

THE REGISTRATION ACT, 1908

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Of the Registration Establishment
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S. 6
Official Seal.
S. 15
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S. 16A

Of Registrable Documents
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S. 18
Land to be registered only if it contains description of property and maps or plans.
S. 21

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S. 23
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S. 24
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S. 27

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S. 28
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S. 77

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Fees for registration, searches and copies to be fixed by State Government.
S. 78
Fees for registration shall be payable on presentation of Documents.
S. 80

Of Penalties
A Registration Officer who incorrectly copies, translates or registers documents shall be punished with imprisonment of 7 years or fine or both.
S. 81
A person making false statement, delivering falsified copies or translation, false representation, abetment shall be punished with imprisonment of 7 years or fine or both.
S. 82

THE REGISTRATION ACT, 1908

INTRODUCTION

The Registry laws relating to registration of documents were to be found in West Bengal Regulation (36 of 1793), Bombay Regulation (1 of 1800) and Madras Regulation (17 of 1802). Bombay Regulation (1 of 1800) was replaced by Bombay Regulation (4 of 1802), which was replaced by Bombay Regulation (1 of 1827) and was substituted by Bombay Regulation (9 of 1827). Later Act 1 of 1843 was enacted but it was repealed by Act 19 of 1843 as some doubts arose about the true meaning and construction of Act 1 of 1843. In 1864 the Indian Registration Act, 1864 (16 of 1864) was enacted. This Act came into force on 1st January, 1865. It was amended by Act 9 of 1865. Act 16 of 1864 was replaced by Act 20 of 1866. A new enactment the Indian Registration Act, 1871 (8 of 1871) was brought into force but it was replaced by the Indian Registration Act, 1877 (3 of 1877). Act 3 of 1877 was amended by Acts 12 of 1879, 19 of 1883, 7 of 1886, 7 of 1888, 13 of 1889, 12 of 1891 and 17 of 1899. The need was felt to consolidate the enactments relating to the registration of documents. Accordingly the Indian Registration Bill was introduced in the Legislature. The Bill was referred to the Select Committee. The recommendations of the Select Committee were incorporated in the Bill.

STATEMENT OF OBJECTS AND REASONS

This is a pure consolidating Bill. The provisions relating to the registration of documents are now scattered about in seven enactments. The object of the present Bill is to collect these provisions and to incorporate them in one Act. This will make the law more easily ascertainable. It will further clear the Statute-book of three entire acts and will enable two more Acts to be entirely removed from it on the coming into force of the Code of Civil Procedure, 1908, and of the Indian Limitation Bill, now before Council.

The fact that the General Clauses Act, 1897, will apply to the Bill when passed has rendered it unnecessary to retain some provisions of the present Acts. The opportunity has been taken to incorporate alterations of a formal character intended merely to improve and simplify the language of the existing Act. The numbering of the sections of the Act of 1877 has been preserved.

It has been found that the mere process of consolidation might result in the law being changed in some respects. To avoid this some few amendments appear to be necessary.

ACT 16 OF 1908

The Indian Registration Bill after having been passed by the Legislature received the assent of the Governor-General on 18th December, 1908, and it came on the Statute Book as the Indian Registration Act, 1908 (16 of 1908). By section 2(a) of the Indian Registration (Amendment) Act, 1969 (45 of 1969) the word "Indian" has been omitted (w.e.f. 26-12-1969) and now it stands as THE REGISTRATION ACT, 1908 (16 of 1908).