

ಮುನೀಶ್ ಮೌದ್ಗಿಲ್, ಭಾ.ಆ.ಸೇ.,  
ವಿಶೇಷ ಆಯುಕ್ತರು (ಕಂದಾಯ)

Munish Moudgil, IAS.,  
Special Commissioner (Revenue)



ಬೃಹತ್ ಬೆಂಗಳೂರು ಮಹಾನಗರ ಪಾಲಿಕೆ  
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Dear Zonal Commissioners & Joint Commissioners,

The complaints are coming from citizens that their applications for FINAL eKhata are being rejected for flimsy reasons by AROs. In this context note the following-

1. The manual BBMP Khatas were issued after due process & in a quasi-judicial procedure wherein after field check & documents the Khata was created.
2. The present digitization of Khatas is digitization of the same on as-is-where-is basis of already created/approved Khatas.
3. In present digitization some additional information has been decided to be collected (i) Aadhaar or alternate ID (ii) Property Tax ID (iii) BESCO 10-digit ID (optional for vacant land) (iv) Property photo (v) Regd Deed / sale deed No (if available).
4. **The grounds on which eKhata application of a citizen may be rejected for a particular applicant is if the applicant is neither the owner nor the inheritor or successor-in-interest of the owner & appears to be or actually an imposter.**
5. In the following situations take the action mentioned wrt the situation/scenario.

S.No	Situation/Scenario	Action to be taken
1	Property is on government land & no grant or orders available as to how Private Khata was made and how land went into private hands.	Send an appeal to Revenue officer for Cancellation of Khata with detailed report. The Revenue Officer will hear the parties and decide.
2	BBMP records have, say, multiple names as joint owner but one or more owners are not giving Aadhaar or ID & no death certificate is also produced to trigger inheritance mutation.	Endorse that FINAL eKhata will be issued once Aadhaar or ID of all owners is given. <i>Seen in software option to put in pending or special rejection will be enabled. Until then await such applications.</i>
3	There is, say, two names or more as joint owners in BBMP records but during digitization one or more names missed out or clubbed & entered as single name.	Case worker to separately capture/add all names & do Aadhaar or alternate ID based authentication of each & issue correct Final eKhata.

*M*  
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4	Original owner has died or bequeathed his/her property to legal heirs.	The legal heirs to produce death certificate and family tree & based on the same Aadhaar or alternate ID authentication of each heir be done & trigger mutation. Inheritance mutation be decided as per rules & norms by ARO expeditiously.
5	Original owner has sold/transacted his/her property to a new owner by registered deed.	CW to trigger sale/transaction based mutation after Aadhaar or alternate ID authentication of new owner & ARO to decide mutation based on rules & norms expeditiously.
6	Any typographical error in name or any other ekhata entry other than area correction as per BBMP manual property record.	Case Worker to do correction which is then approved by the ARO.
7	Area of property needs correction <u>beyond the sale deed</u> or any correction is needed after the Final Khata has been issued.	Case Worker to do correction & the same has to be approved by RO. Ordinarily the corrections in area or <del>dimensions shall not be approved &amp; RO should pass speaking order</del>
8	Any correction needed in BBMP manual property record	Case worker to enter correction & submit to RO for approval.
9.	Area or dimension in BBMP register is different than that in the sale or registered deed and entries need to be corrected as per Sale or Registered Deed.	In all cases the area and dimensions as per sale or registered deed should be used. In case the dimensions in Registered or Sale Deed is in Acre-Guntas then it can be converted into Sq M in the digitization and Sq M values used in the eKhata. Any correction in already issued Final eKhata be entered by the Case Worker and approved by the RO.
10.	Objection is raised not to issue eKhata	(1) Verify that the objection is by a person having, prima facie, some valid right or interest in the property. (2) The objections by aliens or persons unconnected with the properties should be rejected unless it is a government land claim which should be examined. (3) The ARO shall hear the genuine

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		<p>cases of objections and pass a reasoned order. In this a Khata on a private property which is maintained in a particular name as owner since some years and now someone wants it to be cancelled citing dispute or ownership claims, in such cases generally refer the objecting party to obtain orders of a Civil Court or a competent court; the present ownership entry should not be disturbed unless there is a specific order of the Court and there is no stay on such an order.</p> <p>If a pending dispute Court Case about ownership is produced still the ownership entry in the BBMP records cannot be removed or changed merely due to pendency of a Court Case. Only once there is a specific order to put the property in a particular name and THERE IS NO STAY ON SUCH AN ORDER BY A HIGHER COURT, the relevant change in ownership of the property shall be made. At the most the pending litigation reference can be mentioned in the Encumbrance Column of the eKhata provided there is no stay on the proceedings of the Court.</p>
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6. Note that non-submission of regd deed/sale deed by itself shall not lead to rejection of ekhata application of a citizen which can be issued if owner identify is confirmed and matches with the applicant.

*Yours sincerely,*



Munish Moudgil, IAS,  
Special Commissioner (Revenue)

To  
All ZCs & JCs