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Registration Act, 1908

Section 49 - Effect of Non-registration of Documents Required to Be Registered

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No document required by section 17[1][or by any provision of the Transfer of Property Act, 1882 (4 of 1882)], to be registered shall--

(a) affect any immovable property comprised therein, or

(b) confer any power to adopt, or

(c) be received as evidence of any transaction affecting such property or conferring such power,

unless it has been registered:

[1][Provided that an unregistered document affecting immovable property and required by this Act or the Transfer of Property Act, 1882 (4 of 1882), to be registered may be received as evidence of a contract in a suit for specific performance under Chapter II of the Specific Relief Act, 1877 (3 of 1877)[2],[3][***] or as evidence of any collateral transaction not required to be effected by registered instrument.]

STATE AMENDMENT

[4]Uttar Pradesh:

In section 49,--

(i) in the first paragraph, after the words "or by any provision of the Transfer of Property Act, 1882" insert the words "or of any other law for the time being in force",

(ii) substitute clause (b) as under:

"(b) confer any power or create any right or relationship, or",

(iii) in clause (c), after the words "such power", insert the words "or creating such right or relationship",

(iv) in the proviso, omit the words "as evidence of a contract in a suit for specific performance under Chapter II of the Specific Relief Act, 1877, or".

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1. Added by Act 21 of 1929, section 10.

2. Now see the Specific Relief Act, 1963 (47 of 1963).

3. Certain words omitted by Act 48 of 2001, section 6 (w.e.f. 24-9-2001).

4. Vide Uttar Pradesh Act 57 of 1976, section 34 (w.e.f. 1-1-1977).

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