

Registration Act, 1908

Preamble 1 - Registration Act, 1908

REGISTRATION ACT, 1908 PART I : PRELIMINARY 1. Short title, extent and commencement (1) This Act may be called the 1[***] Registration Act, 1908. 2[(2) It extends to the whole of India except the State of Jammu and Kashmir: PROVIDED that the State Government may exclude any district or tracts of country from its operation.] (3) It shall come into force on the first day of January, 1909. 2. Definitions In this Act, unless there is anything repugnant in the subject or context- (1) "addition" means the place of residence, and the profession, trade, rank and title, (if any) of a person described, and, in the case of 3[an Indian], 4[***] his father's name, or where he is usually described as the son of his mother, then his mother's name; (2) "book" includes a portion of a book and also any number of sheets connected together with a view of forming a book or portion of a book; (3) "district" and "sub-district" respectively means a district and sub-district formed under this Act; (4) "District Court" includes the High Court in its ordinary original civil jurisdiction; (5) "endorsement" and "endorsed" include and apply to an entry in writing by a registering officer on a rider or covering slip to any document tendered for registration under this Act; (6) "immovable property" includes land, buildings, hereditary allowances, rights to ways, lights, ferries, fisheries or any other benefit to arise out of land, and things attached to the earth or permanently fastened to anything which is attached to the earth, but not standing timber, growing crops nor grass; 5[(6A) "India" means the territory of India excluding the State of Jammu and Kashmir;] (7) "lease" includes a counterpart, kabuliyat, an undertaking to cultivate or occupy, and an agreement to lease; (8) "minor" means a person who, according to the personal law to which he is subject, has not attained majority; (9) "movable property" includes standing timber, growing crops and grass, fruit upon and juice in trees, and property of every other description, except immovable property; and (10) "representative" includes the guardian of a minor and the committee or other legal curator of a lunatic or idiot. PART II : OF THE REGISTRATION-ESTABLISHMENT 3. Inspector-General of Registration (1) The State Government shall appoint an officer to be the Inspector-General of Registration for the territories subject to such government: PROVIDED that the State Government may, instead of making such appointment, direct that all or any of the powers and duties hereinafter conferred and imposed upon the Inspector-General shall be exercised and performed by such officer or officers, and within such local limits, as the State Government appoints in this behalf. (2) Any Inspector-General may hold simultaneously any other office under the Government. 4. 6[Branch Inspector-General of Sindh] 5. Districts and sub-districts (1) For the purposes of this Act, the State Government shall form districts and sub-districts, and shall prescribe, and may alter, the limits of such district and sub-districts. (2) The districts and sub-districts formed under this section, together with the limits thereof, and every alteration of such limits, shall be notified in the Official Gazette. (3) Every such alteration shall take effect on such day after the date of the notification as is therein mentioned. 6. Registrars and Sub-Registrars The State Government may appoint such persons, whether public officers or not, as it thinks proper, to be Registrars of the several districts, and to be Sub-Registrar of the several sub-districts, formed as aforesaid, respectively. 7. Offices of Registrar and Sub-Registrar (1) The State Government shall establish in every district and office to be styled the office of the Registrar and in every sub-district an office or offices to be styled the office of the Sub-Registrar or the offices of the Joint Sub-Registrars. (2) The State Government may amalgamate with any office of a Registrar any office of a Sub-Registrar subordinate to such Registrar, and may authorise any Sub-Registrar whose office has been so amalgamated to exercise and perform, in addition to his own powers and duties, all or any of the powers and duties of the Registrar to whom he is subordinate: PROVIDED that no such authorisation shall enable a Sub-Registrar to hear an appeal against an order passed by himself under this Act. 8. Inspectors of Registration offices (1) The State Government may also appoint officers, to be called Inspectors of Registration offices, and may prescribe the duties of such officers. (2) Every such Inspector shall be subordinate to the Inspector-General. 9. 7[Military cantonments may be declared sub-districts or districts] 10. Absence of Registrar or vacancy in his office (1) When any Registrar, other than the Registrar of a district including a Presidency-

town, is absent otherwise than on duty in his district, or when his office is temporarily vacant, any person whom the Inspector-General appoints in this behalf, or, in default of such appointment, the Judge of the District Court within the local limits of whose jurisdiction the Registrar's office is situate, shall be the Registrar during such absence or until the State Government fills up the vacancy. (2) When the Registrar of a district including a Presidency-town is absent otherwise than on duty in his district, or when his office is temporarily vacant, any person whom the Inspector-General appoints in this behalf shall be the Registrar during such absence, or until the State Government fills up the vacancy. 11. Absence of Registrar on duty in his district When any Registrar is absent from his office on duty in his district, he may appoint any Sub-Registrar or other person in his district to perform, during such absence, all the duties of a Registrar except those mentioned in sections 68 and 72. 12. Absence of Sub-Registrar or vacancy in his office. When any Sub-Registrar is absent, or when his office is temporarily vacant, any person whom the Registrar of the district appoints in this behalf shall be Sub-Registrar during such absence, or until 8[the vacancy is filled up]. 13. Report to State Government of appointments under sections 10, 11 and 12 (1) 9[***] All appointments made under

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com