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Subject : Certificates of transfers
Issue of.....under
Section 24(1).

No:Con/LR-50.
Poona,13th December 1954.

C I R C U L A R :

A question has been raised-

(1) whether certificates of transfer under Section 24(1) of the Bombay Prevention of Fragmentation and Consolidation of Holdings Act should be issued to all Khatedars covering under a consolidation scheme or only to those Khatedars, whose holdings are exchanged; and

(2) whether the present form of certificate should be modified, so as to embody therein the restrictions, placed on transfer and reconstitution of the new holdings (Blocks) under Section 31 of the Act.

2. As regards (1), the word "transfer" used in Section 24(1) of the Act, includes "allotment" under the provisions of the Act. It is, therefore, necessary to issue the certificates in respect of the holdings to all the Khatedars, even if their holdings have not been exchanged under the consolidation scheme. After the registration of such certificates, (which are specially exempted from Stamp Duty), under the Indian Registration Act, 1908, the Khatedar's title to the newly allotted holding(s) is legally established. The existing practice of issuing certificates to all Khatedars should, therefore, continue.

As regards (2), the form of certificate, at present prescribed, provides for the showing of all encumbrances and/or restrictions, if any, on the rights of the land holders. (Vide last column). The restrictions placed on the new holdings (Blocks) under Section 31 can conveniently be noted in this column. No amendment of the form is, therefore, necessary.

OC signed by
SC & DLR



(H.V. DESAI)
For Settlement Commissioner &
Director of Land Records,
Bombay State, Poona.

Copy to all C.Os. (w/cs) and A.C.Os., for information and guidance.

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