

The Registration (Assam Amendment) Bill, 2021

A
BILL

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

Preamble

Whereas it is expedient further to amend the Registration Act, 1908, hereinafter referred to as the principal Act, in its application to the State of Assam;

Central
Act No.
XVI of
1908

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

Short title, extent
and commencement

1. (1) This Act may be called the Registration (Assam Amendment) Act, 2021.
(2) It extends to the whole of Assam.
(3) It shall come into force at once.

Amendment of
section 21 A

2. In the principal Act, in third line, in between the words "immovable property" and "shall be" the following shall be inserted, namely:-

"except for house, flat, residential apartment, commercial building or any construction or structure erected on a plot of land".

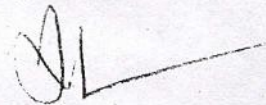
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VETTED BY THE
LEGISLATIVE DEPARTMENT
2.8.2024

STATEMENT OF OBJECTS AND REASONS

The object of the proposed 'The Registration (Assam Amendment) Bill, 2021' is to amend the Section 21A of 'The Registration (Assam Amendment) Act, 2009' so as to facilitate the early registration house, flat, residential apartment, commercial building or any construction or structure erected on the plot of land.

Due to the present provision of Section 21A of 'The Registration (Assam Amendment) Act, 2009', No Objection Certificate from the Deputy Commissioner of a concerned district is mandatorily required for transfer of immovable properties. However, as the process of issuance of No Objection Certificate from the Deputy Commissioner depends on the reports from Mandals, Circle Officers and ADC etc., it leads to inordinate delay in transfer of flat from builder / developer to prospective buyers.

With the amendment of Section 21A of the 'The Registration (Assam Amendment) Act, 2009', now no NOC will be required for transfer or lease of house, flat, residential apartment, commercial building or any construction or structure erected on the plot of land.



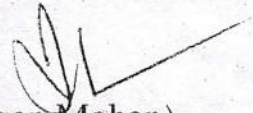
(Jogen Mohan)
Minister
Revenue & D M



(S. K. Sarma, AJS)
Secretary
Assam Legislative Assembly

FINANCIAL MEMORANDUM

The Bill will not require any expenditure from the Consolidated Fund of the State once it comes into force.



(Jogen Mohan)
Minister
Revenue & D M

MEMORANDUM OF DELEGATED LEGISLATION

There is no delegation of legislative powers proposed in the Bill.



(Jogen Mohan)
Minister
Revenue & D M

Extract of the existing Section 21A of the Registration (Assam Amendment) Act,
2009

“Notwithstanding anything contained in any other provision of this Act, no non-testamentary instrument relating to immovable property shall be accepted for registration, unless the Deputy Commissioner of the concerned district issues a No Objection Certificate containing the description of such immovable property to be transferred and also such other No objection Certificate, which are required to be issued by the Deputy Commissioner or any other Authority under any law for the time being in force or under any Executive Instruction, order etc. issued by the State Government from time to time.

Provided that all such No Objection Certificate shall be issued within a period of thirty days from the date of the receipt of application and in case No Objection Certificate is not issued within the stipulated period of thirty days, a speaking order with reasons thereof shall be issued to the applicant within the said stipulated period”