

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).]