The Registration (The Uttar Pradesh Sanshodhan) Adhiniyam, 1970

Act 14 of 1971

Keyword(s):
Registration, Additional Inspector, Registered, Amendment

रजस्त्रीकरण (उत्तर प्रदेश संशोधन) अधिनियम, 1970
(उत्तर प्रदेश अधिनियम संख्या 14, 1971)
(उत्तर प्रदेश विधान सभा ने दिनांक 14 दिसंबर, 1970 को उपलब्ध चुनाव में सत्ता संभालने के लिए विधान सभा को दिनांक 23 दिसंबर, 1970 को बैठक में स्वीकार किया।
('भारत का संविधान' के अनुसार 201 के अनुसार राज्यपाल ने दिनांक 23 दिसंबर, 1970 को स्वीकार किया।)
उत्तर प्रदेश में प्रत्येक वस्त्र के सम्बन्ध में रजस्त्रीकरण अधिनियम, 1908 का संशोधन करने के लिए

अधिनियम

भारत विधान में इसके संस्करण वर्तमान में निम्नलिखित अधिनियम बनाया जाता हैः

1—(1) यह निम्नलिखित अधिनियम रजस्त्रीकरण (उत्तर प्रदेश संशोधन) अधिनियम, 1908 को संशोधित करता हैः

2—रजस्त्रीकरण अधिनियम, 1908 में निम्नलिखित अधिनियम बनाया जाता हैः

18 के पश्चिम बड़ा दी जाने, प्रतिष्ठा—

“18—क—(1) रजस्त्रीकरण का अधिनियम, 1908 के निम्नलिखित क्रम में रजस्त्रीकरण करने के लिए उपयोगी वस्त्रों का सूची का नाम दिखाया, जो दसवें दिनांक 19 में आमदानी की एक वस्त्र उपलब्ध होने की संभावना का कारण बना।

2—उपाधिक (1) में अधिनियम का प्रतिष्ठा करने हेतु पश्चिम बड़ा दी जाने, प्रतिष्ठा—

3—मूल अधिनियम का वस्त्र 52 में, उपाधिक (1) में, चौथा (५) के पश्चिम वस्त्रों, निम्नलिखित स्वीकार कर्ता दिखाया जाने, प्रतिष्ठा—

4—मूल अधिनियम का वस्त्र 62 में, उपाधिक (1) के पश्चिम वस्त्रों, निम्नलिखित स्वीकार कर्ता दिखाया जाने, प्रतिष्ठा—

5—मूल अधिनियम का वस्त्र 69 में, चौथा (५) के पश्चिम वस्त्रों, निम्नलिखित स्वीकार कर्ता दिखाया जाने, प्रतिष्ठा—

6—निम्नलिखित अधिनियम का वस्त्र 71 में, चौथा (५) के पश्चिम वस्त्रों, निम्नलिखित स्वीकार कर्ता दिखाया जाने, प्रतिष्ठा—

7—निम्नलिखित अधिनियम का वस्त्र 73 में, चौथा (५) के पश्चिम वस्त्रों, निम्नलिखित स्वीकार कर्ता दिखाया जाने, प्रतिष्ठा—

(उन्हीं वर्ष करार के विवरण के लिए उपरोक्त दिनांक 6 जुलाई, 1970 का वर्तमान संशोधन आवेदित देखें)
(ज ज ज ज) अनुरूपणिकाओं और धारा 51 के अधीन रखी गई पुस्तकों की पुन: नकल करने की रीति का विनियमन करने वाले नपति के पुन: नकल करने की रीति का विनियमन करने वाले।

धारा 82 का संदर्भ

6—मूल प्रभावित की धारा 82 में, खण्ड (ख) के स्थान पर निम्नलिखित खण्ड रख दिया जाय,

"(ख) राजस्थानी खचित धारा 18 के धारा 19 या धारा 21 के अधीन किसी कार्यवाही में किसी दस्तावेज की मिल्या प्रति या प्रत्यय या किसी मानचित्र या रेखांक की मिल्या प्रति साद की परिभाषा करेगा या इस प्रकार तिथि वांछित करेगा। धार्मिक।"
THE REGISTRATION (UTTAR PRADESH AMENDMENT) ACT, 1975
(U. P. ACT NO. 48 OF 1975)

[†Authoritative English Text of the Registration (Uttar Pradesh Sanshodhan) Adhiniyam, 1975.]

AN
Act

further to amend the Registration Act, 1908 (Act XVI of 1908), in its application to Uttar Pradesh.

IT IS HEREBY enacted in the Twenty-sixth Year of the Republic of India as follows:

1. (1) This Act may be called the Registration (Uttar Pradesh Amendment) Act, 1975.

(2) It extends to the whole of Uttar Pradesh.

(3) It shall come into force on such date as the State Government may by notification in the Gazette appoint in this behalf.

2. In section 3 of the Registration Act, 1908, as amended in its application to Uttar Pradesh (hereinafter referred to as the principal Act), after sub-section (2), the following sub-section shall be inserted, namely:

"(3) The State Government may appoint one or more Additional Inspectors General of Registration and Deputy Inspectors General of Registration for the territories subject to such Government and may prescribe the duties of such officers and authorise them to exercise and perform all or any of the powers and duties of the Inspector General of Registration."

3. In section 69 of the principal Act, in sub-section (1), after clause (d), the following clauses shall be inserted, namely:

"(dd) providing for refund of registration fees paid in excess;
(ddd) providing for recovery of deficiency in registration fees;"

4. After section 78 of the principal Act, the following section shall be inserted, namely:

"78-A. The State Government may by rule or order published in the official Gazette, reduce or remit, whether prospectively or retrospectively, in the whole or any part of the territories under its administration, the fees chargeable in respect of any instrument or class of instruments, or in respect of any class of instruments when executed by or in favour of the State Government or any person or class of persons."

†(For Statement of Objects and Reasons, please see Uttar Pradesh Gazette Extraordinary, dated August 9, 1975).

(Passed in Hindi by Uttar Pradesh Legislative Assembly on August 6, 1975 and by the Uttar Pradesh Legislative Council on August 8, 1975).

(Received the Assent of the President on September 15, 1975 under Article 201 of the Constitution of India and was published in the Uttar Pradesh Gazette Extraordinary, dated September 22, 1975.)
5. After section 80 of the principal Act, the following sections shall be inserted, namely:

"80-A. (1) It shall be the duty of the Collector, if he is satisfied, during the proceedings, if any, under section 47-A of the Indian Stamp Act, 1899, that the fee for registration paid under this Act in respect of a document is in deficit, to determine in the course of such proceedings the deficient amount of fee and to send a copy of the order made in the proceedings to the registering officer for the recovery of the said amount from the person liable to pay the deficient amount of stamp duty under the said section.

(2) An order of the Collector under sub-section (1) shall be deemed to be an order made by the Collector under section 47-A of the Indian Stamp Act, 1899 and shall be final.

(3) Any amount recoverable under this section may be recovered as arrears of land revenue.

80-B. (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 prescribed period), on a certificate of Inspector General of Registration, Additional Inspector General of Registration or Deputy Inspector General of Registration, be recovered from the person who presented such document for registration under section 32 as arrears of land revenue. Such certificate 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 enquiry is made and such person has been given an opportunity of being heard.

(2) Where the Inspector General of Registration finds that the amount of fee charged and paid exceeds that which is legally chargeable under the provisions of this Act, he may, upon an application in writing or otherwise, refund the excess."
NOTIFICATION

Miscellaneous

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Registriyaran (Uttar Pradesh Sanshodhan) Adhiniyam, 1989 (Uttar Pradesh Adhiniyam Sankhya 29 of 1989) as passed by the Uttar Pradesh Legislature and assented to by the President on October 28, 1989.

THE REGISTRATION (UTTAR PRADeSH AMENDMENT) ACT, 1989
(As passed by the U. P. Legislature)

AN

ACT

FURTHER to amend the Registration Act, 1908 in its application to Uttar Pradesh.

IT IS HEREBY ENACTED in the Fortieth Year of the Republic of India as follows:

1. (1) This Act may be called the Registration (Uttar Pradesh Amendment) Act, 1989.

(2) It extends to the whole of Uttar Pradesh.

(3) It shall be deemed to have come into force on May 11, 1989.

2. After section 32 of the Registration Act, 1908, hereinafter referred to as the principal Act, the following section shall be inserted, namely—

32-A. 1) Notwithstanding anything contained in this Act, in such areas as may be notified by the State Government, every document or any translation of documents referred to in section 19 presented for registration shall be accompanied by such number of true photostat copies thereof, as may be prescribed by rules under section 69.

(2) The photostat copy shall,—

(a) be neat and legible prepared on paper of such specification as may be notified by the State Government from time to time;

(b) contain a declaration that the same is a true copy of the document to be registered in such manner as may be prescribed by rules under section 69;

(c) be compared and verified by such official as may be directed by the registering officer;

(d) be separately bound and permanently kept in such manner as may be prescribed by rules under section 69.
(3) Where the provisions of this section apply, the sections mentioned below shall be deemed to be modified as follows:

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

(i) in clause (a), after the words “every such document” the words “along with the photo stat copy thereof” shall be inserted.

(ii) for clause (c), the following clause shall be substituted namely:

“(c) subject to the provisions contained in section 62, every photostat copy shall, without unnecessary delay be verified from the document admitted to registration and be placed in the proper book for being copied in the book appropriate for the document admitted to registration according to the order of its admission”;

(b) 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” the words “together with a reference to the serial number of the photostat copy and the number of the book in which it is placed” shall be substituted;

(c) in section 69, after clause (hh), the following clauses shall be inserted, namely:

“(hh-1) regulating the number and manner in which photostat copies of documents and of translation under section 19 shall be prepared and the books in which they shall be placed for record;

(hh-2) regulating the form of declaration and the manner of keeping the records under sub-section (2) of section 32-A.”

3. (1) The Registration (Uttar Pradesh Amendment) U.P. Ordinance, 1989, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,

NARAYAN DAS,
Sachiv.
THE REGISTRATION (UTTAR PRADESH AMENDMENT) ACT, 2001
(U.P. ACT NO. 36 OF 2001)
[As passed by the Uttar Pradesh Legislature]

AN ACT

further to amend the Registration Act, 1908 in its application to Uttar Pradesh.

IT IS HEREBY enacted in the Fifty second Year of the Republic of India as follows:—

1. (1) This Act may be called the Registration (Uttar Pradesh Amendment) Act, 2001.
   
   (2) It extends to the whole of Uttar Pradesh.
   
   (3) It shall come into force on such date as the State Government may be notification in the official Gazette appoint in this behalf.

2. In section 2 of the Registration Act, 1908, hereinafter referred to as the principal Act, in clause (2),—
   
   (a) for the words "or portion of a book", the words," or portion of a book and also includes a book in electronic form" shall be substituted.
   
   (b) after clause (10), the following clauses shall be inserted, namely:—
   
   "(10-A) 'true copy' includes a true photostat copy; 
   
   (10-B) the words and expressions used but not defined in this Act and defined in the Information Technology Act, 2000, shall have the respective meaning assigned to them in that Act."

3. In section 3 of the principal Act, in sub-section (3), for the words, "Additional Inspector-General of Registration and Deputy Inspector General of Registration", the words, "Additional Inspector-General of Registration, Deputy Inspector-General of Registration and Assistant Inspector-General of Registration" shall be substituted.

4. Section 8 of the principal Act shall be omitted.

5. In section 12 of the principal Act, for the words, "Registrar of the district", the words," Inspector-General of Registration" shall be substituted.

6. In section 21 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

   "(1-A) No non-testamentary document relating to immovable property shall be accepted for registration unless,—
   
   (a) it contains a description of such property sufficient to identify the same; and
   
   (b) It is accompanied also, where the property is agricultural land, by a map or plan, not necessarily on scale, showing all properties with full description in the radius of two hundred meters of that agricultural land."

7. In section 32-A of the principal Act,—
   
   (a) in sub-section (1)—
   
   (i) the words, "in such areas as may be notified by the State Government," shall be omitted;
   
   (ii) the word "photostat wherever occurring including heading" shall be omitted;
(b) in sub-section (2)—

(i) for the words "photostat copy" the words "true copy" shall be substituted;

(ii) for clauses (c) and (d), the following clause shall be inserted, namely:—

“(e) be compared and verified by such official as may be directed by the Registering officer.”

(c) sub-section (3) shall be omitted.

8. Section 32-B of the principal Act shall be omitted.

9. In section 51 of the principal Act, for sub-sections (2) and (3), the following sub-sections shall be substituted, 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, other than wills, registered under aforesaid sections 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."

10. In section 52 of the principal Act,—

(a) in sub-section (1)—

(i) in clause (a), for the words," every such documents at the time of presenting it", the words," every such documents and true copy thereof at the time of presenting it; and" shall be substituted;

(ii) for clauses (b) and (c), the following clause shall be substituted, namely:—

"(b) a receipt for such document shall be given by the registering officer to the person presenting the same.”

(b) sub-section (2) shall be omitted.

11. In section 53 of the principal Act, the following proviso shall be inserted, namely:—

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

12. In section 54 of the principal Act, for the words, "copied, or filed a memorandum of," the words, "scanned, or filed a true copy or a memorandum of " shall be substituted.

13. In section 55 of the principal Act, after sub-section (6), the following sub-section shall be inserted, 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.”

14. In section 57 of the principal Act, in sub-section (1), for the words, "to Book No. 1,” the words, "to Book No. 1, other than those in electronic form,” shall be substituted.
15. In section 58 of the principal Act, in sub-section (1), for the words, "admitted to registration", the words, "admitted to registration and true copy thereof" shall be substituted.

16. In section 60 of the principal Act, in sub-section (1), for the words, "thereon a certificate containing the word, "registered," together with the number and page of the book in which the document has been copied," 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" shall be substituted.

17. For section 61 of the principal Act, the following section shall be substituted, namely:

"61. (1) Subject to the provisions of section 62, after the provisions of sections 52, 58, 59 and 60 are compiled with, every document admitted to registration along with 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 or scanning of the document is not possible on the same day, the true copy of the document admitted to registration along with 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 therefor, shall be deemed to be a true copy presented under section 32-A 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 registering 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 registering 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."

18. For section 62 of the principal Act, the following section shall be substituted, namely:

"62. 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 shall also be scanned along with the original document and its printout kept along 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 along with the true copy of the document in accordance with sub-section (1) of section 61, and for the purposes of making the copies and memoranda required by sections 57, 64, 65 and 66, it shall be treated as if it were the original."

19. In section 64 of the principal Act, for the words, "Sub-Registrar shall file the memorandum in his Book No. 1", the words, "Sub-Registrar shall take similar action on this memorandum, as taken on a document admitted to registration under sub-section (1) of section 61" shall be substituted.
20. In section 65 of the principal Act, 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", the words, "take a similar action on such copy of the document and the copy of the map or plan, if any, as taken on a document admitted to registration under sub-section (1) of section 61" shall be substituted.

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

21. In section 66 of the principal Act,—

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

(b) in sub-section (4), for the words, "file it in his Book No. 1", the words, "take a similar action on it as taken on a copy received under sub-section (3)" shall be substituted.

22. In section 69 of the principal Act, after clause (hh), the following clauses shall be inserted, namely:—

"(hh-1) regulating the number and manner in which printouts or true copies of documents and of translation shall be prepared and the Books in which they shall be kept for record;

(hh-2) regulating the form of declaration and the manner of comparison and verification of the true copies;

(hh-3) regulating the manner in which and safeguards subject to which the Books may be kept in electronic form.

23. After section 69 of the principal Act, the following section shall be inserted, namely:—

"69-A. Notwithstanding anything contained in any other provisions of this Act, the Inspector-General of Registration shall with the prior approval of the State Government, prepare and circulate standard formats of various kinds of documents for the guidance of the general public, which may be used with or without modifications.

Explanation:—Use of a standard format prepared and circulated under this section shall not be a prelude to omit the descriptions of the property required under sections 21 and 22."

24. After section 78-A of the principal Act, the following section shall be inserted, namely:—

"78-B. (1) The fee for the registration of a document may be charged in the form of adhesive labels for which the Inspector-General of Registration may, with the prior approval of the State Government, make rules to regulate supply and sale thereof, the persons by whom alone such sale is to be conducted and the duties and remuneration of and the fees chargeable from such persons.

(2) The District Registrar may, on an application of a person, make allowance for the spoiled, misused or unused adhesive labels purchased for the registration of a document in accordance with the rules made by the Inspector-General of Registration with the prior approval of the State Government."
25. In section 89 of the principal Act,—

(a) in sub-section (1), (2) and (4) for the words, "file the copy in his Book No. 1," wherever occurring the words and figures "take a similar action on it as taken on a document admitted to registration under sub-section (1) of section 61" shall be substituted;

(b) in sub-section (3) for the words "file the copy or copies, as the case may be, in his Book No. 1," the words and figures "take a similar action on it as taken on a document admitted to registration under sub-section (1) of section 61" shall be substituted.

By order,
Y.R. TRIPATHI,
Pramukh Sachiv.

STATEMENT OF OBJECT AND REASONS

With a view to providing better services to the public it has been considered expedient to computerise the Registration Offices in phases in the State. It has, therefore, been decided to amend the Registration Act, 1908 in its application to Uttar Pradesh mainly to provide for registration and storage of documents in electronic form. It has also been decided to empower the Inspector-General of Registration to prepare and circulate standard formats for various kinds of documents for the guidance of general public and to provide for the charging of fees for the registration of documents in the form of adhesive labels.

The Registration (Uttar Pradesh Amendment) Bill, 2001 is introduced accordingly.