

Registration Act, 1908

Part I - Preliminary

(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 districts or tracts of country from its operation.]

(3) It shall come into force on the first day of January, 1909.

1. The word "Indian" omitted by Act 45 of 1969, Section 2 (w.e.f. 26-12-1969).

2. Substituted by Act 3 of 1951, Section 3 and Schedule, for sub-section (2) (w.e.f. 1-4-1951).

Section 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 1[an Indian], 2[***] 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 mean 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;

3[(6A) "India" means the territory of India excluding the State of Jammu and Kashmir;]

(7) "Lease" includes a counterpart, kabuliyat, and 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.

4[***]

STATE AMENDMENTS

5Andhra Pradesh:

In section 2, in sub-section (2), after the words "includes a portion of book", the words "and the information storage devices like floppy disk, hard disk, compact disk" shall be added.

6Goa, Daman and Diu:

In clause (1) of section 2, before the words "his father's name", insert the words "his marital status, and".

7Tamil Nadu:

In section 2,--

(i) in clause (9), the word "and" occurring at the end shall be omitted;

(ii) in clause (10), the word "and" shall be added at the end;

(iii) after clause (10), the following clause shall be added, namely:--

"(11) 'tout' means a person who habitually frequents the precincts of a registration office, for the purpose of employment for himself or for any other person in connection with any registration business and who is so declared as a tout under Part XIII-A."

8West Bengal:

In section 2,--

(1) omit the word "and" at the end of sub-section (9); and

(2) add after sub-section (10) the following word and sub-section,--

"and

(11) 'tout' means a person--

(a) who habitually frequents the precincts of a registration office, without a licence granted to him under the rules made under section 80G, for the purpose of obtaining employment for himself or any other person in connection with any registration business; or

(b) who is declared to be deemed to be a tout for the purposes of this Act by rules made under section 80G."

1. Substituted by the A.O. 1950, for "a Native of India" (w.e.f. 26-1-1950).

2. The words "his caste (if any) and" omitted by Act 17 of 1956, Section 2 (w.e.f. 6-4-1956).

3. Inserted by Act 3 of 1951, Section 3 and Schedule (w.e.f. 1-4-1951).

4. Clause (11) Inserted by the A.O. 1950, and omitted by Act 3 of 1951, Section 3 and Sch (w.e.f. 1-4-1951).

5. Vide Andhra Pradesh Act 16 of 1999, Section 2 (w.e.f. 31-12-1998).

6. Vide Goa, Daman and Diu Act 2 of 1968, Section 2.

7. Vide Tamil Nadu Act 38 of 1987, Section 3 (w.e.f. 18-1-1988).

8. Vide West Bengal Act 5 of 1942, Section 8 (w.e.f. 1-11-1943).