

Ministry of Rural Development
Department of Land Resources

Department of Land Resources, Ministry of Rural Development invites suggestions on draft 'The Registration Bill 2025' from public within a period of 30 days

The Department of Land Resources, Ministry of Rural Development, Government of India, has prepared a draft '**The Registration Bill 2025**' to align it with a modern, online, paperless and citizen centric registration system. Once enacted, the Bill shall replace the pre-Constitution Registration Act, 1908.

The Registration Act, 1908 has served as a cornerstone of the document registration system in India for over a century. It provides a legal basis for the registration of documents affecting immovable property and other transactions. Over time, the role of registered documents has grown significantly in both public and private transactions, often forming the basis for financial, administrative, and legal decision-making. It is therefore essential that the process of registration is robust, reliable, and capable of adapting to evolving societal and technological developments.

In recent years, the growing use of technologies, evolving socio-economic practices, and increasing reliance on registered documents for due diligence, service delivery, and legal adjudication have underscored the need to create a forward-looking registration framework. Several states and union territories have already introduced innovations such as online document submission and digital identity verification under the existing 1908 Act. Further, it is equally important to clearly delineate the roles and responsibilities of registering officers, enabling them to uphold the integrity and reliability of the registration process in a manner consistent with applicable law. Building upon these advancements, there is now a need to provide a harmonized and enabling legislative framework to support secure, efficient, and citizen-centric registration practices across the country. The Registration Bill, 2025 has been designed to realize this vision.

As a part of pre-legislative consultative process, suggestions from public on the draft 'The Registration Bill, 2025' are invited within a period of 30 days i.e. on or before 25.06.2025 in the following proforma:

PROFORMA FOR SENDING SUGGESTIONS/COMMENTS/VIEWS

S. No.	Section No. of the draft Bill	Title of the Section	Proposed modification, if any	Remarks/comments

The suggestions/ comments on the draft Bill may be shared at the following email id – [**sanand.b@gov.in**](mailto:sanand.b@gov.in) in either MS Word (or compatible format) or machine-readable PDF format.

OVERVIEW

The Registration Act, 1908 (“**1908 Act**”) has served as a cornerstone of the document registration system in India for over a century. It provides a legal basis for the registration of documents affecting immovable property and other transactions. Over time, the role of registered documents has grown significantly in both public and private transactions, often forming the basis for financial, administrative, and legal decision-making. It is therefore essential that the process of registration is robust, reliable, and capable of adapting to evolving societal and technological developments.

In recent years, the growing use of digital technologies, evolving socio-economic practices, and increasing reliance on registered documents for due diligence, service delivery, and legal adjudication have underscored the need to create a forward-looking registration framework. Several states and union territories have already introduced innovations such as online document submission and digital identity verification under the existing 1908 Act. Further, it is equally important to clearly delineate the roles and responsibilities of registering officers, enabling them to uphold the integrity and reliability of the registration process in a manner consistent with applicable law. Building upon these advancements, there is now a need to provide a harmonised and enabling legislative framework to support secure, efficient, and citizen-centric registration practices across the country. The Registration Bill, 2025 (“**Bill**”) has been designed to realise this vision.

The key features of the Bill are as follows:

1. **Facilitating Online Registration:** The Bill introduces enabling provisions to support online registration, including electronic presentation and admission of documents, issuance of electronic registration certificates, and digital maintenance of records. Aadhaar-based authentication with informed consent is permitted, alongside alternative verification mechanisms for individuals who do not possess Aadhaar or choose not to use it. The Bill also enables electronic integration with other record-keeping systems to enhance the efficiency and integrity of information flows.
2. **Expanding the Scope of Compulsory Registration:** To reflect contemporary property and transaction practices, the Bill expands the list of documents requiring compulsory registration. These include agreements to sell, powers-of-attorney, sale certificates issued by competent authorities, equitable mortgage arrangements, and certain instruments based on court orders.
3. **Reinforcing Legal and Procedural Rigour:** Recognising the reliance placed on registered documents in legal and commercial contexts, the Bill proposes clear and objective grounds under which a registering officer may refuse registration. It also provides an enabling provision for appropriate governments to issue rules on cancellation of registration subject to certain standards, including compliance with principles of natural justice. These provisions are intended to ensure that the registration process operates within the bounds of law while upholding the reliability and evidentiary value of registered instruments.

4. **Institutional Strengthening and Governance Reforms:** The Bill modernises the organisational structure of the registration establishment by creating a more agile and responsive hierarchy, including the introduction of Additional and Assistant Inspectors General of Registration. It also streamlines the appointment process for Registrars in case of vacancies and vests rule-making authority with the appropriate government to ensure alignment with local governance structures.
5. **Accessible and Citizen-Centric Processes:** The Bill promotes plain language drafting, digital enablement, and transparent procedures to make the registration process more accessible, especially for individual citizens and small businesses. It encourages simplification without compromising on legal certainty or procedural safeguards.

THE REGISTRATION ACT, 2025

A

BILL

to consolidate and amend the laws relating to the registration of documents and for matters connected therewith and incidental thereto.

BE it enacted by Parliament in the Seventy-sixth Year of the Republic of India as follows:

CHAPTER I - PRELIMINARY

1. Short title, extent and commencement.

- (1) This is the Registration Act, 2025.
- (2) It will come into force on the date the Central Government notifies it in the Official Gazette.
- (3) The Central Government may appoint different dates under sub-section (2) of this section for different provisions.
- (4) The appropriate government may exclude the application of this Act from certain districts or tracts within its jurisdiction.

2. Definitions.

- (1) In this Act, unless the context otherwise requires:
 - (a) “**addition**” means the place of residence, name of father or mother, as applicable, and for an organisation, the registration number (if any) or such other particulars as may be prescribed;
 - (b) “**appropriate government**” means in respect of matters relating to:
 - (i) a Union Territory without Legislature, the Central Government;
 - (ii) a Union Territory with Legislature, the Union Territory Government; and,

- (iii) a State, the State Government;
- (c) “**book**” means a book required to be maintained under this Act with necessary information and forms and includes electronic records of such a book as defined under section 2(1)(t) of the Information Technology Act, 2000 (21 of 2000);
- (d) “**copy**” of documents includes a copy of a document in electronic format;
- (e) “**district**” means a district formed under this Act;
- (f) “**endorsement**” and “**endorsed**” include and mean an entry, in writing or in electronic form as may be prescribed by a registering officer on a rider or covering slip to any document tendered for registration under this Act;
- (g) “**execute**” means affixing a signature on a document after fully understanding and agreeing to its contents;
- (h) “**immovable property**” includes land, buildings, hereditary allowances, rights of 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;
- (i) “**Inspector General of Registration**” means the Inspector General of Registration appointed under section 4(1);
- (j) “**lease**” means lease of an immovable property as defined in section 105 of the Transfer of Property Act, 1882 (4 of 1882) and includes:
 - (i) a patta;
 - (ii) a kabuliyat or undertaking in writing to cultivate or occupy, or pay rent for immovable property;
 - (iii) any instrument by which tolls of any description are let;
 - (iv) any writing on an application for a lease by whatever name it is known as may be prescribed, where premium or average annual rent, money advanced, payment in lieu of rent, intended to signify that the application is granted;
 - (v) an agreement to lease stating an annual rent or premium or both or such amount in lieu of rent as notified by the appropriate government; or,
 - (vi) any instrument by which mining lease is granted in respect of minor minerals as defined in section 3(e) of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957);

- (k) “**minor**” means a person who, under the provisions of the Indian Majority Act, 1875, (9 of 1875) is to be deemed not to have attained her majority;
- (l) “**mental incapacity**” means the inability to:
 - (i) understand the information relevant to take a decision regarding the execution, registration, or validity of a document or transaction under this Act,
 - (ii) appreciate any reasonably foreseeable consequence of executing or registering a document or transaction, or failing to execute or register such a document or transaction under this Act, or
 - (iii) communicate a decision regarding such execution or registration by speech, expression, gesture, or any other means;
- (m) “**mortgage by deposit of title deeds**” means a mortgage by deposit of title-deeds as defined in section 58(f) of the Transfer of Property Act, 1882 (4 of 1882);
- (n) “**movable property**” includes standing timber, growing crops and grass, fruit upon and juice in trees, and property of every other description, except immovable property;
- (o) “**prescribed**” means prescribed by rules under this Act;
- (p) “**notification**” means a notification published in the Official Gazette and the expression “notify” must be construed accordingly;
- (q) “**registering officer**” means the Registrar or Sub-Registrar, as the case may be, responsible for accepting and registering a document under this Act;
- (r) “**Registrar**” means a Registrar appointed under section 5 of this Act;
- (s) “**registration certificate**” means the certificate issued under section 52;
- (t) “**representative**” includes the guardian of a minor or other nominated representative of any person with mental incapacity;
- (u) “**sub-district**” means a sub-district formed under section 3 of this Act; and
- (v) “**Sub-Registrar**” means a Sub-Registrar appointed under section 5 of this Act.

- (2) Words and terms used, but not defined here, will have meanings assigned to them under the Information Technology Act, 2000 (21 of 2000) and the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 (18 of 2016).

CHAPTER II - APPOINTMENT OF INSPECTOR GENERAL OF REGISTRATION, REGISTRARS AND SUB-REGISTRARS

3. Districts and sub-districts.

- (1) The appropriate government will form districts and sub-districts and define the limits and may alter the limits of such districts and sub-districts.
- (2) The districts and sub-districts formed under this section, together with the limits and every alteration, must be notified in the Official Gazette.
- (3) Every alteration under sub-section (1) will take effect on such date as specified in the notification issued under sub-section (2).

4. Inspector General of Registration.

- (1) The appropriate government must appoint an officer to be the Inspector General of Registration for the territories subject to such government.
- (2) The appropriate government may, instead of making an appointment under sub-section (1), direct that all or any of the powers and duties conferred and imposed on the Inspector General of Registration under this Act will be exercised and performed by such officer or officers, and within such local limits, as the appropriate government appoints in this behalf.
- (3) Any Inspector General of Registration may simultaneously hold any other office under the appropriate government.
- (4) The appropriate government may appoint one or more Additional Inspectors General of Registration, Joint Inspectors General of Registration, Deputy Inspectors General of Registration and Assistant Inspectors General of Registration for the territories subject to such government.
- (5) The appropriate government may prescribe the terms and conditions of service, and the duties of the officers appointed under sub-section (4) and authorise them to exercise all or any powers and duties of the Inspector General of Registration.
- (6) The Inspector General of Registration must exercise a general superintendence over all the registration offices in the territories under the appropriate government.

5. Registrars and Sub-Registrars.

The appropriate government may appoint government officers, to be Registrars of the several districts, and to be Sub-Registrars of the several sub-districts, formed under this Act, respectively.

6. Offices of Registrar and Sub-Registrar.

- (1) The appropriate government must establish an office of the Registrar in every district and the offices of Sub-Registrar or Joint Sub-Registrar in every sub-district.
- (2) The appropriate government may amalgamate the office of a Registrar with any office of a Sub-Registrar subordinate to such Registrar.
- (3) The appropriate government may authorise the office of the Sub-Registrar amalgamated under sub-section (2) to exercise and perform all or any of the powers and duties of the Registrar to whom such Sub-Registrar is subordinate, in addition to her own powers and duties.
- (4) An authorisation under sub-section (3) will not enable a Sub-Registrar to hear an appeal against an order passed by such Sub-Registrar under this Act.

7. Power of Registrar to superintend and control Sub-Registrars.

- (1) Every Sub-Registrar must perform the duties of her office under the superintendence and control of the Registrar in whose district the office of such Sub-Registrar is situated.
- (2) Every Registrar will have authority to issue, on a complaint or otherwise, any order consistent with this Act, which she considers necessary in respect of any act or omission of any Sub-Registrar subordinate to her or in respect of the rectification of any error regarding the book or the office in which any document has been registered.

8. Absence of Registrar or vacancy in her office.

- (1) When any Registrar is absent for reasons other than official duty in her district or when her office is temporarily vacant, the Inspector General of Registration must appoint a government officer to serve as the Registrar during such absence or until the appropriate government fills up the vacancy.
- (2) When any Registrar is absent from her office on duty in her district, she must appoint any Sub-Registrar or any other government officer in her

district to perform all the duties of a Registrar except those mentioned in sections 7 and 60, during such absence.

9. Absence of Sub-Registrar or vacancy in her office.

When any Sub-Registrar is absent, or when her office is temporarily vacant, the Inspector General of Registration must appoint any government officer to act as the Sub-Registrar during such absence, or until the vacancy is filled up.

10. Report to the appropriate government of appointments.

The Inspector General of Registration must report all appointments made under sections 8 and 9 to the appropriate government, in such form as such government directs.

11. Seal of registering officers.

The Registrars and Sub-Registrars must use a seal bearing details of the respective office in English and in such other language and form as the appropriate government directs.

CHAPTER III – COMPULSORY AND OPTIONAL REGISTRATION AND EXEMPTIONS FROM REGISTRATION

12. Compulsory registration of documents.

- (1) The following documents must be registered, if the property to which they relate is situated in a district where this Act is in force and if they have been executed on or after the date on which this provision comes into force, regardless of whatever is provided in any other law:
- (a) instruments of gift of immovable property;
 - (b) other non-testamentary instruments which purport or operate to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, to or in immovable property, for some consideration;
 - (c) non-testamentary instruments which acknowledge the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any such right, title, or interest;

- (d) leases of immovable property from year to year, or for any term exceeding one year or reserving a yearly rent;
 - (e) non-testamentary instruments transferring or assigning any decree, court order, or award, when it purports or operates to create, declare, assign, limit, or extinguish a present or future right, title, or interest, whether vested or contingent, to or in immovable property;
 - (f) any document which purports or operates to effect any contract for sale of immovable property, including an agreement for sale, developer's agreement, or promoter's agreement, by whatever name called, for development of any property or construction of structure;
 - (g) power of attorney authorising transfer of immovable property with or without consideration;
 - (h) document setting out terms and conditions for a mortgage by deposit of title deed, except where it is filed under section 14(3);
 - (i) sale certificate issued by any competent officer or authority under any Central Act or State Act for the time being in force;
 - (j) instruments in respect of amalgamation, reconstruction, merger, and demerger of companies and transfer of immovable property at the time of formation of companies pursuant to any order passed under the Companies Act, 2013; and
 - (k) instruments which purport or operate to create, declare, assign, limit, extinguish any right, title, or interest, whether vested or contingent, in immovable property pursuant to any decree or order or any award made by a court.
- (2) The documents containing contracts to transfer any immovable property for consideration, for the purpose of section 53A of the Transfer of Property Act, 1882 (4 of 1882) must be registered if they have been executed on or after the commencement of the Registration and Other Related Laws (Amendment) Act, 2001 (48 of 2001), and if such documents are not registered on or after such commencement, then they will have no effect for the purposes of the said section 53A.
- (3) Nothing in sub-section (1) applies to:
- (a) any composition deed;
 - (b) any instrument relating to shares in a joint stock company, regardless of the fact that the assets of such company consist in whole or in part, of immovable property;
 - (c) any debenture issued by any such company mentioned in sub-section (3)(b) of this section and not creating, declaring, assigning, limiting or extinguishing any right, title or interest, to or in immovable property except in so far as it entitles the holder to the security afforded by a registered instrument, whereby the company has mortgaged, conveyed or otherwise transferred the whole or part of its immovable property or any interest therein to trustees upon trust for the benefit of the holders of such debentures;

- (d) any endorsement upon or transfer of any debenture issued by any such company;
 - (e) any document other than the documents provided in sub-sections (2) and (3) not itself creating, declaring, assigning, limiting or extinguishing any right, title or interest to or in immovable property, but merely creating a right to obtain another document which will create, declare, assign, limit or extinguish any such right, title or interest, when executed;
 - (f) any decree or order of a court, except a decree or order made on a compromise and comprising immovable property other than that which is the subject matter of the suit or proceeding;
 - (g) any grant of immovable property by government;
 - (h) any instrument of partition made by a revenue officer;
 - (i) any order granting a loan or instrument of collateral security granted under the Land Improvement Loans Act, 1883;
 - (j) any order granting a loan under the Agriculturists' Loans Act, 1884, or instrument for securing the repayment of a loan made under that Act;
 - (k) any order made under the Charitable Endowments Act, 1890 (6 of 1890) vesting any property in a Treasurer of Charitable Endowments or divesting any such Treasurer of any property; or
 - (l) any endorsement on a mortgage-deed acknowledging the payment of the whole or any part of the mortgage-money, and any other receipt for payment of money due under a mortgage when the receipt does not purport to extinguish the mortgage.
- (4) The appropriate government may, by order published in the Official Gazette, exempt from the operation of section 12(1) any lease executed in any district, or part of a district, the terms granted by which do not exceed five years and the annual rents reserved by which do not exceed such amount as may be mentioned in that order.
- (5) Authorities to adopt a son or a daughter, not conferred by a will, must also be registered.

13. Optional registration of documents.

Any document, not required to be registered under section 12, may also be registered under this Act.

14. Copies of certain orders, certificates and instruments to be sent to registering officers and filed.

- (1) Every officer granting a loan under the Land Improvement Loans Act, 1883 (19 of 1883) must send a copy of her order to the registering officer within the local limits of whose jurisdiction the whole or any part of the land to be improved or of the land to be granted as collateral security, is situated.
- (2) Every officer granting a loan under the Agriculturists' Loans Act, 1884 (12 of 1884) must:
 - (a) send a copy of any instrument through which immovable property is mortgaged for the purpose of securing the repayment of the loan, and,
 - (b) if any such property is mortgaged for the same purpose in the order granting the loan, send a copy of that order, to the registering officer within the local limits of whose jurisdiction the whole or any part of the property so mortgaged is situated.
- (3) All banks, financial institutions, and other creditors, granting loans on the basis of mortgage by deposit of title deeds must file a copy of the title deed with the registering officer within the local limits of whose jurisdiction the whole or any part of the property so mortgaged is situated and notify such officer about such mortgages in such form and manner as may be prescribed.
- (4) The registering officer must file the copy or copies received in the above sub-sections in her Book 1.

15. Exemption of certain documents executed by or in favour of the government.

- (1) Nothing contained in this Act will be deemed to require, or to have at any time required, the registration of any of the following documents or maps:
 - (a) documents issued, received or attested by any officer engaged in making a settlement or revision or settlement of land-revenue, and which form part of the records of such settlement;
 - (b) documents and maps issued, received or authenticated by any officer engaged on behalf of government in making or revising the survey of any land, and which form part of the record of such survey;
 - (c) documents which, under any law for the time being in force, are filed periodically in any revenue office by patwaris or other officers charged with the preparation of village records;
 - (d) sanads, inam, title-deeds and other documents purporting to be or to evidence grants or assignments by government of land or of any

interest in land; or

- (e) notices of relinquishment of occupancy by occupants, or of alienated land by holders of such land, in favour of the appropriate government, under the applicable laws for the time being in force.

- (2) All such documents and maps will, for the purposes of sections 17 and 18, be deemed to have been and to be registered in accordance with the provisions of this Act.

CHAPTER IV – EFFECTS OF REGISTRATION AND NON-REGISTRATION

16. Time from which registered document operates.

A registered document will operate from the time it would have commenced to operate if no registration was required or made, and not from the time of its registration.

17. Registered documents relating to property when to take effect against oral agreements.

- (1) All non-testamentary documents registered under this Act, and relating to movable or immovable property, will take effect against any other agreement or declaration relating to such property, except where the agreement or declaration has been accompanied or followed by delivery of possession and the same constitutes a valid transfer under any law for the time being in force.
- (2) Regardless of what is stated in sub-section (1), a mortgage by deposit of title-deeds under section 58 of the Transfer of Property Act, 1882 (4 of 1882) required to be notified to the registering officer under section 14(3) of this Act and so notified, will take effect against any mortgage subsequently executed, or executed and registered, which relates to the same property.

18. Effect of non-registration of documents required to be registered.

- (1) Any document required to be registered by section 12 of this Act or by any provision of the Transfer of Property Act, 1882 (4 of 1882) must be registered to:
 - (a) affect any immovable property comprised in such document,
 - (b) confer any power to adopt, or
 - (c) be received as evidence of any transaction affecting such property or conferring such power.

- (2) An unregistered document affecting immovable property and required by this Act or the Transfer of Property Act, 1882 (4 of 1882), to be registered, may be received as evidence of a contract in a suit for specific performance under Chapter II of the Specific Relief Act, 1963 (47 of 1963) or as evidence of any collateral transaction not required to be effected by a registered instrument.

19. Certain registered documents relating to land to take effect against unregistered documents.

- (1) Every document in clauses (a), (b), (c), (d), (f), (g), (h) and (i) of section 12(1), and section 13, if duly registered, will take effect as regards the property comprised in such document, against every unregistered document relating to the same property, unless the unregistered document is a decree or order, regardless of whether or not such unregistered document is of the same nature as the registered document.
- (2) Every copy of a mortgage by deposit of title deed duly filed and recorded under section 14(3) as evidence of such a mortgage, will take effect as regarding the property comprised in such deed, against every unfiled or unrecorded mortgage by deposit of title deed relating to the same property, unless the unfiled or unrecorded mortgage is through a decree or order, regardless of whether or not such unfiled or unrecorded mortgage is of the same nature as the filed deed.
- (3) Nothing in sub-section (1) applies to any document exempted from registration under section 12(3) and leases exempted under section 12(4), or to any registered document which did not have priority under the law in force at the commencement of this Act.

Explanation.— For the purposes of this section, “unregistered” means documents not registered under the Registration Act, 1864 (16 of 1864), the Indian Registration Act, 1866 (20 of 1866), Indian Registration Act, 1871 (8 of 1871), the Indian Registration Act, 1877 (3 of 1877), or the Registration Act, 1908 (16 of 1908), which was in force and applicable at the time of execution of such document.

CHAPTER V – TIME FOR PRESENTING DOCUMENTS FOR REGISTRATION

20. Time for presenting documents for registration.

- (1) Subject to sections 21, 22, and 23, all documents, except a will, must be presented for registration to the proper officer within four months from the date of execution of such document.
- (2) A copy of a decree or order may be presented within four months from the day on which the decree or order was made, or, where it is appealable, within four months from the day on which it becomes final.

21. Time for presenting document executed by several persons at different time.

Where there are several persons executing a document at different times, such document may be presented for registration and re-registration within four months from the date of each execution.

22. Provision where delay in presentation is unavoidable.

- (1) If a document executed or copy of a decree or order made in India is not presented for registration within the time stipulated under this Act, the Registrar may direct such document to be accepted for registration:
 - (a) if the delay is due to some urgent necessity or unavoidable accident;
 - (b) the delay in presentation does not exceed four months from the stipulated period; and
 - (c) subject to the payment of a fine not exceeding ten times the amount of the proper registration fee payable under this Act.
- (2) Registration under sub-section (1) may be allowed on an application to the concerned Sub-Registrar who must immediately forward it to the Registrar to whom she is subordinate.

23. Documents executed outside India.

If a document executed by all or any of the parties outside of India is not presented for registration within the time stipulated under this Chapter, the registering officer may accept such document for registration, on payment of the proper registration fee, if the registering officer is satisfied that the document:

- (a) was so executed; and
- (b) has been presented for registration within four months after its arrival in India.

CHAPTER VI – OFFICE FOR PRESENTING DOCUMENTS FOR REGISTRATION

24. Office for registering documents relating to land.

Except as otherwise provided in this Chapter, every document affecting immovable property must be presented for registration, in person or through electronic means, in the office of a Sub-Registrar within whose sub-district the whole or some portion of such property to which the document relates is situated.

25. Office for registering other documents.

- (1) Every document not being a document referred to in section 24 or a copy of a decree or order, must be presented for registration either in the office of the Sub-Registrar, in person or through electronic means, in whose sub-district the document was executed, or in the office of any other Sub-Registrar under the appropriate government at which all the persons executing and claiming under the document agree the same to be registered.
- (2) A copy of a decree or order may be presented for registration in the office of the Sub-Registrar in whose sub-district the original decree or order was made, or, where the decree or order does not affect immovable property, in the office of any Sub-Registrar under the appropriate government, at which all the persons claiming under the decree or order agree the copy to be registered.

26. Registration by Registrars in certain cases.

Any Registrar may in her discretion receive and register any document which might be registered by any Sub-Registrar subordinate to her.

27. Registration or acceptance for deposit at private residence.

A registering officer authorised to accept registration of documents may, on special cause being shown, attend at the residence of any person desiring to present a document for registration or to deposit a will, and accept for registration or deposit such document or will.

CHAPTER VII – PERSONS COMPETENT TO PRESENT DOCUMENTS FOR REGISTRATION

28. Persons to present documents for registration.

Except in cases mentioned in sections 14, 27, 31, every document to be registered under section 12 or section 13 of the Act must be presented to the proper registration office under Chapter VI, in person or through electronic means, in such manner as may be prescribed, by the following persons:

- (a) person executing or claiming under the document, or in case of a copy of a decree or order, by a person claiming under the decree or order;
- (b) representative or assignee of such person; or,
- (c) agent of such person, representative or assignee, duly authorised by a power of attorney executed and authenticated in the manner described in section 30.

29. Identity verification for registration.

- (1) Every person presenting any document for registration under section 28 must, in such form and manner as may be prescribed:
 - (a) affix in the document, her signature, passport sized colour photograph or get photographed by a digital camera and her thumb impression, either manually or through a biometric device;
 - (b) submit permanent account number in case of such documents as may be prescribed; and
 - (c) submit such officially valid documents or the equivalent e-document as may be requested by the registering officer under section 37(7).
- (2) For the purposes of this Act, a person presenting any document for registration may affix physical signatures, electronic signatures under the Information Technology Act, 2000 (21 of 2000), or such other forms of signatures (whether physical or digital) as may be prescribed.
- (3) Every person presenting any document for registration under section 28 may undergo consent-based Aadhaar authentication, or offline verification or consent-based verification through officially valid documents or equivalent e-documents under applicable law, as the case may be, in such offices of registering officers as may be notified by the appropriate government and subject to such safeguards as may be prescribed.
- (4) No person will be refused registration for not having an Aadhaar number.
- (5) Every person executing a document and claiming under the document relating to immovable property, must sign the document and comply with the provision in sub-section (1)(a) above.
- (6) The appropriate government may prescribe safeguards for verification under this section.

Explanation: For the purposes of this section and Section 37:

- (i) “authentication” has the meaning assigned to it under the Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016.
- (ii) “officially valid document” means such documents as may be notified by the appropriate government for verifying the identity under this section;
- (iii) “equivalent e-document” means an electronic equivalent of a document, issued by the issuing authority of such a document with its valid digital signature as may be notified by the appropriate government.
- (iv) “offline verification” has the meaning assigned to it under the Aadhaar (Authentication and Offline Verification) Regulations,

2021.

30. Power of attorney recognisable for the purposes of section 28.

- (1) The following powers of attorney will be recognised for the purposes of section 28:
 - (a) if the principal resides in India at the time of executing the power of attorney,
 - (i) for a power-of-attorney related to transfers of immovable property, the power of attorney registered under section 12;
 - (ii) for any other power of attorney, the power of attorney executed before and authenticated by the Registrar, Sub-Registrar, or Magistrate within whose district or sub-district the principal resides;
 - (b) if the principal at the time of executing a power of attorney resides in any part of India in which this Act is not in force, a power of attorney executed before and authenticated by any Magistrate;
 - (c) if the principal at the time of execution of the power of attorney does not reside in India, any power of attorney executed before and authenticated by a Notary Public, or any court, Judge, Magistrate, Indian Consul or Vice-Consul, or representative of the Central Government.
- (2) The following persons are not required to appear in-person at any registration office or court to execute a power of attorney or get it authenticated under sub-section (1)(a) and sub-section 1(b) above:
 - (a) persons who by reason of bodily infirmity are unable to attend;
 - (b) persons who are in jail under civil or criminal process; and,
 - (c) persons exempt by law from personal appearance in court.
- (3) In the case of every such person under sub-section (2), the Registrar or Sub-Registrar or Magistrate, as the case may be, if satisfied that the power of attorney has been voluntarily executed by the person purporting to be the principal, may attest such power of attorney, without requiring her personal attendance at the office or court, as the case may be.
- (4) The Registrar, Sub-Registrar or Magistrate, as the case may be, may obtain evidence as to the voluntary nature of the execution referred to in the above sub-section (3) by herself going to the house of the person purporting to be the principal, or to the jail in which she is confined, and

examine her or issue a commission for her examination.

- (5) Any power-of-attorney mentioned in this section may be proved by producing it without further proof, when on the face of it, it purports to have been executed before and authenticated by the person or court mentioned in sub-section (4).

31. Exemption from appearance of government officers or certain public functionaries.

- (1) Regardless of anything contained in this Act, the following persons will not be required to appear in person or by any agent at any registration office in any proceeding connected with the registration of any instrument executed by such person or in her favour, in her official capacity, or to sign under section 40:
- (a) any officer of the appropriate government;
 - (b) any Administrator-General, Official Trustee or Official Assignee;
 - (c) the Sheriff, Receiver or Registrar of a High Court; or
 - (d) the holder of any other public office as may be notified by the appropriate government.
- (2) Any instrument executed by or in favour of an officer of the government or any other person referred to in sub-section (1) may be presented for registration in such manner as may be prescribed.
- (3) The registering officer to whom any instrument is presented for registration under this section may refer to such officer of the appropriate government or such other persons mentioned in sub-section (1) for information regarding the instrument mentioned in sub-section (1) and on being satisfied of the execution, must register the instrument.

CHAPTER VIII – PRESENTATION OF DOCUMENTS FOR REGISTRATION

32. Form, manner and fee for presenting documents for registration.

- (1) A document may be presented for registration, including through electronic means within such time, in such form, at such offices and accompanied by such fee as provided under this Act.
- (2) The appropriate government may notify such documents that must be registered only through electronic means in such form and manner as may be prescribed.

- (3) The appropriate government may notify documents under sub-section (2) after ensuring that registration offices have necessary infrastructure and safeguards for such registration.
- (4) The appropriate government may, in public interest and to prevent fraud, require persons executing such documents, as may be notified through electronic means under sub-section (1), to physically appear before the registering officer, before issuing the registration certificate.
- (5) The frequency, form, and manner of such appearance mentioned in sub-section (4) will be prescribed.
- (6) Any document presented for registration must be accompanied by the registration fee, as notified by the appropriate government under section 70, in such form and manner as may be prescribed.
- (7) Subject to the Act, the form and manner of presentation of documents and registration of documents through electronic means will be as prescribed.

33. Templates for registrable documents.

- (1) The appropriate government may notify standard templates of documents which are subject to compulsory registration under section 12.
- (2) The registration of a document under this Act must not be refused if it is not presented in the format mentioned in sub-section (1).

34. Description of property in documents presented for registration.

- (1) A non-testamentary document relating to immovable property must contain a description of such property as may be prescribed, to sufficiently identify the property, including any unique identification number as may be issued or recognised by the appropriate government.
- (2) Houses in towns must be described using the following parameters:
 - (a) side of the road or street they face;
 - (b) existing and former occupancies;
 - (c) numbers, if the houses on such roads or streets are numbered; and,
 - (d) reference to government maps or surveys, if such maps or surveys are available to sufficiently describe such house.
- (3) Other houses and lands must be described using the following parameters:
 - (a) name, if any;
 - (b) territorial division in which they are situated;

- (c) superficial description of the house or land;
- (d) adjacent roads and properties;
- (e) existing occupancies; and
- (f) reference to government maps or surveys, if such maps or surveys are available to sufficiently describe such house.

- (4) The appropriate government may require that houses and lands in sub-sections (2) and (3) be described by reference to a government map or survey, wherever available, to sufficiently describe such houses and lands in such form and manner as may be prescribed.
- (5) Any non-testamentary document containing a map or a plan of any property must be accompanied by a copy of such map or plan.
- (6) Subject to rules issued under this section, failure to comply with sub-sections (2) and (3) must not disentitle a document to be registered if, in the opinion of the registering officer, the description of the property to which it relates is sufficient to identify that property.

35. Document in language not understood by the registering officer.

- (1) If any document presented for registration is in a language not understood by the registering officer, it must be accompanied by a true translation into a language commonly used in the district.
- (2) The translation in sub-section (1) must be filed in the appropriate book along with the original document.
- (3) The endorsements under section 40(3) and the registration certification under section 52 must be made on the original document and the translation will be treated as the original for the purpose of making copies and memoranda under sections 55, 56, and 68.

36. Documents containing interlineations, blanks, erasures or alterations.

- (1) Any interlineation, blank, erasure, or alteration in a document presented for registration must be attested by signatures or initials of such person executing the document.
- (2) At the time of registering such a document, the registering officer must make a note of such an interlineation, blank, erasure, or alteration in the concerned register.

CHAPTER IX – PROCEDURE FOR ENQUIRY AND ADMISSION OF DOCUMENTS

37. Enquiry and verification by registering officer.

- (1) Subject to the provisions contained in this Chapter and in sections 14, 31, 46, 48, 50, 61(6), 61(7), 61(8), 61(9), 63 and 80, a document will only be registered under this Act, if the person executing such document or their representatives, assignees or agents authorised, appear before the registering officer either physically or through electronic means within the time allowed for presentation under this Act and submit necessary information and documents required under this Act.
- (2) If owing to urgent necessity or unavoidable accident all such persons mentioned in sub-section (1) do not so appear and if the delay in appearing does not exceed four months, the Registrar may direct that the document may be registered, 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 22.
- (3) Any application seeking a direction under sub-section (2) may be lodged with a Sub-Registrar, who must forthwith forward it to the Registrar to whom she is subordinate.
- (4) Wherever applicable, the appearance of relevant parties under sub-section (1) may be simultaneous or at different times.
- (5) Upon presentation of a document for registration, the registering officer must in such form and manner, including through electronic means, as may be prescribed:
 - (a) enquire whether such document was executed by the persons by whom it purports to have been executed;
 - (b) satisfy herself as to the identity of the persons appearing before her and alleging that they have executed the document; and
 - (c) in the case of any person appearing as a representative, assign or agent, satisfy herself of the right of such person to appear.
- (6) The registering officer may access and rely on prescribed records and information in such form and manner as may be prescribed for discharging its functions under sub-section (5)(a).
- (7) The registering officer must satisfy herself about the identity of the concerned persons under sub-section (5)(b) by relying on the information provided under section 29(1) or through consent-based authentication and verification under, as the case may be under Section 29(2), in such form and manner as may be prescribed.
- (8) No registering officer must require the production of any records or information other than those expressly prescribed under section 37(6) for the limited purpose of discharging her obligation under section 37 to verify the identity and authority of the person presenting the document.
- (9) Nothing in this section applies to copies of decrees or orders.

38. Endorsement and receipt of document presented for registration.

Upon presentation of a document for registration:

- (a) the day, hour and place of presentation, photographs and fingerprints affixed under section 29 and the signature of every person presenting a document must be endorsed on such a document;
- (b) a receipt for such document must be given by the registering officer to the person presenting the same; and
- (c) subject to section 35, every document admitted to registration must be copied in the relevant book according to the order of admission, without unnecessary delay.

39. Admission and denial of execution of documents.

- (1) The registering officer must register the documents as directed in sections 40, 52, and 53:
 - (a) if all the persons executing the document appear personally or through electronic means, as the case may be, before the registering officer and if she is satisfied under section 37 that they are persons that they represent themselves to be, and if they all admit the execution of the document;
 - (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 her representative or assign appears before the registering officer and admits the execution.
- (2) The registering officer may, in order to satisfy herself that the persons appearing before her are the persons they represent themselves to be, or for any other purpose contemplated by this Act, examine anyone present in her office.
- (3) The registering officer must refuse the registration of a document if the execution of such document is denied by the person concerned and on such grounds mentioned in section 58(1)(e).
- (4) Where the registering officer is a Registrar, she must follow the procedure set out in Chapter XIII.
- (5) The appropriate government may, by notification in the Official Gazette, declare that any Sub-Registrar named in the notification must, 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 Chapter XIII.

- (6) The appearance of parties under this section and the admission and denial of execution may be done in such form and manner as may be prescribed.

40. Particulars to be endorsed on documents admitted to registration.

- (1) Except a copy of a decree or order, or a copy sent to registering officer under section 14, every document admitted to registration will be endorsed with the following particulars:
- (a) the signature and addition of every person admitting the execution of the document, and if a representative, assignee, or agent admits the execution, their signature and addition;
 - (b) the signature and addition of every person examined regarding such document under the Act; and,
 - (c) any payment of money or delivery of goods made in the presence of the registering officer relating to the execution of the document, and any admission of receipt of consideration, in whole or in part, made in her presence.
- (2) If a person admitting to the execution of a document refuses to endorse the same, the registering officer will register the document while endorsing a note of such refusal.
- (3) The registering officer will affix the date and her signature to all endorsements made under sections 38 and 40 for the same document in her presence on the same day.

CHAPTER X - OF ENFORCING THE APPEARANCE OF EXECUTANTS AND WITNESSES

41. Procedure where appearance of executant or witness is desired.

- (1) If a person presenting any document for registration or claiming under any document, which is capable of being so presented, desires the appearance of any person whose presence or testimony is necessary for the registration of such document, the person presenting the document may make a request to the registering officer.
- (2) The registering officer may, in her discretion, call upon such officer or court as the appropriate government directs in this behalf to issue a summons requiring the person whose presence is desired under sub-section (1), to appear before the concerned registering officer either personally or by duly authorised agent, in such manner and at such time as the summons may provide.

- (3) The officer or court, upon receipt of the fee as payable in such cases, must issue the summons accordingly, and cause it to be served upon the person whose appearance is so required.

42. Persons exempt from appearance at registration office.

- (1) The following persons will not be required to appear before the registering officer at the registration office:
- (a) a person who by reason of bodily infirmity is unable, without risk or serious inconvenience, to appear personally at the registration office, or
 - (b) a person in jail under civil or criminal process, or
 - (c) a person exempt by law from personal appearance in court, and who would, but for the provisions of this Act, be required to appear in person at the registration office.
- (2) In the case of every such person mentioned in sub-section (1), the registering officer may examine such person by:
- (a) providing an option to the person to appear through electronic means in such form and manner as may be prescribed, if possible; or
 - (b) herself going to the house of such a person, or to the jail in which she is confined; or
 - (c) issuing a commission for her examination.
- (3) Sub-section (2)(a) will not apply if such appearance will cause risk or serious inconvenience to the concerned person, or the concerned jail does not have adequate facility to enable such appearance through electronic means or is in contravention of any other law.

43. Law as to summonses, commissions and witnesses.

The law in force for the time being as to summonses, commissions and compelling the attendance of witnesses, and for their remuneration in suits before civil courts will, except as aforesaid, apply with necessary modifications to any summons or commission issued and any person summoned to appear under the provisions of this Act.

CHAPTER XI – SPECIAL PROVISIONS RELATING TO WILLS

44. Time of presentation of wills.

A will may be presented for registration or deposited at any time in the manner provided in this Chapter.

45. Persons entitled to present wills and authorities to adopt.

- (1) The testator, or after her death any person claiming as executor or otherwise under a will, may present it to any Registrar or Sub-Registrar for registration.
- (2) The donor, or after her death the donee, of any authority to adopt, or the adoptive son or daughter, may present it to any Registrar or Sub-Registrar for registration.
- (3) A will or authority to adopt under sub-sections (1) and (2) may be presented and registered in such form and manner as may be prescribed.

46. Registration of wills and authorities to adopt.

- (1) A will or an authority to adopt, presented for registration by the testator or donor, as the case may be, may be registered in the same manner as any other document.
- (2) A will or authority to adopt presented for registration by any other person entitled to present it, must be registered if the registering officer is satisfied:
 - (a) that the will or authority was executed by the testator or donor, as the case may be;
 - (b) that the testator or donor, as the case may be, is dead; and,
 - (c) that the person presenting the will or authority is, under section 45, entitled to present the same.

47. Deposit of wills.

Any testator may, either personally or by a duly authorised agent, deposit with any Registrar her will in a sealed cover bearing the name of the testator and that of her agent (if any) and with a statement of the nature of the document.

48. Procedure on deposit of wills.

- (1) On receiving the cover under section 47, the Registrar, if satisfied that the person presenting the same for deposit is the testator or her agent, must write in Book No. 5 the details mentioned in section 47.

(2) The Registrar must note the following particulars in Book 5, and on the said cover:

- (a) the year, month, day and hour of such presentation and receipt;
- (b) the names of any persons who may testify to the identity of the testator or her agent; and,
- (c) any legible text or inscription which may be on the seal of the cover.

(3) The Registrar must then place and retain the sealed cover in her fire-proof box.

49. Withdrawal of sealed cover deposited under section 47 and 48.

If the testator who has deposited sealed cover wishes to withdraw it, she may apply, either personally or by duly authorised agent, to the Registrar who holds it in deposit, and such Registrar, if satisfied that the applicant is actually the testator or her agent, must deliver the cover accordingly.

50. Proceedings on death of depositor.

- (1) If, on the death of a testator who has deposited a sealed cover under section 47, an application to open the cover is made to the Registrar who holds it in deposit, and if the Registrar is satisfied that the testator is dead, she must, in the presence of the applicant open the cover.
- (2) On opening the sealed cover under sub-section (1), the Registrar will copy the contents of the cover into Book No. 3 at the expense of the applicant and re-deposit the original will.

51. Saving of certain enactments and powers of courts.

- (1) Nothing contained in this Part will affect the provisions of section 294 of the Indian Succession Act, 1925, or the power of any court to compel the production of any will by an order.
- (2) When an order is made under sub-section (1), the Registrar must, unless the will has been already copied under section 50, open the cover, and cause the will to be copied into her Book 3 and make a note on such copy that the original has been removed into court in pursuance of the said order.

CHAPTER XII – ISSUANCE OF REGISTRATION CERTIFICATE

52. Certificate of registration.

- (1) After compliance with sections 37, 39, and 40, as may be applicable, the registering officer must issue a registration certificate bearing the signature, seal and date of registration in such form and manner as may be prescribed.
- (2) The registration certificate mentioned above will contain the word “registered” together with the number and page of the book containing details of the document which has been registered.
- (3) The registration certificate will be admissible for proving that the document has been duly registered in accordance with the Act and that facts mentioned in the endorsement under section 40(3) have occurred.

53. Endorsements and certificate to be copied and document returned.

- (1) The registering officer will record the endorsement mentioned in section 40 and the issuance of registration certificate, in the applicable register book.
- (2) The registering officer will also file the copy of the map or plan, if any, in accordance with section 34, in Book 1.
- (3) The registration of the document will be deemed to be complete under this Act and wherever applicable, the document will be returned to the person who presented the document for registration or, to such other person who she has nominated in writing on the receipt mentioned in section 38.

54. Notification to concerned authorities.

Upon issuance of registration certification under section 52 and recording the information mentioned in section 53, the registering officer must inform the competent authorities notified by the appropriate government in such form, manner and within such period as may be prescribed.

55. Procedure where document relates to land in several sub-districts or districts.

- (1) A Sub-Registrar who registers a non-testamentary document related to immovable property not wholly situated in her sub-district must prepare a memorandum of the document, including any endorsements and certificate in such form and manner as may be prescribed.
- (2) The Sub-Registrar will send the memorandum to all other Sub-Registrars subordinate to the same Registrar as herself, in whose sub-districts any part of the property is located and each of such Sub-Registrars will file the memorandum in her Book 1.
- (3) A Sub-Registrar who registers a non-testamentary document relating to immovable property situated in more than one district will forward a

copy of the document, the endorsement and certificate (if any) on such document together with a copy of the map or plan (if any) mentioned in section 34 to the Registrar of every district in which any part of such property is situated other than the Sub-Registrar's own district.

- (4) The Registrar will file a copy of the document and copy of the map or plan (if any) mentioned in sub-section (3) in Book 1 and will forward a memorandum of the documents to each of the Sub-Registrars subordinate to such Registrar within whose sub-district any part of the property is situated.
- (5) Every such Sub-Registrar receiving the memorandum mentioned in sub-section (4) will file it in Book 1.

56. Procedure after registration of documents relating to land.

- (1) Upon registration of any non-testamentary document relating to immovable property, the Registrar must forward a memorandum of such document to each Sub-Registrar subordinate to such Registrar in whose district any part of the property is situated.
- (2) The Registrar must also forward a copy of such document together with a copy of the map or plan (if any) mentioned in section 34 to every other Registrar in whose district any part of such property is situated.
- (3) A Registrar receiving a copy referred to in sub-section (2) above will file it in Book No.1 and also send a memorandum of the copy to each of the Sub-Registrars subordinate to such Registrar within whose sub-district any part of the property is situated.
- (4) A Sub-Registrar receiving any memorandum under this section will be filed in Book No. 1.

**CHAPTER XIII – RECTIFICATION OF ERRORS, REFUSAL TO REGISTER AND
CANCELLATION OF REGISTRATION**

57. Re-Registration after rectification of errors.

- (1) Regardless of anything to the contrary in this Act, if any document that was presented for registration by a person not duly empowered to present such document, has been accepted for registration and registered under this Act, the persons claiming under such document, may freshly present the document or cause the same to be presented, in accordance with the provisions of Chapters VII and IX of this Act for registration after rectification of errors in the office of the Registrar of the district in which the document was originally registered.
- (2) Where a document is being presented for re-registration under sub-section (1), it must be accompanied by an application providing the following particulars:

- (a) details of the errors sought to be rectified;
 - (b) details of the person actually empowered to present the document; and,
 - (c) statement to the effect that all the persons claiming under the document agree that the person who originally presented the document for registration was not duly empowered to do so and the person identified in sub-clause (b) is the right person to present the document.
- (3) An application made under sub-section (2) must be in such form and manner as may be prescribed.
- (4) Where a document is being presented for re-registration under sub-section (1), it must be presented within four months from the date on which the error first came to the knowledge of the applicant.
- (5) The registering officer, upon verifying the details set out under sub-section (2), must proceed to register the document as if it had not been previously registered and as if such presentation for registration was made within the stipulated time under Chapter V.
- (6) If a document is duly re-registered under the provisions of this section, it must be deemed to have been duly registered for all purposes from the date of its original registration.
- (7) All the provisions of this Act as to registration of documents will apply to a re- registration under this section.

58. Grounds for refusal of registration.

- (1) The registration of a document may be refused by the registering officer on the following grounds:
- (a) document is submitted without a true translation in a language commonly understood in the district of the registering officer, under section 35;
 - (b) any interlineation, blank, erasure or alteration appears in the document, unless attested, under section 36;
 - (c) non-testamentary document is presented without sufficient description to identify the property that is the subject of registration, under section 34;
 - (d) document, not being a will, is presented for registration later than four months after the date of execution, under section 20, subject to sections 21, 22 and 23;
 - (e) the person by whom the document is purported to be executed:

- (i) denies the execution of the document,
 - (ii) is a minor,
 - (iii) appears to the registering officer to be a person with mental incapacity; or
 - (iv) is dead and such person's representative or assign denies execution;
- (f) the document relates to transfer of property by way of agreement for sale, sale, gift, exchange or lease or otherwise in respect of any immovable property owned by the Central Government or State Government or any authority or undertaking of the Central Government or State Government or any authority or undertaking constituted or established under any Central Act or State Act, for the time being in force, unless such document is accompanied by a no-objection certificate issued by the competent authority;
- (g) the document relates to transfer of property by way of agreement for sale, gift, exchange or permanent alienation or lease or otherwise pertaining to any immovable property which is attached permanently or provisionally by any competent authority under any Central Act or State Act for the time being in force or any court or tribunal or authority, upon the production of order of such attachment;
- (h) the document relates to the transfer of property in respect of which the approval of the Central Government or State Government or any authority or undertaking of the Central Government or State Government or any authority or undertaking constituted or established under any Central Act or State Act is required under any law for the time being in force, prior to entering into any transactions in connection with such immovable property, unless such document is accompanied by an approval (by whatever name called) issued by the competent authority;
- (i) appropriate registration fee under this Act has not been paid;
- (j) the registering officer finds that the document has not been executed by the person by whom it is purported to have been executed based on information accessed and examined under section 37(6);
- (k) the registering officer finds that she is not satisfied about the identity of the persons appearing before her and alleging to have executed the document in terms of section 37; or
- (l) any other ground based on which registration may be refused by the registering officer under this Act.
- (2) The power under this section must not be construed as empowering the registering officer to adjudicate upon questions of title or ownership of property, which are within the jurisdiction of any competent court or other authority under any law for the time being in force.

59. Reasons for refusal to register to be recorded.

- (1) Every Sub-Registrar refusing to register a document under section 58, must pass an order of refusal and record her reasons for such order in her Book 2, and endorse the document with such words or signs to expressly indicate that registration has been refused for such document, unless the refusal is on the ground that the property to which it relates is not situated within her sub-district.
- (2) The Sub-Registrar refusing to register a document under sub-section (1) must give a copy of the reasons recorded for refusal, on an application made by any person executing or claiming under the document, without payment or unnecessary delay.
- (3) No registering officer will accept for registration a document so endorsed, unless the document is directed to be registered under the following provisions.

60. Appeals from orders of Sub-Registrar refusing registration on grounds other than denial of execution.

- (1) Where registration of a document is refused by an order of a Sub-Registrar on any ground other than denial of execution, an appeal may be filed against such order before the Registrar to whom such Sub-Registrar is subordinate.
- (2) An appeal under sub-section (1) must be filed within thirty days from the date of the order of refusal of Sub-Registrar.
- (3) The Registrar may reverse or alter such order appealed under sub-section (1).
- (4) If the document is directed to be registered by an order of the Registrar under sub-section (3) and the document is presented for registration within thirty days from the date of such order, the Sub-Registrar must register the document following the procedure prescribed under sections 40 and 52, as far as practicable.
- (5) A registration under sub-section (4) will take effect as if the document had been registered when it was first duly presented for registration.

61. Application to Registrar on refusal on the ground of denial of execution.

- (1) Where registration of a document is refused by an order of Sub-Registrar on the ground of denial of execution by the person by whom it purports to be executed under section 58(1)(e)(i) or her representative or assign, denies execution, any person claiming under such document or her representative, assign or agent authorised as aforesaid, may apply to the Registrar to whom such Sub-Registrar is subordinate, to establish her right to have the document registered.
- (2) An application under sub-section (1) must be made within thirty days from the date of order of refusal.
- (3) An application under sub-section (1) must be presented in writing and be accompanied by a copy of the reasons for refusal recorded under section 59.

- (4) Any statements made in the application under sub-section (1) must be verified by the applicant in the same manner as required for verification of plaints under the Code on Civil Procedure, 1908 (5 of 1908) and any other applicable laws.
- (5) In such case, and also where such denial as aforesaid is made before a Registrar in respect of a document presented for registration to her, the Registrar must, as soon as may be convenient, enquire:
 - (a) whether the document has been executed; and
 - (b) whether the requirements under any laws for the time being in force have been complied with by the applicant or person presenting the document for registration, as the case may be, so as to entitle the document to registration.
- (6) If the Registrar finds that the document has been executed and that the said requirements have been complied with, she must order the document to be registered.
- (7) If the document is duly presented for registration within thirty days after the making of an order under sub-section (6), the registering officer will register the same following the procedure prescribed in sections 40 and 52.
- (8) Registration under sub-section (7) will have the same effect as if the document had been registered when it was first duly presented for registration.
- (9) The Registrar may, for the purpose of any enquiry under sub-section (5), summon and enforce the attendance of witnesses, and compel them to give evidence, as if she were a civil court and she may also direct by whom the whole or any part of the costs of any such enquiry will be paid, and such costs will be recoverable as if they had been awarded in a suit under the Code of Civil Procedure, 1908 (5 of 1908).

62. Order of refusal by Registrar.

- (1) Every Registrar refusing:
 - (a) to register a document except on the ground that the property to which it relates is not situate within her district or that the document ought to be registered in the office of a Sub- Registrar, or
 - (b) to direct the registration of a document under section 60 or section 61(6),

must make an order of refusal and record the reasons for such order in her Book No. 2, and, on application made by any person executing or claiming under the document, must, without unnecessary delay, give her a copy of the reasons so recorded.

- (2) No appeal lies from any order by a Registrar under this section or section 60.
- (3) The form and manner of an order of refusal and appeal against such order under this Chapter must be in such form and manner as may be prescribed.

63. Suit in case of order of refusal by Registrar.

- (1) Where the Registrar refuses to order the document to be registered under section 60, or passes a decree under section 62, any person claiming under such document, or her representative, assign or agent, may, within thirty days after the making of the order of refusal, institute a suit, in the civil court, within the local limits of whose original jurisdiction the office in which the document is sought to be registered is situated, for a decree directing the document to be registered in such office if it is presented for registration within thirty days after the passing of such decree.
- (2) The provisions contained in sections 61(8) and 61(9) will, mutatis mutandis, apply to all documents presented for registration in accordance with any such decree, and, regardless of anything contained in this Act, the documents will be receivable in evidence in such suit.

64. Grounds for cancellation of registration.

- (1) The registration of any document under this Act may be cancelled by an Adjudicating Authority designated by the appropriate government and in such manner as may be prescribed.
- (2) The Adjudicating Authority may, upon being reasonably satisfied, cancel the registration of a document under this section on such grounds as may be prescribed, including on the ground that:
 - (a) the document was registered on the basis of false information;
 - (b) the document was registered in contravention of the provisions of this Act; and
 - (c) the document relates to a transaction which is found to be against the provisions of any applicable law by a competent court or authority, upon the submission of the order.
- (3) The Adjudicating Authority must adhere to the following principles while exercising its power of cancelling registration of documents under subsection (1):
 - (a) the Adjudicating Authority may cancel the registration of any document under this Act either upon a complaint made by an aggrieved party or *suo moto*;

- (b) the Adjudicating Authority must issue notice to the parties that have executed the document and to any other person who, in the opinion of the Adjudicating Authority, may be impacted by such cancellation of registration;
 - (c) the Adjudicating Authority must provide the parties and persons under sub-clause (3)(b) the opportunity to be heard and show cause why the registration should not be cancelled;
 - (d) the Adjudicating Authority must record in writing the reasons for its decision on the cancellation of the document and pass an order; and
 - (e) the Adjudicating Authority must note the cancellation of registration of any document under this section in such book as may be prescribed.
- (4) A person aggrieved by an order of cancellation passed by the Adjudicating Authority may, within thirty days from the date of the order, prefer an appeal before such Appellate Authority as may be designated by the appropriate government and all such appeals must be heard and disposed of in the manner prescribed.
- (5) The Adjudicating Authority and the Appellate Authority under this section must, before passing any order, consider if the subject matter of cancellation of registration is pending before any court or tribunal of competent jurisdiction, in such manner as may be prescribed, before exercising its powers under this section.
- (6) The power under this section must not be construed as empowering the Adjudicating Authority or the Appellate Authority to adjudicate upon questions of title or ownership of property, which are within the jurisdiction of any competent court or other authority under any law for the time being in force.

Explanation: For the purposes of this section:

- (i) “Adjudicating Authority” means such government officer not below the rank of Inspector General of Registration as may be designated by the appropriate government for exercising powers under sub-section (1).
- (ii) “Appellate Authority” means such government officer not below the rank of Secretary as may be designated by the appropriate government for hearing appeals under sub-section (4) against the decisions of the Adjudicating Authority.

CHAPTER XIV – REGISTERS, BOOKS AND INDEXES

65. Register-books and safe custody of documents.

- (1) The appropriate government must provide the office of every registering officer with books required under this Act.

- (2) The books must contain such forms as may be prescribed and have consecutively printed page numbers, and the issuing officer must certify the number of pages on the title page of each such book.
- (3) The appropriate government must supply the office of every Registrar with a fire-proof box and other infrastructure necessary to facilitate registration including registration through electronic means, such as computers, scanners, and cloud storage.
- (4) The books required to be maintained under this Act may be in maintained in electronic form in such form and manner and subject to such safeguards as may be prescribed.
- (5) Regardless of anything contained in this Act or any other law for the time being in force, a copy or extract from the books under sub-section (4), bearing the signature and seal of the registering officer, will be deemed to be a copy given under section 68 for the purposes of section 68(5).
- (6) The appropriate government must make suitable provisions for the safe and secure custody of the books, and records connected with the registration of documents.

66. Register-books to be kept in the several offices.

- (1) All registration offices must maintain the following books with such details as set out in Schedule I:
 - (a) Book 1 - Register of non-testamentary documents relating to immovable property;
 - (b) Book 2 - Records of reasons for refusal to register to be known as Book 2;
 - (c) Book 3 - Register of wills and authorities to adopt; and
 - (d) Book 4 - Miscellaneous Register.
- (2) The office of Registrars must maintain Book 5 - Register of deposit of wills.
- (3) Nothing in this section will be deemed to require more than one set of books where the office of the Registrar has been amalgamated with the office of a Sub-Registrar in accordance with section 6(2).
- (4) All entries in each book must be numbered in a consecutive series, which will commence and terminate with the year, a fresh series being

commenced at the beginning of each year.

- (5) All books must be authenticated at such intervals and in such manner as may be prescribed.

67. Current indexes and entries.

- (1) Every registration office that maintains the books under this Act must prepare current indexes of the contents of such books.
- (2) Whenever possible, every entry in such indexes must be made immediately after the registering officer copies or files a memorandum of the document to which such entry relates.
- (3) All registration offices must create four indexes containing particulars as set out in Part B of Schedule I.
- (4) Each index may contain other particulars and be in such form as may be prescribed.

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

- (1) Upon payment of applicable prior fees, any person applying to inspect Book 1, 2 and 4 and indexes relating to Book 1, may inspect such books and indexes.
- (2) Subject to section 35, copies or entries in books mentioned in sub-section (1) must be given to all persons applying for such copies.
- (3) Subject to the same provisions, copies of entries in Book 3 and in index relating to it, must 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.
- (4) The registering office will conduct the requisite search under this section for entries in Book 3.
- (5) All copies given under this section must be signed and sealed by the registering officer and must be admissible as proof of the contents of the original documents.

69. Inspection and copies of documents executed by or in favour of government.

Subject to rules and previous payment of fees as may be notified by the appropriate government:

- (a) all documents and maps mentioned in section 15(a), (b), (c) and (e) and all registers of documents in section 15(d) must be open for inspection

by any person applying to inspect such documents; and

- (b) copies of such documents must be given to persons applying for such copies.

CHAPTER XV – FFES FOR REGISTRATION, SEARCHES AND COPIES

70. Fees to be fixed by appropriate government.

- (1) The appropriate government must prepare and notify a table of fees payable:
- (a) for the registration of documents;
 - (b) for searching the registers;
 - (c) for making or granting copies of reasons, entries or documents, before on or after registration; and of extra or additional fees payable;
 - (d) for every registration under section 26;
 - (e) for the issue of commissions;
 - (f) for filing translations;
 - (g) for attending at private residences;
 - (h) for the safe custody and return of document; and
 - (i) for such other matters as appear to the government necessary to effect the purposes of this Act.
- (2) The appropriate government must take into account the following principles while fixing the fee under sub-section (1):
- (a) the registration fee must have a reasonable relationship with the cost of providing services by the appropriate government under this Act; and
 - (b) there must be periodic review and rationalisation of the fee to account for changes in the process of registration.
- (3) The appropriate government must ensure that where several documents are employed for completing a transaction, fees for any purpose under sub-clause 1 will be payable only in relation to the principal document and each of the other documents employed for completing the transaction will require payment of only nominal fees (if any) prescribed.

Explanation: For the purposes of this section:

- (i) “principal document” means one of the documents from amongst the documents employed to complete the transaction, as determined by the parties to the transaction;

(ii) “transaction” includes a series of related actions involving two or more documents:

- (a) between the same parties;
- (b) as a part of a single arrangement or scheme; and
- (c) related to the same immovable property.

(4) The appropriate government may, if in its opinion it is necessary in the public interest so to do, by order published in the Official Gazette, remit or reduce the fees payable in respect of any of the matters enumerated in sub-section (1) either generally or for any particular class or classes of cases, and in respect of persons generally or of any particular class or classes of persons.

(5) A table of the fees so payable must be notified in the Official Gazette, and a copy thereof in English and the vernacular language of the district must be made public in the registration office and any online registration portal of the appropriate government.

71. Fee payable on presentation.

- (1) All fees for the registration of documents under this Act will be payable on the presentation of such documents.
- (2) If after the registration of a document, it is found that the fee payable under this Act in relation to that document has not been paid, or has been insufficiently paid, as the case may be, such deficit fee must be recovered from the concerned person in such form and manner as may be prescribed.
- (3) Where the Registrar finds that the amount of registration fee charged and paid is in excess of that which is legally chargeable and payable under this Act, the Registrar must, upon an application in writing, refund the excess amount of fee so charged and paid, in such form and manner as may be prescribed and as far as possible within six months from the date of application for such refund.

CHAPTER XVI – PENALTIES

72. Penalty for incorrectly endorsing, copying, translating or registering documents with intent to injure.

Every registering officer appointed under this Act and every person employed in her office for the purposes of this Act, who, being charged with the endorsing, copying, translating or registering of any document presented or deposited under its provisions, endorses, copies, translates or registers such document in a manner which she knows or believes to be incorrect, intending to cause or knowing it to be likely that she may thereby cause injury to any person, will be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Explanation: For the purposes of this section, “injury” means injury, as defined in section 2(14) of the Bharatiya Nyaya Sanhita (45 of 2023).

73. Penalty for making false statements, delivering false copies or translations, false personation, and abetment.

Whoever:

- (a) intentionally makes any false statement, whether on oath or not, and whether it has been recorded or not, before any officer acting in execution of this Act, in any proceeding or enquiry under this Act;
- (b) intentionally delivers to a registering officer, in any proceeding under section 34 or section 35, a false copy or translation of a document, or a false copy of a map or plan; or
- (c) falsely personates another, and in such assumed character
 - (i) presents any document;
 - (ii) makes any admission or statement;
 - (iii) causes any summons or commission to be issued; or
 - (iv) does any other act in any proceeding or enquiry under this Act; or
- (d) abets anything made punishable by this Act,

will be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

74. Registering officers may commence prosecutions.

- (1) A prosecution for any offence under this Act coming to the knowledge of a registering officer in her official capacity may be commenced by or with the permission of the Inspector General of Registration, the Registrar or the Sub-Registrar, in whose territories, district or sub-district, as the case may be, the offence has been committed.
- (2) Offences punishable under this Act will be triable by any court or officer exercising powers not less than those of a Magistrate of the second class.

CHAPTER XVII - MISCELLANEOUS

75. Power of Inspector General of Registration to remit fines.

The Inspector General of Registration may remit wholly or in part the difference between any fine levied under section 22 or section 37, and the amount of the proper registration fee.

76. Registering officers to be deemed public servants.

- (1) The Inspector General of Registration, Additional Inspectors General of Registration, Joint Inspectors General of Registration, Deputy Inspectors General of Registration, Assistant Inspectors General of Registration, Registrar and Sub-Registrar must be deemed, while acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 2(28) of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).
- (2) Every person is legally bound to furnish information to such a registering officer when required by her to do so under this Act.

77. Destruction of physical unclaimed documents.

Documents (other than wills) remaining unclaimed in any registration office for a period exceeding two years may be destroyed.

78. Protection of action taken in good faith.

No suit, prosecution or other legal proceeding will be maintainable against the Inspector General of Registration or a registering officer for anything which is in good faith done or intended to be done under this Act, rules, or notifications and orders issued under this Act.

79. Nothing so done invalidated by defect in appointment or procedure.

Nothing done in good faith pursuant to this Act or any Act hereby repealed, by any registering officer, will be deemed invalid merely by reason of any defect in her appointment or any irregularity in the procedure not affecting the merits of the case.

80. Power of the appropriate government to make rules.

- (1) The appropriate government will, by notification, make rules for carrying out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:
 - (a) particulars under section 2(1)(a);
 - (b) form of endorsement under section 2(1)(f);
 - (c) form of lease under section 2(1)(j);

- (d) terms and conditions of service and duties of Additional Inspectors General of Registration, Joint Inspector General of Registration, Deputy Inspector General of Registration and Assistant Inspector General of Registration appointed under section 4;
- (e) quantum of amount mentioned in section 12(4);
- (f) form and manner of notifying mortgage by deposit of title deeds under section 14(3);
- (g) form and manner of presenting documents for registration under section 28(1),
- (h) form and manner of submitting information for identity verification under 29(1);
- (i) safeguards for identity verification under section 29(2) and 29(5);
- (j) manner for presenting documents executed by or in favour of a government officer or other persons under section 31(2);
- (k) form and manner of registration only through electronic means under section 32(2);
- (l) frequency, form and manner of personal appearance under section 32(5);
- (m) form and manner of payment of fee under section 32(6);
- (n) form and manner of presentation and registration of document of documents through electronic means under section 32(7);
- (o) form and manner of description of property under section 34;
- (p) form and manner of enquiry under section 37(5);
- (q) documents that can be accessed and relied on by the registering officer for discharging obligations under section 37(5) and the form and manner of such access and reliance under section 37(6);
- (r) form and manner of accessing and reliance on information under section 37(7);
- (s) form and manner of appearance of parties and admission and denial of execution under section 39(6);
- (t) providing an option to appear through electronic means under section 42(2);
- (u) presentation and registration of a will or authority to adopt through electronic means under section 45;
- (v) form and manner of issuance of registration certification under section 52;
- (w) form, manner and timelines for notification to concerned authorities under section 54;
- (x) form and manner of preparing memorandum, endorsement and certificate under section 55(1);
- (y) form and manner of application under section 57(3);
- (z) form and manner of an order of refusal and appeal under section 62(3);
- (aa) the manner of cancellation of registration of any document by the Adjudicating Authority under section 64(1);
- (bb) grounds for cancellation of registration of a document by the Adjudicatory Authority under section 64(2);
- (cc) the manner of noting the cancellation of registration of any document under Section 64(3)(e);
- (dd) the manner of hearing and disposal of appeals by the Appellate Authority against an order of cancellation passed by the Adjudicating Authority under section 64(4);
- (ee) the manner of consideration by the Adjudicating Authority and the Appellate Authority as to whether the subject matter of the cancellation of registration is pending before any court or tribunal of competent jurisdiction under Section 64(5);

- (ff) forms that books must contain under section 65(2);
- (gg) form and manner of maintenance of books in electronic form under section 65(4);
- (hh) timelines and manner for authenticating books under section 66(5);
- (ii) particulars and form of maintenance of indexes under section 67(4);
- (ji) form and manner for recovery and refund of registration fee under section 71;
- (kk) and any other matter which is required to be, or may be, prescribed, or in respect of which provision is to be or may be made by rules.

81. Laying of rules.

- (1) Every rule made by the Central Government under this Act must be laid before each House of the Parliament after it is made.
- (2) Every rule under sub-section (1) must be laid for a total period of thirty days while the Parliament is in session.
- (3) The thirty days referred to in sub-section (2) may comprise one session or may extend to two or more successive sessions.
- (4) After the rules have been laid as per the sub-sections above, if before the expiry of the next session, both Houses agree:
 - (a) to make any modification in the rule; or
 - (b) that the rule should not be made or issued,the rule will have effect only in the modified form or have no effect respectively.
- (5) Any change in the rules or under sub-section (4) will not affect the validity of anything previously done under the rule.
- (6) Every rule made by:
 - (a) a State Government, or
 - (b) in case of a Union Territory with Legislature, by the Union Territory Government,

under this Act, must be laid as soon as may be, after it is made, before both Houses of the State Legislature, or the Union Territory Legislature, as the case may be, where it consists of two Houses, or where such legislature consists of one House, before that House.

82. Provisions to be in addition to existing laws.

Unless stated otherwise, the provisions of this Act will be in addition to and not in derogation of, any other law for the time being in force.

83. Power of the Central Government to amend Schedule.

The Central Government may, by notification, amend or alter the Schedule to this Act.

84. Power to remove difficulties.

- (1) If any difficulty arises in giving effect to the provisions of this Part, the Central Government may, by order, make such provisions or give such directions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for the removal of the difficulty.
- (2) No such power under sub-section (1) will be exercised after the expiry of a period of two years from the commencement of this Act.

85. Repeals and savings.

- (1) The Registration Act, 1908 (16 of 1908) is hereby repealed.
- (2) Regardless of the repeal under sub-section (1):
 - (a) anything done or any action taken or purported to have been done or taken, including any rule, notification, appointment, registration certificate, exemption, direction, order, notice, or other proceedings will, insofar as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act till they are repealed under the corresponding provisions of this Act;
 - (b) the issuance of a registration certificate under the repealed law will continue to be valid and the provisions of this Act will apply to such certificates as if they were issued under this Act;
 - (c) the offices existing on the commencement of this Act for the registration documents will continue as if they have been established under the provisions of this Act;
 - (d) any exemption given under the act so repealed will continue to be in force till its validity expires or it ceases to be in operation under the provisions of this Act or till any direction is made for such purpose; and
 - (e) all registers and indexes maintained under the repealed law will be deemed to be registers and indexes maintained under the corresponding

provisions of this Act.

- (3) The provisions of this Act will apply to the registration of any document that is pending immediately before the commencement of this Act and to the consequent proceedings.
- (4) Without prejudice to sub-section (2), the provisions contained in the General Clauses Act, 1987 (10 of 1987) will continue to apply to the repealed acts.

86. Amendments.

- (1) For section 54 of the Transfer of Property Act, 1882, the following section will be substituted, namely:

“Sale” defined.—“Sale” is a transfer of ownership in exchange for a price paid or promised or part-paid and part-promised.
Sale how made.—Such transfer, in the case of a reversion or other intangible thing, can be made only by a registered instrument.
Contract for sale.—A contract for the sale of immovable property is a contract that a sale of such property will take place on terms settled between the parties. It does not, of itself, create any interest in or charge on such property.”
- (2) For section 59 of the Transfer of Property Act, 1882, the following section will be substituted, namely:

“Mortgage when to be by assurance.—A mortgage other than a mortgage by deposit of title-deeds can be effected only by a registered instrument signed by the mortgagor and attested by at least two witnesses.”

SCHEDULE

Part A - Particulars to be contained in Books maintained under section 66

1. Book 1 - Register of non-testamentary documents relating to immovable property

In Book 1 will be entered or filed all documents or memoranda registered under sections 12, 13 and 14 which relate to immovable property, and are not wills
2. Book 2 - Record of reasons for refusal to register
3. Book 3 - Register of wills and authorities to adopt

4. Book 4 - Miscellaneous Register

Book 4 must contain all documents registered under section 13 which do not relate to immovable property.

5. Book 5 - Register of Wills

Part B - Form and Particulars to be contained in indexes maintained under section 67

1. Index I - It must contain the names and additions of all persons executing and of all persons claiming under every document entered or memorandum filed in Book 1.
2. Index II - It must contain such particulars mentioned in section 34 relating to every such document and memorandum as the Inspector General of Registration from time to time directs in that behalf.
3. Index III - It must contain the names and additions of all persons executing every will and authority entered in Book 3, and of the executors and persons respectively appointed thereunder, and after the death of the testator or the donor (but not before) the names and additions of all persons claiming under the same.
4. Index IV - It must contain the names and additions of all persons executing and of all persons claiming under every document entered in Book 4.