

Registration Act, 1908

Section 78 - Fees to Be Fixed by State Government

¹ [***] The ² [State Government] shall prepare a table of fees payable--

- (a) for the registration of documents;
- (b) for searching the registers;
- (c) for making or granting copies of reasons, entries or documents, before on or after registration; and of extra or additional fees payable--
- (d) for every registration under section 30;
- (e) for the issue of commissions;
- (f) for filing translations;
- (g) for attending at private residences;
- (h) for the safe custody and return of document; and
- (i) for such other matters as appear to the Government necessary to effect the purposes of this Act.

STATE AMENDMENTS

³ Kerala:

Renumber section 78 as sub-section (1) thereof and after it insert the following as sub-section (2), namely:--

"(2) The State Government may, if in their opinion it is necessary in the public interest so to do, by order published in the Official Gazette, remit the fees payable in respect of any of the matters enumerated in clauses (a) to (i) of sub-section (1) either generally or for any particular class or classes of cases and in respect of persons generally or of any particular class or classes of persons."

⁴ Pondicherry:

Section 78 be renumbered as sub-section (1), insert sub-section (2) as under--

"(2) The State Government, if it is of opinion that there are reasonable grounds for doing so, may, by order published in the Official Gazette, remit in the whole or any part of the Union territory of Pondicherry, any fee or fees payable in respect of any matter or matters enumerated in clauses (a) to (i) of sub-section (1), either generally or for any particular class or classes of cases and in respect of persons generally or of any particular class or classes of persons."

⁵ Rajasthan:

Section 78 be renumbered as sub-section (1), insert sub-section (2), as under--

"(2) The State Government may, if in its opinion it is necessary in the public interest so to do, by order published in the Official Gazette, remit or reduce the fees payable in respect of any of the matters enumerated in clauses (a) to (i) of subsection (1), either generally or for any particular class or classes of cases and in respect of persons generally or of any particular class or classes of persons."

⁶ West Bengal:

Renumber section 78 as sub-section (1) thereof and after it, insert the following subsection, namely:--

"(2) The State Government, if it is of opinion that there are reasonable grounds for doing so, may, by order published in the Official Gazette, remit in the whole or any part of West Bengal any fee or fees in respect of any matter or matters enumerated in clauses (a) to (i) of sub-section (1), either generally or for any particular class or classes of cases and in respect of persons generally or of any particular class or classes of persons."

Section 78A

⁷ Goa:

After section 78, insert as under--

"78A. Power to reduce or remit fees.--If the Government of Goa, Daman and Diu is satisfied that it is necessary in the public interest so to do, it may, by notification in the Official Gazette, reduce or remit, whether prospectively or retrospectively, in the whole or any part of the territory, any fee or fees payable in respect of any of the matters enumerated in clauses (a) to (i) of section 78, either generally or for any particular class or classes of cases and in respect of persons generally or any particular class or classes of persons."

⁸ Tamil Nadu:

In its application to the State of Tamil Nadu, after section 78, added the following new section, namely,--

"78A. Power to reduce or remit fees.--The State Government may, if in their opinion it is necessary in the public interest so to do, by order published in the Tamil Nadu Government Gazette, reduce or remit, whether prospectively or retrospectively, the fees payable in respect of any of the matters enumerated in clauses (a) to (i) of section 78, either generally or for any particular class of cases and in respect of any person or class of persons."

⁹ Uttar Pradesh:

After section 78, insert as under--

"78A. Power to reduce or, remit fees.--The State Government may by rule or order published in the official Gazette, reduce or remit, whether prospectively or retrospectively, in the whole or any part of the territories under its administration, the fees chargeable in respect of any instrument or class of instruments, or in respect of any class of instruments when executed by or in favour of the State Government or any person or class of persons."

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1. The words "Subject to the control of the "Governor-General in Council" omitted by Act 38 of 1920, section 2. and Schedule I.
 2. Substituted by the A.O. 1950, for "Provincial Government".
 3. Vide Kerala Act 7 of 1968, section 14 (w.e.f. 22-2-1968).
 4. Vide Regulation 2 of 1977, section 3 (w.e.f. 1-4-1977).
 5. Vide Rajasthan Act 16 of 1976, section 4 (w.e.f. 13-2-1976).
 6. Vide West Bengal Act 8 of 1956, section 3 (27-1-1956).
 7. Vide Goa Act 14 of 1985, section 2 (27-6-1985).
 8. Vide Tamil Nadu Act 1 of 1998, section 2 (w.e.f. 2-3-1998).
 9. Vide Uttar Pradesh Act 48 of 1975, section 4 (w.e.f. 1-11-1975).
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