



KARNATAKA LEGISLATIVE ASSEMBLY
SIXTEENTH LEGISLATIVE ASSEMBLY
SEVENTH SESSION

THE REGISTRATION (KARNATAKA AMENDMENT) BILL, 2025
(LA Bill No. 48 of 2025)

A Bill further to amend the Registration Act. 1908 (Central Act 16 of 1908) in its application to the State of Karnataka.

Whereas it is expedient further to amend the Registration Act 1908 (Central Act 16 of 1908) in its application to the State of Karnataka for the purposes hereinafter appearing;

Be it enacted by the Karnataka State legislature in the seventy sixth year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Registration (Karnataka Amendment) Act, 2025.

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

2. Amendment of section 2.- In the Registration Act 1908 (Central Act 16 of 1908) (hereinafter referred to as the Principal Act) in section 2, after the entry at serial no. (9), the following shall be inserted, namely:-

“(9A) “Registering Officer” means a person appointed under section 6 or a System Digital Signatures Certificate based Software System as notified from time to time by the State Government.” Shall be substituted.

3. Amendment of section 14.- In the Principal Act, in section 14, in sub-section (2) for the words “several offices under this Act” the words “several offices under this Act including the virtual or online offices.” Shall be substituted.

4. Amendment of section 32.- In the Principal Act, in section 32, after the words and figures, “Except in the cases mentioned in sections 31,88 and 89” the words “or when the document is presented by electronic means” shall be inserted.

5. Amendment of section 34.- In the Principal Act, in section 34,-

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

“Provided further that, when such document is presented by electronic means, the personal appearance shall not be required.”;

(b) in sub-section (3), after clause (c), the following proviso shall be inserted, namely:-

“Provided that, when such document is presented by electronic means, the enquiry shall be done in such manner as may be prescribed.”; and

(c) in sub-section (4), for the words “proviso to”, the words “first proviso to” shall be substituted.

6. Amendment of section 35.- In the Principal Act, in section 35,-

(a) in sub-section (1), in clause (a), after the words, “appear personally”, the words, “or through electronic means, as the case may be,” shall be inserted.; and

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

“Provided that, when such document is presented by electronic means, the procedure laid down by the rules made in this behalf shall be followed for establishing the identity of the person.”

7. Amendment of section 57.- In the Principal Act, in section 57, in sub-section (5), after the words "shall be signed and sealed by the Registering officer", the words, "or any other Controlling Officer as specified by the State Government" shall be inserted.

8. Amendment of section 65.- In the Principal Act, in section 65, in sub-section (1) after the words "than one", the words, "of the State" shall be inserted.

9. Amendment of section 69:- In Principal Act, in section 69, in sub-section (1), after clause (j), the following clause shall be inserted, namely:-

“(j-1) regulating the procedure for presentation of document, appearance for admission, endorsement, manner of fixing signature and seal, mode of payment of registration fees and other fees and such other process, when the document is presented by electronic means.”

10. Insertion of new section 71-A.- In the Principal Act, after section 71, the following shall be inserted, namely:

"71-A. Refusal of registration of documents which are in contravention of the provisions of the Central or State Laws for the time being in force.-

Notwithstanding anything contained in this Act, the Registering Officer shall refuse to register any document,-

- (a) relating to transfer of immovable property, except by fetching the original immovable property records through suitable electronic integration with the databases containing the said original immovable property records, when so prescribed by the State Government; and
- (b) relating to transfer by way of agreement for sale, sale, sale exchange, lease or otherwise of immovable property if not accompanied by such documents as may be prescribed by the State Government including but not limited to the property or land sketch sought to be sold, conversion order, sanctioned plan, electronic Khata or title deed."

STATEMENT OF OBJECTS AND REASONS

It is considered necessary further to amend the Registration Act, 1908 (Central Act 16 of 1908) in its application to the State of Karnataka for the purpose of good governance and citizen friendly reforms as per 2024-25 Budget speech para number 407 and 408 hereinafter appearing,-

- (a) to ensure due diligence in public interest is under taken by the Sub-Registrar at the time of registration of property;
- (b) property softwares will be integrated to prevent illegal registration of properties in urban areas also and to simplify property registration;
- (c) to enable e-Registration / Remote Registration of some compulsory registrable documents without the physical presence of either party in the Sub- Registrar's offices; and
- (d) certified copies will be made available through a centralized virtual distribution system to avoid delay.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

KRISHNA BYREGOWDA

Minister for Revenue

M.K. VISHALAKSHI

Secretary

Karnataka Legislative Assembly

ANNEXURE
EXTRACT FROM THE REGISTRATION ACT, 1908
(CENTRAL ACT 16 OF 1908)

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- 1. Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—
- (1) “Addition” means the place of residence, and the profession, trade, rank and title (if any) of a person described, and in the case of an Indian, *** his father's name, or where he is usually described as the son of his mother, then his mother's name;
- (2) “Book” includes a portion of a book and also any number of sheets connected together with a view of forming a book or portion of a book;
- (3) “District” and “sub-district” respectively mean a district and sub-district formed under this Act;
- (4) “District Court” includes the High Court in its ordinary original civil jurisdiction;
- (5) “Endorsement” and “endorsed” include and apply to an entry in writing by a registering officer on a rider or covering slip to any document tendered for registration under this Act;
- (6) “Immovable Property” includes land, buildings, hereditary allowances, rights to ways, lights, ferries, fisheries or any other benefit to arise out of land, and things attached to the earth, or permanently fastened to anything which is attached to the earth, but not standing timber, growing crops nor grass; (6A) “India” means the territory of India excluding the State of Jammu and Kashmir;
- (7) “Lease” includes a counterpart, kabuliyat, and undertaking to cultivate or occupy, and an agreement to lease;
- (8) “Minor” means a person who, according to the personal law to which he is subject, has not attained majority;
- (9) “Movable Property” includes standing timber, growing crops and grass, fruit upon and juice in trees, and property of every other description, except immovable property; and
- (10) “Representative” includes the guardian of a minor and the committee or other legal curator of a lunatic or idiot.

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14. Establishments of registering officers.— ***

- (2) The State Government may allow proper establishments for the several offices under this Act.

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32. Persons to present documents for registration.— Except in the cases mentioned in 35[sections 31, 88 and 89], every document to be registered under this Act, whether such registration be compulsory or optional, shall be presented at the proper registration office, -

- (a) by some person executing or claiming under the same, or, in the case of a copy of a decree or order, claiming under the decree or order, or
- (b) by the representative or assign of such person, or
- (c) by the agent of such person, representative or assign duly authorized 'by power-of-attorney executed and authenticated in manner hereinafter mentioned.

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34. Enquiry before registration by registering officer.— (1) Subject to the provisions contained in this Part and in sections 41, 43, 45, 69, 75, 77, 88 and 89, no document shall be registered under this Act, unless the persons executing such document, or their representatives, assigns or agents authorized as aforesaid, appear before the registering officer within the time allowed for presentation under sections 23, 24, 25 and 26:

Provided that, if owing to urgent necessity or unavoidable accident all such persons do not so appear, the Registrar, in cases where the delay in appearing does not exceed four months, may direct that on payment of a fine not exceeding ten times the amount of the proper registration fee, in addition to the fine, if any, payable under section 25, the document may be registered.

- (2) Appearances under sub-section (1) may be simultaneous or at different times.
- (3) The registering officer shall thereupon-

(a) Enquire whether or not such document was executed by the persons by whom it purports to have been executed;

(b) satisfy himself as to the identity of the persons appearing before him and alleging that they have executed the document; and

(c) in the case of any person appearing as a representative, assign or agent, satisfy himself of the right of such person so to appear.

(4) Any application for a direction under the proviso to sub-section (1) may be lodged with a Sub-Registrar, who shall forthwith forward it to the Registrar to whom he is subordinate.

(5) Nothing in this section applies to copies of decrees or orders.

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35. Procedure on admission and denial of execution respectively.-

(1) (a) If all the persons executing the document appear personally before the registering officer and are personally known to him, or if he be otherwise satisfied that they are the persons they represent themselves to be, and if they all admit the execution of the document, or

(b) if in the case of any person appearing by a representative, assign or agent, such representative, assign or agent admits the execution, or

(c) if the person executing the document is dead, and his representative or assign appears before the registering officer and admits the execution, the registering officer shall register the document as directed in sections 58 to 61, inclusive.

(2) The registering officer may, in order to satisfy himself that the persons appearing before him are the persons they represent themselves to be, or for any other purpose contemplated by this Act, examine anyone present in his office.

(3)(a) If any person by whom the document purports to be executed denies its execution, or

(b) if any such person appears to the registering officer to be a minor, an idiot or a lunatic, or

(c) if any person by whom the document purports to be executed is dead, and his representative or assign denies its execution,

the registering officer shall refuse to register the document as to the person so denying, appearing or dead:

Provided that, where such officer is a Registrar, he shall follow the procedure prescribed in Part XII:

Provided further that the State Government] may, by notification in the Official Gazette, declare that any Sub-Registrar named in the notification shall, in respect of documents the execution of which is denied, be deemed to be a Registrar for the purposes of this sub-section and of Part XII.

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57. Registering officers to allow inspection of certain books and indexes, and to give certified copies of entries.-

(I) 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 times 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 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 Books 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.

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65. Procedure where document relates to land in several districts.-(1) Every Sub Registrar on registering a non-testamentary document relating to immovable property situate in more districts than one shall also forward a copy thereof and of the endorsement and certificate (if any) thereon, together with a copy of the map or plan (if any) mentioned in section 21, to the Registrar of every district in which any part of such property is situate other than the district in which his own sub-district is situate.

(2) The Registrar on receiving the same shall file in his Book No.1 the copy of the document and the copy of the map or plan (if any), and shall forward a memorandum of the document to each of the Sub-Registrars subordinate to him within whose sub-district any part of such property is situate; and every Sub-Registrar receiving such memorandum shall file it in his Book No. 1.

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69. Power of Inspector General to superintend registration offices and make rules.- (l) The Inspector General shall exercise a general superintendence over all the registration offices in the territories under the State Government, and shall have power from time to time to make rules consistent with this Act-

- (a) providing for the safe custody of books, papers and documents * * *;
- (aa) providing the manner in which and the safeguards subject to which the books may be kept in computer floppies or diskettes or in any other electronic form under subsection (1) of section 16-A;
- (b) declaring what language shall be deemed to be commonly used in each district;
- (c) declaring what territorial divisions shall be recognized under section 21;
- (d) regulating the amount of fines imposed under sections 25 and 34, respectively;
- (e) regulating the exercise of the discretion reposed in the registering officer by section 63;
- (f) regulating the form in which registering officers are to make memoranda of documents;
- (g) regulating the authentication by Registrars and Sub-Registrars of the books kept in their respective offices under section 51;
- (gg) regulating the manner in which the instruments referred to in sub-section (2) of section 88 may be presented for registration;
- (h) declaring the particular to be contained in Indexes Nos. 1/ II, III and IV, respectively;
- (i) declaring the holidays that shall be observed in the registration offices; and
- (j) generally, regulating the proceedings of the Registrars and Sub Registrars.

(2) The rules so made shall be submitted to the State Government for approval, and, after they have been approved, they shall be published in the Official Gazette, and on publication shall have effect as if enacted in this Act.

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