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Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the Gujarat Government Gazette. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules :-

THE REGISTRATION (GUJARAT AMENDMENT) BILL, 2016.

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

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. (1) This Act may be called the Registration (Gujarat Amendment) Act, 2016.

Short title and commencement.

(2) It shall come into force at once.

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 (g), the following clauses shall be added, namely:-

Amendment of section 17 of XVI of 1908.

“(h) any instrument authorising the promoter or the developer, by whatever name called, for construction of or development of, or transfer or assignment of, any immovable property;

(i) agreement relating to the constitution of partnership where any partner or partners bring his or their share by way of immovable property;

(j) any instrument by which any immovable property is taken as his share on dissolution of the partnership by any of the partners other than a partner who brought that property as his share to the partnership.”

STATEMENT OF OBJECTS AND REASONS

Section 17 of the Registration Act, 1908, which is a Central Act, provides for the compulsory registration of the documents as are enumerated in the said section. At present, it is not compulsory for the promoter or the developer to compulsory register the instrument by which they are authorised or any immovable property is transferred by them. It is considered necessary to make this kind of instrument compulsorily registrable, so that there will be a public record in that regard and help to prevent the financial irregularities.

Similarly, the instrument relating to constitution of partnership is also not required to be registered compulsorily. Also the instrument by which any immovable property is taken as his share on dissolution of partnership by any of the partners other than a partner who brought their property as his share to the partnership is also not required to be compulsorily registered. It is considered necessary to make the registration of the above said instruments compulsory so that any transaction with regard to the immovable property gets registered.

This Bill seeks to amend the Registration Act, 1908 to achieve the aforesaid object.

Dated the 22nd February, 2016.

NITIN PATEL.

By order and in the name of the Governor of Gujarat,

Gandhinagar

Dated the 22nd February, 2016

C. J. Gothi,

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