand Book of Land Records by Mr. P. Kasturi Reddy. As could be culled out from these books, the brief history of the land revenue system in the Telangana Area is referred hereunder:

Under the Muslim rule, revenue was generally farmed out. Traces of settlement made by the Bahmani Kings and by the Adilshahi and Kutubshahi rulers were found in some places. Regular settlements were introduced only when Akbar annexed Berar in 1596 and Malikambar became the Governor of Aurangabad. The assessment according to Akbars settlement was fixed by measuring the arable lands and making a careful assessment of the produce. The land was measured in Bighas. Revenue was assessed on 1/4th of the estimated produce per each Bigha and the total demand on a village was termed as Tankwah or Standard rent-roll. The assessment was originally based on the quantity of the grain sown in a field or on its produce on which a certain share was taken by the State as revenue.

Though the assessment was based on the ryotwari system, in reality it was Villagewar

or Mozawar. Each village was separately assessed as a whole. Any deficiency in the revenue which might arise owing to relinquishment of certain fields by the cultivators or desertion by the ryots from the village was made good by taxing other cultivators proportionately in excess of the proper amount so as to cover the loss sustained. Thus the responsibility of the people of the village was sought to be enforced, the main object being that the revenue from the village did not fall short of the previous revenue. Revenue payments were either in cash or in grain. Standing crops were not permitted to be removed until the Government demand has been first satisfied. Reforms introduced by Sir Salar Jung:

As in Andhra area, there were two kinds of land tenures under the Nizam rule. They were (i) Khalsa and (ii) Non-Khalsa. Khalsa areas were equivalent to Ryotwari lands in Andhra area, directly under the control and administration of the Government.

Sir Salar Jung became the Prime Minister in 1853. After assumption of office of Prime Ministership, Sir Salar Jung abolished the system of revenue farming. The State undertook to deal directly with the cultivators, the practice of assessing villages in the gross was discontinued and the method of assessing each individual cultivator was introduced. These beneficent reforms led to a security of tenure of the cultivator and the area under occupation steadily increased. However, there were certain drawbacks in the system. The fields had not been accurately measured; the soils had not been classed according to their relative values and as a natural consequence it followed that the assessments were very unequally distributed on the different holdings.

The Government therefore decided on introducing a regular survey and settlement into the State in 1875. In Hyderabad ryotwari system prevailed. In the north-west provinces, the tenure was a Zamindari one. Before the settlement operations were extended to the Telangana Area, the period of settlement was for 30 years. However, after the settlement operations were extended to the Telangana Area, the period of guarantee of settlement was reduced to 15 years only. In five years period upto 1880, 94,61,328 acres were surveyed. Classification operations were completed in respect of 50,29,863 acres. Non-Khalsa: Non-Khalsa areas were areas in respect of which the land tenure was different from Khalsa areas. These areas would include jagirs and imams. These are equivalents of estate tenure/overlord tenure in the Andhra area. The intermediary between the cultivating ryot and the Government in these areas would be the landholders i.e., the jagirdars/inamdars/mukhtedars etc., who controlled the administration of non-Khalsa villages and they would collect the land revenue from the cultivating ryots in relation to these areas.

The expression Jagir includes (a) Paiga, (b) Samsthan part of Jagir, (c) Village Mukhtha, (d) Agrahar, (e) Umla and (f) Mukasa (This definition is found in Regulation 2 (f) of the Abolition of Jagirs Regulation, 1358 Fasli).

The expression Inam is defined in Section 2(10) of the Land Revenue Act, 1317 Fasli and is also defined in Section 2(1)(c) of the A.P. (Telangana Area) Abolition of Inams Act, 1955.

After abolition of Jagirs/Inams, the entire tenure in the Telangana area became uniform and the Khalsa tenure applied even to the areas that were hitherto non-Khalsa areas.

Hyderabad Land Revenue Act, 1317 Fasli and the Hyderabad Record of Rights In Land Regulation, 1358 Fasli:

In Telangana Area, the two most important among the statutory enactments are the Hyderabad Land Revenue Act, 1317 Fasli (for short the 1317 Fasli Act) and the Hyderabad Record of Rights in Land Regulation, 1358 Fasli (for short the 1358 Fasli Regulation). The 1317 Fasli Act is a comprehensive enactment intended to govern the entire revenue administration in the erstwhile Hyderabad State. It provided for appointment of Revenue officers and defined their powers. Section 24 thereof declared that all public roads, lanes, paths, bridges, dikes, rivers, streams, tanks, ponds etc., except those belonging to persons or class legally capable of holding property and those in respect of which any other order under any law may have been given, are the property of the Government. Chapter V of the Act (Sections 54 to 76) specifically dealt with Khalsa lands. It provided for granting of pattas/assignments of khalsa lands. It also provided for succession in case of death of pattadars. It has further provided for revising the settlements in Tehsils after the expiry of the period of first settlement. It is the first enactment which statutorily prescribed Revision Survey and Settlement. Chapter VII thereof provided for Settlement and Partition of areas. Section 77 provided for survey of any land for the purpose of settlement and assessment of land revenue and record and preservation of the rights relating thereto, or for any other similar purpose. Section 78 authorised the Survey Officer to require the attendance of the land holders and holders interested in such persons by issuing general notice or summons. Section 81 provided for making of assessment by the Settlement Officers. Section 86 provided for preparation of register. Under this provision, the Survey Officer is bound to maintain at each settlement, a separate register called Sethwar for each village showing the area and assessment number together with the name of the pattadar. The nature of record prepared and maintained under this Act will be discussed at appropriate place hereafter.

The Hyderabad Land Revenue Act, 1317 Fasli and the Hyderabad Record of Rights in Land Regulation, 1358 Fasli are not only inter-related but are complementary to each other. They are comprehensive pieces of legislation dealing with the rights and obligations of pattadars/owners of the land and the duties of the revenue officers appointed by the Government.

Land Revenue Rules, 1951: These are statutory rules framed under Section 172 of the Land Revenue Act, 1317 Fasli and the various rights and responsibilities of the pattadar are enumerated thereunder. Rule 4 thereof stipulates the conditions on which the registered holder may alienate the land. Rule 5 deals with transfer of registry of holding. Rules regarding grant of pattadari rights in Non-Khalsa villages:

These rules were framed under Section 172 of the Land Revenue Act, 1317 Fasli and were published during the year 1356 Fasli (1946 A.D.) as a precursor to the Abolition of Jagirs Regulation, 1358 Fasli. Under these Rules, the land tenure in Jagirs was equated with that in the Khalsa villages (villages administered by the Government directly). Rule 2 of the said rules reads as under:

From the date of the coming into force of these rules all persons who hold jagir land and pay revenue direct to the Jagirdars shall, in all Jagirs, whether settled or unsettled, for all purposes be deemed to be pattadars of the land held by them notwithstanding any oral or written agreement between the Jagirdar and such persons or any entry in the concerned village records to the contrary, and their rights and liabilities shall be the same as those of the Pattadars of Khalsa lands.

A reading of the above provision would indicate that after coming into effect of the aforementioned rules, persons holding Jagir land and hitherto paying revenue to the Jagirdars, would become the pattadars of the said lands and would have the legal

status of pattadars holding Khalsa lands (Khalsa villages were directly controlled by the Government).

The Hyderabad Abolition of Jagirs Regulation 1358 Fasli (1948 A.D.):

This statute, which came into force on 20-9-1948 marked a watershed in the history of land tenures in the Telangana Area. The statement of objects and reasons thereof, reads as under:

Whereas it is expedient to abolish jagirs and to provide, pending determination of terms of commutation for payment to jagirdars and hissedars of certain interim allowances.

Under the said statute, the jagirs were abolished and were transferred and included in the Diwani i.e., the Government, and pending such inclusion, were to be administered by the Jagir Administrator. Statutory Rules were also framed thereunder and a separate regulation for commutation was also enacted, i.e., Jagirs (Commutation Regulation 1359 Fasli for the purpose of the procedure in relation to payment of commutation sums. The Jagirdars Debt Settlement Act, 1952 was also enacted. Under the Atiyat Enquiries Act, 1952, the procedure for determining the commutation for abolished jagirs, compensation for abolished imams etc., was prescribed.

The Hyderabad Abolition of Inams Act 1955: Under this statute, imams in the erstwhile Hyderabad State (i.e., including Telangana Area) were abolished and vested with the State with effect from date of vesting. The date of vesting was 20-7-1955, which was notified in the official Gazette, as specified in Section 2(b) of the said statute. However, the date of determination of occupancy rights was 1-11-1973. This unusual and avoidable circumstance wherein there were two dates crucial for the purpose of the said statute, arose because the Abolition of Inams Act, 1955 was repealed by a new Act i.e., Act 8 of 1967 and the Act of 1967 was declared void and not protected by Article 31A of the Constitution of India by this Court in *Raja S.V. Jagannadha Rao v. State of A.P.* As a result of the pending litigation and the challenge to Act 8 of 1967, resulting in the said statute being declared void, the provisions of the Abolition of Inams Act, 1955, could only be enforced in letter and spirit after the said judicial decision on the issue. As a result, for the purpose of determination of occupancy rights, the crucial date was 1-11-1973.

The Hyderabad Tenancy and Agricultural Lands Act, 1950:

This important statute was enacted in the year 1950 and its Preamble reads thus:

Whereas, it is expedient to amend the law regulating the relations of landholders and tenants of agricultural land and the alienation of such land.

And whereas it is also expedient to enable landholders to prevent the excessive sub-division of agricultural holdings to empower Government to assume in certain circumstances the management of agricultural lands, to provide for the registration of Co-operative Farms and to make further provision for matters incidental to the aforesaid purposes.

This statute introduced drastic reforms in land tenure and provided for conferring absolute ownership of lands held by protected tenants under Section 38E thereof, thereby transferring such ownership in their favour w.e.f. the notified date i.e., 1-11-1973. Several sets of statutory Rules were framed under the said enactment dealing with various contingencies.

The Telangana Area Land Census Rules, 1954: These rules were made under Section 97 of the Tenancy Act. Under these Rules, land census, as defined by Rule 2(f) of the Rules, was taken up by the Government. The important record i.e., Khasra Pahani is a document prepared under these Rules. Rules 8 to 13 speak of provisional Khasra Pahani and Rule 14 speaks of fair copy of Khasra Pahani. The said record is an important record and entry as pattadar in the same would confer absolute title over the land occupied.

Laoni Rules issued vide Gashti No. 19 of 1347 Fasli (1937 A.D.):

These rules were framed under Section 172 of the Land Revenue Act, 1317 Fasli and dealt with grant of Laoni (assignment). There was no non-alienation clause in those grants made under the said provision. Laoni Rules 1950: These are statutory Rules framed under Section 172 of the Land Revenue Act 1317 Fasli and deal with assignment of lands. These Rules were amended by the Revised Assignment Policy vide G.O.Ms.1406, Revenue, dated 25-7-1958 and for the first time non-alienation clause was incorporated in the conditions of assignment hitherto dealt with under the Laoni Rules. Government Order No. 9, dated 27-10-1949: Reorganisation of the Survey and Settlement Department was undertaken by the Hyderabad State under Government Order No. 9, dated 27-10-1949. Before such reorganisation, two revision surveys were conducted in most of the places. This Government Order has divided the Hyderabad State into three Circles as noted below:

(a) Aurangabad Circle with headquarters at Aurangabad, comprises the districts of Aurangabad, Nanded, Bhir, Parbhani, Nizamabad and Osmanabad.

(b) Gulbarga Circle with headquarters at Gulbarga, comprises the four districts of Gulbarga, Bidar, Raichur and Mahabubnagar.

(c) Warangal Circle with headquarters at Warangal, comprises the districts of Warangal, Adilabad, Karimnagar, Medak, Hyderabad and Nalgonda.

Each Circle was placed under a Deputy Commissioner. Survey was held by classifying the lands broadly under the categories of dry, wet or garden lands.

Portions of land which are either uncultivable or should not be allowed to be cultivated in the interests of public were treated as pot kharab lands in respect of which no assessment is to be levied. The area determined and treated as pot kharab are excluded from the total area of each survey number and the balance area is only liable to be assessed. The pot kharab lands comprise foot paths, cart tracks, wells, out-cropped rocks, gokattes or other small kuntas which are not treated as separate survey numbers; topes - places where trees are found together and which are intended to be retained for being used as such and where it is usual to hold annual Jattras, weekly markets, or such other functions, are usually assigned pot kharab by multiplying length and width; places set apart for use of the community at large or Hallas or Nalas, cattle tracks or made Roads and Railways, trees; the area over which shade of big trees falls; cultivation ridges, area covered by buildings etc.

Land records in Telangana Area:

The Hyderabad Record of Rights in Land Regulation 1358 Fasli Act (for short 1358 Fasli Regulation) governed the preparation and maintenance of record of rights in land in Hyderabad State. Section 3(c) defined land records to mean the records under the provisions of, or for the purposes of that Regulation and the Hyderabad Land Revenue

Act 1317 Fasli. Section 4 mandates preparation and maintenance of records in all lands and the record of rights shall include the names of all persons who are holders, occupants, owners and mortgagees of land or assignees of the rent or revenue thereof, the nature and its extent and the respective interests of such persons and the conditions or liabilities (if any) payable by or to any of such persons and such other particulars as may be prescribed. Such record is to be prepared after due enquiry. Section 6 deals with mutation and enquiries thereof and publication of records. Under Section 13, any entry in the record of rights and a certified entry in the register of mutations shall be presumed to be true until the contrary is proved or a new entry is lawfully substituted therefor. The note on Rule 3 of Hyderabad Record of Rights Rules, 1956 made under the Hyderabad Land Revenue Act, 1317 Fasli reads The pahani patrika now in use, contains besides columns 1 to 19 of Form No. 1, several other columns pertaining to agricultural statistics; and columns 1 to 19 of pahani patrika which corresponds to Form-I shall be deemed to be the Record of Rights.

Survey and Settlement records:

Sethwar Register: This is equivalent of A-Register/Diglot in Andhra Area. After disposing of all the representations/appeals filed by the khatedars for the correction of survey errors, a final survey register is prepared called Sethwar Register. This Register is regarded as the king of all Registers. This contains the full details of survey number, patta/grant, gairan/inam, name of the khatedar, total area, pot kharab area, balance area, rate of assessment (Dhar), final assessment in case of wet lands, sources of irrigation etc. **Wasool Baqi Register:** After completion of Akarband Register at the final stage of Jamabandi process, a very important register, written on the Alphabetical order of the Khatedars (pattadars) of the village, showing all old S. Nos., extents and assessments of the khatedar on one page and on the opposite page the details of corresponding New S. Nos., extents and assessments is prepared which is called as the Wasool Baqi register or correlation register. All old entries of the khata are noted down as per the Theka Bandi Register, which is prepared basing upon the revenue records existing at the time of classification of soil work (Parath bandi) and got it attested by the concerned Tahsildar.

The corresponding new survey details shown on the opposite page, are noted down as per the entries recorded in the just prepared Akar land register.

At the end of the entries of each khata, totals are noted for old entries and corresponding new survey entries. This will give the clear picture of each khata particularly to ascertain the discrepancy of extents if any.

Village Accounts (Pre-Independence): After completion of Survey and Settlement and announcement of settlement rates, a copy of the Basic records (ie) Village map, Sethwar Register and Wasulbaqi Register will be supplied to the Tahsildar. Tahsildar will get two copies of Pahani prepared by the Patwari in his office and attested by him. Pahani is an important Register maintained by the Patwari for the purpose of Azimash and also for various statistical Returns and accounts to be prepared by him in connection with day to day Land Revenue Administration. This corresponds to No. 2 Account i.e., Adangal maintained by the village Karnams in Andhra region. One copy of the village map, and Pahani are supplied to the Patwari. In order to collect land Revenue, Patwari will have to prepare Chowfasla register Khatawise yearly along with Pahani. One copy of the Sethwar is sent to Central Survey Office.

One copy of the village map, Sethwar, Wasulbaqi Register, and Pahani are kept in the Taluk office. All the remaining Survey and Settlement Records are transferred to the

District Land Record Office which is part of the Collectors office.

Following were the important Registers among 40 Registers to be maintained by the Patwaris:

1. Pahani patrik .. Register No. 3
2. Choufasla .. Register No. 4
3. Faisalpatti .. Register Nos. 5, 6 & 7
4. Qabile Wasool .. Register No. 8
5. Jamabandi Goshwara .. Register No. 9
6. Araziyath Sarkari .. Register No. 10
7. Araziyath-e-Inam .. Register No. 11
8. Zarai Abupashi .. Register No. 19
9. Kist Bandi .. Register No. 20
10. Asamwari Wasoolbaqui .. Register No. 21
11. Irsalnama .. Register No. 23
12. Kirdi .. Register No. 27
13. Khata .. Register No. 28
14. Khartiwar Rainfall .. Register No. 33
15. Paidawar Register .. Register No. 34

Village Accounts after Independence: Prior to Independence, land revenue was the main source of income to the Government in both Andhra and Telangana regions. The main function of the Revenue administration was fixation of revenue demand and collection of land revenue. There were 38 village accounts in Andhra Area and 40 village accounts in Telangana Area. The purpose of maintenance of these village accounts was mainly fixation of assessment and watching revenue collections. After Independence, land revenue was no longer the source of revenue to the Government as it used to be and maintenance of land records lost its significance. The Government has reduced village accounts from 40 to 22 in Telangana Area and from 38 to 23 in Andhra Area vide G.O.Ms. No. 599, Revenue (N) Department, dated 1-7-1976 and G.O.Ms. No. 1474 Revenue (N) Department, dated 15-12-1979, respectively. Account No. 2 adangal in Andhra Area and Account No. 3 (pahani) in Telangana Area have been integrated vide G.O.Ms. No. 734 Revenue (N) Department, dated 27-4-1983 and G.O.Ms. No. 1070 Revenue (N) Department, dated 6-8-1983. The Estimates Committee of 1985-86 has recommended in its third report, appointment of Specialists Committee for introduction of common village accounts for both the regions in view of the evolution of institution of Village Officers. The Specialists Committee was appointed by the Government under the Chairmanship of Commissioner of Land Revenue vide G.O.Ms. No. 115 Revenue (N) Department, dated 8-2-1989. Based on the recommendation of the Specialists Committee, 11 village accounts common to both the regions were introduced vide G.O.Ms. No. 265, Revenue (LR-II) Department,

dated 10-3-1992. The following new integrated records have been adopted from 1-7-1992 i.e., 1402 Fasli.

Survey and Settlement record:

(i) Village Map, (ii) Field Measurement Book, (iii) Printed Diglot or A-Register.

Revenue record:

(i) Village Account No. 1 Register showing Government lands and land on lease, assignments, alienations and area available for assignment.

(ii) Village Account No. 2 Register of changes in the village (Annual Register).

(iii) No. 3-Register Statement of occupation and cultivation field by field (columns 11 to 15 of this Account are meant for record of rights)

(iv) Village Account No. 4 Register of holding and land revenue demand (Column Nos. 8, 16 to 19, 24 to 28, 30 to 33 are not applicable in view of abolition of land revenue).

(a) Documents of ownership/title:

Having traced the backdrop of the land tenures and the evolution of ryotwari system, the stage is set for considering what are the documents that constitute ownership/title to land. The Board Standing Orders (BSO) of the Board of Revenue of Madras (1907 Edition) succinctly dealt with the rights and obligations under a patta. Paras 27 and 28 of the BSO included in Part III Title to Land read:

27. Issue of pattas (1) Form of patta The Form of patta is given in the Manual of Village Accounts.

(2) Renewal of patta As a rule, fresh pattas need only be issued when desired by the ryots concerned. When the holding of a ryot has undergone no change, it is obviously unnecessary to issue fresh patta. Each ryot should have one original patta containing a detailed list of the fields comprising his holding as it stood when the patta was drawn up. The pattas of future years should show only the changes which have taken place in his holding or in the revenue payable by him. In the event, however, of numerous changes taking place in the original patta, it may be convenient to issue a fresh one.

(3) (Omitted as not relevant)

(4) Entry of names in joint-patta The entries of names in a joint-patta will be made without reference to the extent of land enjoyed by each pattadar.

28. (1) Effect of registry as pattadar: The registered pattadar of a ryotwari holding is, as regards Government, the responsible proprietor of the ryotwari lands registered in his name in the Land Register of the district, until they pass from his possession by sale for arrears or in some other legal manner. Lands which a ryot has left waste will not be struck out of his patta on that account.

1. Conditions on which pattadar may alienate: A registered pattadar may, so far as Government are concerned, alienate, sublet, mortgage, sell, give, bequeath, or otherwise dispose of the whole or any portion of his holding, provided always: (1) that unless and until such transfer or disposal is registered in the Land Register of the district, the registered pattadar remains liable for the assessment and such other legal charges due on the land, just as if no such transfer or disposal had occurred; and (2)

that when the transfer is registered, the transferee takes the land subject to payment of any arrears of assessment or other legal charges due on it, and to the same obligations and conditions, special or general, as the transferor held it on.

2. Effect of absence of pattadar: Mere prolonged absence of non-occupation does not invalidate the right of transfer just mentioned.

3. Patta not affected by improvements: A registered pattadar improving his holding by constructing a tank on it, digging a well, or erecting buildings on it, is not chargeable with any additional assessment for such improvements; but he is not entitled to claim, as of right, any reduction of assessment on account of the space occupied by such improvements.

4. Pattadars obligation: The registered pattadar of a field or holding is bound to pay the fixed assessment on it, whether cultivated, waste or fallow, in the presented instalments, unless it be remitted in accordance with the rules laid down in Standing Order No. 13.

5. Currency of patta: A patta retains its validity until superseded by one of later date. It does not necessarily require renewal from year to year.

6. Mineral right of pattadar: The registered pattadar is entitled to work minerals on his land, but is liable to pay therefor a separate assessment in addition to the usual assessment for surface cultivation.

7. Joint-pattadars rights to receipt book: Sub-receipt books should be given to all holders of land on joint-pattas who want them. The entries in these sub-receipts will be transferred to the principal receipt book when it is produced for the purpose before the village officers by the possessor. The sub-receipts will be in the same form as the receipt, but will not mention the extent of the land on account of which payment is made.

8. Tree-patta: For the rights and restrictions implied in a tree-patta vide Standing Order No. 18, paragraph 2, clause b(ii).

It is thus deducible from the above that the British treated patta as a document whereunder possessory right with absolute rights to alienate, sub-let, mortgage, sell, bequeath or otherwise dispose of in any manner he likes were conferred on the pattadar.

It is not out of place to note here that two enactments gave statutory recognition to pattas. They are (1) the 1317 Fasli Act covering the Telangana area and the A.P. Rights in Lands and Pattadar Passbooks Act, 1971 (for short the 1971 Act) which covered the entire State of Andhra Pradesh from the time of its coming into force.

Section 2(11) of the 1317 Fasli Act defined pattadar as the person who is directly responsible to the Government for payment of land revenue and whose name has not been entered as such in the Government records whether he be in personal possession of the holding or through his shikmidar. Section 2(12) defined shikmidar as the person who, like a pattadar possesses a title to the land or who from the beginning has been jointly in possession of the land with the pattadar or who, before the commencement of the Act has acquired by virtue of any regulation in force or may acquire by virtue of that law, the right of a shikmidar. From these two definitions, it is clear that a patta is recognised as a document of title/ownership in Telangana area.

For the first time, the record of rights in Andhra Area was brought under a statutory enactment viz., the 1971 Act. It has been enacted for the entire State of Andhra Pradesh. It has repealed the 1358 Fasli Regulation and all standing orders and any other provisions of law relating to the record of rights in the land in force in the State. Sub-Section (6) of Section 2 thereof defined occupant as a person in actual possession of land, other than a tenant or a usufructory mortgagee. Sub-section (6)(a) defined owner as a person who has permanent and heritable rights of possession on the land which can be alienated and includes the holder of a patta issued to him as a landless poor person. Sub-section (7) defined pattadar as including every person who holds land directly under the Government under a patta whose name is registered in the land revenue accounts of the Government as pattadar and who is liable to pay land revenue. Sub-section (9) defined record of rights (ROR) as records prepared and maintained under the provisions or for the purposes of the Act. Section 3 envisages preparation and updating of ROR in all lands. Section 4 obligates every person acquiring rights as owner, pattadar, mortgagee, occupant or tenant of the land or otherwise to intimate such acquisition of rights to the Mandal Revenue Officer (Tahsildar). Section 5 provides for amendment and updating of ROR. This provision also provides for the remedy of appeal by an aggrieved party. Section 5-A provides for regularisation of certain alienations. Under Section 5-B, an aggrieved party is entitled to file an appeal against the order passed under Section 5-A. Under Section 6, every entry in the ROR is presumed to be true until the contrary is proved or until it is otherwise amended in accordance with the provisions of the Act. Section 6-A, which was introduced by Act 11 of 1980, provided for issue of pattadar passbook and title deed to every owner, pattadar, mortgagee or tenant of any land. Sub-Section (5) of Section 6-A declared that the title deed so issued shall be the title deed in respect of owner-pattadar and it shall have the same evidentiary value with regard to the title for the purpose of creation of equitable mortgage under the provisions of the Transfer of Property Act, 1882 as a document registered in accordance with the provisions of the 1908 Act. Section 9 empowers the Collector to revise the orders of the lower authorities passed under Sections 3, 5, 5-A or 5-B in respect of any ROR prepared and maintained or to satisfy himself as to the regularity, correctness, legality or propriety of any order passed by the recording authority i.e., the Mandal Revenue Officer of Revenue Divisional Officer.

The A.P. Rights in Land and Pattadar Passbooks Rules, 1989 were made under the rule making power of the State Government under Section 11 of the 1971 Act. Rule 3 ordains that an ROR shall be prepared and maintained in Form-I for every separate revenue village. Under the Note to the said Rule, it is mentioned that pahani/adangal does not constitute the ROR for the village and that it reflects the ground position including the name of the cultivator who actually cultivates the land; and whether the person in occupation of the land has violated any law and if so, the details of the same. The Rules provided for elaborate procedure for preparation of ROR which shall be prepared in Forms-1 and 1-B in triplicate. After finalisation of such ROR, the pattadar passbook and title deed shall be issued in favour of the persons in whose names the ROR is prepared.

A Division Bench of this Court in *Syed Jalal v. Tarrgopal Ram Reddy* while construing various provisions of the Land Revenue Act 1317 Fasli observed that indubitably the patta of agricultural land itself is evidence of right of the holder a transfer of which is also deemed to be a permanent alienation.

It is thus evident from these statutory provisions that a pattadar under ryotwari tenure and his successors in interest without any doubt hold title for the land covered by the patta. The purchaser from the pattadars or their successors-in-interest through legally

recognised modes will become the rightful owners of the property on such purchase.

As regards the pattas granted under the A.P. (Andhra Area) Estates Abolition Act, 1948, the A.P. (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956, the Hyderabad Abolition of Inams Act, 1955, and the Hyderabad Jagir Abolition Act, the pattadars (persons in whose favour pattas are granted by way of regrant)/occupancy right certificate holders and their successors-in-Interest, hold title. Title will be divested from them in the event of transfer of these properties through legally recognised modes. In case of persons claiming rights under the Hyderabad Tenancy and Agricultural Lands Act, 1950, protected tenants and land holders on whom ownership rights are conferred hold title to the lands over which such rights are conferred. Darkhast lands: Bhashyam Ayyangar., J, speaking for the Division Bench in *The Secretary of State for India Council, represented by Changalput v. Kasturi Reddy* traced the history of transfer of all properties from East India Company to the Crown. It is instructive to quote the relevant portion of the Judgment below:

The law applicable to the subject is contained in the following statutes: 21 and 22 Vict. Ch.106, Ss. 39 and 40; 22 and 23 Vict. Ch. 41. Ss.1 and 2; 32 and 33 Vict. Ch.29, S.1; 33 and 34 Vict. Ch.59, Ss.1 and 2; India Act XV of 1895 (Crown grants). Ss.39 and 40 of 21 and 22 Vict. Ch. 106 vested all lands and hereditaments and other real and personal estate of the East India Company, including such as may thereafter be acquired, in the Crown, to be applied and disposed of for the purposes of the Government of India and empowered the Secretary of State in Council to sell and dispose of the same, as he may think fit, the necessary conveyance and assurances being required to be made by the authority of the Secretary of State in Council under the hands and seats of three members of the Council.

The Bench further held:

.The Crown Grants (India) Act VII of 1895 exempts Crown grants from the operation of the Transfer of Property Act (1882) and S. 17(j) and 90(d) of the Indian Registration Act (1877) exempt from registration, grants of immoveable property by Government and all documents purporting to be or to evidence grants or assignments by Government of land or of any interest in land.

The Court also held that under Statute 22 Vict. Ch.106, all waste lands whether assessed or otherwise, are, real estate vested in the Crown, in trust for the purposes of Government of India.

All assignments under Darkhast were accordingly governed by various statutes including the Crown Grants (India) Act VII of 1895.

BSO-15 in Part-II prescribed the officers and laid down the procedure for grant of Darkhast. It envisages grant of land for occupation subject to payment of assessment. Sub-para (i) of BSO 15(2) dealing with the Scope of the Standing Order, reads:

This Standing Order applies to land at the disposal of Government other than (a) Building sites, in towns and villages (Standing Order No. 21); (b) valuable relinquished land on which there are arrears of revenue (Standing Order No. 33-5); (c) land sold for arrears of revenue and bought in by Government (Standing Order No. 45-2); and (d) land acquired by Government for public purposes but no longer required (Standing Order No. 90-32).

Under this para, lands other than the lands in occupation of registered occupants

available at the disposal of the Government will be granted to the applicants under Darkhast. The following categories of lands are dealt with under this:

- (i) Land prima facie available for assignment:
 - (a) Assessed land which is not reserved.
 - (b) Unassessed land which is not reserved
- (ii) Land prima facie not available for assignment:
 - (a) Poramboke;
 - (b) Reserved land (assessed and unassessed).

As vast tracts of lands were available for cultivation and it was the policy of the administration to bring as much land as possible under cultivation with a view to earn revenue, and also to increase food production to overcome food shortage after the First World War (1914-1918), the conditions of grant were liberal to the extent that there was not much distinction between the regular patta and darkhast grant. The concept of landless poor person as the eligibility criterion was not in existence. The only restriction on alienation was contained in clause (3) which reads: Alienation of the land without the sanction of the Government, to a person other than the British subject or a subject of an Indian State shall invalidate the grant. Later, certain amendments were made to the BSO. Para-23 of the BSO (1920 Edition) reads: No land belonging to Government shall be assigned or sold under this Standing Order to any person other than a British subject or to a subject of a Native State, except by the Collector or the Board and with the previous permission of Government. Every assignment or sale made under this Standing Order shall be subject to the condition that, if the land is alienated without the sanction of Government in favour of any person other than a British subject or a subject of a Native State, the grant shall thereupon become null and void.

This condition permits the sale of land (without governments permission) in favour of two categories of persons:

Firstly, British subjects i.e., Indians belonging to British ruled States (such as Madras, Bombay, Bengal, United Provinces, Central Provinces, etc).

Secondly, subjects of native states i.e., Indians belonging to Princely States (such as Hyderabad, Mysore, Travancore, Gwalior, Patiala etc).

It is only in respect of lands assigned to depressed classes (Harijans) under the special conditions of grant in Special Form-D", that the non-alienation clause would operate and not to assignments made under general conditions of grant in Form-D", irrespective of whether such assignment was made to members of the depressed class/tribes or persons belonging to other communities. Such assignments made under the general conditions of grant are only subject to the condition that sale of such land (without permission of the Government) to persons other than British subjects/subjects of native Indian States, is prohibited.

As discussed else where, in Telangana Area, assignments were governed by Laoni Rules. A Board was constituted under the Hyderabad Board of Revenue Regulation 1358 Fasli. After formation of the State of Andhra Pradesh, the Government, acting under Section 122 of the States Reorganisation Act issued G.O.Ms. No. 1270, Revenue,

dated 3-7-1957 inter alia providing that the Board of Revenue functioning in Andhra Area immediately before 1-11-1957 is the competent authority to exercise functions under the Board of Hyderabad Revenue Regulation of 1358 Fasli. Thus, with effect from 1-11-1956, a unified Board of Revenue for the entire State came into being. Till 18-6-1954 the assignments granted to landless poor persons did not contain any prohibition on alienation in Andhra area. In Telangana Area, such a provision was not incorporated till 25-7-1958. Rulings on alienability of assigned lands:

A Division Bench of this Court in *Letter Sent from Plot No. 338 v. The Collector and District Magistrate*, while dealing with the right of pattadar under Laoni Rules, 1950 framed the following Points:

1. Whether the land in question was assigned in the year 1960, 1961 in favour of the petitioners predecessors in title under the Telangana Area Land Revenue Act read with Laoni Rules made thereunder or whether the grant of patta is attributable to Revised Assignment Policy issued in G.O.Ms. No. 1406, dt. 25-7-1958?

2. Whether the provisions of Act No. 9/77 can be applicable to all types of pattas under Laoni Rules after collection of market value under Chapter V of the Telangana Area Land Revenue Act?

On Point No. 2, which is relevant for the present purpose, the Division Bench at paras 36 and 52 held as under:

A combined reading of the statutory provisions and the Rules as referred to would clearly indicate that grant of pattas are of two kinds; one is by way of sale in favour of persons who desirous of taking up unoccupied land. As per Rule-III of the Revised Assignment Policy issued in G.O.Ms. No. 1406 dt. 25-7-1958 assignment of land in favour of landless poor persons who directly engage themselves in cultivation by giving preference to Harijans, Girijans, Harijan Christians. In case of granting patta for the persons who are desirous to occupy unoccupied land made a claim for such grant of patta under Laoni Rules or under Circular 14, the same shall be transferred by way of sale as per the rules referred to above. In case of occupation of land, old occupants are entitled to grant of patta under Circular No. 14, the same shall be granted either by collecting upset price equal to 16 times the land revenue to the extent of one family holding which is an out right sale. The family holding has not been defined under Telangana Area Land Revenue Act but the same has been defined under A.P. (Telangana Area) Tenancy and Agricultural Lands Act, 1950.

We are of the view that provisions of Act No. 9 of 1977 will not be applicable to the cases where assignments were made on collection of market value or under Circular 14 except it were granted to the landless poor persons free of market value. Point No. 2 is answered accordingly.

At para-54, The Division Bench gave the following directions:

Whenever any proceedings are to be initiated by the revenue authorities for resumption of the land, they have to specify

(a) the nature of occupancy rights granted, namely, whether occupancy rights were granted on collection of market value or free of market value in favour of the landless poor persons;

(b) whether the said land falls within the notified area restricting inalienability as per the notification issued under Section 58-A of the Telangana Area Land Revenue Act;

(c) whether Act No. 9 of 1977 applies to the nature of occupancy right/assignment granted;

(d) if any changes in the revenue records are effected, reasons for change from the original entries in khasra pahani of 1954-55 or subsequent to the same;

in the notice to be issued for enabling them to make an effective explanation to meet the contentions and submit their explanation to the action proposed. Unless such particulars are furnished for submitting an effective explanation, lands cannot be resumed merely basing upon the revenue entries so made.

While dealing with Laoni patta issued prior to 25-7-1958, in *Akkem Anjaiah v. Deputy Collector and Tahsildar*, I have held that as the assignment was granted prior issuance of G.O.Ms. No. 1406, dated 25-7-1958, the initial burden lies on the Revenue officials to show that the patta did not contain a condition against alienation of the land and that unless the Revenue officials are first satisfied that the land was an assigned land within the meaning of sub-section (1) of Section 2 of Act 9 of 1977, no proceeding for cancellation of assignment for alienation of the assigned land can be initiated.

A Division Bench of this Court by order dated 23-10-2013 in W.A. No. 1728/2013 confirmed the above Judgment.

In *P.V. Rajendra Kumar v. Government of A.P.*, I have held at paras 21 and 22 as under:

The term assigned land is defined by Section 2(1) of the Act to the effect that the lands assigned by the Government to the landless poor persons under the rules for the time being in force subject to the condition of non-alienation and includes lands allotted or transferred to landless poor persons under the relevant law for the time being in force relating to land ceilings. In order to attract the bar of registration, the land must be an assigned land within the above mentioned definition. Unless the patta under which the assignment is made contains a condition of non-alienability, such land cannot be treated as assigned land within the provisions of the Act.

In several Judgments, various learned Judges of this Court have taken similar views (See: *K.M. Kamallula Basha v. District Collector, Chittoor District, Chittoor* (2009 (3) ALD 385), *The A.P. State Electricity Board Employees Union, Madanapalli Division, Madanapalli v. The Joint Collector, Chittoor* (W.P. Nos. 19258/1998, dt.14-9-2007) and *D. Parthasaradhi Sarma v. Government of A.P. Revenue (Assn.II) Dept.*, W.P. No. 27217/2013, dt.15-4-2008). The above noted judgments are only illustrative of a slew of Judgments in which the above mentioned consistent view is taken by this Court. Most unfortunately, the precedential value of these Judgments is persistently being ignored by the Revenue officials as well as the Registering authorities. While on one hand the Revenue authorities, such as, Tahsildars, Revenue Divisional Officers, and in some cases even District Collectors, have been sending the lists styling them as "prohibitory lists" by including the lands which are not notified under Section 22A(2) of the Act without verifying whether the assignment was made prior to issuance of G.O.Ms. No. 1142, dated 18-6-1954, or G.O.Ms. No. 1406, dated 25-7-1958, or that the lands were assigned on payment of market value, or assigned to political sufferers or ex-servicemen or freedom fighters, in whose cases prohibition of alienation only for a limited period of ten years is imposed, on the other hand, the Registering authorities have been refusing to receive the documents unless the party who sought to present the document produces No Objection Certificate (NOC) from the Revenue authorities.

This fundamentally flawed approach of both the Revenue and the Registering authorities, has become the root cause for sprouting up of the litigation, and I am afraid, unless the flood gates are closed, there is a danger of this litigation reaching morbid proportions.

The ratio that could be culled out from the slew of authorities of this Court is that assignments made prior to issue of G.O.Ms. No. 1142, dt. 18-6-1954 in Andhra Area and that were made prior to issue of G.O.Ms. No. 1406, dt. 25-7-1958 in Telangana Area, did not contain prohibition on alienation that the assignees are entitled to exercise all the rights including transfer of lands; that the initial burden lies on the Government and its functionaries to show that the assignments contain a condition against alienation of the land and that unless the revenue functionaries are first satisfied that the land is an assigned land within the meaning of sub-section (1) of Section 2 of Act 9 of 1977, no proceeding for cancellation of assignment can be initiated. Waste lands: Act XXIII of 1863 deals with the manner of disposal of waste lands including unassessed waste lands. It provided for adjudication of claims to waste lands and the preamble reads as under: Whereas it is expedient to make special provision for the speedy adjudication of claims which may be preferred to waste lands proposed to be sold or otherwise dealt with on account of Government, and of objections taken to the sale or other disposition of such lands; it is enacted as follows:

When any claim shall be preferred to any waste land proposed to be sold or otherwise dealt with on account of Government, or when any objection shall be taken to the sale or other disposition of such land, the Collector of the district in which such land is situate, or other officer performing the duties of a Collector of land revenue in such district, by whatsoever name his office is designated, shall, if the claim or objection be preferred within the period mentioned in the advertisement to be issued for the sale or other disposition of such land which period shall not be less than three months, proceed to make an enquiry into the claim or objection.

Act XXVI of 1871 defined land to mean land used for agricultural purposes, or waste land which is cultivable.

Under BSO-15, both assessed and unassessed lands are available for assignment and the lands which are classified as poramboke and reserved lands - assessed and unassessed, are not available for assignment. All arable lands are assessed. There may be cases where, after assessment of land, a ryot may have left it uncultivated for one or more Faslies. In such cases, the lands are shown as waste in the records. However, in the RSR, the word waste is not generally used and it only contains a column whether the land is assessed or unassessed. In case of unassessed waste as assignment is permissible, the entry in revenue record describing the land as unassessed waste cannot be treated as conclusive, an assignment may have been made and not recorded or in the absence of such assignment, the same may be under the cultivation of ryots. Therefore, there cannot be a presumption that all waste lands, assessed or unassessed, continue to be vested in the Government. When a dispute in this regard arises, such disputes need to be settled based on the patta, if produced by the claimants, and in its absence, based on the relevant revenue record.

Thus, the assessed and unassessed waste lands do not fall within the expression of poramboke or reserved which are generally used for communal purposes. Para-4(ii) of BSO-15 prohibited assignment of various categories of lands. These lands are therefore vested in the Government and no one can claim right over the same unless there is evidence to show that these lands are subsequently converted into assessed waste lands and assignments have been granted. While there is a presumption that all

porambores and lands reserved for communal purposes vest in the Government, no such presumption arises in respect of waste lands, assessed or unassessed.

(b) Evidentiary value of entries in revenue record: What will be the right of a claimant over the land if he is unable to produce proof of patta; and in such cases would the entries in the record of rights help him establish his title, are the questions to be answered under this Point.

Based on the discussion made earlier, the following record could be held to constitute the core revenue record in Andhra area prior to the integration of the revenue record of both areas: Diglot or A-Register, Ledger/Chitta constituting settlement record, No. 2 Account, otherwise known as Adangal/Annual Settlement of occupation and cultivation, No. 3 Account which reflects changes in respect of land held by way of transfer by sale, relinquishment etc., and the Register of Holdings maintained under BSO-31 and No. 10 Account which is an individual chitta or personal ledger of each cultivator.

In Telangana area, Sethwar Register, Supplementary Sethwar, Wasool Baqui Register, Khasra Pahani (prepared under the Land Census 1954 under the provisions of the A.P. (Telangana Area) Tenancy and Agricultural Lands Act, 1950), Pahani, Chowfasla and Faisal Patti constitute the core revenue record.

After integration of records of both the Andhra and Telangana areas, the following constitute the core relevant revenue record:

(i) Printed Diglot or A-Register; (ii) Village Account No. 1, (iii) Village Account No. 2; (iv) No. 3 Register; and (v) Village Account No. 4

Register of holdings.

Case law:

Before discussing the case law on this aspect, Section 35 of the Indian Evidence Act, 1872 deserves to be noticed. It reads:

Relevancy of entry in public record or an electronic record made in performance of duty:- An entry in any public or other official book, register or record or an electronic record, stating a fact in issue or relevant fact, and made by a public servant in the discharge of his official duty, or by any other person in performance of a duty specially enjoined by the law of the country in which such book, register, or record or an electronic record is kept, is itself a relevant fact.

The presumption envisaged under Section 6 of the 1971 Act is evidently based on the principle contained in Section 35 of the Evidence Act, 1872.

In *M. Narasimha Reddy v. The Superintending Engineer, Irrigation* this Court held at para-7 as under:

It may be noted here that Section 6 of the A.P. Rights In Land and Pattadar Passbooks Act, 1971 create a statutory presumption about the correctness of the entries in record of rights. As already noted, the petitioners names were entered in the said record of rights by the revenue authorities. Therefore, it is not open to the Government now to contend that the petitioners are not the owners of the land.

In *Shikharchand Jain v. Digamber Jain Praband Karini Sabha*, the Supreme Court held

that Khasra is a record of right under Section 45(2) of the Central Provinces Land Revenue Act, 1917 and that the entries in the record of rights shall be presumed to be correct unless contrary is shown as per Section 80(3) of that Act. The relevant portion of the said Judgment, at para-5, reads:

The Khasra entries from 1937-38 to 1941-42 and 1943-44 to 1951-52 are all in favour of Smt. Rajrani. They show that she was in possession over the land during those years. Khasra is a record of right according to Section 45(2) of the Central Provinces Land Revenue Act, 1917. Section 80(3) of that Act provides that entries in a record of rights shall be presumed to be correct unless the contrary is shown. This provision raises a presumption of correctness of the aforesaid Khasra entries. The burden of proving adverse possession accordingly was a heavy one...

Considering the provisions of the Madhya Bharath Land Revenue and Tenancy Act, 1950, in *Kasturchand v. Harbilash* the Supreme Court reiterated the legal position on the evidentiary value of the entries in the village records. The Apex Court, at para-17, held:

As per Section 45 of the said Act, Khasra, Jamabandi or Khatoni and such other village papers as the Government may from time to time prescribe shall be annual village papers. Section 46 enjoins preparation of annual village papers each year for each village of a District in accordance with the rules made under the Act. Section 52 embodies the presumption that all entries made under that Chapter in the annual village papers shall be presumed to be correct until the contrary is proved and Section 50 prescribes the method or procedure for correction of wrong entries in the annual village papers by superior officers. Thus it is clear that in the event of wrong entries in the annual village papers the same is liable to be corrected under Section 50 and unless they are so corrected the presumption under Section 52 will govern the position.

In *Vatticherukuru Village Panchayat v. Nori Venkatarama Deekshithulu*, the Supreme Court described the entries in Inams Fair Register under the A.P. (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 as great acts of the State and held that the entries in the Inams Fair Register coupled with the entries in the survey and settlement record furnish unimpeachable evidence of title.

In *Harihar Prasad v. Deonarain Prasad* dealing with the Bihar Tenancy Act 8 of 1885, the Supreme Court held that in view of Section 103-B(3) of the said Act, every entry in the record of rights will be evidence of the matter referred to in such entry and shall be presumed to be correct until it is proved by evidence to be incorrect and that the burden lies heavily on the person who claims to be the proprietor of the land contrary to the entries recorded in the revenue record.

In *State of A.P. v. V. Prameela Modi* the Supreme Court held as under:

Supplementary sethwar issued by the Sarfekhas authorities of the erstwhile Nizam Government which was accepted by the survey and revenue authorities including the Government of A.P. constituted title and the same is legally binding on the successive governments i.e., the Government of Hyderabad and later the Government of A.P. and that this issue therefore cannot be reopened.

While the above discussed line of Judgments held in no uncertain terms that entries in the revenue records carry great evidentiary value in determining ones title and possession, there is another line of Judgments in which the Courts held that revenue

records are not evidence of title and mutation proceedings before the revenue hierarchical authorities are not judicial proceedings declaring title of the parties.

While dealing with the nature of mutation proceedings, the Privy Council, in *Thakur Nirman Singh v. Thakur Lal Rubra Partab Narain Singh* held that the proceedings for mutation of names are much more in the nature of Fiscal inquiries instituted in the interest of State for the purpose of ascertaining which of the several claimants for the occupation of certain denominations of immovable property may be put into occupation of it with the greater confidence that the revenue for it will be paid. These observations were made by the Privy Council in a case where one Lal Bahadur Singh, one of the joint family members set up his exclusive title based on the mutation proceedings showing his name as the owner of the land. The Privy Council held that the revenue authorities have no jurisdiction to pronounce upon the validity of the claim of Lal Bahadur Singh to be the sole proprietary owner of the estate to the exclusion of his brothers as such questions have to be adjudicated only by the competent civil court.

A Division Bench of this Court in *Ramanna v. Samba Murthy* which inter alia relied upon the Judgment in *Thakur Nirman Singh* (26-supra) and held:

In our view the entries in the revenue records though they may be relevant evidence under Section 35 of the Evidence Act, are not evidence of title. Dealing with the entries in Diglot, the Division Bench held at para-10 as under:

In our view, therefore, though the entries in the Diglot register may be evidence, they are by themselves not conclusive evidence of the facts which they purport to record. It may turn out that they are in accord with the general bulk of the evidence in the case and they may supply gaps in it. When viewed in the light of other compelling circumstances from which inference contrary to such entries can be drawn, they may become unimportant and their value insignificant.

In *State of Himachal Pradesh v. Keshav Ram*, the Supreme Court held that the entries made in revenue record cannot form basis for declaration of title. In *Corporation of the City of Bangalore v. M. Papaiah*, the Apex Court held that it is firmly established that the revenue records are not documents of title. In *Guru Amarjit Singh v. Rattan Chand*, the Supreme Court held that the entries in jama bandi are not proof of title.

A Division Bench of this Court speaking through B. Sudershan Reddy., J (as his Lordship then was) made a thorough analysis of the provisions of 1317 Fasli Act and 1358 Fasli Act in *Union of India, represented by its Secretary v. Vasavi Coop. Housing Society Ltd.* While dealing with a Civil Appeal filed under Section 96 CPC against the Judgment and decree of the trial Court, the Division Bench placed heavy reliance on sethwar prepared under the provisions of the 1358 Fasli Regulation. It has analysed the Judgments in *Corporation of the city of Bangalore* (2-supra), *Guru Amarjit Singh v. Rattan Chand* (6-supra), *State of Himachal Pradesh v. Keshav Ram* (4-supra), *Nagar Palika v. Jagat Singh* and *Ramanna v. Samba Murthy* (3-supra), *Ch.S. Hanumantha Rao v. R. Sainath* and *Sajana Granites v. Manduva* and distinguished the said Judgments with reference to the ROR prepared under the 1358 Fasli Regulation. It is instructive to refer to para-76 of the Judgment hereunder:

We are required to notice that in none of the judgments referred to hereinabove, there is any reference to any of the statutory provisions under which the revenue records referred to therein viz., the Revenue Registers/Settlement Registers/Jamabandi Registers are maintained. There is no indication as to whether those registers or

records were maintained under any statute. It is not even clear as to whether those documents were maintained by any statutory authority in discharge of its normal official duties. The nature of the documents and the entries made therein are not dealt with in any one of those judgments.

By placing reliance upon the Judgments in *Rajeswararao v. Narsingarao, Mylaram Lachiah v. Nafeezunnisa Begum, Md. Ibrahim v. Secretary to Government of India, Commissioner of Survey v. G. Padmavathi, Choote Khan v. Mal Khan, B.S.V. Temple v. P. Krishna Murthy, Avadh Kishore v. Ram Gopal and Kasturchand v. Harbilash*, the Division Bench held at paras 97 and 98 as under:

A careful analysis of the decisions referred to hereinabove of this court as well as of the Apex Court would make it clear that the entries made in the Record of Rights carry with them a very great evidentiary value, provided the Record of Rights is prepared and maintained under the provisions of the relevant statutes or the Regulations, as the case may be, and further provided that the entries therein are made after holding public enquiries. Sometimes, they constitute the only evidence available in order to establish one's title to the lands. The entries made in Columns 1 to 19 of the pahaní patrikas shall be deemed to be the record of Rights prepared and maintained by a public servant in discharge of his official duties.

However, the Andhra Pradesh (Telangana Area) Record of Rights in Land Regulation, 1358 Fasli and all standing orders made thereunder relating to the record of rights of land as in force in the State have been repealed under Section 13 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short the 1971 Act). In the instant case, we are not concerned with the pahanies, if any, prepared and the nature of the entries made in such pahanies after the repealing of 1358 Fasli Regulations. The entries in Ex.A-6 sesala pahaní of 1955-58, Ex.A-8 pahaní for the year 1972-73 and Ex.A-81 pahaní for the year 1980-81 were made, prepared and maintained under the regulations since the 1971 Act has not been implemented in Secunderabad Taluq of Hyderabad District in which the lands in question are situated. (Emphasis added)

The Judgment of the Division Bench was carried in Civil Appeal No. 4702/2004. The Supreme Court, vide its recent Judgment dated 7-1-2004 has reversed the said Judgment in *Union of India v. Vasavi Coop. Housing Society Ltd* (2-supra). The Apex Court laid emphasis on its Judgment in *State of H.P. v. Keshav Ram* (4-supra), *Corporation of the City of Bangalore* (5-supra), *Guru Amarjit Singh v. Rattan Chand* (6-supra), and did not agree with the view of the Division Bench that Ex.A-3-*sethwar* constituted title. In paras 19 and 20 of the Judgment, their Lordships held as under:

We notice that the above principle laid down by this Court sought to be distinguished by the High Court on the ground that none of the above-mentioned judgments, there is any reference to any statutory provisions under which revenue records referred therein, namely, revenue register, settlement register, jamabandi registers are maintained. The High Court took the view that Ext.A-3 has evidentiary value since the same has been prepared on the basis of Hyderabad record of Rights in Land Regulation, 1358 Fasli. It was also noticed that column 1 to 19 of Pahaní Patrika is nothing but record of rights and the entries in column 1 to 19 in Pahaní Patrika shall be deemed to be entries made and maintained under Regulations.

We are of the view that even if the entries in the Record of Rights carry evidentiary value, that itself would not confer any title on the plaintiff on the suit land in question. Ext.X-1 is Classer Register of 1347 which according to the trial court, speaks of the

ownership of the plaintiffs vendors property. We are of the view that these entries, as such, would not confer any title. Plaintiffs have to show, independent of those entries, that the plaintiffs predecessors had title over the property in question and it is that property which they have purchased. The only document that has been produced before the court was the registered family settlement and partition deed dated 11.12.1939 of their predecessor in interest, wherein, admittedly, the suit land in question has not been mentioned. (Emphasis added)

On a careful reading of the Judgment of the Apex Court in *Union of India v. Vasavi Coop. Housing Society Ltd.*, I am of the opinion that the legal position as enunciated by the Division Bench with respect to the evidentiary value to be given to the record of rights has not been disturbed by the Supreme Court. While overturning the decision of the Division Bench, the Supreme Court has proceeded on the premise that even if the entries in the record of rights carry evidentiary value, the plaintiffs title could not be declared solely based on Classer Register of 1347. The Supreme Court observed that independent of the entries in the Classer Register, the plaintiff has to show that his predecessors had title over the property in question and that it is that property which the plaintiffs have purchased. The Supreme Court observed that except the registered family settlement and partition deed dated 11-12-1939 of their predecessors in interest, wherein, admittedly, the suit land in question has not been mentioned, in the absence of any independent evidence dehors the entries in the Classer Register, the plaintiffs failed to establish their title. This Judgment therefore cannot be understood as laying down any law different from that laid down by the long line of Judgments discussed above holding that the entries in the revenue records carry high evidentiary value in deciding ones title.

It is noticeable from all the Judgments which held that revenue records do not constitute title that not much reasoning supported this conclusion. However, on a close analysis of the background in which the registers were prepared and the entries were made, two reasons appear to constitute the basis for this dicta. First, the properties may change hands from person to person from time to time. There may be lapse on the part of the persons who maintain the record in updating the transactions. A person to whom the land is lawfully conveyed cannot be denied title only on the basis of absence of entries to this effect in the revenue records. Second, there may be unscrupulous revenue officials at village and taluk levels who, in collusion with private individuals may manipulate entries.

From the lengthy discussion on the land tenures undertaken hereinbefore, it could be deduced that the genesis of ones title is traceable to his possession. A registered occupant of the land, both under the ryotwari tenure and also under the estates, is recognised as a person holding rights over the land. Subject to payment of land revenue till the land is transferred to another person, a registered occupant was conferred with the right of selling the land to any third party without restrictions. Thus, the recognised possession can be said to be the source of a persons title. The possession of a person is reflected in the records. As noticed earlier, the A-Register/Diglot in Madras Presidency and the Sethwar in Telangana Area was the mother of all the Registers. Though the primary intention of preparing this Register was to classify the lands according to the soil and potentiality and assess the revenue, recording the names of the persons in occupation was an equally important object in preparing this Register, for, without recording the names of the persons in occupation, the Government will not be able to collect revenue. All the revenue records such as Registers A to E and monthly and annual Accounts No. 1 to 4 and No. 10 Accounts in Andhra area and Wasool Baqui, Khasra Pahani, Pahani Patrik, Choufasla, Faisal pattl etc., discussed hereinbefore, in Telanqana Area are based on the basic register of

Diglot/Sethwar. Therefore, if a persons name is recorded as an occupant or pattadar in these records, a necessary presumption would arise in his favour or in favour of the persons who claim through him that he holds title to the land. In case of a dispute between two private parties, this presumption can be rebutted by the rival claimant by producing better evidence, such as subsequent partitions, mutation in the revenue record and registered sale transactions etc. In many cases, after preparation of Diglot/Sethwar, changes in ownership of land may occur. In such cases, a person who sets up rival claim must be able to show that either he or his predecessor-in-title derived right through sale deeds supported by entries in revenue record.

Conclusion on Point No. 1(a) & (b):

(i) A patta granted under BSO-27 constitutes absolute title.

(ii) An assignment made under BSO-15 prior to 18-6-1954 in Andhra Area and a patta granted under the Laoni Rules before 25-7-1958 in Telangana Area confer absolute title on the assignee with right to transfer the land. Unless the Revenue functionaries are first satisfied that the land is an assigned land within the meaning of sub-section (1) of Section 2 of Act 9 of 1977, no proceeding for cancellation of assignment can be initiated.

(iii) In case of *Laoni* pattas granted on collection of market value, the pattadar is entitled to sell the land without any restrictions.

(iv) In respect of estate and Inam lands, ryotwari pattas/occupancy rights certificates constitute title. In case of protected tenants under the Hyderabad Tenancy and Agricultural Act 1950, the protected tenants having ownership certificates hold absolute title.

(v) In the absence of patta, revenue records form basis for determining title. A-Register/Diglot and Ledger/Chitta in Andhra Area and Sethwar, Supplementary Sethwar and Wasool Baqui in Telangana Area are the basic settlement record which provide basis for subsequent entries in the Village Accounts. Before integration of revenue record, No. 1 and No. 2 Accounts (old), No. 3 Account, No. 10 Account and Register of Holdings in Andhra Area and Pahani patrika, Chowfasla, Faisal Patti and Khasra Pahani in Telangana Area are relevant Village Accounts for determination of title. After integration of the Village Accounts under the 1971 Act, (i) Printed Diglot or A-Register, (ii) Village Account No. 1, (iii) Village Account No. 2, (iv) No. 3 Register and (v) Village Account No. 4 Register of Holdings constitute relevant record.

(vi) Between two rival claimants relying upon the entries in revenue record, the person whose name is recorded in the basic records such as A-Register and Record of Holdings and their successors-in-interest will be considered as the rightful owners. In deciding such disputes, the revenue authorities and the courts need to carefully weigh the evidence relied upon by the rival parties with reference to the record referred to hereinbefore. Even in cases of disputes between the Government and private persons, the above referred record constitute material evidence in determination of title.

(vii) While there is a presumption that all poramboke and communal lands vest in the Government, no such presumption arises in case of waste lands, assessed or unassessed. In deciding the claim of persons on these lands, isolated entries in documents such as RSR are not conclusive. All other relevant revenue record shall be considered while deciding this dispute.

Re Point No. 2: In the absence of proof of patta, the right of a person in possession supported by multiple registered sale transactions needs to be considered. Both under the ancient Hindu and Muhammadan laws, the land was not vested in the King. Possession has always played an important part in all systems of jurisprudence. Under the Hindu system, possession, however brief, is necessary for a perfected title. As between title and possession, the former predominates, unless the latter is hereditary. A person who claims under title must, when it is disputed, prove it. Just in some way title can be acquired by possession, it can be lost by adverse possession of another and the effect of such adverse possession is that the latter keeps the property as his own. Possession lawfully obtained, prima facie, raises a presumption of ownership in the absence of evidence rebutting such presumption. Possession, however short, will raise that presumption and a long possession is not only evidence of title but is a good and valid title by itself. A person in possession, without title, has a right to remain in possession against all, but the true owner, and has an interest capable of being inherited, devised or conveyed.

According to Salmond, in the whole range of legal theory, there is no conception more difficult than that of possession. He observed:

The legal consequences which flow from the acquisition and loss of possession are many and serious. Possession, for example, is evidence of ownership; the possessor of a thing is presumed to be the owner of it, and may put all other claimants to proof of their title. Long possession is a sufficient title even to property which belonged to another. The transfer of possession is one of the chief methods of transferring ownership. The first possession of a thing which as yet belongs to no one is a good title of right. Even in respect of property already owned, the wrongful possession of it is a good title for the wrong doer as against all the world except the true owner.

On the relationship between possession and ownership, he said:

It (possession) is in fact what ownership is in right. Possession is the de facto exercise of a claim; ownership is the de jure recognition of one. Possession therefore is the de facto counterpart of ownership. Possession without ownership is the body of fact, uninformed by the spirit of right which usually accompanies it. Ownership without possession is right, unaccompanied by that environment of fact in which it normally realises itself.

The Courts in modern India have also recognised the right of the first occupant to the possession of the land under the Hindu law. According to what may be termed the Hindu common law, a right to take possession of land is acquired by the first person who makes a beneficial use of the soil. The interest of the person thus taking possession is not a limited but an absolute one (See: *Secretary of State v. Vira Rayan*). Subject to payment of revenue, a ryotwari proprietor enjoys an absolute proprietorship over the soil and can deal with and use it in any manner he likes. Possession is therefore recognised as nine points in law with the ownership completing the residue.

Para-7 of BSO-31 recognised possession of a person without title for 12 years or more and enjoins on the Revenue officers to recognise such persons right by transferring the register in his name after notice. Under this provision, obligation is cast on the officers to confer such right on their own motion even without an application by the individual.

In *Rama Iyyengar v. Kasinivenda Iyyengar*, a Division Bench of Madras High Court held that transactions by a party dealing with the property to which he lays a claim are

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important evidence of his title and some times they constitute the only evidence available.

In *Syed. Md. Muzaffaralmusavi v. Bibi Jabeda Khatun*, the Privy Council held that where no actual proof of title is forthcoming, presumption of lawful title is necessary to support possessory rights enjoyed for long. The Privy Council further held that the longer the period within which and the remoter the time when first a grant might be reasonably supposed to have occurred the less force is there is in an objection to the lawful title.

Delving into the nature of proof required in suits for declaration of title against the Government, in *R. Hanumaiah v. State of Karnataka*, the Supreme Court observed that all lands which are not the property of any person or which are not vested in a local authority belong to the Government; that all unoccupied lands are the property of the Government unless any person can establish his right or title to any such land. Taking judicial notice of collusion between private citizens with Government servants in getting their names entered in the revenue record as occupants of government land, the Apex Court held that only entries based on appropriate documents like grants, title deeds, etc., or based upon actual verification of physical possession by an authority authorised to recognise such possession and make appropriate entries can be used against the Government. The Court further held that in the case of claim for adverse possession, the Court must examine whether the plaintiff has established his adverse possession to the knowledge of the Government for a period of more than 30 years so as to convert his possession into title and that as incidental to that question the Court should also find out whether the plaintiff is recorded to be the owner or holder or occupant of the property in the revenue records or municipal records, for more than thirty years and what is the nature of possession claimed by the plaintiff, if he is in possession authorised or unauthorised; permissive; casual and occasional; furtive and clandestine; open, continuous and hostile; deemed or implied.

In this context, Section 2 of the 1905 Act is relevant. As per this provision, the lands held by persons under ryotwari tenure and land held by other registered holders under proprietary right are two of the exclusions in the said provision and these two categories of lands do not belong to the Government. Conclusion on Point No. 2:

From what is discussed above, it appears to me that in the absence of a document such as patta or a grant, a person in possession of land for 12 years or more without title can claim transfer of registry in his favour as envisaged by para-7 of BSO-31. The possession of a person coupled with multiple sale transactions would also form basis for his claim to title. In such cases, the burden shifts to the rival claimant, be it a private citizen or the Government, to prove that the land belongs to or vested in them. In many cases, despite successive registered sale transactions, the Government denies title set up by private citizens. In these cases, the burden on the Government is heavier, for, the presumption goes in favour of the person who claims the land on the strength of registered sale transactions which constitute public notice, as held by the Supreme Court in *Suraj Lamp & Industries (P) Ltd. v. State of Haryana*. In cases of repeated sale transactions over a number of years, a presumption arises that since the land is not vested in the Government, the same is permitted to be sold. Such a presumption can only be displaced by the Government with reference to the evidence proving that the land is vested in it.

Re Point No. 3:

I. (a) Description as Government land in RSR: With regard to ryotwari lands, duration

of settlement was generally restricted to 30 years. Therefore, the need for resettlement arose on the expiry of the period of settlement. For undertaking resettlement, resurvey was necessary in order to demarcate the fields with specific boundaries as many changes may have occurred during the currency of the previous settlements. After completion of re-survey and re-settlement, RSRs are prepared. A comparison of the Survey and Settlement Register (A-Register/Diglot/Sethwar) with the Re-survey and Resettlement Register is necessary for proper appreciation. It needs to be noted in this context that the proformas of RSRs for different Districts varied in their columns. For instance, column No. 14 of the RSR of Pottur village, Guntur Taluk, Guntur District, pertains to the Name of pattadar or Manager of the institution to which it belongs. In contrast, in the RSR of Thimmarajupeta village of Vizagapatnam District, there is no such column. It is noticed from this RSR that the names of the individuals are mentioned in the Remarks column. For better appreciation, the A-Register/Diglot and the RSRs of Guntur and Vizagapatnam Districts are extracted below:

A-Register/Diglot of Adivivaram village of Vizianagaram Estate:

Survey Number and letter

Jirayiti or Inam Dry,

Wet or Poramboke Source of irrigation

Extent Rate per Assessment acre

Acres Cts Rs. A. Rs. A.

Number and name of pattadar or name of inamdar or the manager of the institution to which the land belongs and the No. of the Inam title-deed, if any

Remarks 1 2 3 4 5 6 7 8 9

Re-Survey and Re-Settlement Register (RSR) of Pottur village, Guntur Taluk, Guntur District:

Resurvey Number Letter Direction

Old Sy. No. and letter, if any Government or Inam Dry, Wet or Poramboke

Source of irrigation Single or Double crop Class and sort of soil Taram Rate per acre

Extent Accts. Assessment Rs. A. Name of pattadar or manager of the institution to which the land belongs Remarks 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

Re-Survey and Re-Settlement Register (RSR) of Timmarajupeta, No. 3 Sarvasiddhi Taluk, Vizagapatnam District:

Resurvey Number Sub-division Old survey number and letter Government-G or Inam-I Dry-D, manavari-M, wet-W, orporamboke-P, Source of irrigation If do uble crop, rate of composition Class and sort of soil Class and sort of soil Rate per acre Extent Assessment Remarks

1 2 3 4 5 6 7 8 9 10 11 12 13

A perusal of the columns of A-Register/Diglot and the RSRs would show that broadly both the registers contain similar columns except a few additional columns in the RSR

register e.g., column pertaining to old survey number and letter. One significant column for comparison between these two registers is the column relating to tenure of the land. In the A-Register, column No. 2 reads Jirayati or Inam. The equivalent column in RSR is column No. 5 (In some proformas it is column No. 4). It reads Government or Inam. The consistent stand of the Government which has become rather well-known over years is that if column No. 4 or 5 in RSR shows the land as belonging to Government, unless the name of the pattadar is mentioned in column No. 13 or 14 devoted to Name of pattadar or Inamdar or the Manager of the Institution to which the land belongs the land is deemed to belong to the Government. This assumption, in the opinion of this Court, is wholly misconceived.

In this context, it is necessary to have a peep into the background leading to the genesis of survey. The British India has enacted Act 28 of 1860 for survey and demarcation of the lands. Its long title reads An Act for the establishment and maintenance of Boundary marks and for facilitating the settlement of Boundary disputes in the Presidency of Fort St. George; Passed on 29th June 1860. The preamble of the Act reads:

Whereas it is desirable, with a view to the better definition and security of landed property, the prevention of encroachments and disputes, and the identification of lands assessed to, or exempted from, the public revenue in the Presidency of Fort St. George, that provision should be made for the establishment and maintenance of permanent villages, and for facilitating the settlement of boundary disputes and claims;

Section 2 of the said Act discloses the main purpose of survey and demarcation, namely, to facilitate the Collector if he is of the opinion that demarcation is necessary for prevention or adjustment of disputes (or for conducting and perpetuating a survey or a settlement of land revenue), to fix the boundaries of fields, holdings, estates or villages etc. The Act does not define the phrases owner and occupant. Act 28/1860 was replaced by Act 4/1897. This Act was repealed by the provisions of the Madras Survey and Boundaries Act 1923, which on the formation of the State of Andhra Pradesh, included the Telangana Area, by Section 3 of the A.P. Survey and Boundaries (Extension and Amendment) Act 1958. A reading of the statement of objects and reasons of this Act would show that the majority of the general surveys was completed and the Act was largely required in connection with survey of estates or other similar areas, re-surveys, maintenance and the like. It is significant to note that what was implicit in Act 28/1860 and Act 4/1897 have been made explicit in respect of the definitions of the words such as estate, Government land, proprietor, registered holder etc. Section 3(i) defined estate as under:

Estate means:

- (a) any permanently-settled estate whether a Zamindari Jaghir, mita or palaiyam;
- (b) any portion of such permanently-settled estate which has been separately registered in the office of the Collector;
- (c) any unsettled palaiyam or Jaghir;
- (d) any inam village of which the grant was made or has been confirmed by the British Government;
- (e) any portion, consisting of one or more villages of any of the estates specified above in Clauses (a), (b) and (c) which is held on a permanent under-tenure.

Under Section 3(ii), Government land is defined as any land not forming an estate or any portion thereof. Under sub-section (iv), proprietor is defined as any person in whose name any estate is for the time being registered in the office of the Collector of the district within the estate situated, and, in respect of an estate specified in Clause (e) of sub-section (i) the holder thereof. Under sub-section (v), registered holder is defined as the person in whose name the land in question is registered in the Government accounts of the village: Provided that when any person other than the registered holder is in lawful management of the Government land otherwise than as agents or servant of the registered holder or as mortgagor or lessee such person shall be deemed to be the registered holder in respect of such Government land.

The above noted definitions would reveal that an estate included all permanently settled lands of whatever name i.e., Zamindari, Jagir, Mitta, Palaiyam and all Inam villages of which grant was made or was confirmed by the British Government. All the other lands are treated as Government land under Section 3(ii). The estate holders are recognised as proprietors while persons who are in occupation of Government lands and registered as such in the Government accounts of the village are called registered holders.

What is discernible from these provisions is that all lands other than estate lands are treated as Government lands irrespective of whether they were in occupation of ryots and whether pattas were granted to them or not. In other words, Jirayati land as mentioned in Column No. 2 of A-Register/Diglot/Sethwar is termed as Government land in the RSR. It would therefore be a travesty of reality if the Government assumes that by mere description of the land as Government or Sarkari in column Nos. 4 or 5, as the case may be, in the RSR, the land belongs to and vested in it. If the literal meaning of the phrase Government land is to be ascribed to the said column, then, the column pertaining to Name of pattadar or inamdar would be rendered nugatory. The correct way of understanding the term Government land in the RSR is that it takes into its sweep all lands including patta lands and those in possession of private persons other than the inam lands. If the pattadar column shows the names of pattadars they are private lands belonging to the persons named therein or their successors in interest.

(b) Dots in RSR: This is another important aspect which is quite often troubling the Courts and litigant public alike for several years. In many cases under ryotwari tenure, the column pertaining to pattadar/inamdar is left blank or it contains dots. The statutory enactments such as Act 28/1860, 4/1897 and 8/1923 were made with the main purpose of demarcating the boundaries between estate lands and non-estate lands which are otherwise termed as Government lands. Another purpose was to cause survey for making settlement or re-settlement, as the case may be, with regard to ryotwari lands. That the RSR is not principally meant to be a document of title is clear from the fact of absence of Pattadar column in some of the Districts (e.g. *Vizagapatnam* (supra)). The Government is not coming out with any explanation for keeping the Pattadar column (wherever such column exists) blank or leaving dots. In the absence of reasons assigned by the Government, this Court can visualise three reasons for this; firstly, the information as to the persons in actual occupation of the lands may not have been available with the survey personnel involved in the preparation of RSRs. Secondly, the persons in occupation of the lands may have left the village temporarily at the time of conducting the re-survey; and thirdly, the RSR not being meant to be a document of title not much importance is given either in providing a column for pattadar or in filling the column wherever it exists. Therefore, based on such an unfilled and incomplete document, it is neither proper nor

reasonable to presume that the land is not held by the pattadar or that the same is not in occupation of a ryot and that the same is vested in the Government.

It is significant to notice in some of the RSRs filed before this Court that in respect of some of the lands where dots are shown under pattadar column, in the remarks column, they are shown as Hill-stream (vagu), Footpath (donka), Jungle (adavi). In such cases, the burden lies on the persons who claim ownership over lands to prove that these entries are wrong and that they are ryoti lands under their cultivation. For this purpose, they can rely upon the record such as Diglot, Register of Holdings and the Village accounts prepared after re-survey and re-settlement. Such evidence will displace the entries in the RSR.

Interestingly, in the RSR prepared for Bandaganipalli village, Udaygiri taluq, Nellore District, the pattadar column in respect of many survey numbers was filled with dots. Some of these lands are shown as dry or wet or poramboke indicating its taram and the land revenue is assessed. The Remarks column is kept blank. So where the lands are properly assessed, it raises a presumption that they are in occupation of ryots, whether holding patta or otherwise. In my opinion, keeping the pattadar column blank or showing dots is an indication that no information is forthcoming on the details of pattadar or person in occupation. In a given case, if patta was granted to the person in occupation and his name is not shown in the pattadar column, can such land be treated as belonging to the Government? The answer must be in the negative. Proof of a patta will displace the initial presumption that the land is not held by a private person. In the absence of patta, the subsequent entries in the revenue record and registered sale transactions also displace such presumption. The State being the author and custodian of the RSRs, the burden lies on it to explain why the pattadar column is not filled up and the reasons therefor are not indicated in the Remarks column.

It is apt to note that Section 10 of the 1923 Act envisages enquiry if any registered holder of the land raises dispute regarding boundary. Section 12 provides for appeal to the party aggrieved by the decision of the *Survey Officer* on the determination of the boundary. Section 14 provides for further remedy to the aggrieved party of a civil suit within three years of determination of the boundary dispute. The said Act neither provides for any remedy to question the correctness of the entries nor does it envisage presumption as to the correctness of entries unlike Section 6 of the 1971 Act. These provisions would thus indicate without any cavil of doubt that the RSR is not intended to be a document of title and the same cannot be treated as a stand alone document in determination of ownership/title.

(c) Case law: In several Judgments, this Court held that entries in RSR cannot be taken as conclusive proof in determining the ownership of lands. In *P. Suresh v. State of A.P.* while dealing with a case pertaining to refusal of registration of a document only on the basis of entry in the RSR showing the land as belonging to the Government, this Court held that the entries made in the RSR in the year 1909 without taking into consideration the evidence for the subsequent period such as registered sale transactions cannot be taken as conclusive proof of ownership. In *Shaik Ali v. District Collector* this Court has referred to and relied upon various other Judgments of this Court in reiterating the position that the mere entries in RSR will not offer conclusive proof of ownership of the land. In *Shaik Dudekula Pyari Jan v. Revenue Divisional Officer* this Court has weighed the entries in the RSR of Doddipalli village showing the lands as Government lands on the one side and registered transactions of the years 1938, 1942, 1959 and 1972 on the other side and held that in the face of the subsequent registered sale transactions, it is for the Government to

Government of Andhra Pradesh for summary eviction of the persons in occupation of the three plots, the Tahsildar initiated proceedings under the 1905 Act by issuing a notice under Section 7 thereof. It was followed by an order passed under Section 6 directing eviction of Habibuddin. The appeal filed by Habibuddin before the Collector was dismissed and the said order was affirmed by the Board of Revenue. During the pendency of the appeal before the Board of Revenue, the plots were purchased by the respondents before the Supreme Court for a valuable consideration. After being unsuccessful before the Government against the order of the Board of Revenue, the purchasers have filed Writ Petition in this Court. A learned single Judge dismissed the Writ Petition. The Division Bench has however allowed the Writ Appeals by taking the view that the aspect whether the land belongs to the Osmania University or not will have to be decided by a competent Civil Court as and when a civil suit is filed by the Government and that the summary eviction proceedings under Section 7 cannot be resorted to unless there is an attempt at encroachment of a very recent origin. The State carried the matter in appeal before the Supreme Court. While affirming the Judgment of the Division Bench, the Supreme Court held:

It seems to us clear from these provisions that the summary remedy for eviction which is provided for by Section 6 of the Act can be resorted to by the Government only against persons who are in unauthorized occupation of any land which is "the property of Government" In regard to property described in Sub-sections (1) and (2) Of Section 2, there can be no doubt, difficulty or dispute as to the title of the Government and, therefore, in respect of such property, the Government would be free to take recourse to the summary remedy of eviction provided for in Section 6. A person who occupies a part of a public road, street, bridge, the bed of the sea and the like is in unauthorised occupation of property which is declared by Section 2 to be the property of the Government and therefore it is in public interest to evict him expeditiously, which can only be done by resorting to the summary remedy provided by the Act. But Section 6 (1) which confers the power of summary eviction on the Government limits that power to cases in which a person is in unauthorised occupation of a land "for which he is liable to pay assessment under Section 3". Section 3 in turn, refers to unauthorised occupation of any land "which is the property of Government". If there is a bona fide dispute regarding the title of the Government to any property, the Government cannot take a unilateral decision in its own favour that the property belong to it and on the basis of such decision take recourse to the summary remedy provided by Section 6 for evicting the person who is in possession of the property under a bona fide claim or title in the instant case, there "unquestionably a genuine dispute between the State Government and the respondents as to whether the three plots of land were the subject-matter of acquisition proceeding taken by the then Government of Hyderabad and whether the Osmania University, for whose benefit the plots are alleged to have been acquired, had lost title to the property by operation of the law of limitation. The suit filed by University was dismissed on the ground of limitation, inter alia, since Nawab Habibuddin was found to have encroached on the property more than twelve years Sore the date of the suit and the University was not in possession of the property at any time within that period. Having failed in the suit, the University activated the Government to evict the Nawab and his transferees summarily, which seems to us impermissible. The respondents have a bona fide claim to litigate and they cannot be evicted save by the due process of law. The summary remedy prescribed by Section 6 is not the kind of legal process which is suited to an adjudication of complicated question of title. That procedure is, therefore, not the due process of law for evicting the respondents.

The view of the Division Bench that the summary remedy provided for by Section 6

assert and prove its title if it chooses to do so in a properly constituted proceeding before the appropriate forum in accordance with law and that without doing so it is not open to the revenue authorities or the registration authorities to deny persons claiming rights over such land merely on the basis of the RSR entries. This dicta was reiterated by this Court in *Madiga Papanna v. State of A.P.*

Conclusion on Point No. 3-I(a) and (b)

The inevitable conclusions that can be drawn from the above discussion are:

(a) RSR is not a stand alone document and entries therein cannot be taken as conclusive proof to determine title. It constitutes one of the many revenue records which have to be considered in determination of title.

(b) Entries in RSR showing the land as belonging to Government do not necessarily mean that the same is not a patta land, but they only mean that it is not an inam land.

(c) The pattadar column in RSR left blank or containing dots cannot be understood to mean that the land is vested in the Government. A private person can still claim ownership over the land based on the patta and/or entries in the revenue record prepared both prior to and after the commencement of the 1971 Act, besides registered sale transactions. If, the Government disputes such entries, it needs to get its right declared by instituting proceedings before the competent court of law.

II. Entries in Town Survey Land Register (TSLR): Detailed Town Survey was carried out in some municipalities and Panchayats in Andhra Area. In Telangana region detailed Town Survey of the twin cities was carried out in 1966-70. The object of undertaking detailed surveys is not only to survey the boundary between the streets and private properties, but also the boundaries of all private properties whether built up or vacant, Government lands and Municipality lands. The system of survey held is quite different from the system followed in respect of villages containing open lands. The nature and scope of entries in TSLR fell for consideration of a Division Bench of this Court in W.A. Nos. 115 and 160 of 2000. P. Venkatramam Reddy., J (as his Lordship then was) while speaking for the Division Bench held that entries in TSLR are no doubt relevant, but they are not conclusive; that TSLR cannot be regarded as the sole guiding factor while dealing with applications for building permissions; and that TSLRs have to be considered in conjunction with other documents which the applicant would like to place reliance upon.

B. Sudershan Reddy., J (as his Lordship then was), considered the scheme of the A.P. Survey and Boundaries Act, 1923 in *Hyderabad Potteries Pvt. Ltd.* (2-supra) and held that the survey made under the said Act is mainly intended for the purposes of identification of lands and fixation of boundaries and that there is no provision thereunder to make any detailed enquiries with regard to the right, title and interest of persons in the lands. It is apposite to quote the relevant passage in the said Judgment (para-21):

A bare reading of scheme of the A.P. Survey and Boundaries Act, 1923 would make it clear that the survey made under the said Act is mainly intended for the purposes of identification of the lands and fixation of boundaries. There is no provision under the Act intending to make any detailed enquiries with regard to the right, title and interest of the persons in the lands. It is neither the object nor the scheme of the said Act. There is no presumption that every entry made in the TSLR shall be presumed to be

hereinabove. For convenience, these Writ Petitions are categorised based on the nature of the dispute.

W.P. Nos. 23595/2013, 23599/2013, 23615/2013, 25333/2013 and 25356/2013: These writ Petitions involve dispute relating to the entries in RSRs. Of these, W.P. Nos. 23595, 23599 and 23615 of 2013 present identical facts. Though the facts were already stated at the beginning, their repetition is unavoidable in order to apply the principles of law discussed above to the facts of each case.

The petitioner in W.P. No. 23595/2013 pleaded that he has purchased lands admeasuring Ac.23-43 cents in Sy. No. 408, Ac.2-44 in Sy. No. 589, Ac.1-40 cents in Sy. No. 385, Ac.1-35 cents in Sy. No. 407 and Ac.2-23 cents in Sy. No. 410 of Bandaganipalli village, Udaigiri Mandal, Nellore District, under registered sale deeds from Byreddy Cheera Reddy and others. The petitioner further pleaded that the names of the predecessors of the vendors of the petitioner have been entered in the RSR. The petitioner filed a copy of certificate in Rc. No. 108B, dated 29-12-2008 issued by respondent No. 3 wherein he has clarified that the lands in question belonged to Byreddy Cheera Reddy and others. Consequent on purchase of the lands, the petitioner has made an application to respondent No. 3 (wrongly stated as respondent No. 4) in the prescribed form on 3-6-2013 for grant of pattadar passbooks and title deeds. By endorsement in L. Dis. No. 425/2013(F), dated 3-8-2013, respondent No. 3 has rejected the petitioners application for grant of pattadar passbooks and title deeds only on the ground that as per the adangals, the lands are shown as Government lands.

In W.P. No. 23599/2013, an extent of Ac.37-30 cents in Sy. No. 384 of Badaganipalli village, Udaigiri Mandal, SPSR Nellore District was purchased by the petitioner from the same vendors as in W.P. No. 23595/2013. In this case also, respondent No. 3 has issued a certificate stating that the lands are recorded in the name of Byreddy Cheera Reddy and others. The petitioner has filed a similar certificate issued by respondent No. 3 showing that the lands were recorded in the name of Byreddy Cheera Reddy and others in the Diglot. The grievance of the petitioner is that respondent No. 3 has issued the impugned endorsement dated 3-8-2013 refusing to issue pattadar passbooks and title deeds on the same ground as in W.P. No. 23595/2013.

The facts in W.P. No. 23615/2013 are also identical except that the survey numbers and the extents of the land purchased by the petitioner herein vary. The petitioner has filed copies of RSR. Based on the entries in the RSR, respondent No. 3 has issued a certificate to the effect that all the lands purchased by the petitioners stood in the name of Byreddy Cheera Reddy and others from whom the petitioner has purchased the lands under registered sale deeds.

As no counter-affidavits have been filed in these Writ Petitions (W.P. Nos. 23595, 23599 and 23615/2013) by the respondents, the pleadings of the petitioners and the contents of separate certificates issued by respondent No. 3 remained uncontroverted. It is therefore reasonable for this Court to proceed on the premise that the names of the petitioners vendors have been recorded in the RSR as pattadars.

As concluded under Point No. 3, if any evidence contrary to the entries in RSR exist, such entries cannot be taken as conclusive proof of title. In these cases, the only document which contradicts the entries in the RSR is Adangal. As noticed by this Court earlier, under Rule 3 of the A.P. Rights in Land and Pattadar Passbooks Rules, 1989, pahani/adangal does not constitute record of rights (ROR) for a village. Under the Scheme of the 1971 Act the procedure for preparation and updating of record of

rights, intimation of acquisition of rights, amendment and updating of ROR on receipt of such intimation, the provisions of appeal and revision, relate only to ROR. Therefore, even if there is an error in the entry in the Adangal, a person who asserts his title and ownership to the properties need not avail the remedies provided under this Act for rectification of entries for the simple reason that Adangal pertaining to post 1971 Act period does not form part of ROR. Consequently, the presumption of correctness of the entries as envisaged under Section 6 of the 1971 Act is not available in respect of Adangal. Therefore, if an entry in the Adangal contradicts the basic record such as Diglot or RSR, the entries in the latter documents will prevail over the entry in the Adangal. Unless any document other than Adangal which constitutes ROR showing the land as belonging to Government exists, the revenue functionaries cannot claim the land as belonging to the Government merely based on an entry in the Adangal. The purported entries in the Adangal are in the teeth of the entries in the RSR and the certificate issued by respondent No. 3 himself in the year 2008 based on such entries. Therefore, on the facts of these cases, the entries in the Adangal have no legal force and are hence liable to be ignored. W.P. Nos. 25333/2013 and 25356 of 2013: From the facts of these cases already noted, it could be seen that it is an admitted fact that registered sale transactions have taken place in respect of these lands from the year 1934 as admitted in the counter-affidavits of the Tahsildar, Gorantla Mandal, Anantapur District. It is also admitted that 10(1) Account incorporated the names of the petitioners. It is however stated that the said entries were made without the certification of any officers. It is also admitted that these lands were included in the declarations made by the petitioners vendors under the 1973 Act whereunder these lands were treated as private lands by the Land Reforms Tribunal. Further, in respect of these lands, pattadar passbooks and title deeds have been issued. The only ground on which these lands were treated as Government lands is that the RSR has shown that they are Government lands. The respondents have not filed a copy of the RSR. It is not known whether the RSR contains the names of pattadars or the pattadar column is kept blank or it contains dots. Following the findings rendered on Point No. 3, the plea of the respondents that in view of the entries in the RSR the lands are treated as Government lands has to be termed as wholly meritless. The RSR entry cannot be taken as the sole guiding factor to determine the title of a person. The overwhelming documentary evidence such as 10(1) Register, the proceedings of the Land Reforms Tribunal and the registered sale deeds from the year 1934 would outweigh the entries in the RSR. The issue of pattadar passbook and title deed based on the entries in the record of rights such as 10(1) Account raise a presumption in favour of these entries under Section 6 of the 1971 Act. For all these reasons, the petitioners have established their ownership for receiving compensation and there is no justification for the respondents to deny compensation.

W.P. No. 15438/2012, 31582/2012, 26106/2013, 25727/2013, 27589/2013 and 23447/2013:

On broad classification, these Writ Petitions fall under one category. In all these Writ Petitions, the genesis of the dispute is the entries in TSLR. As the facts vary from case to case, each Writ Petition needs to be considered on its own facts:

W.P. No. 31582/2012: Since the facts have already been noted earlier, they need not be repeated. The request of the petitioners for change of classification of the land in the TSLR from burial ground to poramboke was rejected only based on Fair Adangal prepared in the year 1968 describing the land as smasanam. The admitted facts however remain that as far back as 1901, an extent of Ac.155-00 was purchased by one Vahejullah Saheb s/o. Afizullah Saheb through registered sale deed from a private person and the same changed hands under as many as 18 sale deeds from 17-11-

1931 to 20-6-1940 and further sale deeds were registered upto the year 1978. The report of the Revenue Divisional Officer revealed that in all the registered documents, the land is described as Government land. In the year 1971, the Municipal authorities have given assessment numbers to properties and allotted door numbers. Since the year 1969, the Municipal authorities have approved building plans for the subject land. The Revenue Divisional Officers report was endorsed by the District Collector in his report dated 21-3-2011. However, on a reference made by the Chief Commissioner of Land Administration (CCLA) to the Collector, Krishna District, for rectification of the facts and submission of a report, the Collector has relied upon the Fair Adangal prepared in the year 1968 describing the land as smasanam. On the report submitted by the CCLA, the Government has rejected the petitioners claim for conversion of land from burial ground to AWD. In essence, the respondents sought to treat the entries in the TSLR and the Fair Adangal as conclusive proof of the nature of the land. This, in my opinion, is a highly unsound approach. No entry in the revenue or survey record can be treated as conclusive proof if circumstances exist which render such entries as unrealistic and contrary to the ground realities. There is no dispute about the fact that the land was a part of Machavaram village estate and even before the estates were abolished, the same was merged in the then Vijayawada Municipality in the year 1943. As per the report of the Assistant Director, Survey and Land Records, the settlement records under the Estates/Inams Abolition Acts are not available for examination. No documents have been discussed based on which the entry in the Fair Adangal describing the land as burial ground was made in the year 1968. Had the land been correctly described as burial ground it would be beyond ones comprehension as to how registered sale transactions were allowed to take place from the year 1901, and how the Vijayawada Municipality has made assessment of the properties, approved building plans and allotted door numbers. It is therefore a case where the ratio in *Rama Iyyengar* (supra) as referred to and discussed under Point No. 2 squarely applies. The continuous flow of registered sale transactions reflects on the conduct of the Government in treating the land as a private land and not as a burial ground. Therefore, this is a fit case to which the doctrine of estoppel by conduct needs to be applied. The Government cannot rely upon a stand alone entry in the Fair Adangal prepared in the year 1968 by which time more than 18 registered sale transactions have taken place. Thus, ex facie, the entry in the Fair Adangal is incorrect. In my opinion, respondent No. 1 ought to have accepted the earlier reports of the Revenue Divisional Officer and the District Collector. The petitioner is therefore entitled for change of classification of the land from burial ground to AWD. W.P. Nos. 25727 and 26106 of 2013: The petitioners have claimed ownership of the land in respect of a common property based on a compromise decree passed in O.S. No. 1420/1983. The petitioners have traced their title through their grand mother late Sultan Khatoon who has purchased an extent of 23445 sq. mtrs. of land under registered sale deed 932 of 1336 Fasli (1926). In O.S. No. 1420/1983, compromise decree dated 2-12-1983, was obtained by the petitioners whereunder the property was partitioned between them. The proceedings under the 1905 Act were initiated only based on the entry in the TSLR describing the land as G-Abadi. In the counter-affidavit, the respondents have not denied the existence of registered sale deed under which the petitioners grand mother has purchased the property as far back as the year 1926. They have also not disputed the plea of the petitioners that for almost 90 years, their family has been in possession of the property. The long standing uninterrupted possession of the petitioners family raises a reasonable presumption that the property in question is a private property and the same does not belong to the Government. Such a presumption can be displaced by the Government only in a properly constituted civil proceeding. On these undisputed facts of the case, the ratio in the Judgment of the Supreme Court in *Tummala Krishna Rao* (1-supra) squarely applies. The respondents cannot therefore

B.H. Baden Powell explained: (Land Systems of British India Pages 10 & 11):

The state of these territories, when they came under British rule, was in many cases uniformly deplorable.

The districts forming the Northern Sirkars which had been under the Muhammadan dominion in its decline, had passed, as I have said, under the Zamindari system of revenue-collection, which marked the days of the fall; but the Zamindars do not seem to have been exceptionally exacting.

The districts that had been taken from Mysore were oppressively assessed, but otherwise had been kept in some order. The Mysore sultans were too careful of their treasury to allow great Zamindar agents to intercept the profits; but they left the revenue-officials or amils, and petty middlemen, to get the most out of the people they could. Haidar Ali did not object to his agents squeezing the people; for, as Colonel Wilks, in his account of Mysore, says: it was part of his system to squeeze the sponges which absorbed his peoples surplus wealth.

The Ceded Districts, however, were overrun with a class of local chiefs (to be described presently) called poligar.

In Karnul there was a tributary Nawab, and his oppressions were grievous:- The revenue administration was in the greatest disorder, and was carried on without any system whatever. No public accounts were kept except by the village officers. The amount to be paid by each village was changed according to the caprice of the Nawab, and he would increase his demand without any ostensible reason. When his demands passed all bounds, the people would fly.

Then the Nawab would allure them back with promises, and give them a cowle (agreement of terms) to reassure them; but as soon as the crops were ready to be cut, he would seize the produce, breaking through his word without scruple.

Law in Madras Presidency by Mr. B.R. Chakravarthi

It is the essential feature of a raiyatwari Settlement that every raiyat is free to hold or to relinquish whatever fields of his holding he likes, or to ask for other available numbers, provided all is done by a certain date. Hence, an account or Settlement is necessary both to see what the raiyat has actually held, and has to pay revenue for, during the year, as well as (in Madras) to determine the amount of any remissions he may, by rule, be entitled to. So it is a feature of the raiyatwari system, that besides the initial assessment of the land-revenue, there is an annual jamabandi or settling up with the cultivator, taking account of any change in his holding as shown in his patta, and noting deductions (if the system allows any) from his total payment. (Land Systems of British India by B.H. Baden-Powell page-33)

Land Systems of British India by B.H. Baden Powell (page-54)

Statement of Objects and Reasons of A.P. (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act, 1948: In many estates in the Province of Madras, the rent levied by the landholder from his ryots is substantially in excess of the assessments charged by the Government on similar land in the neighbouring ryotwari area and is beyond the capacity of the ryots to pay. The zamindari system has perpetuated an assessment which has no relation to the productive capacity of the land. It has further led to loss of contact between the Government and the actual

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cultivator and has acted as a brake in regard to agricultural improvement. Most of the irrigation works in estates are in a state of despair. The complexities of the zamindari system have led to an immense volume of litigation. Many of the records in the offices of zamindars are indifferently maintained and the peasantry, most of whom are illiterate, are at the mercy of unscrupulous agents. Zamindari administration has rarely, if ever, been as efficient as administration in Government areas. There is thus acute discontent among estate ryots and there has been a good deal of agitation by them. The Government are convinced that the zamindari system in force in the province has outlived its usefulness, and should be abolished at the earliest possible date.

Statement of Objects and Reasons of the A.P. (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956: The Andhra Pradesh (Andhra Area) Inams Conversion into Ryotwari) Act, 1956, mainly, provides for the abolition of all minor inams including charitable and religious service inams. In the case of inam lands in an inam village which are not held by an institution and are in occupation of tenants the tenants get ryotwari pattas for two-thirds of the lands and the inamdars for one-third of the lands. If there are no tenants in occupation, the inamdar gets a ryotwari or zamindari village, the inamdars get the patta in respect thereof. In other words, in the case of inam village, the Act recognises the existence of occupancy rights in favour of the tenants, whereas it does not recognise the existence of such rights in the case of inam lands in the ryotwari and zamindari villages. There are however, certain inam lands in ryotwari and zamindari villages where tenants have been recognised to possess rights of permanent occupancy through custom having the force of law or by virtue of a courts decree etc.

Section 4(1): In the case of an inam land in a ryotwari or zamindari village the person or institution holding such land as inamdar or the date of commencement of this Act shall be entitled to a ryotwari patta in respect thereof.

(2) In the case of inam land in an inam village (a) if such a land is held by any institution on the date of commencement of this Act, such institution shall be entitled to a ryotwari patta in respect of that land; (b) if such a land is held by an inamdar other than an institution on the date of commencement of this Act, and is in his actual occupation on the said date, the tenant who is declared to be in occupation of that land on the 7th January, 1948, by the Revenue Court under sub-section (3) of Section 5, or the Collector under sub-section (5) of that section, as the case may be, shall be entitled to a ryotwari patta for two-thirds share of that land and the inamdar shall be entitled to a ryotwari patta for the remaining one-third share thereof; and if no tenant has filed an application before the Revenue Court under sub-section (2) of that section within the period specified therein, the inamdar shall be entitled to a ryotwari patta in respect of that land; (c) if such a land is held by an inamdar other than an institution on the date of commencement of this Act, but is in the occupation of a tenant on the said date, the tenant who is declared to be in occupation of that land on the 7th January, 1948, by the Revenue Court under sub-section (3) of Section 5, or the Collector under sub-section (5) of that section, as the case may be, shall be entitled to a ryotwari patta of two-thirds share of that land and the inamdar shall be entitled to a ryotwari patta for the remaining one-third share thereof and if no tenant has filed an application before the Revenue Court under sub-section (2) of that section within the period specified therein the tenant in occupation of the land on the date of commencement of this Act, shall be entitled to a ryotwari patta for two-thirds share of that land and the inamdar shall be entitled to a ryotwari patta for the remaining one-third share thereof.

(3) The one-third share of the inam land in occupation of the tenant in respect of which the inamdar is entitled to a ryotwari patta under clause (b) or clause (c) of subsection (2) shall be deemed to be the compensation payable to the inamdar in lieu of the extinguishment of his rights in the two-thirds share of such land.

1972 (1) ALT 270

Page-55 of Hand Book of Land Records by Mr. P. Kasturi Reddy

Page-56 of Hand Book of Land Records by Mr. P. Kasthuri Reddy

Page-58 of Hand Book of Land Records by Mr. P. Kasthuri Reddy

AIR 1976 A.P. 19

(1902) 1 MLJ 453

2008 (5) ALT 313 (DB)

2011 (5) ALT 420

2011 (3) ALD 571

(2000 (3) ALT 295)

AIR 1974 S.C. 1178

AIR 2000 S.C. 3037 = (2000) 7 SCC 611,

1991 Supp (2) SCC 228

AIR 1956 S.C. 305

(2006) 13 SCC 147

AIR 1926 P.C. 100

AIR 1961 A.P. 361

(1996) 11 SCC 257

(1989) 3 SCC 612

(1993) 4 SCC 349

2002 (5) ALT 370 (DB)

(1995) 3 SCC 426

1999 (5) ALD 309

2002 (1) ALT 466

AIR 1952 Hyderabad 75

ILR 72 A.P. 652

1996 (2) ALT 950

1999 (4) ALT 209-DB

AIR 1954 SC 575

AIR 1973 SC 1299

AIR 1979 SC 861

(2000) 7 SCC 611

Civil Appeal No. 4702/2004, dt. 7-1-2004

Land Systems of British India, by B.H. Baden Powell: From the very early times a right was asserted in favour of the person who first cleared the land, had undertaken the great work of removing the dense jungle and contending against tropical nature, till the land was one for the plough. In Manu it is written the sages declare a field belong to him who first cleared away the timber and a deer to him who first wounded it. The original theory of the Muslims was that conquered races were to be offered the option between adopting the creed or death or slavery. But the thing was given away to the more practicable one, that conquered races, if they submitted and agreed to pay tribute (Khiraj) were to be set alone. The author of Hidayah (a text book of Muhammadan Law) lays it down that if a prince conquers a country, he is at liberty either to divide the land among his soldiers or to have it in the possession of the inhabitants on their agreeing to pay capitation (Jaziyah) and land taxes in the later case, the right of the property remains with the inhabitants. The author of Hidayah also has adopted the same rule as the law of Manu asserts, viz., the land is the property of him who first cleared it and Col. Vanis Kennedy (on the Muhammadan law, Journal Associate Society) says that all Muhammadan jurists agree that the person who first appropriates and cultivates waste land becomes ipso facto the lord of the soil.

9 Madras 175

Manual of Administration-I, page-104

23 MLJ 32

AIR 1930 P.C. 103

(2010) 5 SCC 203

Section 2: Right of property in public roads, etc., water and lands: (1) All public roads, streets, lanes and paths, the bridges, ditches, dikes and fences, on or beside the same the bed of the sea and of harbours and creeks below high water mark, and of rivers, streams, nalas, lakes and tanks and all canals and water-courses, and all standing and flowing water, and all lands, wherever situated, save in so far as the same are the property, -

(a) of any zamindar, pollgar, mittadar, jagirdars, shrotriendar or any person claiming through or holding under any of them, or

(b) of any person paying shist, Kattubadi, jodi, poruppu or quit-rent to any of the aforesaid persons, or

(c) of any person holding under ryotwari tenure, or in any way subject to the payment of land-revenue direct to Government; or

(d) of any other registered holder of land in proprietary right, or

(e) of any other person holding land under grant from the Government otherwise than by way of licence, and as to the lands, save also in so far as they are temple sites or owned as housesite or backward, be and are hereby declared to be the property of Government except as may be otherwise provided by any law for the time being in force, subject always to all rights of way and other public rights and to the natural and easement rights of other land owners, and to all customary rights legally subsisting.

(2) All public roads and streets vested in any locality shall, for the purposes of this Act, be deemed to be the property of Government.

((2009) 7 SCC 363)

(2009 (3) ALT 419)

2011 (1) ALT 474

W.P. No. 6061/2010, dt.2-7-2010

2011 (2) ALT 2

See: Handbook of Land Records by Mr. P. Kasturi Reddy 1st Edition

(2010) 5 SCC 382

1984 (1) APLJ 219

1970 (1) ALT 88

¹ AIR 1982 S.C. 1081

² 2001 (3) ALD 600

³ 1999 (4) ALT 209-DB

⁴ AIR 1954 SC 575

⁵ AIR 1973 SC 1299

⁶ AIR 1979 SC 861

⁷ (2000) 7 SCC 611

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2003 SCC OnLine AP 293 : AIR 2003 AP 329 : (2003) 2 AP LJ (SN) 102 : (2003) 4 ALD 302 (DB)

Andhra Pradesh High Court

BEFORE G. BIKSHAPATHY AND R. SUBHASH REDDY, JJ.

Secretary to Govt. of India, Ministry of Defence, New Delhi and
another ... Appellants;

Versus

Indira Devi and others ... Respondents.

Letters Patent Appeal No. 20 of 1999

Decided on March 13, 2003

G. BIKSHAPATHY, J.:— This L.P.A. is directed against the judgment and decree of the learned single Judge in C.C.C.A. No. 21 of 1996, dated 21-8-1998 confirming the judgment and decree dated 29-11-1993 in O.S. No. 276 of 1988 on the file of III Additional Judge, City Civil Court, Hyderabad.

2. Briefly stated the following are facts of the case: The suit was filed by the plaintiffs seeking declaration of title in respect of land in Sy. No. 234 in Tokatta village, Boinpally Mandal, Secunderabad, admeasuring Ac. 2-33 guntas and for perpetual injunction restraining the defendants from interfering with the possession and enjoyment of the same.

3. As per the averments in the plaint, it is the case of plaintiffs that one B.V. Prakash Reddy was the owner and pattedar of the agricultural lands in Sy. No. 234 admeasuring Ac. 2-33 guntas in Tokatta village, Boinpally Mandal. The said Prakash Reddy died in the year 1982 leaving behind the first plaintiff-wife and second plaintiff-daughter of the said Prakash Reddy. It is also the case of the plaintiffs that the land was originally leased out to one Achaiah in the year 1950. The tenancy certificate was issued in the name of Achaiah and after the death of Achaiah, his brothers succeeded to the tenancy. However, the ownership continued to rest with the said Prakash Reddy.

4. While so, the defendants have set up a plea that the suit land forms part of General Land Register Sy. No. 586 classified as A-2 and the plaintiffs tried to interfere and evict the protected tenant. At this stage, the said tenant filed a suit in O.S. No. 1433 of 1980 on the file of V Assistant Judge, City Civil Court, Hyderabad, for perpetual injunction in respect of the land in question and the same was ultimately dismissed for default. It is also stated that B.V. Prakash Reddy was the owner of the land in question and the plaintiffs continued to be in possession for the last 40 to 50 years and thus, the plaintiffs also alternatively claim title by prescription by way of adverse possession. Therefore, the relief was sought for declaration of title and injunction.

5. The suit was resisted by defendant No. 2 stating that B.V. Prakash Reddy was not the owner and pattedar of the suit scheduled land situated in Sy. No. 234 and the suit land forms part of G.L.R. Sy. No. 586 admeasuring Ac. 9-39 guntas which is the absolute property of the Ministry of Defence, Government of India. It is also stated that as per the General Land Register maintained by the second defendant under the Cantonment Land Administration Rules, 1937, the entire land in G.L.R. Sy. No. 586 of which the suit land forms part, is classified as A-2 land and that it was actually used and occupied by the military authorities. In fact, Ac. 7-72 guntas forming part of G.L.R. Sy. No. 586 was the subject-matter of litigation between one Smt. Sharfunnissa Begum and the Military Estates Officer in O.S. No. 421 of 1972 and the said suit was finally dismissed. The present land is part of the land in G.L.R. Sy. No. 586 and,

therefore, the plaintiffs have no right to claim ownership in respect of the aforesaid land.

6. Basing on the respective pleadings, the trial Court framed the followings issues:

1. Whether the plaint allegations are true and correct?
2. Whether the plaintiffs are entitled for the declaration of title as prayed for?
3. Whether the plaintiffs are entitled to a permanent injunction as prayed for?
4. To what relief?

7. In support of their claim, the plaintiffs examined PWs-1 to 4 and marked Exs. A-1 to A-33 and Exs. C-1 to C-5 were marked through PW-2. On behalf of defendants, one witness was examined and Exs. B-1 to B-13 were marked. The trial Court considered the issues jointly and held that B.V. Prakash

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Reddy was the owner and pattedar of the suit schedule property. The trial Court referred to various documents Exs. A-1 to A-13 and recorded such finding, after taking into consideration the plea of defendants that the land belongs to the Ministry of Defence as the same is entered in General Land Register maintained by the Cantonment Board. The trial Court after considering the evidence on record held that the plaintiffs have established their case and it also held that the defendants have not established that the land forms part of G.L.R. Sy. No. 586 and accordingly decreed the suit by judgment dated 29-11-1993. Aggrieved by the said judgment, the defendants carried the matter in appeal in CCA No. 21 of 1996 on the file of this Court. The learned single Judge of this Court by judgment and decree dated 21-8-1988 dismissed the appeal filed by the defendants against which the present LPA has been filed by the unsuccessful defendants.

8. Learned standing counsel for Central Government made various submission before this Court, which are dealt with seriatim.

9. The first contention raised by the learned standing counsel is that notice under Section 80 of the Civil Procedure Code (for short 'the Code') was not issued by the plaintiffs and, therefore, that virtually goes to the root of the matter. When once notice under Section 80 is not issued, the suit itself is liable to be dismissed for lack of notice. Learned standing counsel cited various decisions on this aspect.

10. On the other hand, learned counsel for the respondents-plaintiffs, Mr. C.V. Mohan Reddy, submits that even though no notice was issued, yet waiver is established on the part of the defendants as no objection was taken at any point of time except stating the same in the written statement. The learned counsel would also submit that even the lower Court did not frame an issue on this aspect. Further, when the matter was carried in first appeal, the appellant has not raised this issue at all as one of the grounds in the appeal. Even in LPA, such a ground was not taken and, therefore, it amounts to conscious waiver and in such an event, the appellant cannot raise this ground for the first time in the LPA. Learned counsel would rely on certain decisions on this aspect to buttress his contention about the waiver of right.

11. Before deciding the respective legal contentions, this Court called for the records and perused the original plaint filed by the plaintiffs before the trial Court. A specific endorsement is made by the Office to the effect that the petition under Section 80(2) of the Code was filed for dispensing with the notice under Section 80 of the Civil Procedure Code. In view of the specific endorsement, the application for dispensing with notice has been filed and in such an event, it will be futile exercise to adjudicate the matter as to the effect of non-issue of notice under Section 80 of the

Code. Therefore, it has to be held that notice under Section 80 need not be issued since the same has been dispensed with by the trial Court. Thus, the contention of the learned standing counsel for Central Government on this point is rejected.

12. Learned standing counsel further contends that it is only the General Power of Attorney (GPA) of the plaintiff who deposed with regard to documents and the factual situation inasmuch the plaintiffs never entered the witness box and, therefore, the presumption under Section 114(iii) of the Indian Evidence Act would come into play and the trial Court ought not to have relied upon the evidence of the GPA and ought to have disbelieved the same. He relied upon the decisions of the Supreme Court in *Vidhyadhar v. Manikrao*, (1999) 3 SCC 573 : (AIR 1999 SC 1441) and learned single Judge of this Court in *Kanakapudi Bharathy v. Authority u/S. 50 of A.P.S.E. Act-cum-Labour Officer*, (1993) 3 Andh LD 420, wherein the decision of the Rajasthan High Court in *Ram Prasad v. Hart Narain*, AIR 1998 Raj 185, was followed.

13. On the other hand, learned counsel for the respondents-plaintiffs submits that the suit itself was filed by the GPA holder and as per the terms of GPA, he is entitled to depose on behalf of plaintiffs keeping in view Rule 32 of Civil Rules of Practice and permission having been obtained from the Court, it is always legal and competent to the GPA-holder to speak to the facts of the case in place of plaintiffs and that cannot be a ground to reject the deposition of the GPA-holder. In *Ram Prasad's case* (cited supra), the facts of the case are that the

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plaintiff filed a suit and during the adjudication proceedings, an application was moved by the plaintiff praying that his son being GPA-holder may be allowed to appear as witness on behalf of the plaintiff and the said matter was contested. On contest, it was dismissed by the lower Court. On reference, the High Court of Rajasthan held as follows (Para 9):

“... ‘acts’ used in Rule 2 of Order 3 of Code of Civil Procedure does not include the act of power of attorney holder to appear as a witness on behalf of a party. Power of attorney holder of a party can appear only as a witness in his personal capacity and whatever he has knowledge about the case, he can state on oath but he cannot appear as a witness on behalf of the party in the capacity of that party. If the plaintiff is unable to appear in the Court, a commission for recording his evidence may be issued under the relevant provisions of the Code of Civil Procedure....”

14. To the same effect is the judgment of the learned single Judge of this Court in *Kanakapudi Bharathy's case* (cited supra) wherein it was observed as follows:

“I am of the considered view that word ‘acts’ used in Rule 2, Order 3, C.P.C. does not include the act of Power of Attorney Holder to appear as a witness on behalf of the petitioners. Power of Attorney Holder of a party can appear only as a witness in his personal capacity to speak about the facts, which are within his personal knowledge about the case, but he cannot appear as a witness on behalf of a party in the capacity of that party. It has been observed in the impugned order that the executant of General Power of Attorney by name Bharathi has been attending to her cases personally and non-examination of her in A.P.S.C. No. 4 of 1996 will result in great injustice to the second respondent. In this context, it is also relevant to refer to Section 118 of the Indian Evidence Act which reads that ‘all persons shall be competent to testify unless the Court considers that they are prevented from understanding the questions put to them or giving rational answers to those questions, by tender years, extreme old age, disease, whether of body or mind, or

any other cause of the same kind'. Thus, testimonial compulsion is the very foundation of the Law of Evidence, for, without such compulsion every refusal to give evidence will render administration of justice impossible. It is not a legal fetish. It is a necessity and also the general rule. The petitioners cannot stay back without entering into witness box and subjecting themselves to cross-examination by the second respondent. Further, even if the petitioners are unable to appear in Court, a Commissioner for recording their evidence may be taken out under the relevant provisions of the Code of Civil Procedure. This view of mine gets support from a decision of the Rajasthan High Court in *Ram Prasad v. Hari Narain*, AIR 1998 Raj 185."

15. In the instant case, it is observed that the suit itself was filed by the GPA-holder of plaintiffs and it is not the case where during the adjudication proceedings, an application was filed by the plaintiffs to permit the G.P.A. to lead the evidence on their behalf and in such situation, the matter has to be considered with reference to Rule 32 of Civil Rules of Practice which reads thus:

"(1) When a party appears by any agent, other than an advocate, the agent shall, before making of or doing any appearance, application, or act, in or to the Court, file in Court the power of attorney, or written authority, thereunto authorizing him or a properly authenticated copy thereof together with an affidavit that the said authority still subsisting, or, in the case of an agent carrying on a trade or business on behalf of party, without a written authority, an affidavit stating the residence of his principal, the trade or business carried on by the agent on his behalf and the connection of the same with the subject-matter of the suit, and that no other agent is expressly authorised to make or do such appearance, application, or act.

(2) The Judge may thereupon record in writing that the agent is permitted to appear and act on behalf of the party; and unless and until the said permission is granted, no appearance, application, or act, of the agent shall be recognised by the Court."

16. Therefore, the requirement is that when GPA-holder is representing the party, the Judge is required to record in writing that he is permitted to appear and act on behalf of the party. In the instant case, the procedure prescribed under Rule 32 of Civil Rules of Practice has been followed. The case

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dealt with by the learned single Judge of Rajasthan High Court was on a different footing. Apart from that, when once a person files a suit on behalf of the party, as a G.P.A. holder he enters into the shoes of that party and except to the extent of personal knowledge, he is entitled to depose on other facts. In the instant case, what was relied upon by the plaintiffs is entirely documentary evidence, which are public documents and no personal knowledge was required to be pressed into service to establish the case of plaintiff.

17. The learned counsel for the respondent tried to rely on the judgment of Supreme Court in *Ramkubai v. Hajarimal Dhokalchand Chandak*, AIR 1999 SC 3089. In the said case, an application was filed for eviction of the tenant on the ground of bona fide business requirement of the son of the landlady. The bona fide requirement of landlord was accepted by the trial Court, but it was negated by the appellate Court and confirmed by the High Court. The Supreme Court observed (Para 10 of AIR 1999 SC 3089):

"Landlady was accepted by the trial Court but it was negated by the Appellate Court and the same was confirmed by the High Court. The Appellate Court was swayed away by the fact that the landlady herself did not come into the witness box to support her claim. What is not appreciated by the Appellate Court is that her son Bhikchand who was also her G.P.A. holder and for whose benefit the business is to be set up, did come into the witness box to support the case of personal requirement. The Appellate Court was of the view that the bona fide requirement is in the first place a state of mind and might be something more and that could be established only by the landlady. In all fairness to Mr. Mohta, we must note, that he conceded that reasoning of the Appellate Court could not be supported."

Applying the same analogy, in the instant case, the GPA was given in favour of the close relative, son-in-law of the first plaintiff who could depose on the basis of documents. Further, it is not a case where personal knowledge was required to be pressed into service as in the case cited above.

18. Under these circumstances, no presumption adverse to the interests of plaintiffs can be drawn. This contention of learned standing counsel is also liable to be rejected.

19. Learned standing counsel also submits that the learned single Judge erred in holding that the burden is on the defendants to establish their case, but the burden squarely lies on plaintiffs irrespective of the weakness in defendants' evidence. Thus, both the Courts gravely erred in placing the burden on the defendants. These aspects, were thoroughly considered by the learned single Judge of this Court. The learned single Judge clearly found that the documents filed on behalf of plaintiffs clearly established their ownership of the land in question. The learned Judge dealt with the same at length in the following paragraphs:

"It is the case of the plaintiffs that B.V. Prakasa Reddy was the owner and pattedar of the suit land. It is an agricultural land bearing Sy. No. 234 admeasuring Ac. 2-33 gts. situated at Thokatta village and the said land was leased to one Achaiah and after his death, to his brother by name Sainna and Jagaiah. All the records-of-rights and pahanies stood in the name of B.V. Prakasa Reddy till his death in the year 1982, and the plaintiff being the successors of the deceased B.V. Prakasa Reddy, their names are mutated in the records-of-rights and pahanies of the suit land. In support of their plea, the plaintiffs have produced pahanies for the years 1971-1972 to 1988-1989, the mutation extract dated 20-8-1988 (Ex. A-14) and the land revenue receipts Exs. A-15 to A-30, the demand notice for land revenue for the years 1956 to 1964 (Ex. A-31). These documents establish that Late Sri B.V. Prakasa Reddy was the owner and occupier of the suit land till his death and after his death the plaintiffs inherited the suit land. It is true that the mutation of names in revenue record is no evidence of title, though it may be relevant for other purposes. It is also true that a presumption of correctness is attached to entries appearing in the record-of-rights, but such entries are not the foundations of title, but are mere items of evidence. The presumption raised by those entries is not conclusive, but prima facie merely, and while it must prevail where there is no rebutting evidence; it may be repelled by other evidence and circumstances showing those entries are not (sic) support. The Supreme Court in *Shikarchand v. D.J.P.*

Karini Sabh, AIR 1974 SC 1178, held that Khasra is a record-of-right. Although the record-of-rights is not a document of title, the Court is perfectly entitled to take into consideration the entry in the record-of-rights for coming to the conclusion that certain

person is the owner of the land in question. The party relying on presumption of correctness need not prove foundation or basis of correctness. Where the entry in the record-of-rights shows the suit land in the name of the plaintiff, the onus is on the defendant to prove that the said entry in favour of the plaintiff is not correct. As pointed out supra, the plaintiffs have produced the record-of-rights as well as the pahanies to establish their title to and possession of the suit land. In the Commissioner's report Ex. C-2, it is stated that the suit land is a patta land and it stands registered in the name of Late Sri B.V. Prakasa Reddy as per the existing Shethwar of 1311 and 1356 Fasli (1901 and 1946) of Thokatta village of Secunderabad Mandal. The Commissioner was examined as PW-2. He has stated that the suit land is a patta land standing in the name of Late B.V. Prakasa Reddy. As against this documentary and oral evidence, there is no iota of rebuttal evidence produced by the defendants to destroy the presumption to be drawn from the record-of-rights and the pahanies. On the other hand, it has come in the evidence of DW-1 that at no point of time any step was taken by the defendants to challenge the correctness of the entries in the record-of-rights and pahanies of the suit land. It is also admitted by the defendant No. 1 in his evidence that on the date of giving evidence, the protected tenant by name Jogaiah was in possession of the suit land. Therefore, as noted supra, though the presumption of correctness attached to entries appearing in the record-of-rights and the pahanies is not conclusive, but that presumption should prevail where there is no rebutting evidence. In the instant case, in the absence of any rebutting evidence to destroy the presumption to be drawn from the entries in the record-of-rights and pahanies of the suit land and also having regard to the oral evidence of PWs and particularly that of PW-2, it cannot be said that the findings recorded by the learned trial Judge that the appellants proved their title to and possession of the suit land is erroneous and not supported by evidence."

20. Even though the issue relating to the validity of the entry in General Land Register Sy. No. 582 was not framed by the Court below, yet the matter was considered by the learned single Judge who recorded the finding against the appellants that the burden of proof lies on the appellants to establish that the land covered by G.L.R. Sy. No. 586 also embraces the suit schedule land. But, they did not establish the same by satisfactory evidence. In this regard, the learned single Judge recorded the following finding:

"No issue whether the suit schedule land forms part of GLR Sy. No. 586 is framed by the Court below. However, this point is considered by the learned trial Judge while deciding issue Nos. 1 to 3. Sections 101 to 104 of the Indian Evidence Act deal with the burden of proof. It is well settled that the burden of proving a fact rests on the party, who substantially asserts the affirmative of the issue and not upon the party who denies it; for a negative is usually incapable of proof. Section 102 of the Indian Evidence Act embodies a test for ascertaining on which side the burden of proof lies. Section 102 states that the burden of proof in a suit or proceeding lies on that person who would fail if no evidence at all were given on either side. It means that when the burden of proof lies on a party, that party must fail if he does not discharge the burden by giving evidence. In *Mills v. Barber*, 1 M and W 427, as cited in *Sarkar's Law of Evidence* (12th Edition), the two best tests for ascertaining on whom the burden of proof lies are suggested and they are, to consider first which party would succeed if no evidence were given on either side; and secondly, what would be the effect of striking out of the record the allegation to be proved. The onus lies on whichever party would fail, if either of these steps were pursued. By applying these two celebrated tests, the argument of the learned Standing Counsel for the appellants-defendants should be determined. If these two tests are applied to the facts of this case, it becomes quite apparent that the

burden of proving the fact that the suit schedule land forms part of GLR Sy. No. 586 is on the defendants. Added to this Section 103 of the Evidence Act provides that the burden of proof as to any particular fact lies on that person who wishes the Court to believe in its existence, unless it is provided

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by any law that the proof of that fact shall lie on any particular person. Here again a test is provided. In the present case, it is the defendants who wish the Court to believe that the suit schedule land forms part of GLR Sy. No. 586 and it is not the plaintiffs who wish the Court to believe that the suit schedule land forms part of GLR Sy. No. 586. In other words, the burden of proof lies on the person who asserts the affirmative of the issue. Therefore, there is no merit in the contention of the learned Standing Counsel for the appellants-defendants that the burden of proving the fact that the suit schedule land does not form part of GLR Sy. No. 586 lies on the plaintiffs.

The next limb of the second point is whether the defendants-appellants have discharged the burden in providing that the suit land forms part of GLR Sy. No. 586. Here again, the defendants have utterly failed to prove that fact. It is relevant to note that in the suit, PW-2 was appointed as Commissioner to find out whether the suit land falls within the GLR Sy. No. 586. PW-2 is the Deputy Inspector of Survey in the office of the Deputy Director of Survey and Records, Hyderabad. In his evidence he has categorically stated that he surveyed the suit land and demarcated its boundaries with reference to the survey records, such as, village plan, tippon of Survey Number and its surrounding survey numbers. It has also come in the evidence that when PW-2 surveyed the lands, the employees of the defendants were, present. Ex. C-2 dated 16-3-1989 is the report of the Commissioner-PW-2. In the said report, he has stated that the suit land is a patta land standing in the name of Late B.V. Prakasa Reddy as per the Shetwar of 1356 Fasli to an extent of Ac. 2-33 gts. Ex. C-3 is the plan prepared by PW-2. PW-2 has stated that the defendants filed a work memo before him under Ex. C-4 in which they asked the Commissioner to superimpose GLR Sy. No. 586 over Sy. No. 234 and find out whether the suit land falls within GLR Sy. No. 586. PW-2 has categorically stated that he took into consideration of the points raised by the defendants in their work memo and answered the same as shown in Ex. C-3. Dealing with the pillars existing in and around GLR Sy. No. 586, PW-2 has stated that pillar No. 19 exists in between the boundary of the suit land and Sy. Nos. 235 and 248; Pillar No. 20 exists in between boundaries of the suit land and Sy. No. 233 and Pillar No. 2 exists in between Sy. No. 230 and the suit land and that there are no military pillars in Sy. No. 234 (suit land). PW-2 has also stated that during the survey of the suit land, he found B. Voosaiah, B. Satyanarayana, B. Sudershan in possession of the land. PW-2 has also stated that the defendants did not produce any relevant records with regard to GLR register or maps to him at the time of execution of warrant; there is the land of the defendants at the right side of the suit land and there is a road in between the suit land and the land of the defendants. It has also come in the evidence that throughout the Government was collecting the land revenue in respect of the suit land, and none of the records-of-rights and pahanies marked in the suit reflect the ownership of Government or the defendants at any point of time. It has also come in the evidence that in the Cantonment area also, there are certain private lands. Although the defendants heavily depended upon Ex. B-2, the original of the same was not filed and there is absolutely no evidence to show on what basis Ex. B-2 was prepared and how the revenue Sy. No. 234 is superimposed in GLR Sy. No. 586. Therefore, the learned trial Judge is justified in observing that if really as per Ex. B-2,

the suit land is forming part of GLR Sy. No. 586, nothing prevented the defendants to hand over the original of Ex. B-2 and there is absolutely no explanation for not producing original Ex. B-2. None of the documents produced by the defendants have any bearing or can be correlated to the suit land. Therefore, as rightly held by the learned trial Judge that defendants have utterly failed to prove that the suit land forms part of GLR Sy. No. 586, I do not find any ground to reverse the findings recorded by the learned trial Judge."

21. It is also to be noted a Division Bench of this Court in *Union of India v. Vasavi Co-operative Housing Society Limited*, (2002) 5 Andh LD 532, held that "the pattedar means a person, who possess title to the land. Whether he is in possession of the land or not is responsible for the Government for payment of land revenue. Pattedar is one whose title to the land has been recognised. The statute recognises the pattedar as a person possessing title to the land." Admittedly, in the instant case, it was found that

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pahanies right from 1971 contain the entry in the relevant column showing B.V. Prakash Reddy as pattedar and possessor and no steps were taken by the Government at any point of time for cancelling the entry or mutation of the entry. Further, it is evident from the deposition of PW-2 that in the Sethwar 1356 Fasli, it was clearly mentioned that Prakash Reddy was the owner and pattedar and the Division Bench in that regard observed that Sethwar is the settlement register prepared by Survey Officer at the time of revised survey and settlement in the year 1358 Fasli, in which the names of the predecessors-in-title are shown as pattedars. Such entry is the evidence of right and title of the person mentioned therein or his predecessors-in-title. The Division Bench also dealt with the effect of an entry made in Hyderabad Record-of-Rights and Regulations, 1358 Fasli and observed:

"The entries made in the record-of-rights carry with them a very great evidentiary value, provided the record-of-rights is prepared and maintained under the provisions of the record of relevant statutes or the regulations, as the case may be, and further provided that the entries therein are made after holding public enquiries. Sometimes, they constitute the only evidence available in order to establish one's title to the lands. The entries made in Columns 1 to 19 of the pahani patrikas shall be deemed to be record-of-rights prepared and maintained by a public servant in discharge of his official duties."

22. In view of the above finding of the Division Bench, it has to be held that the entry in Sethwar coupled with entries in pahanies would be a substantial and strong piece of evidence to establish right and title of the persons mentioned in the relevant columns. Admittedly, the name of B.V. Prakash Reddy was mentioned as pattedar and the occupant in the relevant column and the plaintiffs being his successors, were rightly declared as having title and possession through tenants. The evidentiary value of the General Land Register maintained by the Cantonment Board had come up for consideration by the Division Bench in the very same judgment. The Division Bench while dealing with the evidentiary value of General Land Register held that there is no statutory base for the General Statutory Register since the whole of the Cantonments Act, 1924 and the Rules framed in 1925 are not applicable to the Secunderabad Cantonment and they were applicable only to the Cantonments located in British India. Thus, the General Land Register was held to have no statutory basis unlike the evidentiary value in respect of documents maintained under the provisions of the Land Revenue Act and Record-of-Rights in Land Regulations.

23. Thus, the said decision of the Division Bench applies to the facts of the present

case in all its fours. We do not find that there is any illegality or infirmity in the findings recorded by the learned single Judge. The General Land Register cannot be relied upon for the purpose of establishing the title of the land as belonging to the Central Government. Even otherwise, no evidence was adduced to establish that the suit schedule land forms part of G.L.R. Sy. No. 586. Since these two issues are purely questions of fact which were decided by the trial Court in favour of plaintiffs as affirmed by the learned single Judge of this Court, though we are entitled to consider the correctness of the decision, we are satisfied that there is no illegality or irregularity committed by the Courts below.

24. Learned standing counsel submits that under Clause 15 of Letters Patent, this Court has to re-hear LPA as if it is an appeal relying on the judgment of the Division Bench of this Court in *Venkataramayya v. Kesavanarayana* (1963) 1 Andh WR 251 : (AIR 1963 Andh Pra 447). It is true that while comparing the area of interference under S. 100 of the Code and Clause 15 of Letters Patent, the Division Bench observed that Clause 15 of Letters Patent is differently situated from that of Section 100 of the Code and while Section 100 of the Code enacts that the High Court ought not to interfere in Second Appeal on a question of fact, there is no such inhibition in Clause 15 of Letters Patent. It was further observed that there is no rule of law that any finding of fact arrived at by a single of the High Court in first appeal is not Open to challenge under Clause 15 of the Letters Patent and the Letters Patent is in the nature of re-hearing of the appeal. In fact the above decision of the Division Bench was approved by the Supreme Court in *Asha Devi v. Dukhi Sao*, AIR 1974 SC 2048. The Supreme Court while referring to various judgments of other High Courts also referred to the unreported judgment in C.A. No. 232 of 196 (sic), dated 11-1-1963. The following is the extract (para 2):

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"There is no dispute that an appeal lies to a Division Bench of the High Court from the judgment of a Single Judge of that Court in Appeal from a judgment and decree of a Court subject to the Superintendence of the High Court. The only question is whether the power of a Division Bench hearing a Letters Patent appeal under Clause 10 of the Letters Patent of Patna High Court or its analogous provisions in the Letters Patent of other High Courts is limited only to a question of law under S. 100 of the Code of Civil Procedure or has it the same power which the Single Judge has as a first appellate Court in respect of both questions of fact and of law the limitations on the power of the Court imposed by Ss. 100 and 101 of the Code of Civil Procedure cannot be made applicable to an appellate Court hearing a Letters Patent appeal from the judgment of a Single Judge of that High Court in a first appeal from the judgment and decree of the Court subordinate to the High Court, for the simple reason that a Single Judge of the High Court is not a Court sub-ordinate to the High Court. This Court in *Ladli Prasad Jaiswal v. Kama Distillery Co. Ltd.* (AIR 1963 SC 1249) had occasion to observe that a Single Judge deciding a first appeal may be a Court immediately below the Court hearing a Letters Patent appeal, but it is not a Court sub-ordinate to the High Court. As long ago as 1895, a similar question arose under the provisions of Ch. XLII of Act No. XIV of 1882 which were analogous to the provisions of Ss. 100 and 101 of the Code of Civil Procedure. A bench of the Allahabad High Court consisting of Edge, C.J. and Banerji, J. in *Umrao Chand v. Bindraban Chand* (1895 ILR (17) All 475), after noticing the contention that the appeal before them could not be dealt with in the same way in which the first appeal to the High Court might be dealt with would place

the appeal under S. 10 of the Letters Patent in the same position as an appeal to which Ch. XVII of the Code of Civil Procedure applies, held that no such limitation would apply because Ch. XVII limits the right of appeal from a decree passed in appeal by a Court sub-ordinate to the High Court. They observed that the appeal to the High Court having been a first appeal and not an appeal to which Ch. XVII of the Code of Civil Procedure applies, the parties to the appeal are entitled to question not only the law, but the findings of fact of the Judge of that Court from whose judgment or decree that appeal had been brought under Clause 10 of the Letters Patent. It would be otherwise, if the appeal to that Court had been an appeal to which Ch. XVII of the old Code of Civil Procedure applied. To the same effect are the decisions in *Malpura Venkataramayya v. Devabhaktuni Kesavanarayana* (AIR 1963 Andh Pra 447), *Baldeo Das Ram Narayana v. Smt. Maina Bibi* (1972 (76) Cal WN 996) which followed the decision of Andhra Pradesh High Court and disagreed with the decision of the Patna High Court in *Ramsarup Singh's case* (AIR 1964 Patna 76) (supra); *Nilkanth Mahaton v. Munshi Singh* (AIR 1965 Pat 141); *Maimoon Bivi v. O.A. Khajee Mohideen* (AIR 1970 Madras 200), *Velji-Bhimsey and Co. v. Bachoo Bhaidas* (AIR 1925 Bom 118), in which it was observed that under Clause 15 of the Letters Patent an appeal lies from that decree, without any limitation being imposed upon the powers of the appeal Court and the whole decree lies upon before the Court; *Pt. Devi Charan v. Durga Porshad* (AIR 1967 Delhi 128) and *Bawa Singh v. Jagdish Chand* (AIR 1960 Punjab 573). We may also mention that a five-Judges bench of this Court in *Alapati Kasi Viswanatham v. A. Sivarama Krishnayya* (C.A. No. 232 of 1963 D/- 11-1-1963 (SC) an unreported judgment had dealt directly with this question. Wanchoo, J. speaking for the Court observed:—

"The first contention urged before us on behalf of the appellant is that the Letters Patent bench was not authorised in law to reverse the concurrent findings of fact of the sub-ordinate Judge and the learned Single Judge of the High Court. It is submitted that a Letters Patent appeal stands on the same footing as a second appeal and it was therefore not open to the Letters Patent bench to reverse the concurrent findings of fact of the two courts below. We are of opinion that this contention is not correct. A Letters Patent appeal from the judgment of a learned Single Judge in a first appeal to the High Court is not exactly equivalent to a second appeal under S. 100 of the Code of Civil Procedure, and therefore it cannot be held that a Letters Patent appeal of this kind can only lie on a question of law and not otherwise. The matter would have been different if the Letters Patent appeal was from a decision of a learned Single Judge in a second appeal to

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the High Court. In these circumstances it will be open to the High Court to review even findings of fact in a Letters Patent, appeal from a first appeal heard by a learned Single Judge, though generally speaking the Letters Patent bench would be slow to disturb concurrent findings of fact of the two Courts below. But there is no doubt that in an appropriate case a Letters Patent bench hearing an appeal from a learned Single Judge of the High Court in a first appeal heard by him is entitled to review even findings of fact. The contention of the appellant therefore that the Letters Patent bench was not in law entitled to reverse the concurrent findings of fact must be negatived."

Keeping these parameters in view, we do not find that the findings recorded by the trial Court as affirmed by the learned Single Judge require any interference as the findings are amply supported by the evidence on record.

25. Lastly, the learned standing counsel would submit that the documents produced by plaintiffs would not establish title and possession. He also submits that in a suit for declaration of title, the plaintiff has to succeed only on the evidence adduced by him and he cannot rely on the weaknesses of the defendants. There is no quarrel about this proposition. But, the question is whether the trial Court recorded the findings based on the evidence of defendants or whether the plaintiffs de hors the evidence produced by defendants were able to establish their case. As observed by the trial Court, Exs. A-1 to A-14 coupled with the oral evidence of PW-2, who is none other than the Deputy Director (Survey and Land Records), clearly establish the plaintiffs' title and possession over the suit schedule property, Therefore, it is not as if the plaintiffs tried to take advantage of the weakness of the defendants' case.

26. Thus, viewed from any angle, we do not find any illegality or irregularity in the judgments of the courts below and therefore, the LPA is liable to be dismissed.

27. The L.P.A. is accordingly dismissed.

Appeal dismissed.

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Notice of filing of Counter Affidavit in OA No.3 of 2021 on the file of the Hon'ble National Green Tribunal, Southern Bench

S Surender Reddy Mandava <msurenderreddy2009@gmail.com> to advocatesarashwathy, hyasmeenali, Dsreenivasanadvocate, lawsoi 5:55 PM (0 minutes ago)

Madam/Sirs,
Please find attachment of the Counter Affidavit along with documents to be filed on behalf of Respondents Nos. 9 and 10 in OA No.3/2021 on the file of the Hon'ble National Green Tribunal, Southern Bench at Chennai. Please acknowledge the same.

Regards
M.Surender Reddy
Advocate

Counter Affidavit & Documents OA 3 of 2021.pdf

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