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1. Introduction

1.1 Background

The Amhara Region is the second largest state in the country, following Oromia Region. It is located in the northern, northeastern and central areas of Ethiopia covering an area of 170,752km (11% of Ethiopia's total area). The Region is divided into ten administrative zones, 106 rural and nine urban Weredas and 2,902 rural Kebeles. Amhara Region has three major agricultural climatic zones. This varied ecology is also a source of diversified agriculture in the Region. A large part of the population lives in highland areas with a topography of steep slope. The central and western zones of the Region are among the country's highly productive agricultural areas. In its northeastern and central highland zones, the Amhara Region suffers from serious land degradation and recurrent drought. The nature of soils and the landscape combined with factors such as a long history of settlement, traditional agricultural practices, and increasing population pressure which force people to cultivate even steeper slopes, all exacerbate land degradation. Lack of tenure security is thought to have aggravated land degradation as it discourages farmers to invest in prevention of soil erosion.

As at 2001/2002, about 90% (14.7 million) of the people live in rural areas. The Central Statistical Authority (CSA) data reported that 3.26 million agricultural households, with average 4.5 people per HH live in the Region. The average landholding per household is 1.10 hectares and the average per capita holding is 0.24 hectares.

The main reason for establishing the Land Administration System is to enhance security of user rights primarily for the farmers. Individuals with land rights and society as a whole derive a number of benefits from the registration. A registration greatly facilitates all transactions concerning land and makes such transaction easier, cheaper and more secure. It also provides security and protection for the possessor as well as for others with land rights. It greatly reduces disputes and litigation over land, resulting in a better social and human relationship, less work for the court and less expensive for the individual. Registration of parcels is important as a means of increasing public revenue by fair land taxation. This is not the only advantage, it also permits better land use and management, and better land use can be encouraged through planning and development regulations. It will close the open-ended tenure arrangement that has caused uncertainty with respect to length of land possession and ability of farmers to capture benefits that accrue from long-term investment. It will also support agricultural production for food security.

Pressure on natural resources mainly from high population growth, overgrazing, deforestation and inappropriate agricultural practices account for most of the observable land degradation.

The above-mentioned problems will exacerbate if nothing is done to reverse the situation. To a large extent, inadequate property rights aggravate these problems. In other words, security of tenure is a prerequisite for farmers' willingness and commitment to undertake long-term improvements to their land.

Land is the main resource for economic activity. The question of who dispose the land and the right in the land is, therefore of vital importance. Land is the basic source of most material wealth. It is of crucial importance and will require efficient management system. Therefore, considering and understanding the decisiveness of the stated problems, the Amhara National Regional State has put the land issue at the top of its agenda.

1.2 Objectives

As it is not a one-time process, land administration system is a process that can be strengthened through time. Recently land administration system is being implemented in the Amhara region. Land administration system is a new activity for the Region as well as for the country; this demands exchange of information and experience sharing among the regions. Therefore, the objective of this paper is to share some experiences gained and raise issues pertinent related to Parcel-Based Data and Registration Formats employed by the Amhara region.

2. Methods, Experience and Procedures Followed in Land Registration

Land registration is the process of recording land in the form of either register of deeds or other documents associated with ownership of the land rights or else in the form of register of title to land. Historically land records have been established to serve at least two main purposes: first as fiscal records, primarily for the public sector, serving as the basis for the full and accurate taxation of the land; second, legal records primarily for the private sector, serving as register of ownership and other land rights. Land registration is parcel-based because human activity and human property have meaningful links with specific pieces of land. This is obviously true in the case of rights to land ownership, occupancy, lease, and mortgage. Thus, parcel is central to the whole sphere of economic life because land is the main resource for economic activities (Larsson 2000).

There are two systems of recording data: land and land rights, and they are built on two approaches. One is land registration system, focusing on the legal aspects of land and recording the abstract rights associated with land. The other is the cadastre, focusing on the fiscal or resource potential of the land, recording the physical size and shape of the area, and data on land values or land use.

There are at least four distinctive stages in the development of land registration system in the non-cadastral countries. These are:

- a) Sporadic voluntary deed registration. It mainly focuses on verbal identification and no rules on formal survey; as-it-comes current registration and no specific files/entries for each land unit;
- b) Same as the above, but with compulsory registration of deeds;
- c) Sporadic compulsory registration of title. It deals with the formation of new land units, transfer of an existing unit and the like;
- d) Systematic compulsory registration of title. All land units within a proclaimed area must be brought into the register and properly identified.

In the case of Amhara Region, systematic compulsory registration of title is being implemented. Before implementing the registration system, it was piloted and the lesson learnt from the pilot is being applied throughout the Region.

Land registration in the Amhara Region is based on the provision of Amhara Region Land Administration and Use Proclamation No. 46/2000 and the directive issued by EPLAUA (Environmental Protection and Land Administration and Use Authority). A more comprehensive legal framework, including maintenance of the system, is being drafted. Through the current legal framework, right in land for agriculture and natural resource development is accorded to peasants as right of holding.

As mentioned above, Amhara Regional State has developed a systematic compulsory registration of title. All land units/private, common, state land, etc., were brought into the register and properly identified. Transparency and participation in land registration system are vital. Before land registration, information is repeatedly given to the public about the advantages of land registration. After the conscientization, a committee is elected through direct participation of the public. The main task of the committee is registering and measuring each parcel with the support of the Wereda experts. According to the directive, women farmers are encouraged to participate in each Kebele land administration and use committee (KLAC). Every landholder applies for registration and the application is kept in the archive in a separate file; it serves as a reference for the number of parcels that the landholder possesses. During registration, the land holder shows the boundary of the parcel and gives to the committee data about the neighboring landholders parcel for the purpose of demarcating the boundary. Each parcel is measured using local units, wherein four “*Timads*” are equal to a hectare. During registration, the committees together with Wereda staff settle disputes, especially boundary disputes, by lining out in the field and demarcating the parcel.

The right in real property held in common is also registered. In every Kebele of the Region, the community land is registered and the certificate is issued for the Kebele Council on behalf of the community. This gives the community the responsibility to manage and protect encroachment on common lands. This minimizes the tragedy of the commons.

One of the benefits of the land registration is to reduce conflicts that arise between Kebeles and individuals; so the first activity of the committee is demarcating Kebele boundary together with the neighboring Kebeles.

According to the provision any mass organization, government organization, non-governmental organization and religious organization undertaking non-profit activities in the Region has, without affecting the rights of peasants to get land, the right to hold land for utilization. The land held by these organizations is demarcated, registered and certified in the name of organizations.

A land registration and title certification pilot program was started in January 2003 and supported by the Swedish Sida, as part of a rural development program support for the Amhara Region. This pilot was set up to generate lessons for a broader program of land registration and certification in the Region. The approach used is a cadastral survey, based on land measurement and identification of boundaries and locations, in two selected pilot Weredas – Gozamen in East Gojam Zone and Dessie Zuria in South Wollo Zone. The pilot project was originally planned for a one-year period, with technical assistance provided by a Swedish consultancy firm. It has two major objectives: i) to analyse farmers' perceptions of land registration and changes in attitude and land use as a result of the pilot, and ii) to evaluate technical and financial requirements for land registration and title certification. In the pilot Kebeles, the field boundaries were demarcated using GPS/Geo positioning system/ and then marked with white stones. The pilot invested in continuous awareness raising and discussion about the project, and the participation of the community in these sessions was reported to be very high. The project also established a committee of farmers.

Registration is done on an individual basis at one place or Kebele; also portfolio of ownership is allowed. Thus, a person may own several property units in different locations or Kebeles. Sometimes there are some cases in which several people are holders of one parcel; this occurs mostly under inheritance and it is registered in the book of register. The committee measures and registers parcels by walking from one parcel to the other; during registration a committee uses simple forms to collect data at the field that has similar content with the main registry. A daily data-recording format can serve as field note for the experts and for the committee. After the fieldwork, before final registration takes place, land data collected from the field is presented to the public hearing to get approval. Our experience shows that presenting the data to the public has a significant role in correcting the land data before entering it in the registry. Some farmers register abundant land in their name and some encroaching on common lands also demand to register, but during the public meeting, these issues are raised and resolved by the public and a decision is made by the public. Finally each member signs the minutes. This decision gives the approval to enter the data into the register. Besides, for the approval of the data, this meeting is an opportunity to give information to the public and to get comments and suggestions from the public. Before public approval, data is not entered into the book of register. The meeting helps to refine the data before recording it on the main register. This is the basic step to handle correct data in the Registry Book. The register system includes all holding types, e.g., state land, communal land, private use land and land used by churches, schools and others. In every Kebele of the Region,

land registration is implemented following procedures laid down by EPLAUA, based on the lesson from the pilot project.

The registration at the Kebele level is low cost as they do not have trained staff and electricity to handle a computerized system. The Land Administration Committee and the Wereda are responsible for the registration. It is already planned that the information collected in the register at the Kebele and Wereda levels will be computerized by EPLAUA at the regional level.

Before data is transferred from the register to the certificate, the zonal expert verifies the data in the register and other relevant documents.

The Region has prepared a guideline for certificate distribution. According to this, before the certificate is issued, the points to be considered and checked by the responsible officers are:

- The minute signed for the demarcation of the Kebele boundary between neighboring Kebeles;
- The minute signed by the public for the demarcation of the common lands and social services;
- The minute signed by the public for approval of the registration of individual plots. These are prerequisites for the final registration and certification process;
- Finally, the land administration and use committee issues the certificate that assures holding right and tenure security. The committee and the responsible Wereda team leader sign and stamp on the register and certificate.

3. Overview on Land Registration Data Types and Their Purpose

EPLAUA has give due attention to collecting primary information at the grassroots level using data collecting formats. There are various types of information related to land registration to be collected. As it was the first time to collect data about land, it was not possible to use secondary sources of data. To measure the impacts of land registration and certification, the status of land use, soil fertility, productivity, land transaction, etc., should be collected. For these, different formats were prepared and tested before actual use. Each format serves its own purpose. All data collecting formats are short, simple, and relatively precise, and sufficient space is provided.

3.1 Book of Register

The Amhara book of register has four sections describing a variety of data in the front part of each page. These are presented as follows.

3.1.1 Identity (ID), Name and Address of Holder

Section one, which is found at the top of the page, contains owner's register unit. It confirms that the holder has the right to use the land; it indicates that since it is registered

the holding right is legally accepted. In most cases, holders are both the husband and wife. This provision protects women's right to use the land even during divorce. This section, although it has no space stating the type of holding, such as group, institutional, or communal holding, any of these holding types can be registered by writing the type of holding. Generally, this section comprises the following elements:

- Parcel ID number: where parcel identification number is given in order to clearly identify that specific parcel from the other;
- Location of the parcel: In this data, the Zone, Wereda, Kebele, sub-kebele where that particular parcel found, will be described;
- Name of the holder/s and/or custodian: In this part, the name of the husband and wife if holding is in a group's name, one or two group representatives will be registered independently including their date of birth and the relationship;
- Permanent address of the holder/s and/or custodian: here the name of the Zone, Wereda, Kebele, sub-Kebele will be registered independently;
- Address of the orphans: Zone, Wereda, Kebele, sub-Kebele.

3.1.2 Details about the Parcels

In section two, a detailed description of the parcels is entered with great care as it is the basis for providing a certificate.

The second section starts with parcel identifiers, and describes those bordering the parcel in the North, East, West and South. It includes the estimated area in local measurement units. If the parcels are measured with any kind of scientific measurement, then, central coordinate and actual area in hectare will be registered.

Fertility status (relatively) and the current use of the land are also registered using the local knowledge of the farmers. The purpose of this description is to record the progress regarding fertility status and land use dynamics after registration. It is important to encourage farmers by providing a kind of reward if he/she improves her/his land. Conversely, if land fertility declines, it helps also to take some corrective measure. Besides, description of fertility status may help for exchange during land consolidation. However, there is no mechanism designed so far to update these changes in the updating format. Moreover, the specific name of the area where the parcel is located and how the holding right in the parcel is obtained are registered in this section. The means of acquiring land that can be through redistribution, gift, inheritance or the like is listed here. This information can serve how the landholder gets that particular parcel. If the parcel has some restriction, if it was leased for a long period or held as collateral, this information is also recorded. It is helpful to give information to those who are interested in leasing that particular parcel. There is a space provided, under remarks, for additional information about that particular parcel.

3.1.3 List of Family Members

Family members have the right to inherit land according to the provision. It is enough evidence to inherit the land if any of the family members is registered here. In this table, the name, gender, birth date and type of relationship of the family members/ orphans is registered.

3.1.4 Issuance of the Book of Holding and Approval

This is the last part of the registration format of the first page. At the end of the page, there is a space to include date of issuance and serial number of the new book (1st level and 2nd level book). Besides, there is a space to write the name, position and signature of the registrar and approval for better accountability and responsibility.

4. Overview of Additional Registration Formats

As it is the first experience of the region to register land, a lot of data is needed about the name of the holder, description of boundary, the size, land use type, fertility status and the likes. To collect these data at field level, data collecting formats have been developed and implemented. The following are basic data collecting formats:

4.1 Application Format for Land Registration

The landholder should submit an application to the sub-Kebele land administration committee to register his land. This is to show his willingness to register his land. According to the guideline, land registration should be done based on landholders' willingness. Each farmer has one file at the Kebele committee office on which one is the land registration application format.

The main purpose of this format is to show clearly the number of parcels that he holds, and the exact address of the parcels by mentioning the neighboring holders. During registration at field level, the committee takes the application form to check if all parcels were registered.

4.2 Daily Registration Format

The committee, with the support of the Wereda staff, registers many parcels daily. If this data is not summarized it may be forgotten or lost. Hence, data should be summarized on a daily basis by the Wereda staff. After getting approved by the public, the data will be registered in the register book. The types of data in the daily registration format are similar with that of the data type in the register book. This makes it easy to transfer it to the register book.

4.3 Land Acquisition Format

According to the provision, land redistribution shall not be processed and undertaken in the region. However, in some cases land that is left by someone who dies without heirs

may be redistributed to the landless. In this case, the committee has to review applications based on the requests. To keep the process uniform, all applicants should use the same request format, which has enough information about the applicant. The format includes information about his residence, marital status, family size, occupation, the area and purpose of the land that he wants, and the likes. This information is enough for the public to make decision on his/her land application.

4.4 Land Lease/Rent Format

Land registers normally focus on certain major rights such as ownership, right of occupancy, mortgages, some easements, charges, etc. Long-term lease may be registered while short-term ones are not (Larsson 2000). The same is true in the Amhara region. According to the provision, long-term leases are registered while short-term leases less than 3 years are not registered. For the long-term, land lease format has been developed. The format includes the size of the land subject to lease, the duration of the lease, the kind and amount of payment of lease, and the mode of payment of lease are clearly stated in the format. This information can serve as the basis for legal agreement that can give security to both parties.

4.5 Application Format for Grievances

It is expected that all land administration decisions should be based on rules, regulation and public decisions. This may not be always true or one cannot accept the decision made and can appeal to the next step by raising issues using this grievance application format. The content of the format includes address of the applicant, source of grievance, the previous decision made, reasons why he/she/ did not accept the decision is briefly stated in the format. Important information is listed in the format, which can give necessary information to make decision by the responsible organ. Besides giving precise information, the format saves time and money for the applicant.

4.6 Format for Voluntary Abandonment of Holding Right

One can communicate his voluntary abandonment of land right to the Kebele land administration and use committee where the land is located. To have a legal ground, the holder should apply by writing about abandonment of the land. There is a format for application and for decisions by the committee.

5. Achievements

Land registration is one of the components of good governance. Good land registration promotes an active land market and productive land use. It makes possible tenure security and the development of mortgage market on which a functioning economy depends. Land registration provides security of tenure for those whose land is registered.

The regional government introduced the program of land certification and registration after enacting Proclamation 46/92. Through this program, rural land is registered and households issued with certificates that identify the land they hold. The registered land

includes all holdings: private, common land, government and non-government organization's land, state land, group land. In that respect, the registration is a complete one. The certificate provides all basic information one needs to identify the land. It identifies the holder (by name and address), information about family size, landholding (number of parcels, soil fertility and area size), and location of plots.

The Amhara Regional State has given great attention to the registration process; thus legally acceptable formats have been developed, 3.5 million certificates and 30,000 books of register printed and distributed to each Kebele.

One book of register contains 300 folios, which can register 300 landowners. The limited length of the folio form and the type of binding make it possible to leave the lowest rows with the parcel number and the name of the first holder free and visible. The identifier is a component of numbers and letters. Each parcel has a unique number within a specified area.

Registration is made in three copies: one kept at KLAC while the second copy is kept at the Wereda office and the third kept at the regional office. This minimizes the danger of fire, loss and other problems. The certificate is an evidence for the landholder. It also serves as a kind of propaganda for registration and helps to strengthen the feeling that the registration is the way to protect rights. In the pilot Kebeles, certificates and maps are also issued together.

The registration forms are simple to understand; even the committee members can use it easily and efficiently. The book of register has also enough space to register up to 15 parcels that one landholder may possibly hold. There is also space for updating during subdivision, amalgamation or any related transactions of plots.

In sum, the following achievements have been recorded:

- 7852 Kebele and sub-Kebele committees have been organized;
- 47112 committee members have been elected and serve the public in land registration;
- Even if it is not enough, 3548 female committee members have been involved in the registration process to secure and protect female landholders;
- Since June 2005, 2.4 million households have registered and measured their parcels. This is about 79.5% landholders who their holdings registered;
- 1.3 million holders have been issued with temporary certificates. Issuing temporary certificate allows refining land data for the final time by correcting any mistakes that occurred during registration of parcels;
- 85,000 households have been received actual first level certificates;
- 2,086 households living in the two pilot Kebeles received second level certificates together with surveyed maps.

The above figure indicates that tenure security in the region can serve as a basic input for poverty reduction and food security. The regional government has given due attention to strengthening tenure security and different provisions have been drafted and are to be approved by the Council.

5. Constraints and Opportunities

5.1 Constraints

There are so many constraints related to registration, but this is not surprising since the activity is new. Some of the constraints hampering the progress in land registration are:

- EPLAUA is mandated to handle land administration in the region. Hence, it is responsible for allocating user rights. It is said that some political administrators at the Wereda and Kebele levels have the opinion that the land registration and certification process may reduce their control over smallholder farmers, who then become less loyal and less willing to attend meetings or accept orders. Here, there is lack of clarity, which seems to have caused some conflict between Kebele administrators and the committee. However, this situation is being improved after discussions with Weredas and some Kebeles administrators.
- Land registers have very valuable land data that need safe preservation, but there is no safe store in every Kebele.
- Because of cultural and other problems the participation of female committee members is small.
- The registration of parcels in the Registry Book has only 15 lines to register 15 parcels. However, in rare cases we have faced a registration of more than 20 parcels for an individual farmer. Nevertheless, we tried to manage such a problem by using two consecutive pages for a single individual registration.
- Description of fertility status varies depending on local knowledge and judgment of the farmers. Therefore, this data is not as such reliable.
- Land administration committees generally complain that their job in land registration takes up too much of their time for them to pursue their private affairs.
- There is lack of skilled technical staff especially in the Cadastral surveying.
- There is no organizational structure so far at the Kebele level where registration is taking place.

5.2 Opportunities

- The public as a whole is highly interested in land registration; that is why the activity is successful.

- The registration undertaken so far in Kebeles has reduced conflicts, empowered women, prevented expropriation, increased individual investment. This achievement will motivate the participation of the public in the future.
- The regional government has given great attention for the land registration and certification.
- From the beginning, EPLAUA has developed guidelines, formats, and working procedures that can maintain quality and standard of registration;
- EPLAUA as an institution, staff as individuals have gained experience that can be tapped for future land administration activity.
- The forms are easy to fill so that any one who can read and write can use them; there is also a clear guideline that tells how and what to fill in each form. This guideline helps to maintain a standard and uniform registration system in the region.
- Forms are bound together so that one cannot detach the sheet easily.
- Having copies at different levels minimizes the risk of loss of data.
- The revised proclamation, which is at a draft level, can give more legal guarantee for tenure security.
- Registration demands less time and labor to fill the formats.
- The register has got a thick hard cover that cannot be damaged easily.

5.3 Extent of Data Utilization

- Land holding farmers are the first to utilize the data; they have tenure security for their holding. Once he/she is registered the holder may not be evicted.
- Investors are entitled to get land through lease from the government and from individual farmers; so the data collected can be utilized by investors.
- Tax collecting authorities can use the data to collect tax based on the land holding size and type.
- Researchers can use the registration data to conduct economic, social, environmental, political research.

6. Cost and Time

The implementation of a land administration system requires investment. The system must be maintained over time. Keeping records up to date all the time is an essential element of any land registration system (UNECE 1996). It is planned that the operational and maintenance costs can, after first registration, be recovered more or less by direct user fees. Map data, which in principle should be sold at market price, and computerized register data should be available for use at cost.

For the time, being there is no well identified and systematically studied data regarding the cost for registration. The land administration and use committee participates in the registration and demarcation of land for free. The fact that the land measurement lacked high spatial precision has helped to keep costs as low as \$1 per parcel even in the Amhara region suggests that adapting a similar model may help make land registration affordable in other African countries. The registration uses local units and public participation; so it is less costly and less time consuming that is why it is planned to complete it within 3-5 years. However, we suggest that the costs be further studied.

7. Conclusion and Recommendations

By way of recommendation, the following issues need due consideration to establish an efficient land administration and registration system in the Amhara Region.

It is important to develop a policy for pricing of data and data deliveries; how to handle the copyright and the regulations for how customer (individual, government, others) can use the data for further development and delivery of value added products to a third party. It has to be pointed out that this is a political decision that has to be taken by higher authorities.

EPLAUA should be strengthened in terms of its capacity and administration, especially at the Kebele and Wereda level where the concrete work is taking place. Land administration committees of farmers are bearing a large part of the workload of measuring and registering activities. More material and labor support and provision of training on land registration process as an incentive is necessary. Incentive for the time they spend on this work would be valuable and encourage committee activities in land registration.

Attention should be given to all the process to ensure a clear understanding of land registration and updating of land records. Public information and education will encourage participation and clear communication between and among the local community and the government and political organs at various levels for better efficiency and success. Particular efforts should be made to ensure women's participation. In addition:

- To strengthen land registration the authorities should continue to get local and international experience through seminars, workshops and field visits.
- The lesson from the pilot cadastral surveying should be implemented throughout the region step-by-step.
- Assessment of costs and impacts of land registration and certification should be studied well in the future. It is also important to review way of working and guidelines should be developed and refined in the coming years.
- Documentation and archiving of the data should be well organized at all levels of registration.

References

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Annex

Amhara National Regional State Environmental Protection, Land Administration and Use Authority Registry Book of Rural Land Possession

Property ID number: _____

Location of the property: Zone _____ *Wereda* _____ *Kebele* _____

Name of the holder/s: 1st Mr. /Mrs. _____ Date of Birth _____ Relationship _____

2nd Mr. /Mrs. _____ Date of Birth _____ Relationship _____

Permanent address of the holder/s: 1st Zone _____ *Wereda* _____ *Kebele* _____

sub- *Kebele* _____ Parish _____

2nd Zone _____ *Wereda* _____ *Kebele* _____

Sub-*Kebele* _____ Parish _____

Name of the custodian: 1st Mr./Mrs. _____ Date of Birth _____ Relationship _____

2nd Mr. /Mrs. _____ Date of Birth _____ Relationship _____

Custodian's permanent address of the: Zone _____ *Wereda* _____ *Kebele* _____

sub-*Kebele* _____ Parish _____

Address of the orphans: Zone _____ *Wereda* _____ *Kebele* _____

sub *Kebele* _____ Parish _____

Details about the holding consisting of parcels

Local measurement unit _____

Sr. no.	Parcel ID no.	Neighbors bordering the parcel				Estimated area (local measurement unit)	Central coordinate		Actual area (ha)	Fertility status (relative)			Current land use	The specific name of the area where the parcel is located	How the holding right was obtained	Encumbrances	Remark
		E	W	N	S		N	E		High	Medium	Low					
1.																	
2.																	
3.																	
4.																	
5.																	
6.																	
Total																	

List of the family Members

Family members/ orphans						Family members/ orphans					
Sr. no.	Name	Gender	Date of birth	Relationship	Remark	Sr. no.	Name	Gender	Date of birth	Relationship	Remark
1.											
2.											
3.											
4.											
5.											

Serial no. of book of holding:----- Date of issue and Serial no. of the new book: 1st -----
 2nd -----

Registered by: Name	Position	Signature
Confirmed by: Name	Position	Signature

Property conveyance