

of the same section, or to any registered document which had not priority under the law in force at the commencement of this Act.

Explanation.— In cases where Act No. 16 of 1864 or the Indian Registration Act, 1866 (20 of 1866), was in force in the place and at the time in and at which such unregistered document was executed, “unregistered” means not registered according to such Act, and, where the document is executed after the first day of July, 1871, not registered under the Indian Registration Act, 1871 (8 of 1971), or the Indian Registration Act, 1877 (3 of 1977), or this Act.

STATE AMENDMENTS

Andhra Pradesh:

In section 50, in sub-section (1), for the expression “clauses (a), (b), (c) and (d) of section 17”, substitute the expression “clauses (a), (b), (c), (d), (e), (f) and (g) of section 17”.
[Vide Andhra Pradesh Act 4 of 1999, sec. 6 (w.e.f. 1-4-1999).]

Pondicherry:

In section 50, for *Explanation*, substitute the following *Explanation*, namely:—
‘*Explanation.*—“Unregistered” means not registered according to any law in force before the 9th day of January, 1969 or this Act.’
[Vide Pondicherry Act 17 of 1970, sec. 3 (w.e.f. 1-11-1970).]

Uttar Pradesh:

In section 50,—
(i) in sub-section (1) after the words, figures and letters “and clauses (a) and (b) of section 18”, insert the words “as these clauses stood before their omission by the Uttar Pradesh Civil Laws (Reforms and Amendment) Act, 1976”; and
(ii) in sub-section (2), after the words and figures “proviso to sub-section (1) of section 17”, insert the words and figures “as the proviso stood before its omission by the Uttar Pradesh Civil Laws (Reforms and Amendment) Act, 1976”.
[Vide Uttar Pradesh Act 19 of 1981, sec. 9 (w.e.f. 1-8-1981).]

COMMENTS

Section 50 of the Registration Act, has to be read in the light of section 17 of the same Act and Section 91 of the Evidence Act. If this is done the word “affect” will be seen to be a compendious term for expressing the longer phrase “purporting or operating to create, declare, assign, limit or extinguish whether in present or in future, any right, title or interest whether vested or contingent”; *Saraswathamma v. Paddavva*, AIR 1923 Mad 297.

PART XI

OF THE DUTIES AND POWERS OF REGISTERING OFFICERS

(A) As to the Register-books and Indexes

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

Andhra Pradesh:

In section 51, in sub-section (1), for the words “The following books”, substitute the words “The following books and the information storage devices as specified in sub-section (1) of section 16”.

[Vide Andhra Pradesh Act 16 of 1999, sec. 4 (w.e.f. 31-12-1998).]

Bihar:

In section 51, add the following sub-section, 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.”

[Vide Bihar Act 14 of 1947, sec. 2 (w.e.f. 21-4-1947).]

Goa:

In section 51,—

(a) for sub-section (2), substitute the following sub-section, 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”, substitute the words “filed true copies of all documents”.

[Vide Goa Act 24 of 1985, sec. 5 (w.e.f. 5-12-1985).]

Gujarat:

Same as in Maharashtra.

[Vide Act 11 of 1960, sec. 87 and Gujarat A.L.O. 1960.]

Karnataka:

(i) In section 51, in sub-section (2) and sub-section (3) amendments are the same as in Kerala.

(ii) in section 51, after sub-section (4), insert the following sub-section, namely:—

“(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."

[Vide Karnataka Act 41 of 1984, sec. 2 (w.e.f. 7-11-1986); Karnataka Act 55 of 1976, sec. 6 (w.e.f. 24-10-1976).]

Kerala:

In section 51,—

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

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

[Vide Kerala Act 7 of 1968, sec. 7 (w.e.f. 22-2-1968).]

Maharashtra:

In section 51,—

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

[Vide Bombay Act 5 of 1929, sec. 7 (w.e.f. 22-5-1929) read with Act 35 of 1958, sec. 2 (w.e.f. 28-4-1958).]

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

"(5) 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 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."

[Vide Bombay Act 24 of 1938, sec. 3 (w.e.f. 8-2-1939) read with Act 35 of 1958, sec. 2 (w.e.f. 28-4-1958).]

(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".

[Vide Maharashtra Act 20 of 1971, sec. 58(c) (w.e.f. 15-6-1972).]

Orissa:

In section 51,—

(a) for sub-section (2), substitute the following sub-section, 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 the words "filed true copies of all documents";

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

"(5) 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 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."

[Vide Orissa Act 14 of 1989, sec. 6 (w.e.f. 19-9-1989).]

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:—

Same as in Kerala (i) and (ii).

[Vide Pondicherry Act 17 of 1970, sec. 3 (w.e.f. 1-11-1970).]

Tamil Nadu:

In section 51, in sub-section (1),—

(i) for the expression "The following books", substitute the expression "The following books and the information storage devices";

(ii) at the end, add the following, namely:—

"C—In the office of the Registering Officer notified by the State Government under sub-section (1) of section 70B—

Information storage devices as specified in sub-section (2A) of section 16."

[Vide Tamil Nadu Act 50 of 2000, sec. 4 (w.e.f. 25-7-2000).]

Tripura:

In section 51,—

(i) For sub-section (2), substitute the following sub-section, namely:—

"(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".

[Vide Tripura Act 7 of 1982, sec. 6 (w.e.f. 1-1-1983).]

Uttar Pradesh:

(1) In section 51, for sub-sections (2) and (3), substitute the following sections, namely:—

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

Provided that where Book is in electronic form, all documents, after than wills, registered under aforesaid section or true copies thereof as the case may be, or memoranda shall be scanned in it and a printout thereof shall be kept permanently in Book 1.

(3) In Book 4, shall be filed true copies of all documents registered under clauses (d) and (f) of section 18 which do not relate to immovable property:

Provided that where Book is in electronic form, all documents registered under the aforesaid clauses or their true copies, as the case may be, shall be scanned in it and a printout thereof shall be kept permanently in Book 4."

[Vide Uttar Pradesh Act 36 of 2001, sec. 9 (w.e.f. 20-2-2002).]

(2) After sub-section (4), insert the following sub-section, namely:—

"(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."

[Vide Uttar Pradesh Act 19 of 1981, sec. 10 (w.r.e.f. 1-8-1981).]

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.

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

Bihar:

In section 52, in sub-section (1),—

- (i) in clause (a), after the words "every such document", insert the words "along with duplicate copy thereof" shall be inserted.
- (ii) for clause (c), substitute the following clause, namely:—

"(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."

[Vide Bihar Ordinance 7 of 1997, sec. 3 (w.e.f. 11-8-1997).]

Delhi:

Same as in Punjab.

[Vide G.S.R. 465 of 1965, published in the Gazette of India, 1965, Pt. II, Sec. 3(i), p. 499 (w.e.f. 1-11-1966).]

Goa:

In section 52, in sub-section (1), for clause (c), substitute the following clause, namely:—

"(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."

[Vide Goa Act 24 of 1985, sec. 6 (w.e.f. 5-12-1985).]

Himachal Pradesh:

Same as in Punjab.

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

Karnataka:

Same as in Kerala.

[Vide Karnataka Act 55 of 1976, sec. 7 (w.e.f. 24-10-1976).]

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

Kerala:

In section 52, in sub-section (1), for clause (c), substitute the following clause, 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."

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

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, sec. 87 and Gujarat A.L.O. 1960.

Orissa:

Same as in Kerala.

[Vide Orissa Act 14 of 1989, sec. 7 (w.e.f. 19-9-1989).]

Pondicherry:

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

- (i) in clause (a), at the end, add the word "and"; and
- (ii) in clause (b), at the end, omit the word "and".

(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."

[Vide Pondicherry Act 17 of 1970, sec. 4 (w.e.f. 1-11-1970).]

Punjab, Haryana and Chandigarh:

In section 52, in sub-section (1), for clause (c), substitute the following clause, 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."

[Vide Punjab Act 19 of 1961, sec. 4 (w.e.f. 4-5-1961); Act 31 of 1966, sec. 89 (w.e.f. 1-11-1966).]

Rajasthan:

In section 52, in sub-section (1), for clause (c), substitute the following clause, namely:—

"(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."

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

Tamil Nadu:

Same as in Pondicherry.

[Vide Tamil Nadu Act 21 of 1966, sec. 2 (w.e.f. 1-4-1967).]

Tripura:

In section 52, in sub-section (1), for clause (c), substitute the following clause, namely:—

- “(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.”

[Vide Tripura Act 7 of 1982, sec. 7 (w.e.f. 1-1-1983).]

Uttar Pradesh:

In section 52,—

- (a) in sub-section (1),—
- (i) in clause (a), for the words “every such document at the time of presenting it”, substitute the words “every such document and true copy thereof at the time of presenting it; and”;
- (ii) for clauses (b) and (c), substitute the following clause, namely:—
- “(b) a receipt for such document shall be given by the Registering Officer to the person presenting the same.”
- (b) omit sub-section (2).

[Vide Uttar Pradesh Act 36 of 2001, sec. 10 (w.e.f. 20-5-2002).]

West Bengal:

In section 52, in sub-section (1),—

- (i) in clause (a), at the end, add the word “and”.
- (ii) in clause (b), at the end, omit the word “and”.
- (iii) omit clause (c);
- (iv) 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 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.”

- (v) after sub-section (2), add the following sub-section, 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.

(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.”

[Vide West Bengal Act 17 of 1978, sec. 3 (w.e.f. 1-1-1983).]

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, sec. 87.

Uttar Pradesh:

In section 53, insert the following proviso, namely:—

“Provided that where Book is in electronic form, all entries and numbers in that Book and the Book maintained manually shall be identical.”

[Vide Uttar Pradesh Act 36 of 2001, sec. 11 (w.e.f. 20-5-2002).]

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**Bihar:**

Renumber section 54 as sub-section (1) thereof and after sub-section (1), as so renumbered, add the following sub-section, namely:—

“(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.”

[Vide Bihar Act 24 of 1952, sec. 2 (w.e.f. 22-10-1952).]

Goa:

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

[Vide Goa Act 24 of 1985, sec. 7 (w.e.f. 5-12-1985).]

Gujarat:

Same as in Maharashtra.

[Act 11 of 1960, sec. 87 and Gujarat A.L.O., 1960.]

Karnataka:

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

[Vide Karnataka Act 55 of 1976, sec. 8 (w.e.f. 24-10-1976).]

Kerala:

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

[Vide Kerala Act 7 of 1968, sec. 9 (w.e.f. 22-2-1968).]

Maharashtra:

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”.

[Vide Bombay Act 5 of 1929, sec. 8 (w.e.f. 22-5-1929) read with Act 35 of 1958 (w.e.f. 24-4-1958).]

Orissa:

Same as in West Bengal.

[Vide Orissa Act 14 of 1989, sec. 8.]

Pondicherry:

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", substitute words "filed a true copy of, or".

[Vide Pondicherry Act 17 of 1970, Sch., Item 4 (w.e.f. 1-11-1970).]

Tripura:

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

[Vide Tripura Act 7 of 1982, sec. 8 (w.e.f. 1-1-1983).]

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.

Uttar Pradesh:

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

[Vide Uttar Pradesh Act 36 of 2001, sec. 12 (w.e.f. 20-5-2002).]

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**Goa:**

In section 55,—

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

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

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

[Vide Goa Act 24 of 1985, sec. 8 (w.e.f. 5-12-1985).]

Gujarat:

Same as in Maharashtra.

[Vide Act 11 of 1960, sec. 87 and Gujarat A.L.O., 1960.]

Karnataka:

Same as in Kerala.

[Vide Karnataka Act 55 of 1976, sec. 9 (w.e.f. 24-10-1976).]

Kerala:

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".

[Vide Kerala Act 7 of 1968, sec. 10 (w.e.f. 22-2-1968).]

Maharashtra:

In section 55,—

(a) for sub-section (1), substitute the following sub-section, 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), insert the following sub-section, 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), insert the following sub-section, 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, substitute 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".

[Vide Bombay Acts 5 of 1929, sec. 9 (w.e.f. 22-5-1929) read with 35 of 1958, sec. 2 (w.e.f. 24-4-1958).]

Orissa:

In section 55,—

(i) in sub-section (2), for the words "document 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"; and

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

[Vide Orissa Act 14 of 1989, sec. 9 (w.e.f. 19-9-1989).]

Pondicherry:

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", substitute the words "every document of which a true copy or a memorandum is filed";

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

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

[Vide Pondicherry Act 17 of 1970, Sch., Item 5.]

Tripura:

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".

[Vide Tripura Act 7 of 1982, sec. 9 (w.e.f. 1-1-1983).]

Uttar Pradesh:

In section 55, after sub-section (6), insert the following sub-section, namely:—

"(7) Where Book is in electronic form, the indexes made under this section shall also be stored in electronic form in the manner prescribed by rules under section 69."

[Vide Uttar Pradesh Act 36 of 2001, sec. 13 (w.e.f. 20-5-2002).]

West Bengal:

Same as in Pondicherry.

[Vide West Bengal Act 17 of 1978, sec. 7 and Sch.]

Section 55A

West Bengal:

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

[Vide West Bengal Act 31 of 1951, sec. 2 (w.e.f. 2-11-1951).]

56. Copy of entries in Indexes Nos. I, II and III to be sent by Sub-Registrar to Registrar and filed.—[Rep. by the Indian Registration (Amendment) Act, 1929 (15 of 1929), sec. 2.]

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 of 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

Gujarat:

Same as in Maharashtra.

[Vide Act 11 of 1960, sec. 87 and Gujarat A.L.O., 1960.]

Maharashtra:

In section 57, in sub-section (1), after the words and figure "Book No. 1", insert the words and figures "and, so long as they are preserved, the copies filed under sub-sections (1) and (3) of section 89 and the indexes relating to such copies".

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

Uttar Pradesh:

In section 57, in sub-section (1), for the words and figure "to Book No. 1", substitute the words and figure "to Book No. 1, other than those in electronic form,".

[Vide Uttar Pradesh Act 36 of 2001, sec. 14 (w.e.f. 20-5-2002).]

(B) As to the procedure on admitting to Registration

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:—

- 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;
- the signature and addition of every person examined in reference to such document under any of the provisions of this Act; and
- 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.

STATE AMENDMENTS

Tamil Nadu:

In section 58,—

(i) in sub-section (1), after item (a), insert the following item, namely:—

"(aa) in the case of a document for sale of property, the signature and addition of every person admitting the claim under such document, and, if such claim has been admitted by the representative, assign or agent of any person, the signature and addition of such representative, assign or agent;"

(ii) in sub-section (2), after the expression "execution of a document", insert the expression "and in the case of a document for sale of property, any person admitting the execution of such document, or any person admitting the claim under that document".

[Vide Tamil Nadu Act 28 of 2000, sec. 5.]

Uttar Pradesh:

In section 58, in sub-section (1), for the words "admitted to registration", substitute the words "admitted to registration and true copy thereof".

[Vide Uttar Pradesh Act 36 of 2001, sec. 15 (w.e.f. 20-5-2002).]

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.

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

Bihar:

In section 60, in sub-section (1), for the words "together with the number and page of the book in which the document has been copied", substitute the words "together with reference to the serial number of the duplicate copy and the number of the book in which it is placed".
[Vide Bihar Ordinance 7 of 1997, sec. 4 (w.e.f. 11-8-1997).]

Goa:

In section 60, in sub-section (1), for the words "the document has been copied", substitute the words "the true copy of the document has been filed".
[Vide Goa Act 24 of 1985, sec. 9 (w.e.f. 5-12-1985).]

Gujarat:

Same as in Maharashtra.

[Vide Gujarat Act 11 of 1960, sec. 87 and Gujarat A.L.O. 1960.]

Karnataka:

Same as in Kerala.

[Vide Karnataka Act 55 of 1976, sec. 10 (w.e.f. 24-10-1976).]

Kerala:

In section 60, in sub-section (1), for the words "the document has been copied", substitute the words "the true copy of the document has been filed".
[Vide Kerala Act 7 of 1968, sec. 11 (w.e.f. 22-2-1968).]

Maharashtra:

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).]

Orissa:

Same as in Kerala.

[Vide Orissa Act 14 of 1989, sec. 10 (w.e.f. 19-9-1989).]

Pondicherry:

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:

In section 60, in sub-section (1), for the words "the document has been copied", substitute the words "true copy of the document has been filed".
[Vide Pondicherry Act 17 of 1970, Sch., Item (6) (w.e.f. 1-11-1970).]

Tripura:

In section 60, in sub-section (1), for the words "the document has been copied", substitute the words "the true copy of the document has been pasted".
[Vide Tripura Act 7 of 1982, sec. 10 (w.e.f. 1-1-1983).]

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.

Uttar Pradesh:

In section 60, in sub-section (1), for the words "thereon a certificate containing the words "registered", together with the number and page of the book in which the document has been copied", substitute the words "thereon and on the true copies thereof, a certificate containing the word "registered", together with a reference to the number and page of the appropriate Book in which the document or its true copy is to be scanned or kept".

[Vide Uttar Pradesh Act 36 of 2001, sec. 16 (w.e.f. 20-5-2002).]

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

Andhra Pradesh:

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

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

[Vide Andhra Pradesh Act 16 of 1999, sec. 5 (w.e.f. 31-12-1998).]

Goa:

In section 61, for sub-section (1), substitute the following sub-section, namely:—

"(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."

[Vide Goa Act 24 of 1985, sec. 10 (w.e.f. 8-12-1985).]

Gujarat:

Same as in Maharashtra.

[Vide Gujarat Act 11 of 1960, sec. 87 and Gujarat A.L.O. 1960.]

Karnataka:

Same as in Kerala.

[Vide Karnataka Act 55 of 1976, sec. 11 (w.e.f. 24-10-1976).]

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

[Vide Karnataka Act 41 of 1984, sec. 3 (w.e.f. 7-11-1986).]

Kerala:

In section 61, for sub-section (1), substitute the following sub-section, namely:—

"(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 alongwith 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."

[Vide Kerala Act 7 of 1968, sec. 12 (w.e.f. 22-2-1968).]

Maharashtra:

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).

Orissa:

Same as in Kerala.

[Vide Orissa Act 14 of 1989, sec. 11 (w.e.f. 19-9-1989).]

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:—

In section 61, in sub-section (1), for the words "copied into the margin of the register book", substitute the words "copied in the true copy of the document filed under sub-section (1B) of section 52".

[Vide Pondicherry Act 17 of 1970, Sch., Item 7 (w.e.f. 1-11-1970).]

Tamil Nadu:

Same as in West Bengal.

[Vide Tamil Nadu Act 21 of 1966, sec. 6 and Sch.]

In section 61, in sub-section (1), add the following proviso, namely:—

"Provided that in the office of the Registering Officer notified by the State Government under sub-section (1) of section 70B, the copying of the items referred to above may be done using electronic devices like scanner."

[Vide Tamil Nadu Act 50 of 2000, sec. 5 (w.e.f. 25-7-2000).]

Tripura:

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

[Vide Tripura Act 7 of 1982, sec. 11 (w.e.f. 1-1-1983).]

Uttar Pradesh:

For section 61, substitute the following section, namely:—

"61 Document, endorsements and certificate to be scanned and document returned.—

(1) Subject to the provisions of section 62 after the provisions of registration alongwith the map or plan, if any, mentioned in section 21, shall without unnecessary delay, be scanned and a printout thereof shall be kept permanently in the Book appropriate for the document admitted to registration, according to the order of its admission:

Provided that where, Book is not in electronic form scanning of the document is not possible on the same day, the true copy of the document admitted to registration alongwith the copy of the map or plan, if any mentioned in section 21 shall be kept in the Book appropriate for the document in the manner aforesaid for being scanned at the earliest opportunity and replaced permanently by a printout thereof:

Provided further that a true copy filed before the commencement of the Registration (Uttar Pradesh Amendment) Act, 2001 and not copied in the Book appropriate therefore, shall be deemed to be a true copy presented under section 23A and shall be dealt with in accordance with the provisions of this section:

Provided also that if the true copy filed before the commencement of the Registration (Uttar Pradesh Amendment) Act, 2001 is dim or has otherwise become illegible and has not been copied in the Book appropriate therefor, the Registration Officer shall, with the prior approval of the Registrar, require the party concerned to deliver the document to him for getting its true copy prepared for the purposes of this section and if the party concerned informs him that the document has been lost or destroyed, the true copy available in the registration office shall be dealt with in accordance with the provisions of this section.

(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.

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

[Vide Uttar Pradesh Act 36 of 2001, sec. 17 (w.e.f. 20-5-2002).]

West Bengal:

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

[Vide West Bengal Act 7 of 1989, sec. 11 (w.e.f. 1-1-1983).]

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**Delhi:**

Same as in Punjab.

[See G.S.R. 465, Gazette of India, Pt. II, Sec. 3(i), p. 499 (w.e.f. 1-4-1965).]

Goa:

In section 62, in sub-section (1), substitute the following sub-section, namely:—

"(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."

[Vide Goa Act 24 of 1985, sec. 11 (w.e.f. 5-12-1985).]

Gujarat:

Same as in Maharashtra.

[Vide Gujarat Act 11 of 1960, sec. 87 and Gujarat A.L.O. 1960.]

Himachal Pradesh:

Same as in Punjab.

[Vide Himachal Pradesh Act 2 of 1969, sec. 6 (w.e.f. 1-4-1969).]

Karnataka:

Same as in Kerala.

[Vide Karnataka Act 55 of 1976, sec. 12 (w.e.f. 24-10-1976).]

Kerala:

In section 62, for sub-section (1), substitute the following sub-section, namely:—

"(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."

[Vide Kerala Act 7 of 1968, sec. 13 (w.e.f. 22-2-1968).]

Maharashtra:

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).

Orissa:

Same as in Kerala.

[Vide Orissa Act 14 of 1989, sec. 12 (w.e.f. 19-9-1989).]

Pondicherry:

In its application to classes of documents specified in the rules made under section 52(3), the section 62 shall have effect subject to the following modification:—

For sub-section (1), substitute the following sub-section, namely:—

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

[Vide Pondicherry Act 17 of 1970, Sch., Item 7, (w.e.f. 1-11-1970)].

Punjab, Haryana and Chandigarh:

In section 62, for sub-section (1), substitute the following sub-section, namely:—

"(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."

[Vide Punjab Act 19 of 1961, sec. 5 (w.e.f. 4-5-1961); Act 31 of 1966, sec. 88.]

Rajasthan:

In section 62, for sub-section (1), substitute the following sub-section, namely:—

“(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.”

[Vide Rajasthan Act 11 of 1982, sec. 6 (w.e.f. 16-7-1982).]

Tripura:

In section 62, for sub-section (1), substitute the following sub-section, namely:—

“(1) 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.”

[Vide Tripura Act 7 of 1982, sec. 12 (w.e.f. 1-1-1983).]

Tamil Nadu:

Same as in Orissa.

[Vide Tamil Nadu Act 21 of 1966, sec. 6 and Sch.]

Uttar Pradesh:

For section 62, substitute the following section, namely:—

“62. *Procedure on presenting document in language unknown to Registering Officer.*—(1) When a document is presented for registration under section 19, the original document shall be dealt with in accordance with the provisions of sections 52, 58, 59, 60 and 61 and the translation thereof shall also be scanned alongwith the original document and its printout kept long with the printout of the original document, and if Book is not in electronic form or the scanning is not possible on the same day the true copy of the translation shall be kept alongwith the true copy of the document in accordance with sub-section (1) of section 61 and for the purpose of making the copies and memoranda required by sections 57, 64, 65 and 66, it shall be treated as if it were the original.”

[Vide Uttar Pradesh Act No. 36 of 2001, sec. 18 (w.e.f. 20-5-2002).]

West Bengal:

Same as in Orissa.

[Vide West Bengal Act 17 of 1978, sec. 7 Sch.]

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.

*(C) Special duties of Sub-Registrar***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.

STATE AMENDMENT**Uttar Pradesh:**

In section 64, for the words "Sub-Registrar shall file the memorandum in his Book No. 1", substitute the words "Sub-Registrar shall take similar action on this memorandum as known (sic taken) in a document admitted to registration under sub-section (1) of section 61".

[Vide Uttar Pradesh Act 36 of 2001, sec. 19 (w.e.f. 20-5-2002).]

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.

STATE AMENDMENT**Uttar Pradesh:**

In section 65, in sub-section (2),—

(a) for the words "file in his Book No. 1 the copy of the document and the copy of the map or plan, if any", substitute the words "take a similar action on such copy of the document and the copy of the map or plan, of any as taken on a document admitted to registration under sub-section (1) of section 6."

(b) for the words "file in his Book No. 1", substitute the words "take a similar action on it as taken by the Registrar under this sub-section".

[Vide Uttar Pradesh Act 36 of 2001, sec. 20 (w.e.f. 20-5-2002).]

(D) Special duties of Registrar

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.

STATE AMENDMENT**Uttar Pradesh:**

In section 66,—

(a) in sub-section (3), for the words "file it in his Book No. 1", substitute the words "take a similar action on it as taken as a document admitted to registration under sub-section (1) of section 61".

(b) in sub-section (4), for the words "file it in his Book No. 1", substitute the words "take a similar action on it as taken on a copy received under sub-section (3)".
[Vide Uttar Pradesh Act 36 of 2001, sec. 21 (w.e.f. 20-5-2002).]

67. Procedure after registration under section 30, sub-section (2).—[Rep. by The Registration and other Related Laws (Amendment) Act, 2001 (48 of 2001, sec. 8 (w.e.f. 24-9-2001).]

STATE AMENDMENTS

Andhra Pradesh:

Omit section 67.

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

Gujarat:

Omit section 67.

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

Haryana:

Omit section 67.

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

Rajasthan:

Omit section 67.

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

Uttar Pradesh:

Omit section 67.

[Vide Uttar Pradesh Act 27 of 1994, sec. 6.]

(E) *Of the controlling powers of Registrars and Inspector-General*

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

Bihar:

After section 68, insert the following section, namely:—

"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 terms 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, if any) to be present for registration."

[Vide Bihar Act 6 of 1991, sec. 5 (w.e.f. 8-8-1991).]

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;

1. Subs. by the A.O. 1950, for "Provincial Government".

2. Certain words rep. by Act 5 of 1917, sec. 6 and Sch.

3. Ins. by Act 48 of 2001, sec. 9 (w.e.f. 24-9-2001).

- (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;
- ¹[(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 ²[State Government] for approval, and, after they have been approved, they shall be published in the ³[Official Gazette], and on publication shall have effect as if enacted in this Act.

STATE AMENDMENTS

Andhra Pradesh:

In section 69, in sub-section, after clause (b), insert the following clause, 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.”

[Vide Andhra Pradesh Act 5 of 1960, sec. 2 (w.e.f. 16-12-1960).]

Bihar:

In section 69, in sub-section (1),—

- (i) in clause (g), add the words “and the manner of recopying such books or portions thereof”.

[Vide Bihar Act 14 of 1947, sec. 3 (w.e.f. 21-4-1947).]

- (ii) after clause (h), insert the following clause, namely:—

“(hh) regulating the manner of recopying indexes on portions thereof.”

[Vide Bihar Act 24 of 1952, sec. 3 (w.e.f. 22-10-1952).]

- (iii) after clause (b), insert the following 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.”

[Vide Bihar Act 6 of 1991, sec. 6 (w.e.f. 8-8-1991).]

- (iv) after clause (hh), insert the following clauses, namely:—

“(i)(hh1) regulating the number and manner in which the true duplicate typed or handwritten copies of documents and translation of documents under

1. Ins. by Act 39 of 1948, sec. 4.

2. Subs. by the A.O. 1950, for “Provincial Government”.

3. Subs. by the A.O. 1937, for “Local Official Gazette”.

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.”

[Vide Bihar Ordinance 7 of 1997, sec. 5 (w.e.f. 11-8-1997).]

Delhi:

Same as in Punjab.

[Vide G.S.R. 465 of 1955, published in the Gazette of India, 1965, Pt. II, Sec. 3(i), p. 499.]

Gujarat:

Same as in Maharashtra.

[Vide Act 11 of 1960, sec. 87 and Gujarat A.L.O., 1960.]

Himachal Pradesh:

Same as in Bihar (iii).

[Vide Himachal Pradesh Act 2 of 1969, sec. 7 (w.e.f. 1-4-1969).]

Karnataka:

In section 69(1), in sub-section (1),—

- (i) in clause (g), after the word and figures “section 51”, insert the words “and the manner of re-copying such books on portions thereof”,

- (ii) after clause (i), insert as following clause, namely:—

“(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;”

[Vide Karnataka Act 55 of 1976, sec. 13 (w.e.f. 23-10-1976).]

After clause (j), insert the following clause, namely:—

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

[Vide Karnataka Act 41 of 1984, sec. 4 (w.e.f. 7-11-1986).]

Kerala:

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

- “(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.”

[Vide Kerala Act 2 of 1959, sec. 3 (w.e.f. 1-6-1960).]

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.

Madhya Pradesh:

MAHAKOSHAL.—In its application to the Mahakoshal region of the State of Madhya Pradesh, in section 69, in sub-section (1), after clause (j), insert the following clause, namely:—

- “(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.”

[Vide Madhya Pradesh Act 8 of 1955, sec. 2 (w.e.f. 18-4-1955).]

Maharashtra:

In section 69, in sub-section (1),—

- (i) in clause (g), add the words “and the manner of recopying such books or portions thereof”.

[Vide Bombay Act 24 of 1938, sec. 4 (w.e.f. 8-2-1939) read with Act 35 of 1958, sec. 2 (w.e.f. 24-4-1958).]

- (ii) after clause (gg), insert the following clause, namely:—

“(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.”

[Vide Bombay Act 35 of 1958, sec. 6 (w.e.f. 24-4-1958).]