

Study of Documentation of Land Purchasing and Building

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ABSTRACT

In India, the market of buildings constructions on land is growing day by day. More the people invest, more they get in returns in this sector. Underdeveloped areas in a noticeable place. As we know, two types of buildings are constructed residential buildings and commercial buildings. Since many people of the nation are entering in the construction firm, the requirement of various important documents of lands and buildings are revised after a period of time. Usually, the documentation of the construction project gets stricter each time comparatively. The growing population and inflation is responsible for the strictness. In remote areas or in metropolitan cities, illegal constructions are carried out without any prior permissions, documents or confirmation. Builders and customers can also get into complicated situations if the documents are improper. So as for the constructions to be fully legal and reliable, through checking of documents is very essential and getting the right documents is the duty of the builders as well as customers.

The following documents of construction project will be studied in detail: 7/12 Extract, N.A. Order, Layout plan, U.L.C Certificate. These documents are studied from existing projects in Maharashtra. Documents of existing project will be included and studied.

Requirements will keep the builder and customer upto date and at a fair safe level. Application of the knowledge gathered from this respective project will prove helpful to be applied in construction activities. We will also learn that why checking the documents after a certain period of time is so important. The revision of documents requirements will keep the builder and customer upto date and at a fair safe level.

Keyword :- 7/12 Extract, N.A. Order, Layout plan, U.L.C

1. INTRODUCTION

In this project, we are going to study documents required for land purchasing and buildings. All the documents like 7/12 Extract, N. A. Order, Layout Plan, U.L.C. Certificate, Sale Deed, 6D, 8A and 30 Years Revenue Record, CTS Property card, CTS Map, Agreement for sale, Title certificate, Commencement Certificate, Completion certificate etc. will be shown and explained. Most of the documents of Land purchasing and building are meant to be same except some changes in Approved Building Plan, Commencement Certificate and Completion Certificate. Meanings of important terms, functions or uses of data present in the documents and the necessary changes which will be done for land zone conversion or changing the owner will be elaborated in this project. Visual explanation of correct and incorrect documents will be cleared. We will consider and refer documents of some existing projects to avoid any kind of misinterpretation. The existing documents considered are of Maharashtra

1.1 STUDY OF DOCUMENTS

7/12 EXTRACT:- The 7/12 Extract is named after the 2 forms that are used to collect the information for the extract:

- Village Form VII which records the details of the owner and rights
- Village Form XII which records the agricultural aspects of the land

Both these forms are prescribed in “Maharashtra Land Revenue Record of Rights and Registers” (Preparation and Maintenance) Rules, 1971. The combined information in these forms is filled in the Register of Land Records and hence to obtain information, the extract of the register pertaining to that land is given. It is also known as Saat-Baara-Uttaaraa

B) N.A.ORDER:

Land can be called non-agriculture land, if any activity in the nature of development is carried over on the land which makes land unfit for cultivation. Under section 44 of the Maharashtra Land Revenue Code 1966, before carrying out any development on the land, an eligible person has to apply to the collector for the permission to convert the use of agricultural land for any non-agricultural purpose, or to change the use of land

Documents required to attached with the application form

For obtaining N.A. Permission, applicant has to attach documents as mentioned below.

1. Prescribed form duly filled in duplicate with court fee stamp of rupees 5/-
2. Extract of V.F.7/12 and its 4 Xerox copies.
3. Copies of the all the relevant mutation entries (V.F.6) pertaining to land in question....one set.

c). BUILDING AND LAND APPROVAL

It is the approval given by the town planning authority to the builder or constructor who applies for the approval for the construction of his project. This approval is given on the basis of the detailed drawings of the building. It contains all the technical details of the building including the area to be used for construction, different type of plan, and schedule of openings. Transferable Development Rights (TDR) area statement, etc. This building plan is usually created by the Architect. Even the engineer has the authority to make a building plan. This plan should be made according to the various norms created by Town Planning Authority with respect to the area of the construction to be executed.

d) U.L.C. CERTIFICATE

1. The act may be called the Urban Land (Ceiling and Regulation) act 1976.
2. It applies the first instance to the whole of the state of Andhra Pradesh, Gujarat, Haryana, Himachal Pradesh, Karnataka, Maharashtra, Orissa, Punjab, Tripura, Uttar Pradesh and West Bengal and to all the union territories and it shall also apply to such other state which adopts this act by resolution passed in that behalf under clause (1) of article 252 of the constitution .

3. It shall come in to force in the state of Andhra Pradesh , Gujarat, Tripura , Uttar Pradesh and West Bengal and in the union territories at once and in any other state which adopt this act under clause (1) of article 252 of the constitution , on the date of such adoption and save as otherwise provided in this act , and reference in this act to the commencement of this act shall , in relation to any state or union territory , mean the date on which this act comes into force in such state or union territory.

e)SALE DEED

The word “SALE” defined under Section 54 of “The Transfer of Property Act, 1882” is a transfer of ownership in exchange of price paid or promised or part-paid and part-promised. A deed (anciently evidence) is any legal instrument in writing which passes, affirms or confirms an interest, right, or property and that is signed, attested, delivered, and in some jurisdictions sealed.

The word “SALE DEED” otherwise called as “Conveyance Deed” is a legal written document executed by the vendor and the purchaser which evidences the sale and transfer of ownership of the tangible immovable property.

f). 6D, 8A & 30 YEARS REVENUE RECORD

i)6D:-

6D is related with the 7/12 extract. Since the 7/12 extract is a single page documents,there is no scope to write all the details of transactions which are carried out between the previous owner and current owner. Hence account number is mentioned with the name of the owner. The mentioned number is very important for the 6D document. In this document, the details of the transactions related to the respective land are described clearly. It shows the amount at which the land is sold and shows the details of the loan taken by the owner like the amount of loan, date of transactions etc

ii)8D:-

Like 6D which is related with the 7/12 extract,8A is also related with 7/12 extract. In this document,the survey numbers of other lands owned by the owner is mentioned apart from the current land survey number. This document has to be presented to the Government so that the taxes can be imposed on the owner according to the respective properties he owns. It even helps the Government to easily know about the other lands owned by this person only with this one 8A document.

iii) 30 Years Revenue Record/Search Report:-

A search report traces the history of a property who was the original owner of the property and how it has moved hands over a period of time before reaching the present seller.This is an important part of housing loan process. A search report is usually prepared by an advocate, who after visiting the registrar’s office and inspecting the property documents, issues a title certificate.One may do a survey of the title of the property himself also by visiting the office of the registrar. The report traces any charges or encumbrances created on the property and their present status-whether the charges have been met and the property has been released, or if there are some charges pending still. This search on the title of a property is taken for a period of the past 30 years. It is mandatory for a developer to annex a copy of the report in the ‘agreement to sell’ with the intended purchase

g) CTS PROPERTY CARD:-

In olden days, people used to form community and build houses together.The houses were constructed adjacent to each other without leaving any space between their houses. In that period, no Government norms were made or considered such as leaving some area for road construction, boundary wall distances for firefighting purpose, leaving space for further development in any area and nor any F.S.I.rules.

4. CONCLUSIONS

In this project, the current Government Norms have been studied for documentation of land purchasing and buildings. The lists of documents have been studied with the proper legal procedure to acquire them from the Government of the respective Local Authority from respective previous owner. In the survey of these documents, it was noticed how to check if the documents are authentic or not. Contents of the documents like 7/12 Extract are checked if they are matching with the records of the revenue office.

This project tells us the meaning of necessity of each and every document. It even tells the prices of each document. We come to know the issues and complications which can be faced because of absence of any document. The authority to which we have to approach for the respective document has got cleared. The document's charges are usually dependent upon the cost of that respective project. But the basic documents like 7/12 Extract and CTS Property Card have fixed charges.

Thus by study on this project, we can share the knowledge on documents for any structure and land to the society who have less knowledge about the documentation. We can also teach the society about the objectives, procedure of getting the documents including about the authorities from where the documents can be obtained, time span for receiving the respective documents. As people in India have less knowledge about documentation, there is threat for the new generation to learn about these documents and be safe while buying or selling any type of property.

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