

Registration Act, 1908

Part XI - Of the Duties and Powers of Registering Officers

Section 51 - Register-books to be kept in the several offices

(1) The following books shall be kept in the several offices hereinafter named, namely:--

A--In all registration offices--

Book 1, "Register of non-testamentary documents relating to immovable property".

Book 2, "Record of reasons for refusal to register".

Book 3, "Register of wills and authorities to adopt", and

Book 4, "Miscellaneous Register".

B--In the offices of Registrars--

Book 5, "Register of deposits of wills".

(2) In Book 1 shall be entered or filed all documents or memoranda registered under sections 17, 18 and 89 which relate to immovable property, and are not wills.

(3) In Book 4 shall be entered all documents registered under clauses (d) and (f) of section 18 which do not relate to immovable property.

(4) Nothing in this section shall be deemed to require more than one set of books where the office of the Registrar has been amalgamated with the office of a Sub-Registrar.

STATE AMENDMENTS

1 Andhra Pradesh:

In section 51, in sub-section (1), for the words "The following books", the words "The following books and the information storage devices as specified in sub-section (1) of section 16" shall be substituted.

2 Bihar:

To section 51 the following new sub-section shall be added, namely:--

"(5)(a) If, in the opinion of the Registrar, any of the books mentioned in sub-section (1) is in danger of being destroyed or becoming illegible wholly or partially, the Registrar may, by a written order, direct such book or such portion thereof as he thinks fit to be recopied and authenticated in such manner as may be prescribed under section 69, and the copy so prepared and authenticated shall, for the purposes of this Act, and of the Indian Evidence Act, 1872, be deemed to have taken the place of, and to be, the original book or portion, and all references in this Act to the original book or portion shall be deemed to be references to the book or portion prepared and authenticated as aforesaid.

(b) Notwithstanding anything contained in this Act, copies of any of the books mentioned in sub-section (1) or any portion of such book prepared and authenticated before the commencement of the Indian Registration (Bihar Amendment) Act, 1947, in pursuance of an order of the Registrar

or the Inspector-General shall, for the purposes of this Act, and of the Indian Evidence Act, 1872, be deemed to have taken the place of, and to be, the original book or portion, and all references in this Act to the original book or portion shall be deemed to be references to the book or portion so prepared and authenticated."

3 Goa:

In section 51,--

(a) for sub-section (2), the following sub-section shall be substituted, namely:--

"(2) In Book I shall be filed--

(i) true copies of all documents, and

(ii) all memoranda,

registered under sections 17, 18 and 39 which relate to immovable property, and are not wills.";

(b) in sub-section (3) for the words "entered all documents", the words "filed true copies of all documents" shall be substituted.

4 Gujarat:

Same as those of Maharashtra.

5 Karnataka:

Amendments to section 51(2) and (3) are the same as in Kerala. Insert sub-section (5) as under:

"(5) If, any of the books mentioned in sub-section (1) is destroyed or in the opinion of the Registrar is in danger to being destroyed, or becoming illegible wholly or partially, the Registrar may, by a written order, direct such book or such portion thereof as he thinks fit, to be reconstructed or, recopied as the case may be and authenticated in such manner as may be prescribed under section 69 and the copy prepared and authenticated under such direction shall for the purpose of this Act, be deemed to have taken the place of and to be the original book or portion and all references in this Act, to the original book or portion shall be deemed to be references to the book or portion so prepared and authenticated."

6 Kerala:

In section 51,--

(i) for sub-section (2), substitute the following:--

"(2) In Book 1 shall be filed--

(i) true copies of all documents; and

(ii) all memoranda,

registered under sections 17, 18 and 89, which relate to immovable property and are not wills.";

(iii) in sub-section (3), for the words "entered all documents", substitute the words "filed true copies of all documents".

7 8 9 [Maharashtra:

In section 51,--

(i) in sub-section (2), after the figures "89", the words and figures "sub-sections (2) and (4)" were inserted.

(ii) after sub-section (4), add the following new sub-section, namely:--

"(5) If, in the opinion of the Registrar, any of the books mentioned in subsection (1) is in danger of being destroyed or becoming illegible wholly or partially, the Registrar may, by a written order, direct such book or such portion thereof as he thinks fit to be recopied and authenticated in such manner as may be prescribed under section 69 and the copy prepared and authenticated under such direction shall, for the purposes of this Act be deemed to have taken the place of and to be the original book or portion, and all references in this Act to the original book or portion shall be deemed to be references to the book or portion so recopied and authenticated."

[Note.--Section 8 of the Bombay Act 25 of 1938 runs as follows:

"8. Validity of copies made prior to enactment of this Act.--Notwithstanding anything contained in the said Act (i.e. the Indian Registration Act), copies of any of the books mentioned in sub-section (1) of section 51 of the said Act or any portion of such book, prepared before the enactment of this Act and authenticated in pursuance of the order of the Registrar or Inspector-General shall for the purposes of the said Act be deemed to have taken the place of and to be the original book or portion; and all references in the said Act to the original book or portion shall be deemed to be references to the book or portion so prepared and authenticated".]

(iii) in sub-section (2), for the words "18 and 89, sub-sections (2) and (4)", substitute the words "and 18 and section 89 except sub-sections (1) and (3) thereof".

10 Orissa:

In its application to the State of Orissa, in section 51,--

(a) for sub-section (2), the following sub-section shall be substituted, namely,--

"(2) In Book 1 shall be filed--

(i) true copies of all documents, and

(ii) all memoranda,

registered under sections 17, 18 and 89, which relate to immovable property, and are not wills";

(b) in sub-section (3), for the words "entered all documents", substitute "filed true copies of all documents";

(c) after sub-section (4), insert the following new sub-sections, namely,--

"(5) If, in the opinion of the Registrar, any of the books mentioned in subsection (1) is in danger of being destroyed or becoming illegible wholly or partially, the Registrar may, by a written order, direct such book or such portion thereof as he thinks fit to be recopied and authenticated in such manner as may be prescribed under section 69 and the copy so prepared and authenticated under such direction shall, for the purpose of this Act, and of the Evidence Act, 1872, be deemed to have taken the place of, and to be, the original book or portion, as the case may be, and all references in this Act to the original book or portion shall be deemed to be references to the book or portion so prepared and authenticated.

(6) Notwithstanding anything contained in this Act, copies of any of the books mentioned in sub-section (1) or any portion of such books prepared and authenticated before the commencement of the Registration (Orissa Amendment) Act, 1989, in pursuance of an order of the Registrar or the Inspector-General of Registration, shall, for the purposes of this Act, and of the Evidence Act, 1872, be deemed to have taken the place of, and to be, the original book or portion, as the case may be, and all references in this Act to the original book or portion shall be deemed to be references to the book or portion so prepared and authenticated."

11 Pondicherry:

With reference to the documents specified in the rules made under section 52(3) as obtaining in Pondicherry, section 51 shall stand modified as follows:--

Modifications are the same as in Kerala (i) and (ii).

12 Tripura:

In section 51,--

(i) substitute sub-section (2) as under--

"(2) In Book 1 shall be:

(i) pasted true copies of all documents, and

(ii) filed all memoranda,

registered under sections 17, 18 and 89 which relate to immovable property and are not wills."

(ii) in sub-section (3) for the word "entered", substitute the words "pasted true copies of".

13 Uttar Pradesh:

After sub-section (4) of section 51, insert sub-section (5) as under--

"(5) Where due to fire tempest, flood, excessive rainfall, violence of any army or mob or other irresistible force, any or all of the books specified in sub-section (1) are destroyed or become illegible either wholly or partially and the State Government is of the opinion that it is necessary or expedient so to do, it may, by order direct such book or such portion thereof as it thinks fit, to be re-copied, authenticated or reconstructed in such manner as may be prescribed, and the copy so prepared, authenticated or reconstructed shall, for the purpose of this Act and of the Indian Evidence Act, 1872, be deemed to have taken the place of, and to be, the original book or portion."

Tamil Nadu and West Bengal:

For modification in section 51, see Schedule as inserted by Tamil Nadu Act 21 of 1966 and West Bengal Act 17 of 1978.

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1. Vide Andhra Pradesh Act 16 of 1999, section 4 (w.e.f. 31-12-1998).
 2. Vide Bihar Act 14 of 1947, section 2 (w.e.f. 21-4-1947).
 3. Vide Goa Act 24 of 1985, section 5 (w.e.f. 5-12-1985).
 4. Vide Act 11 of 1960, section 87 and Gujarat A.L.O. 1960.
 5. Vide Karnataka Act 41 of 1984, section 2 (w.e.f. 7-11-1986); Karnataka Act 55 of 1976, section 6 (w.e.f. 24-10-1976).
 6. Vide Kerala Act 7 of 1968, section 7 (w.e.f. 22-2-1968).
 7. Vide Bombay Act 5 of 1929, section 7 (w.e.f. 22-5-1929) read with Act 35 of 1958, section 2 (w.e.f. 28-4-1958).
 8. Vide Bombay Act 24 of 1938, section 3 (w.e.f. 8-2-1939) read with Act 35 of 1958, section 2 (w.e.f. 28-4-1958).
 9. Vide Maharashtra Act 20 of 1971, section 58(c) (w.e.f. 15-6-1972).
 10. Vide Orissa Act 14 of 1989, section 6 (w.e.f. 19-9-1989).
 11. Vide Pondicherry Act 17 of 1970, section 3 (w.e.f. 1-11-1970).

12. Vide Tripura Act 7 of 1982, section 6 (w.e.f. 1-1-1983).

13. Vide Uttar Pradesh Act 19 of 1981, section 10 (w.r.e.f. 1-8-1981).

Section 52 - Duties of registering officers when document presented

(1) (a) The day, hour and place of presentation, 1[the photographs and finger prints affixed under section 32A,] and the signature of every person presenting a document for registration, shall be endorsed on every such document at the time of presenting it;

(b) a receipt for such document shall be given by the registering officer to the person presenting the same; and

(c) subject to the, provisions contained in section 62, every document admitted to registration shall without unnecessary delay be copied in the book appropriated therefor according to the order of its admission.

(2) All such books shall be authenticated at such intervals and in such manner as is from time to time prescribed by the Inspector-General.

STATE AMENDMENTS

2Bihar:

In section 52,--

(i) in clause (a), after the words "every such documents" the words "along with duplicate copy thereof" shall be inserted.

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

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

3Delhi:

Same as in Punjab.

4Goa:

Section 52(1)(c) be substituted as under:

"(c) subject to the provisions contained in section 62, where a document is admitted to registration, a true copy thereof shall, without unnecessary delay, be filed in the appropriate book according to the order of its admission.

5Himachal Pradesh:

Same as in Punjab

6Karnataka:

Amendments to section 52 are the same as in Kerala.

7Kerala:

For clause (c) of sub-section (1), substitute the following namely:--

"(c) subject to provisions contained in section 62, where a document is admitted to registration, a true copy thereof shall, without unnecessary delay, be filed in the appropriate book according to the order of its admission."

Maharashtra and Gujarat:

For modification of section 52(1)(c), see sub-section (3) of section 70D in Part XIA inserted in the main Act by the Indian Registration (Bombay Amendment) Act, 1930 (17 of 1930) (w.e.f. 4-9-1930) and Act 11 of 1960, section 87.

8Orissa:

Amendments are same as in Kerala.

9Pondicherry:

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

(i) in clause (a), word "and" shall be added at the end; and

(ii) the word "and" at the end of clause (b) and clause (c) shall be omitted.

(b) After sub-section (1), insert the following sub-sections, namely:--

"(1A) Subject to the provisions contained in section 62, where any document, not being of the class specified in the rules made under sub-section (3), is admitted to registration, it shall, without unnecessary delay, be copied in the appropriate book according to the order of its admission.

(1B) Subject to the provisions contained in section 62 and the rules made under sub-sections (3) and (4) and under section 89A, where any document of the class specified in the rules made under sub-section (3) is admitted to registration a true copy thereof shall, without unnecessary delay, be filed in the appropriate book according to the order of its admission."

(c) After sub-section (2), add the following sub-sections, namely:--

"(3) The State Government may, from time to time, specify by rules the classes of documents in respect of which true copies shall be filed in the appropriate book under sub-section (1B).

(4) The true copy referred to in sub-section (1B) shall be neatly handwritten, printed, typewritten, lithographed or otherwise prepared in accordance with such rules as may be made in this behalf, and where

such copy is handwritten, it shall be prepared by a scribe who shall be licensed for this purpose by the State Government on payment of such fees as may be prescribed.

(5) The provisions of this Act shall, in their application to the classes of documents specified in the rules under sub-section (3), have effect, subject to the modifications set out in the Schedule."

10Punjab, Haryana and Chandigarh:

For clause (c) of sub-section (1) of section 52, substitute the following, namely:--

"(c) Subject to the provisions contained in section 62, a copy of every document admitted to registration shall, without unnecessary delay, be pasted in the book appropriated therefor according to the order of admission of the document."

11Rajasthan:

In section 52(1) substitute clause (c) as under:

"(c) Subject to the provisions contained in section 62, a true or photostat copy of every document admitted to registration shall, without unnecessary delay, be pasted in the book appropriated therefor according to the order of its admission."

12Tamil Nadu:

Same as in Pondicherry.

13Tripura:

In section 52(1), clause (c) be substituted as under:

"(c) subject to the provisions contained in section 62 the true copy, referred to in section 18A of every document admitted to registration shall, without unnecessary delay, be pasted in the book appropriated therefor according to the order of its admission."

Uttar Pradesh:

In section 52(1)(c) an Explanation was inserted by Uttar Pradesh Act 14 of 1971, section 3 (w.e.f. 25-5-1971). The Explanation is now omitted by Uttar Pradesh Act 19 of 1981, section 11 (w.r.e.f. 1-8-1981).

14West Bengal:

In section 52(1),--

(i) in clause (a) add the word "and" at the end,

(ii) omit the word "and" in clause (b), and omit clause (c),

(iii) after sub-section (1), insert as under--

"(1A) Subject to the provisions contained in section 62, where any document, not being of the class specified in the rules made under sub-section (3), is admitted to registration, it shall, without unnecessary delay, be copied in the appropriate book according to the order of its admission.

(1B) Subject to the provisions contained in section 62 and in the rules made under sub-sections (3) and (4) and under section 89A, where any document of the class specified in the rules made under sub-section (3) is admitted to registration, a true copy thereof shall, without unnecessary delay, be filed in the appropriate book

according to the order of its admission."

(iv) after sub-section (2), add as under:--

"(3) The State Government may, from time to time, specify by rules the classes of documents, in respect of which true copies shall be filed in the appropriate book under sub-section (1B).

(4) The true copy referred to in sub-section (1B), shall be neatly handwritten, printed, typewritten, lithographed or otherwise prepared in accordance with such rules as may be made in this behalf.

(5) The provisions of this Act shall, in their application to the classes of documents specified in the rules made under sub-section (3), have effect subject to the modifications set out in the Schedule."

1. Inserted by Act 48 of 2001, section 7 (w.e.f. 24-9-2001).

2. Vide Bihar Ordinance 7 of 1997, section 3 (w.e.f. 11-8-1997).

3. Vide G.S.R. 465 of 1965, Gazette of India, 1965, Pt. II, section 3(i), p. 499 (w.e.f. 1-11-1966).

4. Vide Goa Act 24 of 1985, section 6 (w.e.f. 5-12-1985).

5. Vide Himachal Pradesh Act 2 of 1969, section 5 (w.e.f. 1-4-1969).

6. Vide Karnataka Act 55 of 1976, section 7 (w.e.f. 24-10-1976).

7. Vide Kerala Act 7 of 1968, section 8 (w.e.f. 22-2-1968).

8. Vide Orissa Act 14 of 1989, section 7 (w.e.f. 19-9-1989).

9. Vide Pondicherry Act 17 of 1970, section 4 (w.e.f. 1-11-1970).

10. Vide Punjab Act 19 of 1961, section 4 (w.e.f. 4-5-1961): Act 31 of 1966, section 89 (w.e.f. 1-11-1966).

11. Vide Rajasthan Act 11 of 1982, section 5 (w.e.f. 16-7-1982).

12. Vide Tamil Nadu Act 21 of 1966, section 2 (w.e.f. 1-4-1967).

13. Vide Tripura Act 7 of 1982, section 7 (w.e.f. 1-1-1983).

14. Vide West Bengal Act 17 of 1978, section 3 (w.e.f. 1-1-1983).

Section 53 - Entries to be numbered consecutively

All entries in each book shall be numbered in a consecutive series, which shall commence and terminate with the year, a fresh series being commenced at the beginning of each year.

STATE AMENDMENT

Maharashtra and Gujarat:

For modification of section 53, see sub-section (3) of section 70D in Part XIA inserted in the main Act by the Indian Registration (Bombay Amendment) Act, 1930 (17 of 1930) (w.e.f. 4-9-1930) and Act 11 of 1960, section 87.

Section 54 - Current indexes and entries therein

In every office in which any of the books hereinbefore mentioned are kept, there shall be prepared current indexes of the contents of such books; and every entry in such indexes shall be made, so far as practicable, immediately after the registering officer has copied, or filed a memorandum of, the document to which it relates.

STATE AMENDMENTS

1Bihar:

Section 54 shall be renumbered as sub-section (1) of section 54 and after the said subsection, as so renumbered, the following sub-section shall be added:--

"(2)(a) If, in the opinion of the Registrar, any of the indexes mentioned in sub-section (1) is in danger of being destroyed or becoming illegible wholly or partially, the Registrar may, by a written order, direct such index or such portion thereof as he thinks fit to be recopied in such manner as may be prescribed under section 69, and the copy so prepared shall, for the purposes of this Act and of the Indian Evidence Act, 1872, be deemed to have taken the place of and to be the original index or portion, and all references in this Act to the original index or portion shall be deemed to be references to the index portion prepared as aforesaid.

(b) Notwithstanding anything contained in this Act, copies or any of the indexes mentioned in sub-section (1) or any portion of such index prepared before the commencement of the Indian Registration (Bihar Amendment) Act, 1952, in pursuance of an order of the Registrar or the Inspector-General shall, for the purposes of this Act, and of the Indian Evidence Act, 1872, be deemed to have taken the place of and to be the original index or portion and all references in this Act to the original index or portion shall be deemed to be reference to the index or portion so prepared."

2Goa:

In section 54, for the words "copied or filed a memorandum of", the words "filed a true copy or a memorandum of" shall be substituted.

3Gujarat:

Same as that of Maharashtra.

4Karnataka:

In section 54, for the words "copied or filed a memorandum of" substitute the word "filed a true copy or the memorandum of".

5Kerala:

In section 54, for the words "copied or filed a memorandum of", substitute the words "filed a true copy or memorandum of".

6Maharashtra:

In section 54, after the word "books" where it occurs for the second time, insert the words "and there shall also be prepared current indexes of the contents of the copies filed under sub-sections (1) and (3) of section 89".

7Orissa:

Amendments are same as in West Bengal.

8Pondicherry:

With reference to documents specified in rules made under section 52(3), as obtaining in Pondicherry, section 54 shall stand modified as follows:--

For the words "copied or filed" words "filed a true copy of, or" shall stand substituted.

9Tripura:

In section 54, for the words "copied, or filed a memorandum", substitute the words "pasted a true copy or filed a memorandum of".

Tamil Nadu and West Bengal:

For modification to sections 54 and 55, see Schedule as inserted by Tamil Nadu Act 21 of 1966 and West Bengal Act 17 of 1978.

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1. Vide Bihar Act 24 of 1952, section 2 (w.e.f. 22-10-1952).
 2. Vide Goa Act 24 of 1985, section 7 (w.e.f. 5-12-1985).
 3. Act 11 of 1960, section 87 and Gujarat A.L.O., 1960.
 4. Vide Karnataka Act 55 of 1976, section 8 (w.e.f. 24-10-1976).
 5. Vide Kerala Act 7 of 1968, section 9 (w.e.f. 22-2-1968).
 6. Vide Bombay Act 5 of 1929, section 8 (w.e.f. 22-5-1929) read with Act 35 of 1958 (w.e.f. 24-4-1958).
 7. Vide Orissa Act 14 of 1989, section 8.
 8. Vide Pondicherry Act 17 of 1970, Schedule, Item 4 (w.e.f. 1-11-1970).
 9. Vide Tripura Act 7 of 1982, section 8 (w.e.f. 1-1-1983).

Section 55 - Indexes to be made by registering officers, and their contents

(1) Four such indexes shall be made in all registration offices, and shall be named, respectively, Index No. I, Index No. II, Index No. III and Index No. IV.

(2) Index No. I shall contain the names and additions of all persons executing and of all persons claiming under every document entered or memorandum filed in Book No. 1.

(3) Index No. II shall contain such particulars mentioned in section 21 relating to every such document and memorandum as the Inspector-General from time to time directs in that behalf.

(4) Index No. III shall contain the names and additions of all persons executing every will and authority entered in Book No. 3, and of the executors and persons respectively appointed thereunder, and after the death of the testator or the donor (but not before) the names and additions of all persons claiming under the same.

(5) Index No. IV shall contain the names and additions of all persons executing and of all persons claiming under every document entered in Book No. 4.

(6) Each Index shall contain such other particulars, and shall be prepared in such form, as the Inspector-General from time to time directs.

STATE AMENDMENTS

1Goa:

In section 55,--

(a) in sub-section (2), for the words "document entered or memorandum filed", the words "document of which a true copy or a memorandum, is filed" shall be substituted;

(b) in sub-section (4), for the words "authority entered", the words "authority of which a true copy is filed" shall be substituted;

(c) in sub-section (5), for the words "document entered", the words "document of which a true copy is filed" shall be substituted.

2Gujarat:

Same as in Maharashtra.

3Karnataka:

Amendments to section 55 are the same as in Kerala.

4Kerala:

In section 55,--

(i) in sub-section (2), for the words "documents entered or memorandum filed", substitute the words "document of which a true copy or a memorandum is filed";

(ii) in sub-section (4), for the words "authority entered", substitute the words "authority of which a true copy is filed";

(iii) in sub-section (5), for the words "document entered", substitute the words "document of which a true copy is filed".

5Maharashtra:

In section 55,--

(a) for sub-section (1), the following was substituted, namely:--

"(1) Six such indexes shall be made in all registration offices and shall be named, respectively Index No. 1, Index No. IA, Index No. II, Index No. IIA, Index No. III and Index No. IV.";

(b) after sub-section (2), the following sub-section was inserted, namely:--

"(2A) Index No. IA shall contain the names including the father's name, or, in the case of persons usually described by their mother's name, the mother's name, and the places of residence of all persons executing, and of all persons claiming under, the documents of which copies are filed under sub-section (1) or (3) of section 89.";

(c) after sub-section (3), the following sub-section was inserted, namely:--

"(3A) Index No. IIA shall contain such particulars mentioned in section 21 as the Inspector-General may, from time to time, prescribe in this behalf in regard to every copy filed under sub-section (1) or (3) of section 89.";

(d) after the words "and additions" wherever they occur, the words "including the father's name, or in the case of persons usually described by their mother's name, the mother's name and the places of residence" were substituted.

6Orissa:

In its application to the State of Orissa, in section 55,--

(i) sub-section (2), for the words "document entered or memorandum filed", substitute "document of which a true copy or a memorandum is filed";

(ii) in sub-section (4), for the words "authority entered", substitute "authority of which a true copy is filed"; and

(iii) in sub-section (5), for the words "document entered", substitute "document of which a true copy is filed".

7Pondicherry:

With reference to documents specified in the Rules made under section 52(3) as obtaining in Pondicherry, section 55 shall stand modified as under:--

(i) in sub-section (2), for the words "every document entered or memorandum filed", words "every document of which a true copy or a memorandum is filed" shall stand substituted;

(ii) in sub-section (4), for the words "every will and authority entered in Book No. 3", words "every will and authority of which a true copy is filed in Book No. 3" shall stand substituted;

(iii) in sub-section (5), for the words "documents entered", words "document of which a true copy is filed" shall stand substituted.

8Tripura:

In section 55,--

(i) in sub-section (2), for the word "entered" substitute the words "of which a true copy pasted";

(ii) in sub-section (4), for the words and figure "every will and authority entered in Book No. 3" substitute the words and figure "every will and authority of which a true copy is pasted in Book No. 3";

(iii) in sub-section (5), for the word "entered" substitute the words "of which a true copy is pasted".

9West Bengal:

Same as in Pondicherry.

Section 55A

10West Bengal:

For section 55A, which was inserted by the Indian Registration (West Bengal Amendment) Act, 1950 (29 of 1950), section 3, substitute the following, namely:--

"55A. Copies of books and indexes to be as good as original books and indexes in certain cases.--
Notwithstanding anything contained in any other law for the time being in force, copies of any of the books mentioned in sub-section (1) of section 51, and of any of the indexes mentioned in section 55, relating to documents registered on or before the 14th day of August, 1947, in registration offices situate in district or sub-districts which as a result of the award of the Boundary Commission appointed under section 3 of the Indian Independence Act, 1947, have fallen partly within West Bengal and partly within East Bengal, shall, on being authenticated in such manner as may be prescribed by the Inspector-General, be deemed for the purposes of this Act to have taken the place of, and to be, the original books and indexes from which such copies were made and all references in this Act to books and indexes shall be construed as including references to such copies."

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1. Vide Goa Act 24 of 1985, section 8 (w.e.f. 5-12-1985).
 2. Vide Act 11 of 1960, section 87 and Gujarat A.L.O., 1960.
 3. Vide Karnataka Act 55 of 1976, section 9 (w.e.f. 24-10-1976).
 4. Vide Kerala Act 7 of 1968, section 10 (w.e.f. 22-2-1968).
 5. Vide Bombay Acts 5 of 1929, section 9 (w.e.f. 22-5-1929) read with 35 of 1958, section 2 (w.e.f. 24-4-1958).
 6. Vide Orissa Act 14 of 1989, section 9 (w.e.f. 19-9-1989).
 7. Vide Pondicherry Act 17 of 1970, Sch edule , Item 5.
 8. Vide Tripura Act 7 of 1982, section 9 (w.e.f. 1-1-1983).
 9. Vide West Bengal Act 17 of 1978, section 7 and Sch edule .
 10. Vide West Bengal Act 31 of 1951, section 2 (w.e.f. 2-11-1951).

Section 56 - Copy of entries in Indexes Nos. I, II and III to be sent by Sub-Registrar to Registrar and filed (Repealed)

[Repealed by the Indian Registration (Amendment) Act, 1929 (15 of 1929), section 2.]

Section 57 - Registering officers to allow inspection of certain books and indexes, and to give certified copies of entries

(1) Subject to the previous payment of the fees payable in that behalf, the Books Nos. 1 and 2 and the Indexes relating to Book No. 1 shall be at all time open to inspection by any person applying to inspect the same; and, subject to the provisions of section 62, copies or entries in such books shall be given to all persons applying for such copies.

(2) Subject to the same provisions, copies of entries in Book No. 3 and in the Index relating thereto shall be given to the persons executing the documents to which such entries relate, or to their agents, and after the death of the executants (but not before) to any person applying for such copies.

(3) Subject to the same provisions, copies of entries in Book No. 4 and in the Index relating thereto shall be given to any person executing or claiming under the documents to which such entries respectively refer, or to his agent or representative.

(4) The requisite search, under this section for entries in Book Nos. 3. and 4 shall be made only by the registering officer.

(5) All copies given under this section shall be signed and sealed by the registering officer, and shall be admissible for the purpose of proving the contents of the original documents.

STATE AMENDMENTS

1Gujarat:

Same as in Maharashtra.

2Maharashtra:

In sub-section (1), after the words and figure "Book No. 1", the following words and figures were inserted, namely: "and, so long as they are preserved, the copies filed under subsections (1) and (3) of section 89 and the indexes relating to such copies."

1. Vide Act 11 of 1960, section 87 and Gujarat A.L.O., 1960.

2. Vide Bombay Acts 5 of 1929, section 10 (w.e.f. 22-5-1929) read with 35 of 1958 (w.e.f. 24-4-1958).

Section 58 TO 63 - (B) As to the procedure on admitting to Registration

Section 58 - Particulars to be endorsed on documents admitted to registration

(1) On every document admitted to registration, other than a copy of a decree or order, or a copy sent to a registering officer under section 89, there shall be endorsed from time to time the following particulars, namely:--

(a) the signature and addition of every person admitting the execution of the document, and, if such execution has been admitted by the representative, assign or agent of any person, the signature and addition of such representative, assign or agent;

(b) the signature and addition of every person examined in reference to such document under any of the provisions of this Act; and

(c) any payment of money or delivery of goods made in the presence of the registering officer in reference to the execution of the document, and any admission of receipt of consideration, in whole or in part, made in his presence in reference to such execution.

(2) If any person admitting the execution of a document refuses to endorse the same, the registering officer shall nevertheless register it, but shall at the same time endorse a note of such refusal.

Section 59 - Endorsements to be dated and signed by registering officer

The registering officer shall affix the date and his signature to all endorsements made under sections 52 and 58, relating to the same document and made in his presence on the same day.

Section 60 - Certificate of registration

(1) After such of the provisions of sections 34, 35, 58 and 59 as apply to any document presented for registration have been complied with, the registering officer shall endorse thereon a certificate containing the word "registered", together with the number and page of the book in which the document has been copied.

(2) Such certificate shall be signed, sealed and dated by the registering officer, and shall then be admissible for the purpose of proving that the document has been duly registered in manner provided by this Act, and that the facts mentioned in the endorsement, referred to in section 59 have occurred as therein mentioned.

STATE AMENDMENTS

1Bihar:

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 reference to the serial number of the duplicate copy and the number of the book in which it is placed" shall be substituted.

2Goa:

In section 60, in sub-section (1), for the words "the document has been copied", the words "the true copy of the document has been filed" shall be substituted.

3Karrrataka:

Amendments to section 60 are the same as in Kerala.

4Kerala:

In sub-section (1) of section 60, for the words "the document has been copied", the words "the true copy of the document has been filed" shall be substituted.

Maharashtra and Gujarat:

For modification of section 60(1), see sub-section (3) of section 70D in Part XIA inserted in the main Act by the Indian Registration (Bombay Amendment) Act, 1930 (17 of 1930) (w.e.f. 4-9-1930) and Act 11 of 1960, section 87 (w.e.f. 1-5-1960).

5Orissa:

Amendments to section 60 are the same as in Kerala.

6Pondicherry:

In its application to documents specified by Rules framed under section 52(3) of the Act as obtaining in Pondicherry, section 60 shall stand modified as under:

For the words "the document has been copied", the words "true copy of the document has been filed", shall be substituted.

[7](#) Tripura:

In section 60, for the words "the document has been copied", substitute the words "the true copy of the document has been pasted".

Tamil Nadu and West Bengal:

For modifications to sections 60 and 61, see Schedule as inserted by Tamil Nadu Act 21 of 1966 and West Bengal Act 17 of 1978.

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1. Vide Bihar Ordinance 7 of 1997, section 4 (w.e.f. 11-8-1997).
 2. Vide Goa Act 24 of 1985, section 9 (w.e.f. 5-12-1985).
 3. Vide Karnataka Act 55 of 1976, section 10 (w.e.f. 24-10-1976).
 4. Vide Kerala Act 7 of 1968, section 11 (w.e.f. 22-2-1968).
 5. Vide Orissa Act 14 of 1989, section 10 (w.e.f. 19-9-1989).
 6. Vide Pondicherry Act 17 of 1970, Schedule, Item (6) (w.e.f. 1-11-1970).
 7. Vide Tripura Act 7 of 1982, section 10 (w.e.f. 1-1-1983).

Section 61 - Endorsements and certificate to be copied and document returned

- (1) The endorsements and certificate referred to and mentioned in sections 59 and 60 shall thereupon be copied into the margin of the Register-book, and the copy of the map or plan (if any) mentioned in section 21 shall be filed in Book No. 1.
- (2) The registration of the document shall thereupon be deemed complete, and the document shall then be returned to the person who presented the same for registration, or to such other person (if any) as he has nominated in writing in that behalf on the receipt mentioned in section 52.

STATE AMENDMENTS

[1](#) Andhra Pradesh:

In section 61, after sub-section (1), add the following:--

"Provided that the copying of the items referred to above may be done by using electronic devices like scanner."

2 Goa:

Section 61(1) be substituted, as under:

"(1) The endorsements and certificate referred to and mentioned in sections 59 and 60 shall thereupon be copied into the true copy of the document presented along with the document, and the true copy of the map or plan (if any) mentioned in section 21 shall also be filed alongwith the true copy of the document."

3 4 [Karnataka:

Amendments to section 61 are the same as in Kerala.

In section 61, in sub-section (2), after the words "returned" the words "in the manner prescribed by rules" shall be inserted.

5 Kerala:

For sub-section (1) of section 61 substitute the following:--

"(1) The endorsements and certificate referred to and mentioned in sections 59 and 60 shall thereupon be copied into the true copy of the document presented along with the document and the true copy of the map or plan (if any) mentioned in section 21 shall also be filed alongwith the true copy of the document."

Maharashtra and Gujarat:

For omission of sub-section (1) of section 61, see sub-section (3) of section 70D in Part XIA inserted in the main Act by the Indian Registration (Bombay Amendment) Act, 1930 (17 of 1930) (w.e.f. 4-9-1930) and Act 11 of 1960, section 87 (w.e.f. 1-5-1960).

6 Orissa:

Same as in Kerala.

7 Pondicherry:

In relation to documents specified in the Rules framed under section 52(3) as obtaining in Pondicherry, section 61 shall stand modified as follows:--

For the words "copied into the margin of the register book" in sub-section (1) the words "copied in the true copy of the document filed under sub-section (1B) of section 52" shall be substituted.

8 Tamil Nadu:

Same as in West Bengal.

9 Tripura:

In section 61(1), omit the words "the margin of".

10 West Bengal:

In section 61, in sub-section (1), omit the words "the margin of".

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

2. Vide Goa Act 24 of 1985, section 10 (w.e.f. 8-12-1985).

3. Vide Karnataka Act 55 of 1976, section 11 (w.e.f. 24-10-1976).
4. Vide Karnataka Act 41 of 1984, section 3 (w.e.f. 7-11-1986).
5. Vide Kerala Act 7 of 1968, section 12 (w.e.f. 22-2-1968).
6. Vide Orissa Act 14 of 1989, section 11 (w.e.f. 19-9-1989).
7. Vide Pondicherry Act 17 of 1970, Schedule Item 7 (w.e.f. 1-11-1970).
8. Vide Tamil Nadu Act 21 of 1966, section 6 and Schedule.
9. Vide Tripura Act 7 of 1982, section 11 (w.e.f. 1-1-1983).
10. Vide West Bengal Act 7 of 1989, section 11 (w.e.f. 1-1-1983).

Section 62 - Procedure on presenting document in language unknown to registering officer

(1) When a document is presented for registration under section 19, the translation shall be transcribed in the register of documents of the nature of the original, and, together with the copy referred to in section 19, shall be filed in the registration office.

(2) The endorsements and certificate respectively mentioned in sections 59 and 60 shall be made on the original, and, for the purpose of making the copies and memoranda required by sections 57, 64, 65 and 66, the translation shall be treated as if it were the original.

STATE AMENDMENTS

1Delhi:

Same as in Punjab.

2Goa:

Section 62(1) be substituted as under:

"(1) When a document is presented for registration under section 19, the translation together with the true copy of the document shall be filed in the appropriate book."

3Himachal Pradesh:

Same as in Punjab.

4Karnataka:

Amendment to section 62(1) is the same as in Kerala.

5Kerala:

For sub-section (1) of section 62, substitute the following:--

"(1) When a document is presented for registration under section 19, the translation together with the true copy of the document shall be filed in the appropriate book."

Maharashtra and Gujarat:

For modifications in sub-section (1) of section 62, see sub-section (3) of section 70D in Part XIA inserted in the main Act by the Indian Registration (Bombay Amendment) Act, 1930 (17 of 1930) (w.e.f. 4-9-1930) and Act 11 of 1960, section 87 (w.e.f. 1-5-1960).

6Orissa:

Same as in Kerala.

7Pondicherry:

In its application to classes of documents specified in the Rules made under section 52(3), the section shall have effect subject to the following modification.

Sub-section (1) is the same as in Kerala.

8Punjab, Haryana and Chandigarh:

For sub-section (1) of section 62 substitute the following:--

"(1) When a document is presented for registration under section 19, a copy of the translation shall be pasted in the register of document of the nature of the original, and the second copy of the translation, together with the copy referred to in section 19, shall be filed in the registration office."

9Rajasthan:

Substitute section 62(1) as under:

"(1) When a document is presented for registration under section 19, a copy of the translation shall be pasted in the register of documents of the nature of the original, and the second copy of the translation together with the copy referred to in section 19, shall be filed in the registration office."

10Tripura:

Substitute section 62(1) as under:

"When a document is presented for registration under section 19, the true translation together with the true copy referred to in that section shall be pasted in the register of documents of the nature of the original and the second copy of the translation shall be filed with registration office."

11Tamil Nadu:

Same as in Kerala.

Uttar Pradesh:

To section 62(1), an Explanation was added by Uttar Pradesh Act 14 of 1971. The Explanation has now been omitted by Uttar Pradesh Act 19 of 1981, section 12 (w.r.e.f. 1-8-1981).

1. See G.S.R. 465, Gazette of India, Pt. II, section 3(i), p. 499 (w.e.f. 1-4-1965).
 2. Vide Goa Act 24 of 1985, section 11 (w.e.f. 5-12-1985).
 3. Vide Himachal Pradesh Act 2 of 1969, section 6 (w.e.f. 1-4-1969).
 4. Vide Karnataka Act 55 of 1976, section 12 (w.e.f. 24-10-1976).
 5. Vide Kerala Act 7 of 1966, section 13 (w.e.f. 22-2-1968).
 6. Vide Orissa Act 14 of 1989, section 12 (w.e.f. 19-9-1989).
 7. Vide Pondicherry Act 17 of 1970, Schedule, Item 7, (w.e.f. 1-11-1970).
 8. Vide Punjab Act 19 of 1961, section 5 (w.e.f. 4-5-1961); Act 31 of 1966, section 88.
 9. Vide Rajasthan Act 11 of 1982, section 6 (w.e.f. 16-7-1982).
 10. Vide Tripura Act 7 of 1982, section 12 (w.e.f. 1-1-1983).
 11. Vide Tamil Nadu Act 21 of 1966, section 6 and Schedule.
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Section 63 - Power to administer oaths and record of substance of statements

(1) Every registering officer may, at his discretion, administer an oath to any person examined by him under the provisions of this Act.

(2) Every such officer may also at his discretion record a note of the substance of the statement made by each such person, and such statement shall be read over, or (if made in a language with which such person is not acquainted) interpreted to him in a language with which he is acquainted, and, if he admits the correctness of such note, it shall be signed by the registering officer.

(3) Every such note so signed shall be admissible for the purpose of proving that the statements therein recorded were made by the persons and under the circumstances therein stated.

Section 64 TO 65 - (C) Special duties of Sub-Registrar

Section 64 - Procedure where document relates to land in several sub-districts

Every Sub-Registrar on registering a non-testamentary document relating to immovable property not wholly situate in his own sub-district shall make a memorandum thereof and of the endorsement and certificate (if any) thereon, and send the same to every other Sub-Registrar subordinate to the same Registrar as himself in whose sub-district any part of such property is situate, and such Sub-Registrar shall file the memorandum in his Book No. 1.

Section 65 - Procedure where document relates to land in several districts

(1) Every Sub-Registrar on registering a non-testamentary document relating to immovable property situate in more districts than one shall also forward a copy thereof and of the endorsement and certificate (if any) thereon, together with a copy of the map or plan (if any) mentioned in section 21,

to the Registrar of every district in which any part of such property is situate other than the district in which his own sub-district is situate.

(2) The Registrar on receiving the same shall file in his Book No. 1 the copy of the document and the copy of the map or plan (if any), and shall forward a memorandum of the document to each of the Sub-Registrars subordinate to him within whose sub-district any part of such property is situate; and every Sub-Registrar receiving such memorandum shall file in his Book No. 1.

Section 66 TO 67 - (D) Special duties of Registrar

Section 66 - Procedure after registration of documents relating to land

(1) On registering any non-testamentary document relating to immovable property, the Registrar shall forward a memorandum of such document to each Sub-Registrar subordinate to himself in whose sub-district any part of the property is situate.

(2) The Registrar shall also forward a copy of such document, together with a copy of the map or plan (if any) mentioned in section 21, to every other Registrar in whose district any part of such property is situate.

(3) Such Registrar on receiving any such copy shall file it in his Book No. 1, and shall also send a memorandum of the copy to each of the Sub-Registrars subordinate to him within whose sub-district any part of the property is situate.

(4) Every Sub-Registrar receiving any memorandum under this section shall file it in his Book No. 1.

Section 67 - [Omitted]

[1](#)[***]

STATE AMENDMENTS

[2](#)Andhra Pradesh:

Section 67 shall stand omitted.

[3](#)Gujarat:

Section 67 shall be deleted.

[4](#)Haryana:

Section 67 be omitted.

[5](#)Rajasthan:

Section 67 be omitted.

[6](#)Uttar Pradesh:

Section 67 shall be omitted.

1. Section 67 omitted by Act 48 of 2001, section 8 (w.e.f. 24-9-2001).

2. Vide Andhra Pradesh Act 13 of 1966, section 2 (w.e.f. 15-6-1966).

3. Vide Gujarat Act 18 of 1990, section 3 (w.e.f. 19-11-1990).

4. Vide Haryana Act 4 of 1997, section 3 (w.e.f. 12-3-1997).

5. Vide Rajasthan Act 18 of 1989, section 5 (w.e.f. 18-9-1989).

6. Vide Uttar Pradesh Act 27 of 1994, section 6.

Section 68 TO 70 - (E) Of the controlling powers of Registrars and Inspector-General

Section 68 - Power of Registrar to superintend and control Sub-Registrars

(1) Every Sub-Registrar shall perform the duties of his office under the superintendence and control of the Registrar in whose district the office of such Sub-Registrar is situate.

(2) Every Registrar shall have authority to issue (whether on complaint or otherwise) any order consistent with this Act which he considers necessary in respect of any act or omission of any Sub-Registrar subordinate to him or in respect of the rectification of any error regarding the book or the office in which any document has been registered.

STATE AMENDMENT

Sections 68A and 68B

1 Bihar:

After section 68 insert as under:

"68A. Prohibition of unlicensed person.--(1) No person who is not licensed as provided under section 68B, shall engage himself in the profession of document-writer and document drawn-up and signed by a person who does not hold a licence shall not be accepted for registration by the registering officers:

Provided that no advocate, pleader or Mukhtar shall be required to have a licence under section 68B.

(2) Nothing in this section shall prohibit an executant of document to draw up a document to be presented for registration or to do any other act for himself for which a licensed document-writer could have been otherwise engaged.

(3) Nothing in this section shall apply to document executed out of India or out of the State of Bihar or to a will or to document scribed by document-writer holding licence for one sub-district or one district and presented for registration in another sub-district or another district as the case may be, or to documents executed by or on behalf of the Government or local authorities or other corporate bodies.

68B. Grant of licence to document-writers.--(1) The Registrar of district or any other officer authorised by him in this behalf may grant a licence, to be valid in one sub-district or one district in the prescribed form to document-writer or apprentice to document-writer on an application made in this behalf, on such term and conditions as may be prescribed by the Inspector-General of Registration in this behalf after conducting a written test as may be prescribed.

(2) A licence may be granted to any person who has been in the profession of the document-writer for at least ten years prior to the date of the Registration (Bihar Amendment) Ordinance, 1991 came into force, without requiring him to appear in the written test referred to in sub-section (1), if the Registrar of a district or any other officer authorised by him in this behalf is satisfied that he is otherwise fit to take the profession of a document-writer.

(3) A licence granted under sub-sections (1) and (2) shall, remain valid till the 31st day of December of the year in which the same was issued and shall be subject to renewal before the expiry of its period of validity on such terms and conditions, as may be prescribed.

(4) (a) The licence granted under sub-sections (1) and (2) may at any time, be suspended or cancelled on the breach of conditions prescribed or for such other reason to be recorded in writing by the Registrar of district or the officer authorised by him, after the document writer has been given sufficient opportunity to show cause against the proposed suspension or cancellation of the licence and after the same has been duly considered.

(b) An appeal shall lie before the Inspector-General of Registration against any order passed under this section.

Explanation.--For the purpose of sections 68A and 68B,--

(i) "Document-writer" means and includes one who is engaged in the profession of preparing documents, namely, doing the work of conveyancing, including investigation of titles, preparation of draft deeds and engrossing and transcribing the deed, including copies, if any, for registration, or marking searches and inspection under the Act, and

(ii) "Apprentice" means one who assists a document-writer in the preparation of document and transcribes them (including copies, any) to be present for registration."

1. Vide Bihar Act 6 of 1991, section 5 (w.e.f. 8-8-1991).

Section 69 - Power of Inspector-General to superintend registration offices and make rules

(1) The Inspector-General shall exercise a general superintendence over all the registration offices in the territories under the [1](#) [State Government], and shall have power from time to time to make rules consistent with this Act--

(a) providing for the safe custody of books, papers and documents; [2](#) [***]

[3](#) [(aa) providing the manner in which and the safeguards subject to which the books may be kept in computer floppies or diskettes or in any other electronic form under sub-section (1) of section 16A;]

(b) declaring what language shall be deemed to be commonly used in each district;

(c) declaring what territorial divisions shall be recognized under section 21;

(d) regulating the amount of fines imposed under sections 25 and 34, respectively;

(e) regulating the exercise of the discretion reposed in the registering officer by section 63;

(f) regulating the form in which registering officers are to make memoranda of documents;

(g) regulating the authentication by Registrars and Sub-Registrars of the books kept in their respective offices under section 51;

[4](#) [(gg) regulating the manner in which the instruments referred to in sub-section (2) of section 88 may be presented for registration;]

(h) declaring the particulars to be contained in Indexes Nos. I, II, III and IV, respectively;

(i) declaring the holidays that shall be observed in the registration offices; and

(j) generally, regulating the proceedings of the Registrars and Sub-Registrars.

(2) The rules so made shall be submitted to the [1](#) [State Government] for approval, and, after they have been approved, they shall be published in the [5](#) [Official Gazette], and on publication shall have effect as if enacted in this Act.

STATE AMENDMENTS

[6](#) Andhra Pradesh:

In section 69, after clause (b) of sub-section (1), insert the following clause (bb), namely:--

"(bb) providing for the grant of licences to document writers, the revocation of such licences, the terms and conditions subject to which and the authority by whom such licences shall be granted, the exemption of any class of document writers from the licensing provisions and the conditions subject to which such exemption shall be granted and generally for all purposes connected with the writing of documents to be presented for registration."

[7](#) [8](#) [9](#) [10](#) Bihar:

In section 69,--

(i) to clause (g) of sub-section (1) add the following words: "and the manner of recopying such books or portions thereof".

(ii) after clause (h) of sub-section (1) insert the following new clause: "(hh) regulating the manner of recopying indexes on portions thereof."

(iii) after clause (b), insert the following new clause, namely:--

"(bb) providing for the grant of licences to document-writers and apprentices to document-writer, the suspension and cancellation of such licences, the terms and conditions under which such licences may be granted and generally for all other purposes connected with the writing of documents to be presented for registration."

(iv) after clause (hh) of sub-section (1), insert the following clause, namely,--

"(i) (hh1) regulating the number and manner in which the true duplicate typed or handwritten copies of documents and translation of documents under section 19 shall be prepared and the books in which they shall be placed on record;

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

[11](#) Delhi:

Same as in Punjab.

[12](#) Gujarat:

Same as in Maharashtra.

[13](#) Himachal Pradesh:

Same as in Bihar (iii).

[14](#) [15](#) Karnataka:

In section 69(1),--

(i) in clause (g) after the word and figures "section 51" insert the words "and the manner of recopying such books on portions thereof",

(ii) after clause (i) insert us under--

"(ii) prescribing the manner in which and the terms subject to which persons who write deeds outside the precincts of a registration officer, or who frequent the precincts of registration officers, for the purpose of writing documents may be granted licence and prescribing the fees to be paid for such licences;"

In section (1) of section 69 after clause (j), the following shall be inserted, namely:--

"(k) providing for the manner of return of documents under sub-section (2) of section 61".

16 Kerala:

In section 69 after clause (b) of sub-section (1) insert the following clause:--

"(bb) providing for grant of licences to document writers, the revocation of such licences, the terms and conditions subject to which and the authority by whom such licence shall be granted and generally for all purposes connected with the writing of documents to be presented for registration."

Note.--Clause (bb) inserted in sub-section (1) of section 69 by the Indian Registration (Travancore-Cochin Amendment) Act, 1952 (T.C. Act 25 of 1952) is omitted.

17 Madhya Pradesh:

MAHAKOSHAL.--In its application to the Mahakoshal region of the State of Madhya Pradesh, in section 69 after clause (j) of sub-section (1) the following clause (k), shall be inserted:

"(k) prescribing the manner in which and the terms subject to which persons who write documents for presentation to a registering officer may be granted licences and the fees to be paid for such licences."

18 [19 [20 Maharashtra:

In section 69--

(i) to clause (g) of sub-section (1) add the following, namely: "and the manner of recopying such books or portions thereof."

(ii) after clause (gg) of sub-section (1) insert the following clause:

"(ggg) regulating the procedure for transmitting documents for being photographed and the serial numbering binding and preservation of the photographic prints and negatives, the manner of fixing the signature and seal of the Photo-Registrar at the end of a length of film, and the procedure generally in the Government Photo-Registry."

(iii) after clause (h) of sub-section (1) after the figures I and 'II' insert the figures "IA" and "IIA" respectively.

VIDARBHA.--Note: As all the above amendments extend to and are in force in the whole State of Maharashtra including its Vidarbha region, clause (k) inserted in sub-section (1) of section 69 by M.P. Act 8 of 1955 is, so far as it applied to be Vidarbha region, repealed by Bombay Act 35 of 1958, section 3 (w.e.f. 24-4-1958).

21 Manipur:

In section 69, after clause (b) insert as under:

"(bb) providing for the grant of licences to document writers, the revocation of such licences, the terms and conditions subject to which and the authority by whom such licences shall be granted, and generally for all purposes connected with the writing of documents to be presented for registration including the rates of fees to be charged by the licensed deed writers for writing out deeds, petitions etc."

22 Orissa:

In section 69(1), after clause (b), insert as under:

"(bb) providing for the grant of licences to document writers, the revocation of such licences, the terms and conditions subject to which and the authority by whom such licences shall be granted, the exemption of any class of document writers from the licensing provisions and the conditions subject to which such exemption shall be granted and generally for all purposes connected with the writing of documents to be presented for registration."

[23](#) Pondicherry:

In section 69(1), after clause (b), insert as under:

"(bb) providing for the grant and renewal of licences to document writers, the revocation of such licences, the terms and conditions subject to which and the authority by which such licences shall be granted or renewed or revoked, the penalties for breaches of the terms and conditions of such licence, the scale of fees to be charged by document writers, the exemption of any class of document writers from the licensing provisions, the conditions subject to which such exemption may be granted, and generally for all purposes connected with the writing of documents to be presented for registration."

[24](#) Punjab, Haryana and Chandigarh:

In sub-section (1) of section 69, after clause (b), insert the following clause, namely:--

"(bb) declaring what persons shall be permitted to act as document writers in the offices of registering officers, regulating the issue of licences to such persons, the conduct of business by them, the scale of fees to be charged by them and determining the authority by whom breaches of such rules shall be investigated and the penalties which may be imposed."

[25](#) [\[26](#) [\[27](#) Rajasthan:

Same as that of Kerala above.

After clause (d) insert as under--

"(dd) providing for recovery of deficit registration fee;

(ddd) providing for refund of registration fee paid in excess;"

After sub-section (2), following be added:--

"(3) The Inspector-General shall have power to issue any order consistent with this Act which he considers necessary in respect of any act or omission of any person subordinate to him or in respect of rectification of any error regarding the book or the office in which any document has been registered."

[28](#) Tripura:

In section 69(1), after clause (b) insert as under:

"(bb) providing for the grant and renewal of licences to document writers, the revocation of licences granted to such writers and generally for all purposes connected with the writing of the documents and with the writing of the true copies of the documents to be presented for registration."

[29](#) [\[30](#) Uttar Pradesh:

(i) after clause (h), insert the following new clauses, namely:--

"(hh) regulating the manner in which translations to be delivered under section 19 shall be prepared and in which they shall be declared to be faithful translations;

(hhh) providing for the grant of licences to document writers, the suspension or revocation of such licences, the terms and conditions subject to which and the authority by whom such licences shall

be granted, suspended or revoked, and generally for all purposes connected with the drafting or writing by such document writers of documents to be presented for registration;

(hhhh) regulating the manner of recopying the books kept under section 51 and the Indexes;"

Clause (hh) as inserted by Uttar Pradesh Act 14 of 1971, substituted by Uttar Pradesh Act 19 of 1981, section 13 (w.r.e.f. 1-8-1981).

(ii) after clause (d) insert as under--

"(dd) providing for refund of registration fees paid in excess;

(ddd) providing for recovery of deficiency in registration fees."

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1. Substituted by the A.O. 1950, for "Provincial Government".
 2. Certain words rep. by Act 5 of 1917, section 6 and Schedule.
 3. Inserted by Act 48 of 2001, section 9 (w.e.f. 24-9-2001).
 4. Inserted by Act 39 of 1948, section 4.
 5. Substituted by the A.O. 1937, for "Local Official Gazette".
 6. Vide Andhra Pradesh Act 5 of 1960, section 2 (w.e.f. 16-12-1960).
 7. Vide Bihar Act 14 of 1947, section 3 (w.e.f. 21-4-1947).
 8. Vide Bihar Act 24 of 1952, section 3 (w.e.f. 22-10-1952).
 9. Vide Bihar Act 6 of 1991, section 6 (w.e.f. 8-8-1991).
 10. Vide Bihar ordinance 7 of 1997, section 5 (w.e.f. 11-8-1997).
 11. See G.S.R. 465 of 1955, Gazette of India, 1965, Pt. II, section 3(i), p. 499.
 12. Vide Act 11 of 1960, section 87 and Gujarat A.L.O., 1960.
 13. Vide Himachal Pradesh Act 2 of 1969, section 7 (w.e.f. 1-4-1969).
 14. Vide Karnataka Act 55 of 1976, section 13 (w.e.f. 23-10-1976).
 15. Vide Karnataka Act 41 of 1984, section 4 (w.e.f. 7-11-1986).
 16. Vide Kerala Act 2 of 1959, section 3 (w.e.f. 1-6-1960).
 17. Vide Madhya Pradesh Act 8 of 1955, section 2 (w.e.f. 18-4-1955).
 18. Vide Bombay Act 24 of 1938, section 4 (w.e.f. 8-2-1939) read with Act 35 of 1958, section 2 (w.e.f. 24-4-1958).
 19. Vide Bombay Act 35 of 1958, section 6 (w.e.f. 24-4-1958).
 20. Vide Bombay Act 5 of 1929, section 11 (w.e.f. 25-5-1929) read with Act 35 of 1958, section 2 (w.e.f. 24-4-1958).
 21. Vide Manipur Act 5 of 1975, section 2.
 22. Vide Orissa Act 11 of 1976, section 2 (w.e.f. 13-4-1976).
 23. Vide Pondicherry Regulation 2 of 1977, section 2 (w.e.f. 1-4-1977).
 24. Vide Punjab Act 19 of 1961, section 6 (w.e.f. 4-5-1961); Act 31 of 1966, section 88 (w.e.f. 1-11-1966).
 25. Vide Rajasthan Act 18 of 1953, section 2 (w.e.f. 10-10-1953) read with Act 27 of 1957, section 3.

26. Vide Rajasthan Act 11 of 1982, section 7 (w.e.f. 16-6-1982).
27. Vide Rajasthan Act 18 of 1989, section 6 (w.e.f. 18-9-1989).
28. Vide Tripura Act 7 of 1982, section 13 (w.e.f. 1-1-1983).
29. Vide Uttar Pradesh Act 14 of 1971, section 5 (w.e.f. 25-5-1971).
30. Vide Uttar Pradesh Act 48 of 1975, section 3 (w.e.f. 1-11-1975).

Section 70 - Power of Inspector-General to remit fines

The Inspector-General may also, in the exercise of his discretion, remit wholly or in part the difference between any fine levied under section 25 or section 34, and the amount of the proper registration fee.

STATE AMENDMENTS

1Andhra Pradesh:

In its application to the State of Andhra Pradesh, after Part XI, insert the following Part XIA, namely,--

"PART IXA

REGISTRATION OF DOCUMENTS BY MEANS OF ELECTRONIC DEVICES

70A. Application of this part.--This part shall apply to the areas only in respect of which a notification is issued by the Government of Andhra Pradesh under section 70B.

70B. Documents scanned by electronic devices in areas notified by the Government.-- (1) The Government of Andhra Pradesh may, by notification, in the Official Gazette, direct that in any office as may be specified therein, the process of registration of any category or categories of documents may be completed and copying done with the help of the electronic devices like computers, scanners and the compact disks on copies preserved on such devices and retrieved when required.

(2) Notwithstanding anything in this Act or any other law for the time being in force, a copy of any document registered and scanned using the electronic devices and certified or attested by the registering officer in charge of the office shall also be received in evidence of any transaction as is described in the said document.

70C. Saving.--Nothing in this Part shall apply,--

(i) to any document which in the opinion of registering officer is not in a condition fit to be processed by means of electronic devices;

(ii) in the case of unforeseen eventuality like break down of the computerised system of registration:

Provided that the registering officer shall record the reasons in writing therefore--

Provided further that the registering officer shall ensure that the data and images of the documents registered during the period of non-application of this Part, due to a break down of the computerised system, are duly incorporated into the computer system, after the same is restored, in the manner prescribed by the Inspector General of Registration."

2Gujarat:

Same as that of Maharashtra.

3Karnataka:

Following part and sections be inserted:--

"PART IXA

PHOTOCOPYING OF DOCUMENTS

70A. Application of this Part.--This Part shall apply only to the areas in respect of which a notification is issued by the State Government under section 70:

Provided that nothing in this Part shall apply to the registration of any document executed before its application to such area.

70B. Definition.--In this Part, "photocopy" means a copy prepared on such paper and by means of such photocopying process or machine as may be prescribed by rules and "photocopied" and "photocopying" shall be construed accordingly.

70C. Documents may be photocopied in the areas notified by the State Government.--(1) The State Government may, by notification, direct that in any district or sub-district specified in the notification, copies of documents admitted to registration under this Act shall be made by photocopying.

(2) On the issue of such notification, it shall be passed in a conspicuous place at the registration offices affected by the notification.

70D. Application of Act to areas notified under section 70C.--In any district or sub-district in respect of which notification has been issued under section 70C, the provisions of this Act shall, for the purpose of this Part be subject to the following modifications, namely:--

(1) (a) Every document admitted to registration under section 35 or section 41 shall be carefully marked with an identification stamp and the serial number of the document on every page;

(b) The registering officer shall then cause, each side of each page of such document together with all stamped endorsements, seals, signatures, thumb-impressions and certificates appearing thereon to be photocopied without subtraction or alteration. He may for this purpose cut or untie without breaking any seal, the thread or ribbon where the pages of the document are sewn together in order to separate the pages of the documents, and as soon as the document has been photocopied he shall rebind the document as before and if he has cut the thread or ribbon shall seal it over the joint with his seal;

(c) The registering officer shall then affix his signature and seal in token of the exact correspondence of such photocopy to the original document, as admitted for registration;

(d) The registering officer shall cause a copy so prepared to be filed, in accordance with the provisions of this Act and such rules as may be prescribed;

(e) The true copy of the map or plan if any, mentioned in section 21 may also be filed along with the photocopy of the document or filed separately, in such manner as the Inspector General may direct.

(2) All the words and expressions used in the Act with reference to the making of copies or documents by hand or the entering or filing of documents or memorandum in books provided under section 16, shall so far, as may be necessary, be construed as referring to the making of such copies by means of photocopying or the entering or filing of documents or memoranda in books made up of copies prepared by photocopying.

(3) Where this Part applies, the sections mentioned below shall be deemed to be modified as follows:--

(a) in section 19, the words "and also by true copy" shall be omitted;

(b) in section 20, sub-section (2) shall be omitted;

(c) in section 45,--

(i) in sub-section (1), for the words, letter and figure "cause the contents thereof to be copied into his book No. 3", the words, letter and figure "cause a photocopy of the contents thereof to be made and filed in his book No. 3" shall be substituted;

(ii) in sub-section (2), for the words "copy has been made", the words "photocopy has been filed" shall be substituted.

(d) in sub-section (2) of section 46,--

(i) for the words "unless the will has been already copied", the words "unless a photocopy of the will has already been filed" shall be substituted;

(ii) for the words, letter and figure "cause the will to be copied into his Book No. 3", the words, letter and figure "cause a photocopy of the will to be made and filed in his Book No. 3" shall be substituted;

(e) in section 51,--

(i) for sub-section (2), the following sub-section shall be substituted, namely:--

"(2) In Book No. 1 shall be filed--

(i) photocopies of all documents; and

(ii) all memoranda,

registered under sections 17, 18 and 89 which relate to immovable property and are not wills."

(ii) in sub-section (3), for the words "entered all documents" the words "filed photocopies of all documents" shall be substituted;

(f) in section 52, for clause (c) of sub-section (1), the following clause shall be substituted, namely:--

"(c) Subject to the provisions contained in section 62, every document admitted to registration shall, without unnecessary delay, be photocopied and filed in the appropriate book according to the order of its admission.";

(b) in the marginal heading and in section 53, for the word "entries" where it occur, the word "photocopies" respectively shall be substituted;

(h) in section 54, for the words "copied, or filed a memorandum of" the words "filed a photocopy or a memorandum of" shall be substituted,

(i) in section 55,--

(i) in sub-section (2), for the words "document entered or memorandum filed", the words "document of which a photocopy or memorandum is filed" shall be substituted;

(ii) in sub-section (4), the words "authority entered", the words "authority of which a photocopy is filed" shall be substituted;

(iii) in sub-section (5), for the words "document entered", the words "documents of which a photocopy is filed" shall be substituted;

(j) in section 60, in sub-section (1), for the words "document has been copied", the words "photocopy of the document has been filed" shall be substituted;

(k) in section 61, sub-section (1) shall be omitted;

(l) in section 62, for sub-section (1), the following shall be substituted, namely:--

"(1) When a document is presented for registration under section 19, the translation together with the photocopy of the document shall be filed in the appropriate book.";

(m) in section 81,--

(i) in the marginal heading, for the words "copying, translating, or registering documents", the words "copying, photocopying, translating, registering or filing photocopies of documents" shall be substituted;

(ii) for the words "copying, translating or registering of any document", the words "copying, photocopying, translating registers or files a copy of such document" shall be substituted;

(iii) for the words "copies, translates or registers such documents", the words "copies, photocopies, translates, registers or files a copy of such document" shall be substituted,

(n) after section 89 following section shall be inserted, namely:--

"89 A. Power to make rules for filing of photocopies of document.--(1) The State Government may make rules for all purposes connected with the preparation or filing of photocopies of documents, in the appropriate books under this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for--

(a) the manner in which photocopies of documents shall be prepared; and

(b) the manner of filing of such copies.

(3) All rules made under this section shall be published in the Official Gazette, and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule made under this section shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if before the expiry of the session in which it is so laid or the session immediately following both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

(5) Nothing in this Part shall apply to any document which is prepared on a printed or lithographed form or which in the opinion of the registering officer, is not in a fit condition to be photocopied.

(6) Notwithstanding anything contained in this Part, in the case of document containing a map, plan or trade mark label, if the party presenting the document so desires, the registering officer may accept three copies of such map, plan or trade mark label and where such true copies are accepted, the map, plan or trade mark label shall not be photocopied and such copies thereof shall be filed in the appropriate file book."

4Maharashtra:

After Part XI of the main Act insert the following Part XIA, namely:--

"PART XIA

OF THE COPYING OF DOCUMENTS BY MEANS OF PHOTOGRAPHY

70A. Application of this Part.--This Part shall apply to the areas only in respect of which a notification is issued by the Provincial Government under section 70C.

70B. Definitions.--In this Part--

(1) "Government Photo Registry" means the office where documents are photographed under the provisions of this Part.

(2) "Manager, Government Photo Registry" means the person in charge of the Government Photo Registry.

(3) "Photo Registrar" means any person appointed by the Provincial Government to perform the duties of Photo Registrar under this Part.

70C. Documents may be photographed in areas notified by State Government.-- (1) The State Government may, by notification in the Official Gazette, direct that in any district or sub-district specified in the notification copies of documents admitted to registration under this Act shall be made by means of photography.

(2) On the issue of such notification it shall be translated into the vernacular of the district and shall be posted in a conspicuous place at the registration offices affected by the notification.

70D. Application of Act to areas notified under section 70C.--In any district or sub-district in respect of which a notification has been issued under section 70C the provisions of this Act shall, for the purposes of this Part, be subject to the following modifications, namely:--

(1) (a) Every document admitted to registration under section 35 or section 41 shall be carefully marked with an identification stamp and the serial number of the document on every page.

(b) It shall then be transmitted by the registering officer to the Manager, Government Photo Registry who shall cause, each side of each page of such document together with all stamps, endorsements, seals, signatures, thumb-impressions and certificates appearing thereon to be photographed without subtraction or alteration. He may for this purpose cut or untie, without breaking any seals, the thread or ribbon where with the pages of the document are sewn together in order to separate the pages of the document and as soon as the document has been photographed he shall rebind the document as before and if he has cut the thread or ribbon shall seal it over the joint with his seal:

Provided that before transmission of the document to the Manager, Government Photo Registry the party presenting the document may require the registering officer to have it copied by hand under section 52 on payment of an additional copying fee.

(c) There shall then be prepared and preserved the negative and at least one photographic print and to each such negative and print the Photo Registrar shall fix his signature and seal in token of the exact correspondence of the copy of the original document, as admitted for registration:

Provided that when more than one such negative is recorded on one length of film and the Photo Registrar has affixed his signature and seal at the end of such length of film certifying in the manner prescribed by rules made in this behalf the exact correspondence of all copies on such length of film with the original documents, the Photo Registrar shall be deemed to have affixed his signature and seal to each such negative on such length of film:

Provided further that in case of documents containing plans or maps the negatives of such plans and maps may be prepared on paper instead of on films and where the negatives are so prepared, the Photo Registrar shall fix his signature and seal separately to each such negative and print of such plan or map in token of the exact correspondence of the copy to the original map or plan contained in the document as admitted for registration.

(d) One set of such prints arranged in the order of their serial numbers shall be made up into books and sewn or bound together. To each such book the Registrar or Sub-Registrar shall prefix a certificate of the serial numbers it contains, and the books shall then be preserved in the records of the Sub-Registrar. The negatives shall be preserved in such suitable place as the Inspector-General may prescribe:

Provided that prints of plants or maps contained in documents may either be bound with the prints of such documents or filed separately in such manner as the Inspector-General may direct.

(2) All words and expressions used in the Act with reference to the making of copies of documents by hand or the entering or filing of documents or memorandum in book provided under section 16 shall, so far as may be necessary, be construed as referring to the making of such copies by means of photography or the entering or filing of documents or memoranda in books made up of copies prepared by means of photography.

(3) Where this Part applies the sections mentioned below shall be deemed to be modified as follows:

(a) in section 19 the words "and also by a true copy" shall be omitted;

(aa) sub-section (2) of section 20 shall be omitted;

(b) sub-section (4) of section 21 shall be omitted;

(c) the words "according to the order of its admission" occurring in clause (c) of sub-section (1) of section 52 shall be omitted;

(d) section 53 shall be omitted;

(e) in sub-section (1) of section 60 the words "and page" shall be omitted;

(f) sub-section (1) of section 61 shall be omitted;

(g) in sub-section (1) of section 62,--

(i) for the words "transcribed" the word 'copied' shall be substituted; and

(ii) for the Words and figures "copy referred to in section 19", the words "photograph of the original" shall be substituted.

70F. Savings.--(1) Nothing in this Part shall apply to any document which is prepared on a printed or lithographed form or which in the opinion of the registering officer is not in a fit condition to be photographed.

(2) Notwithstanding anything contained in this Part, in the case of any document containing a map, plan or trade mark label, if the party presenting the document so desires, the registering officer may accept true copies of such map, plan or trade mark label and where such true copies are accepted, the map, plan or trade mark label shall not be photographed and such copies thereof shall be filed in the appropriate book."

1. Vide Andhra Pradesh Act 16 of 1999, section 6 (w.e.f. 31-12-1998).

2. Vide Act 11 of 1960, section 87 and Gujarat A.L.O., 1960.

3. Vide Karnataka Act 41 of 1984, section 5 (w.e.f. 7-11-1986).

4. Vide Bombay Acts 17 of 1930 section 3 (w.e.f. 4-9-1930), 18 of 1933, 24 of 1938 read with 35 of 1958, section 2 (w.e.f. 24-4-1958).
