

Registration Act, 1908

Section 32 - Persons to Present Documents for Registration

Except in the cases mentioned in ¹[sections 31, 88 and 89], every document to be registered under this Act, whether such registration be compulsory or optional, shall be presented at the proper registration-office,--

- (a) by some person executing or claiming under the same, or, in the case of a copy of a decree or order, claiming under the decree or order, or
- (b) by the representative or assign of such a person, or
- (c) by the agent of such a person, representative or assign, duly authorised by power-of-attorney executed and authenticated in manner hereinafter mentioned.

STATE AMENDMENT

²Bihar:

After section 32, the following new section shall be inserted, namely:--

"32A. Giving of duplicate copies of documents presented for registration-- (1) Notwithstanding anything contained in this Act, in such areas as may be notified by the State Government, every document or any transaction of documents referred to in section 19 presented for registration shall be accompanied by such number of duplicate copies thereof as may be prescribed by rules under section 69.

(2) The duplicate copy shall--

(a) be neat and legibly typed or handwritten, as the case may be, on paper of such specification as may be notified by the State Government from time to time;

(b) contain a declaration that the same is a true copy of the document to be registered in such manner as may be prescribed by rules under section 69;

(c) be compared and verified by such official as may be directed by the Registering Officer;

(d) be separately bound and permanently kept in such manner as may be prescribed by rules under section 69."

³Uttar Pradesh:

After section 32, the following section shall be inserted, namely:--

"32A. Giving of true photostat copies of documents prescribed for registration.-- Notwithstanding anything contained in this Act, in such areas as may be notified by the State Government, every document or any translation of documents referred to in section 19 presented for registration shall be accompanied by such number of true photostat copies thereof, as may be prescribed by rules under section 69.

(2) The photostat copy shall,--

(a) be neat and legible, prepared on paper of such specification as may be notified by the State Government from time to time;

(b) contain a declaration that the same is a true copy of the document to be registered in such manner as may be prescribed by rules under section 69;

(c) be compared and verified by such official as may be directed by the registering officer;

(d) be separately bound and permanently kept in such manner as may be prescribed by rules under section 69.

(3) Where the provisions of this section apply, the sections mentioned below shall be deemed to be modified as follows:--

(a) in section 52, in sub-section (1),--

(i) in clause (a), after the words "every such document" the words "along with the Photostat copy thereof" shall be inserted;

(ii) for clause (c) the following clause shall be substituted:--

"(c) subject to the provisions contained in section 62, every photostat copy shall, without unnecessary delay be verified from the document admitted to registration and be placed in the proper book for being copied in the book appropriate for the document admitted for registration accordingly to the order of its admission;"

(b) in section 60, in sub-section (1), for the words "together with the number and page of the book in which the document has been copied" the words "together with a reference to the serial number of the Photostat copy and number of the book in which it is place" shall be substituted;

(c) in section 69, after clause (hh), the following clauses shall be inserted:--

"(hh1) regulating the number and manner in which photostat copies of documents and of translation under section 19 shall be prepared and the books in which they shall be placed for record;

(hh2) regulating the form of declaration and the manner of keeping the records under sub-section (2) of section 32A".

Section 32B

⁴Uttar Pradesh:

In its application to the State of Uttar Pradesh, after S. 32A, insert the following new section, namely,--

"32B. Lamination of true copies.-- (1) Notwithstanding anything contained in this Act, in such areas as may be notified by the State Government, every document and the translation of the document referred to in section 19, presented for registration, shall be accompanied by a true copy thereof.

(2) The copy referred to in sub-section (1) shall--

(a) not be a carbon copy;

(b) be neatly and legibly printed, lithographed, type-written or otherwise prepared on only one side of the paper of such specification as may be notified by the State government;

(c) contain a declaration in the manner prescribed by rules under section 69 that the same is a true copy of the document or the translation, as the case may be.

(3) The registering officer shall refuse to register any document presented to him for registration unless such document is accompanied by a true copy thereof as provided in sub-section (1).

(4) The copy shall--

(a) be compared and verified by such official as may be directed by registering officer;

(b) be separately laminated, bound and permanently kept in such manner as may be prescribed by rules under section 69.

(5) In such areas as have been notified under sub-section (1), the provisions of section 32A shall cease to apply:

Provided that a Photostat copy filed before notification under sub-section (1) is issued and not copied in the appropriate book shall be deemed to be a true copy for the purposes of this section and shall be laminated in accordance with the procedure laid down in this section:

Provided further that if the Photostat copy already filed is dim or has otherwise become illegible, the registering officer shall, with the prior approval of the registrar, require the party concerned to deliver the document to him for getting its copy prepared for lamination, and if the party concerned informs him that the document has been lost or destroyed, the photostat copy available in the registering office shall be copied in the appropriate book.

(6) Where the provisions of this section apply, the sections mentioned below shall be deemed to be modified as follows:--

(a) in section 52, in sub-section (1),--

(i) in clause (a), after the words "every such document" the words "alongwith the true copy thereof" shall be inserted;

(ii) for clause (c), the following clause shall be substituted, namely:--

"(c) subject to the provisions contained in section 62, every true copy shall, without unnecessary delay be verified from the document admitted to registration, be laminated and placed in the proper book for being bound and kept permanently in the book appropriate for the document admitted to registration according to the order of its admission."

(b) in section 55, after sub-section (6), the following sub-section shall be inserted, namely,--

"(7) The indexes prepared under this section shall be laminated and bound in such manner as may be prescribed by rules under

section 69."

(c) in section 58, in sub-section (1), after the words "admitted to registration" the words "and true copy thereof" shall be inserted;

(d) in section 60, in sub-section (1), for the words "the document has been copied" the words "the laminated true copy thereof has been bound and kept" shall be substituted;

(e) in section 62, in sub-section (1), for the words "the translation shall be transcribed" the words "the true copy of the translation shall be laminated, bound and kept shall be substituted;

(f) in section 69, after clause (hh-2), the following clauses shall be inserted, namely--

"(hh3) regulating the manner in which the true copy of the document and of the translation under section 19 shall be prepared and the form of declaration required under sub-section (2) of section 32B;

(hh4) regulating the manner and procedure for lamination of true copies, the books in which they shall be kept for record, keeping such records and preservation thereof, grant of licence for lamination and matters connected therewith including the rate of fees for laminating the copies, and seating arrangement for the licensees."

1. Substituted by Act 39 of 1948, section 3, for "section 31 and section 89" (w.e.f. 3-9-1948).

2. Vide Bihar Ordinance 7 of 1997, section 2 (w.e.f. 11-8-1997).

3. Vide Uttar Pradesh Act 29 of 1989, section 2 (w.e.f. 11-5-1989).

4. Vide Uttar Pradesh Act 27 of 1994, section 5.
