

Registration Act, 1908

Part XIV - Of Penalties

Every registering officer appointed under this Act and every person employed in his office for the purposes of this Act, who, being charged with the endorsing, copying, translating or registering of any document presented or deposited under its provisions, endorses, copies, translates or registers such document in a manner which he knows or believes to be incorrect, intending thereby to cause or knowing it to be likely that he may thereby cause, injury, as defined in the Indian Penal Code (45 of 1860), to any person, shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

STATE AMENDMENTS

1Goa:

In section 81,--

(a) for the words "or registering of any document", the words "registering, or filing a true copy of, any document" shall be substituted;

(b) for the words "or registers such document", the words "registers or files a true copy of, such document" shall be substituted.

2Karnataka:

In section 81,--

(i) in the marginal heading for the words "or registering", substitute the words "registering or filing",

(ii) for the words "or registering of any document", substitute the words "registering or filing a true copy of any document".

(iii) for the words "or registers such document", substitute the words "registers or files a copy of such document."

3Kerala:

In section 81,--

(a) for the words "or registering of any document", substitute the words "registering, or filing a true copy of, such document";

(b) for the words "or registers such document", substitute the words "registers, or files a true copy of, such document".

4Orissa:

Same as in Kerala.

5Pondicherry:

In section 81,--

(i) in the marginal heading for the words "or registering", substitute the words "or registering or filing";

(ii) in the body of the section, for the words "or registering of any document", substitute the words "registering or filing a true copy, of any document"; and

(iii) for the words "or registers such document", substitute the words "registers, or files a copy of, such document".

6Tamil Nadu:

Same as in Pondicherry above.

7Tripura:

Substitute section 81 as under:

"81. Every registering officer appointed under this Act, and every person employed in his office for the purposes of this Act, who, being charged with the checking, endorsing, reading, examining, copying, translating, comparing, pasting a true copy, pasting a copy of the translation or registering of any document presented or deposited under its provisions checks, endorses, reads, examines, copies, translates, compares, pastes a true copy, pastes a copy of the translation or registers such document in a manner which he knows or believes to be incorrect intending thereby to cause or knowing it to be likely that he may thereby cause injury as defined in the Indian Penal Code, to any person, shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both."

8West Bengal:

In section 81,--

(i) in the marginal note, for the words "or registering", substitute the words "registering or filing",

(ii) for the words "or registering of any document", substitute the words "registering or filing a true copy, of any document", and

(iii) for the words "or registers such documents", substitute the words "registers or files a copy of such document".

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1. Vide Goa Act 24 of 1985, section 12 (w.e.f. 5-12-1985).
 2. Vide Karnataka Act 55 of 1976, section 15 (w.e.f. 24-10-1976).
 3. Vide Kerala Act 7 of 1968, section 15 (w.e.f. 22-2-1968).
 4. Vide Orissa Act 14 of 1989, section 13 (w.e.f. 19-9-1989).
 5. Vide Pondicherry Act 17 of 1970, section 5 (w.e.f. 18-7-1970).
 6. Vide Tamil Nadu Act 21 of 1966, section 3 (w.e.f. 1-4-1967).
 7. Vide Tripura Act 7 of 1982, section 14 (w.e.f. 1-1-1983).
 8. Vide West Bengal Act 17 of 1978, section 4 (w.e.f. 1-1-1983).

Section 82 - Penalty for making false statements, delivering false copies or translations, false personation, and abetment

Whoever--

(a) intentionally makes any false statement, whether on oath or not, and whether it has been recorded or not, before any officer acting in execution of this Act, in any proceeding or enquiry under this Act; or

(b) intentionally delivers to a registering officer, in any proceeding under section 19 or section 21, a false copy or translation of a document, or a false copy of a map or plan; or

(c) falsely personates another, and in such assumed character presents any document, or makes any admission or statement, or causes any summons or commission to be issued, or does any other act in any proceeding or enquiry under this Act; or

(d) abets anything made punishable by this Act,

shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

STATE AMENDMENTS

1Goa:

In section 82 of the principal Act, for the words and figures "section 19 or section 21", the words "this Act or the rules made thereunder" shall be substituted.

2Karnataka:

Amendment to section 82(b) is the same as in Kerala.

3Kerala:

In clause (b) of section 82, for the words "section 19 or section 21", substitute the words "this Act or the rules made thereunder".

4Orissa:

Same as in Kerala.

5Pondicherry:

Same as in Kerala.

6Tamil Nadu:

Same as in Kerala.

7Tripura:

Substitute section 82(b) as under:

"(b) intentionally delivers to a registering officer, in any proceeding under this Act or the rules made thereunder, a false copy or translation of a document, or a false copy of a map or plan; or".

Uttar Pradesh:

In section 82, clause (b) was substituted as under:

"(b) intentionally delivers to a registering officer, in any proceeding under section 19 or section 21, a false copy or translation of a document, or a false copy of a map or plan; or"--Uttar Pradesh Act 14 of 1971, section 6 (w.e.f. 25-5-1971). This clause has now been substituted by Uttar Pradesh Act 19 of 1981, section 14 (w.r.e.f. 1-8-1981) and the substituted clause is the same as original clause (b).

8West Bengal:

Same as in Kerala.

Section 82A

9Karnataka:

After section 82, insert as under:

"82A. Penalty in respect of deed-writers.--Whoever contravenes the provisions of section 80B or any term or condition of a licence granted under rules made under section 69, shall be punishable with imprisonment which may extend to one month or with fine which may extend to two hundred rupees or with both."

10Madhya Pradesh:

Mahakoshal.--In its application to Mahakoshal region of the State of Madhya Pradesh, after section 82, the following section shall be inserted, namely:--

"82A. Penalty for writing documents without licence.--(1) On and from such date as the State Government may, by notification, appoint in this behalf, no person shall write a document for another person for presentation to a registering officer except under a licence granted in accordance with the rules made under this Act:

Provided that nothing in this sub-section shall apply where the writer of such document is an authorised agent of the executant or a pleader engaged by the executant for drawing up the document or the registered clerk of such pleader.

(2) Whoever contravenes the provisions of sub-section (1) shall be punishable with fine which may extend to two hundred rupees."

Maharashtra:

Vidarbha.--Section 82A inserted by the Madhya Pradesh Act 8 of 1955 is repealed in its application to the Vidarbha region of the State of Maharashtra by Bombay Act 35 of 1958, section 3 (w.e.f. 24-4-1958).

11Tamil Nadu:

After section 82, insert as under:

"82A. Penalty.--Whoever acts as a tout whilst his name is included in a list of touts framed and published under this Act shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees or with both."

12West Bengal:

After section 82, insert the following new section, namely:--

"82A. Penalty.--Whoever acts as a tout whilst his name is included in a list of touts framed and published under this Act shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both."

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1. Vide Goa Act 24 of 1985, section 13 (w.e.f. 5-12-1985).
 2. Vide Karnataka Act 55 of 1976, section 16 (w.e.f. 23-10-1976).
 3. Vide Kerala Act 7 of 1968, section 16 (w.e.f. 22-2-1968).
 4. Vide Orissa Act 14 of 1989, section 13 (w.e.f. 19-9-1989).
 5. Vide Pondicherry Act 17 of 1970, section 6 (w.e.f. 1-11-1970).

6. Vide Tamil Nadu Act 21 of 1966, section 4 (w.e.f. 1-4-1967).
7. Vide Tripura Act 7 of 1982, section 15 (w.e.f. 1-1-1983).
8. Vide West Bengal Act 17 of 1978, section 5 (w.e.f. 1-1-1983).
9. Vide Karnataka Act 55 of 1976, section 17 (w.e.f. 23-10-1976).
10. Vide Madhya Pradesh Act 8 of 1955, section 2 (w.e.f. 18-4-1955).
11. Vide Tamil Nadu Act 38 of 1987, section 3 (w.e.f. 1-1-1988).
12. Vide Bengal Act 5 of 1942, section 10 (w.e.f. 1-11-1943).

Section 83 - Registering officers may commence prosecutions

(1) A prosecution for any offence under this Act coming to the knowledge of a registering officer in his official capacity may be commenced by or with the permission of the Inspector-General,¹[***] the Registrar or the Sub-Registrar, in whose territories, district or sub-district, as the case may be, the offence has been committed.

(2) Offences punishable under this Act shall be triable by any Court or officer exercising powers not less than those of a Magistrate of the second class.

STATE AMENDMENTS

²Goa, Daman and Diu:

In section 83, for sub-section (1), substitute the following:--

"(1) No prosecution for any offence under this Act shall be commenced save by or with the permission of the Inspector-General or any officer empowered in this behalf by the Government."

³Tamil Nadu:

In section 83, in sub-section (2), for the word "Offences", the words, figures and letter "Save as provided in section 80G, offences" shall be substituted.

⁴West Bengal:

In sub-section (2), for the word "Offences", substitute the words, figure and letter "Save as provided in section 80F, offences".

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1. The words "the Branch Inspector-General of Sindh", omitted by A.O. 1937.
 2. Vide Goa Act 2 of 1968, section 3.
 3. Vide Tamil Nadu Act 38 of 1987, section 3 (w.e.f. 1-1-1988).
 4. Vide Bengal Act 5 of 1942, section 11 (w.e.f. 1-11-1943).

Section 84 - Registering officers to be deemed public servants

(1) Every registering officer appointed under this Act shall be deemed to be a public servant within the meaning of the Indian Penal Code (45 of 1860).

(2) Every person shall be legally bound to furnish information to such registering officer when required by him to do so.

(3) In section 228 of the Indian Penal Code (45 of 1860), the words "judicial proceeding" shall be deemed to include any proceeding under this Act.

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