

## **FREQUENTLY ASKED QUESTIONS-REGISTERING PROPERTY IN KARACHI**

### **Q: How do I obtain a No-Objection Certificate to sell a property?**

A :

NOC is a document in favor of the owner of property verifying the ownership of property and certificate of the fact that property is free of any kind of objection on the date of issuance of NOC.

NOC is issued on request of owner of property by the authorized officer of land owning agency.

For example in case of any land in a District, the Deputy Commissioner is the authorized officer for the lands coming under ambit of Board of Revenue.

Other land owning agencies like KDA, DHA and others issue same kind of NOC on request of owner for purpose of sale.

The time it takes for the NOC is 7 days.

### **Q: Do I need to announce the transaction in newspapers, asking for objections from the public if any?**

A: There is no need to announce such transactions as required under law, but in some rare cases where authorized officer of land owning agency has doubts regarding authenticity of ownership rights or the buyer wants to remove any such doubts through publication in newspapers. The registration act 1908 does not require it as a mandatory step.

### **Q: How do I go about ascertaining the actual ownership of the land when buying a property?**

A: Actual ownership can be traced through record of registration offices and if the previous registration has been recorded by mutation in record of land owning agency then actual ownership along with ownerships prior to previous transactions can be ascertained.

As a part of the due diligence procedure, it is a common practice to search the books and verify whether the counterpart actually owns the property.

**Q: Who should write a draft sale purchase agreement?**

**A: The parties to an agreement can now draft sale purchase agreement as BOR has now made sample sale purchase agreement available online [https://sindhzameen.gos.pk/demo\\_Registries/templates.aspx](https://sindhzameen.gos.pk/demo_Registries/templates.aspx). Although, It is common practice in Pakistan to hire a lawyer or a deed writer to draft the sale purchase agreement, but in terms of question of law, the parties to agreement can draft or reduce into writing the terms and conditions of sale purchase agreement or they can hire an agent or lawyer to serve the purpose. So it is at discretion of parties.**

**Q: What payments do I need to make as part of the property registration process?**

**A: BOR has introduced online Property Tax Calculator (PTC) at <https://sindhzameen.gos.pk/eval/> which can assist you to calculate all the payments to be made as part of the property registration process. The PTC provides a printable challan with details of all applicable taxes, their percentages, applicable rules and amounts. All payments are made to the Government Treasury or National Bank of Pakistan.**

Detailed description of payments are given here as under:

(i) Conveyance stamp duty 3% of property value.

(ii) The capital value tax (CVT) decreased from 4% to 2.5% of the property value (Sindh Finance Act, 2010 which came into force on July 1st, 2010 amending the Sindh Urban Immoveable Property Tax Act, 1958, section 4. After the 18th constitutional amendment (April, 2010), the CVT on property was transferred to the provincial governments. CVT is applicable in urban areas for residential property exceeding an area of one kanal and in case of commercial properties without any threshold of land area or size of the property. However, where the value of such property is not recorded, the CVT is payable at Rs. 100 per square yard of land area.

(iii) 1% of property value for the registration fee.

(iv) 1% of the property value for the Town Tax Fees are paid at the Government Treasury or National Bank of Pakistan, an autonomous bank jointly owned by Government of Pakistan and public, who issue receipt of money which is taken to the Stamp office of the Government. The receipt of payment is taken to the Stamp Office

of the Government. The Stamp office will, upon production of receipt, issue a stamp paper of the value (money deposited) on the Sale Deed. Such typed stamp paper will be presented later before the Registrar, who registers the change of ownership. It takes 1 calendar day for the payment to be made. Total cost incurred is 2% of property price (stamp duty) + 1% of property price (registration fee)+ 1% Town Tax + 2.5 % of the property price (Capital value tax). Capital value tax is not included into cost estimates.

**Q: Where and how do I get a sale deed after I make payment for property registration?**

**A:** The receipt of payment obtained is taken to the Stamp Office of the Government. The Stamp office will, upon production of receipt, issue a stamp paper of the value (money deposited) on the Sale Deed. Use our online templates at [https://sindhzameen.gos.pk/demo\\_Registries/templates.aspx](https://sindhzameen.gos.pk/demo_Registries/templates.aspx) to prepare your sale deed and print at the Stamp Paper and present before the Registrar, who registers the change of ownership if it's complete in all respects. It takes one calendar day and there are no costs involved.

**Q: What processes are involved in execution and registration of the deed before the registration authority?**

**A:** The conveyance deed must be executed before the registering authority. Execution of the deed is done before the Sub-Registrar of Conveyance/Assurances of the area, official responsible under the Registration Act. Registration of the deed automatically follows the execution of sale deed. A receipt is issued immediately, but the deed is delivered a few weeks later. The name of the buyer is recorded in the new deed, showing the change in ownership. The documentation shall include:

- Conveyance/Sale Deed (stamped after payment in Procedure 4)
- ID of parties
- Original title deed of seller
- If the parties have authorized someone else through a power of attorney, the power of attorney in original with copies.

Once deed is admitted by the subregistrar, it is considered as registered and sent for the final step of scanning such deed and making part of permanent record repository of Board of Revenue in the Digital Scanning Unit of Registrartion department. The registered deed once scanned at DSU is sent back to office of the subregistrar concerned and can be collected by the party as final legal registered record of ownership of the property.

**Q: How do I go about getting mutation – the process of obtaining a new title document – done?**

A: Once the registration process is completed, and the sale deed has been collected from the registrar office, the mutation processes is carried out at the relevant land owning authority for transfer of ownership. The mutation is the process of obtaining the new title document. A property mutation is simply the change of title ownership under certain conditions such as sale/purchase or death of an owner and even if the property is bought through a power of attorney (PoA). Through mutation, while the new owner gets the property in his name, the government is able to charge property tax from the right owner.

**Q: What is the institution in charge of immovable property registration?**

A: The office of the concerned Sub-Registrar of the area.

**Q: In what format are the majority of title or deed records kept in Karachi—in a paper format or in a computerized format (scanned or fully digital)?**

A: Majority of record kept before introducing digital scanning units was kept in paper and was microfilmed.

Since July 2016, the registered documents are scanned & indexed and the record is maintained in digital form in the centralized Tier III Data Center through the Digital scanning units at Divisional Level including Karachi. The archival records are also being digitized and more than 50% of the archival registries are also digitally scanned & indexed and searchable online at [https://sindhzameen.gos.pk/demo\\_Registries/RegisterCNIC.aspx](https://sindhzameen.gos.pk/demo_Registries/RegisterCNIC.aspx)

Q: Is there an electronic database for checking for encumbrances (liens, mortgages, restrictions and the like)?

A: No. However, upon request of an institution and administrative orders by BOR, the entries under dispute are marked as such by LARMIS, BOR.

Q: Which institution is in charge of the plans showing legal boundaries in Karachi?

A: The Directorate of Settlement Survey & Land Records, Board of Revenue, Sindh for land boundaries of Govt. Land.

**Q: In what format are the majority of maps of land plots kept in Karachi—in a paper format or in a computerized format (scanned or fully digital)?**

A: District, Deh and Survey Number Level maps are scanned and digitized. The same are available online at <https://sindhzameen.gos.pk/maps.aspx>.

**Q: Is there an electronic database for recording boundaries, checking plans and providing cadastral information (geographic information system)?**

A: Yes. The GIS Unit of Board of Revenue has developed a GIS Database of Sindh Province and the database comprise of District, Deh and Survey number level maps which are being digitized with land records. The GIS Unit assists Directorate of Settlement survey & Land Records to provide services to various institutions and applicants for recording boundaries, checking plans and providing cadastral information.

Q: Is the information recorded by the immovable property registration agency and the cadastral or mapping agency kept in a single database, in different but linked databases or in separate databases?

A: In different but linked databases.

Q: Do the immovable property registration agency and cadastral or mapping agency use the same identification number for properties?

A: No

Q: Who is able to obtain information on land ownership at the agency in charge of immovable property registration in Karachi?

A: Details of ownership are available online. However, anyone who pays the official fee can obtain copy of records through Peoples Service Centers, LARMIS established in each District of Sindh except newly created Sujawal and Karachi Korangi Districts.

Q: Is the list of documents that are required to complete any type of property transaction made publicly available—and if so, how?

A: Yes, online. Link for online access: [https://sindhzameen.gos.pk/demo\\_Registries/pdf/doc\\_RegistrationofProperty.pdf](https://sindhzameen.gos.pk/demo_Registries/pdf/doc_RegistrationofProperty.pdf)

Furthermore, list of such documents along with the complete process of registration and its steps has been displayed inside and outside of each registration office in form of banners and panaflexes for ease and awareness of public.

Q: Is the applicable fee schedule for any property transaction at the agency in charge of immovable property registration in the largest business city made publicly available—and if so, how?

A: Yes, Online Property Tax Calculator <https://sindhzameen.gos.pk/eval/#res> provides automatic fee calculation alongwith details of each applicable fee. Notified rates are also available online at [https://sindhzameen.gos.pk/demo\\_Registries/pdf/fee\\_registration.pdf](https://sindhzameen.gos.pk/demo_Registries/pdf/fee_registration.pdf)

It has also been displayed inside and outside of each registration office in form of banners and panaflexes for ease and awareness of public.

Q: Does the agency in charge of immovable property registration commit to delivering a legally binding document that proves property ownership within a specific time frame—and if so, how does it communicate the service standard?

A: Yes. BOR has conducted outdoor publicity at each Sub-Registrar Office in Karachi and also conducted wide print media publicity, electronic media publicity and social media publicity at Board of Revenue page.

Q: Is there a specific and separate mechanism for filing complaints about a problem that occurred at the agency in charge of immovable property registration?

A: Yes. Complaints can be filed at 111-267-467 or online complaints at [https://sindhzameen.gos.pk/demo\\_Registries/complaint.aspx](https://sindhzameen.gos.pk/demo_Registries/complaint.aspx). The complaints are directly forwarded to the head of registration department for redressal accordingly.

Q: Are there publicly available official statistics tracking the number of transactions at the immovable property registration agency?

A: Yes, Detailed statistics are available online for public at <https://sindhzameen.gos.pk/asrkhi/>

Q: Who can consult maps of land plots in the largest business city?

A: Anyone who pays the official fee. Maps have also been made publicly available online at <https://sindhzameen.gos.pk/maps.aspx>

Q: Is the applicable fee schedule for accessing maps of land plots made publicly available—and if so, how?

A: Yes, its available online on [www.sindhzameen.gos.pk](http://www.sindhzameen.gos.pk) at [https://sindhzameen.gos.pk/demo\\_Registries/pdf/notification\\_issuanceofSalecertificate.pdf](https://sindhzameen.gos.pk/demo_Registries/pdf/notification_issuanceofSalecertificate.pdf)

Q: Does the cadastral or mapping agency commit to delivering an updated map within a specific time frame—and if so, how does it communicate the service standard?

A: Yes, the GIS Unit provides an updated map within a specific time frame and the service standards are communicated through our social media publicity. However, as the GIS development is an ongoing development initiative, the services are now available to institutions only and will be launched in due course of time for public.

Q: Is there a specific and separate mechanism for filing complaints about a problem that occurred at the cadastral or mapping agency?

A: No. The Call Center at 111-267-467 can be approached for complaints about cadastral mapping agency as well.

Q: Are all privately held land plots in the economy formally registered at the immovable property registry?

A: No.

Q: Are all privately held land plots in Karachi formally registered at the immovable property registry?

A: No

Q: Are all privately held land plots in the economy mapped?

A: No

Q: Are all privately held land plots in the largest business city mapped?

A: No

Q: Does the law require that all property sale transactions be registered at the immovable property registry to make them opposable to third parties?

A: Yes

Q: Is the system of immovable property registration subject to a state or private guarantee?

A: Yes. It's a legal binding and state provides record as evidence.

Q: Is there a specific compensation mechanism to cover for losses incurred by parties who engaged in good faith in a property transaction based on erroneous information certified by the immovable property registry?

A: Available through Civil courts with cost.

Q: Does the legal system require a control of legality of the documents necessary for a property transaction (e.g., checking the compliance of contracts with requirements of the law)?

A: Yes. The registrar and interested parties are responsible for checking the legality of the documents.



Q: Does the legal system require verification of the identity of the parties to a property transaction?

A: Yes. The Sub-Registrar under the Registration Act 1908 runs the process of identification of parties to property transaction as it is required by law.

Q: Is there a national database to verify the accuracy of identity documents?

A: Yes. CNIC are verified through NADRA VERISYS

Q: For a standard land dispute between two local businesses over tenure rights of a property worth 50 times gross national income (GNI) per capita and located in the largest business city, what court would be in charge of the case in the first instance?

A: District courts.

Q: How long does it take on average to obtain a decision from the first-instance court for such a case (without appeal)?

A: More than 3 years.

Q: Are there any statistics on the number of land disputes in the first instance?

A: Not available online. But can be obtained manually.

Q: Do unmarried men and unmarried women have equal ownership rights to property?

A: Yes