The Registration (Gujarat Amendment) Act, 1982

Act 7 of 1982

Keyword(s):
Registration, Immovable Property, Instruments, Inspector General of Registration

Amendments appended: 18 of 1990, 14 of 2008
AN ACT

further to amend the Registration Act, 1908 in its application to the State of Gujarat.

It is hereby enacted in the Thirty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Registration (Gujarat Amendment) Act, 1982.

(2) It shall be deemed to have come into force on the 18th December, 1981.
Amendment of section 17 of Act XVI of 1908.

2. In the Registration Act, 1908, in its application to the State of Gujarat, in section 17, ---

(1) in sub-section (1), after clause (a), the following clause shall be inserted, namely:---

"(aa) instruments which purport or operate to effect any contract for transfer of immovable property;"

(2) after sub-section (1), the following sub-section shall be inserted, namely:---

"(1A) The provisions of section 23 shall apply to an instrument referred to in clause (aa) of sub-section (1) and executed before the commencement of the Registration (Gujarat Amendment) Act, 1982 as if in that section for the words "from the date of its execution" the words, figures, and letters "from the 1st March, 1982" had been substituted."

(3) in sub-section (2), the explanation shall be deleted.

Repeal and saving.

3. (1) The Registration (Gujarat Amendment) Ordinance, 1981 is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the Registration Act, 1903, as amended by the said Ordinance, shall be deemed to have been done or taken under that Act as amended by this Act.
PART IV
Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the President on the 21st September, 1990 is hereby published for general information.

R. M. MEHTA,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 18 OF 1990.
(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 5th October, 1990.)

AN ACT

further to amend the Registration Act, 1908, in its application to the State of Gujarat.

It is hereby enacted in the Forty-first Year of the Republic of India as follows:

1. (1) This Act may be called the Registration (Gujarat Amendment) Act, 1990.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. In the Registration Act, 1908, in its application to the State of Gujarat (hereinafter referred to as "the principal Act"), in section 30,—

Short title and commencement.

Amendment of Section 30 of XVI of 1908.

IV—Ex.—22—1
(1) in sub-section (2), the brackets and figure "(1)" shall be deleted;

(2) sub-section (3) shall be deleted.

3. In the principal Act, section 67 shall be deleted.

4. In the principal Act, after section 80, the following section shall be inserted, namely:

"80A. (1) If, on inspection or otherwise, it is found that the fee payable under this Act in relation to any document which is registered has not been paid or has been insufficiently paid, such fee may (after failure to pay the same on demand within the period specified therein), on a certificate of the Inspector General of Registration, be recovered from the person who presented such document for registration under section 32 as an arrear of land revenue. The certificate of the Inspector General of Registration shall be final and shall not be called in question in any court or before any authority:

Provided that no such certificate shall be granted unless due inquiry is made and such person is given an opportunity of being heard.

(2) Where the Inspector General of Registration finds that the amount of fee in excess of that which is legally chargeable, has been charged and paid under the provisions of this Act, he may, upon an application in writing or otherwise, refund the excess."
PART IV
Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 16th May, 2008, is hereby published for general information.

H. D. VYAS,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 14 OF 2008.

(First published, after having received the assent of the President in the “Gujarat Government Gazette” on the 5th June, 2008).

AN ACT

further to amend the Registration Act, 1908 in its application to the State of Gujarat.

It is hereby enacted in the Fifty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Registration (Gujarat Amendment) Act, 2008.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

XVI of 1908. 2. In the Registration Act, 1908 in its application to the State of Gujarat, in section 17, in sub-section (1), after clause (c) and before the proviso, the following clauses shall be inserted, namely :-

“(f) power of attorney relating to transfer of immovable property possession whereof has been or is handed over to the purported attorney holder;

(g) instrument relating to the mortgage by deposit of title deeds:”.

Short title and commencement.

Amendment of section 17 of XVI of 1908.