

**Summary of the Feedback / Comments received from the States / public / stakeholders on**

**THE DRAFT REGISTRATION BILL, 2025**

---

| S. No. | Clause/ Sections                         | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.     | <b>Preamble</b>                          | Preamble should include an express acknowledgment of the critical role of registration in establishing documentary title and ensuring legal enforceability of transactions under prevailing property and contract law. The preamble must also recognize that registration is not merely an administrative step, but a legal foundation for proving ownership, enforcing rights, and creating security interests in both civil and criminal legal contexts.                                                                                                               |
| 2.     | <b>Statement of Objects and Reasons</b>  | <p>The real purpose of registration of immovable property in India should be clearly stated as intended to:</p> <ul style="list-style-type: none"><li>• give security of title to the person acquiring property, prevent frauds in property transactions, provide authentic copies of deeds in case of loss or destruction of the same, avoid litigation regarding the authenticity of wills and authority to adopt a son;</li><li>• create a publicly accessible record of all property transactions; and</li><li>• serve a constructive notice to the world.</li></ul> |
| 3.     | <b><i>Proposed Clause 1A</i></b>         | <p>Add a new clause 1A, akin to the below provision requiring appropriate governments to maintain online registration platforms:</p> <p><i>“The appropriate Government shall establish and maintain a secure, interoperable, and user-friendly digital registration platform with capabilities for e-filing, e-authentication, e-signatures, e-payment, and electronic record-keeping in compliance with the Information Technology Act, 2000.”</i></p>                                                                                                                  |
| 4.     | <b>2(1)(a)<br/>Definition – Addition</b> | <ul style="list-style-type: none"><li>• The word “nationality” should be included in the definition. This is because there exist restrictions on acquisition and transfer of immovable property in India based on nationality as per the notifications issued from time to time by the RBI under FEMA, 1999. Hence, checking the nationality of the transferor/transferee during the registration process becomes vital.</li><li>• Email address and e-KYC ID should be included to support digital notifications.</li></ul>                                             |

| S. No. | Clause/ Sections                                                                                                                                               | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                                                                | <ul style="list-style-type: none"> <li>The term should be defined as “address”, as “addition” is misplaced and not meaningful.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                          |
| 5.     | <b>2(1)(e)<br/>Definition-<br/>Endorsement</b>                                                                                                                 | Addition of a comma after the words “as may be prescribed”.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 6.     | <b>2(1)(q) and (v), 4, 5, 76,<br/>and 80(2)(d)<br/><br/>Definition –RO and<br/>sub-registrar; and<br/>offices of IGR,<br/>Registrar and Sub-<br/>Registrar</b> | Inclusion of posts or designations that exist in various States (e.g. district sub-registrar or additional sub-registrar in West Bengal or Joint Sub-registrar/ Joint Registrar in Maharashtra). Further, a category of “Special IGR” should be included under Clause 4, in addition to Additional IGR, Joint IGR, Deputy IGR and Assistant IGR.                                                                                                                                                                   |
| 7.     | <b>2(1)(g)<br/>Definition – Execute</b>                                                                                                                        | <ul style="list-style-type: none"> <li>The definition should include thumb impressions.</li> <li>A counter-view suggests that affixation of thumb impression, especially in electronic forms, may be contrary to the DPDPA 2023 and cause privacy concerns.</li> <li>The definition of “execute” should be aligned with the Stamp Act, 1899.</li> <li>The definition should include <i>“attribution of electronic records as per Section 11 of the IT Act 2000”</i>.</li> </ul>                                    |
| 8.     | <b>2(1)(h)<br/>Definition –<br/>Immovable Property</b>                                                                                                         | <ul style="list-style-type: none"> <li>The phrase <i>“machineries attached to earth”</i> should be excluded since GST is already levied for the transfer of machineries.</li> <li>The definition should be aligned with the TPA.</li> </ul>                                                                                                                                                                                                                                                                        |
| 9.     | <b>2(1)(j)<br/>Definition – lease</b>                                                                                                                          | <ul style="list-style-type: none"> <li>The definition of “lease” should be aligned with the Stamp Act, 1899.</li> <li>Clause 2(1)(j)(vi) may be modified to <i>“any instrument by which mining lease is granted as defined in section 3(c) of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957);”</i>.</li> <li>Some stakeholders have suggested deleting (iv). While it is aligned with the Stamp Act, 1899 implementing such a provision will create practical difficulties.</li> </ul> |

| S. No. | Clause/ Sections                                                                                               | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------|----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                | <ul style="list-style-type: none"> <li>The provision currently only refers to minor minerals and the below should be included: <ul style="list-style-type: none"> <li>➤ major minerals such as iron ore, coal, gold etc.</li> <li>➤ coal mining leases granted to private parties.</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                             |
| 10.    | <b>2(1)(m)<br/>Definition – MOTDs</b>                                                                          | The words “ <i>including mortgage by deposit of title deeds through electronic means</i> ” should be added.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11.    | <b>2(1)(n)<br/>Definition – movable property</b>                                                               | The definition should be aligned with the TPA, 1882.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 12.    | <b>2(1)(l)<br/>Definition – Mental Incapacity</b>                                                              | <ul style="list-style-type: none"> <li>The definition of “mental incapacity” should be aligned with the Mental Healthcare Act, 2017.</li> <li>This definition be deleted entirely—since the term is used in Clause 58 of the Bill and the registering officer is not qualified to make an assessment of someone’s mental capacity or lack thereof.</li> </ul>                                                                                                                                                                                                                                                                                                                                                         |
| 13.    | <b>2(1)(t)<br/>Definition – Representative</b>                                                                 | <ul style="list-style-type: none"> <li>The words “<i>or legal heir of deceased person or authorised person of any entity, institution or company</i>” should be added at the end.</li> <li>The words “<i>or duly authorised legal counsel or special power of attorney holder</i>” should be added.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                        |
| 14.    | <b>2 (Definitions) and Chapter III (Compulsory and Optional Registration and Exemptions from Registration)</b> | <ul style="list-style-type: none"> <li>The term “signature” should be defined and must include digital signatures and electronic signatures recognised under the IT Act, 2000.</li> <li>A similar change should be made in relation to Chapter III so that digital seals can be recognised and used in lieu of physical seals. The proposed modification as under: <ul style="list-style-type: none"> <li>(i) “<i>The signature and seal of the Sub-Registrar, where applied on any document, certificate or endorsement in electronic form, shall include a digital signature or electronic signature affixed in accordance with the provisions of the Information Technology Act, 2000.</i>”</li> </ul> </li> </ul> |
| 15.    | <b>2<br/>Proposed definitions</b>                                                                              | <p>Definitions for the below terms should be added:</p> <ul style="list-style-type: none"> <li>“developer's agreement” and “promoter's agreement”, as used in Clause 12(1)(f) of the Bill.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <ul style="list-style-type: none"> <li>• “guardian”, the definition for which could be borrowed from the Hindu Minority and Guardianship Act, 1956 , which is broader than Guardians and Wards Act, 1890.</li> <li>• “representative”, “assignee”, and “agent” (as used in Clause 28).</li> <li>• “false information” which could mean: <ul style="list-style-type: none"> <li>➤ A falsified means of identification under Section 29 of this Act; or</li> <li>➤ A forged document, purporting to be issued by a court or governmental authority; or</li> <li>➤ A document issued by a court or governmental authority, which is no longer in force, or has been rescinded, annulled, or stayed, on the date of presentment.</li> </ul> <p>For the avoidance of doubt, “False Information” shall not mean any alleged falsity in the recitals of an instrument, nor any issue, the adjudication of which will involve questions of title, heredit, adoption, partition, or adverse possession.</p> </li> <li>• “ID Documents”, the definition for which will tie in with Clauses 29 and 37 to ensure that only an ID Document can be insisted upon by a registering officer. A formulation is as under:<br/> <i>“ID Documents” means a document through which the identity of the executant of a document or a witness to a document can be objectively ascertained by the registering officer.</i> </li> <li>• “Fraudulent document”.</li> <li>• “digital execution”, “electronic agreement” and “execution date” – to avoid legal ambiguity in online format.</li> <li>• “Agreement to sell”</li> <li>• “document” means and include any matter written, printed, electronic matter, expressed or described upon any substance by means of letters, figures or marks, or by more than one of those means which is intended to be used, or which may be used, for the purpose of recording that matter or evidence or that serves as an official records.</li> </ul> |

| S. No. | Clause/ Sections                                     | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                      | <ul style="list-style-type: none"> <li>“copy” of documents should mean duplicate version of original documents in electronic form.</li> <li>The definition of “copy” must include typed and handwritten copies</li> <li>“Encumbrance”</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                  |
| 16.    | <b>2</b><br><i>Other comments on definitions</i>     | <ul style="list-style-type: none"> <li>Precise definitions of “title document,” “charge,” “lien,” and “security interest,” should be added; The definition of “document” should be in conformity with the BharatiyaSakshyaAdhiniyam, 2023 and other prevailing laws of the land.</li> <li>All definitions should be aligned with Transfer of Property Act, 1882 the Contract Act, 1872, and BharatiyaSakshyaAdhiniyam, 2023, ensuring that registered instruments qualify as valid evidence and title under judicial scrutiny in both civil suits and criminal investigations.</li> </ul>                                         |
| 17.    | <b>3</b><br><b>Districts and Sub-Districts</b>       | The words 'form' and 'formed' need to be substituted by the words 'notify' and 'notified' in the sub-clauses 3(1) and 3(2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 18.    | <b>4</b><br><b>Inspector General of Registration</b> | <p>The delegation and hierarchy in the office of IGR should be clarified:</p> <ul style="list-style-type: none"> <li>➤ Subsection 4(6) should be worded as “<i>The Inspector General of Registration shall have the power to exercise a general superintendence over all the registration offices and all such authorities who are subordinate to the Inspector General of Registration in the territories under the appropriate government.</i>”</li> <li>➤ Subsection 4(7) should be inserted: “<i>The officers appointed under subsection 4(4), shall be subordinate to the Inspector General of Registration.</i>”</li> </ul> |
| 19.    | <b>5</b><br><b>Registrars and Sub-registrars</b>     | <ul style="list-style-type: none"> <li>Posts of “District Sub-Registrar” and “Additional District Sub-Registrar” should be included and in parallel, the provision for delegation of powers of the Registrar to the District Sub-Registrars needs to be included.</li> <li>Posts of “Joint Sub-Registrar” should be included, and consequential edits must be carried out throughout the Bill (e.g. what happens in case of their absence from office).</li> </ul>                                                                                                                                                                |

| S. No. | Clause/ Sections                      | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                       | <ul style="list-style-type: none"> <li>The post of Sub-Registrar should be re-designated as Sub-District Registrar, as the appointment is made at the Sub-District level.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 20.    | <b>9<br/>Absence of Sub-registrar</b> | <ul style="list-style-type: none"> <li>A vacancy in the office of the Sub-registrar ought to be filled by the Registrar and not the IGR, since the Registrar is the administrative head of the concerned registration district.</li> <li>The reference to IGR should be modified to “<i>IGR or an officer authorised by her not below the rank of District Registrar</i>” to recognise the delegation of tasks by IGRs which is a common practice across states.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 21.    | <b>12<br/>Compulsory registration</b> | <p style="text-align: center;"><b>POA</b></p> <p><i>(Clause 12(1)(g) of the draft Bill requires registration of all “power of attorney authorising transfer of immovable property <u>with or without consideration</u>”)</i></p> <ul style="list-style-type: none"> <li>The requirement of compulsory registration should be limited to POAs with consideration only.</li> <li>These POAs be limited to those that transfer immovable property – and that they refer to specific title documents that relate to such immovable property.</li> <li>The scope of this clause be expanded to cover “any power of attorney <u>conveying possession or enjoyment of immovable property</u>, with or without consideration”.</li> <li>This clause should make a distinction between (i) POAs authorising a person to sell/ transact in immovable property by executing documents <i>and</i> manage registration; and (ii) POA authorising a person only to undertake the registration process on behalf of the individual granting the POA – the latter should not be made registrable.</li> <li>POAs executed outside India need not be required to be registered.</li> <li>To be registered under the Bill, POAs can be granted only to persons residing within the same jurisdiction (country or state) as the executor.</li> </ul> |
|        |                                       | <b>Agreements to sell</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <ul style="list-style-type: none"> <li>Several stakeholders have suggested that agreements to sell should not be compulsorily registrable as they are not concluded contracts and do not transfer any right, title, or ownership in immovable property. Their registration would make the process cumbersome and also difficult to implement.</li> <li>Others have suggested that only those agreements to sell be made compulsorily registrable as are referred to in Clause 13(1) of the RERA 2016 i.e. whether more than 10% of the cost is being charged by way of advance/ payment under the agreement to sell; or where they satisfy Section 53A of the TPA 1872. Further, under RERA, the onus of getting an agreement for sale registered is on the promoter. Since admissibility and evidentiary value of the agreement will depend on such registration, this may inconvenience homebuyers. Further, requiring registration under RERA and the Bill may amount to double compliance and cost burdens.</li> <li>All agreements to sell should be compulsorily registrable.</li> </ul> |
|        |                  | <p style="text-align: center;"><b>Partnership deeds</b></p> <p>Partnership deeds that involve transfer of any immovable property should be made compulsorily registrable.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|        |                  | <p style="text-align: center;"><b>Family arrangements</b></p> <p>Family arrangements that involve transfer of any immovable property should also be made compulsorily registrable.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|        |                  | <p style="text-align: center;"><b>Hibanama</b></p> <p>Inclusion of hibanamas as a compulsorily registrable document either under the broader umbrella of Clause 12(1)(a) or generally under Clause 12(1). Others have sought clarity on whether these are registrable or not.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|        |                  | <p style="text-align: center;"><b>Enabling/ Residual Provision</b></p> <p>An enabling provision that will allow appropriate governments to bring any document not mentioned in Clause 12 under the fold of compulsorily registrable</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | documents, if it so desires.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|        |                  | <p><b><i>Other Inputs:</i></b></p> <ul style="list-style-type: none"> <li>• Inclusion of Leave and License Agreements and Franchisee Agreements under Clause 12.</li> <li>• Some stakeholders have suggested that all leases be made compulsorily registration (even when they are less than 12 months in term), especially if they roll over or demonstrate intent to continue beyond 1 year.</li> </ul> <p>Suggested language: “leases of immovable property from year to year, or for any term exceeding one year or reserving a yearly rent, <b><i>or where the terms of the instrument evidence an intent for the lease to subsist beyond the period of one year;</i></b></p> <p><b><i>Illustration: A lease of a piece of land is for 11 months. However, there are provisions in the instrument such as rent escalation clauses which trigger after the 11 month period, or beyond. Such clauses evidence an intent for the lease to subsist beyond the period of one year”.</i></b></p> <ul style="list-style-type: none"> <li>• Some stakeholders have suggested that the minimum term for which leases are required to be compulsorily registered be increased to 2-3 years (rather than 12 months).</li> <li>• How leases that are not covered under Section 105 of the TPA will be treated. E.g. Under Clause 21 of the Bihar Khas Mahal Policy 2011, Khas Mahal lands are managed under the Government Grants Act, 1895.</li> <li>• The words “for some consideration” from Clause 12(1)(b) should be omitted as many documents like partition, exchange, release may not involve any consideration.</li> <li>• The words “for some consideration” from Clause 12(1)(b) should be replaced with “any consideration”.</li> <li>• Section 12(1)(i): sale certificate should be replaced by the proper indenture of conveyance executed and admitted by or on behalf of the Court concerned on behalf of the parties.</li> </ul> |



| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <ul style="list-style-type: none"> <li>• The phrase “at the time of formation of companies” be omitted from Clause 12(1)(j). Such documents of amalgamation, reconstruction, merger, and demerger of companies and transfer of immovable properties pursuant to any order passed under Companies Act 2013 must be directly registered.</li> <li>• 12(1)(j) suggested language: instruments <del>in respect of</del> <b>the nature of schemes</b> of amalgamation, reconstruction, merger, and demerger of companies and transfer of immovable property at the time of formation of companies, <b>upon such schemes receiving the approval of any court or authority under the Companies Act or Insolvency and Bankruptcy Code</b><del>pursuant to any order passed under the Companies Act, 2013; a-</del></li> <li>• Clause 12(1)(j) suggested language: instruments in respect of amalgamation, reconstruction, merger, and demerger of companies <b><i>that include</i></b> a transfer of immovable property at the time of formation of companies pursuant to any order passed under the Companies Act, 2013. To clarify that only those schemes that involve a transfer of immovable property are mandatorily registrable.</li> <li>• Some have suggested the inclusion of documents like assignment agreements, assignment of loans, asset reconstruction agreements, transfer of loan or debt transfer or debt assignment agreements.</li> <li>• Some have suggested that Clause 12(1)(k) (dealing with “<i>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</i>”) must include “compromise decrees” as well.</li> <li>• Others suggested that Clause 12(1)(k) include documents relating to transfer of immovable property at the time of formation, reconstitution and dissolution of partnership firms.</li> <li>• A stakeholder has recommended the exclusion of “authorities to adopt a son or daughter” from Clause 12 as it is an outdated category of documents.</li> </ul> |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <ul style="list-style-type: none"> <li>• A stakeholder has suggested clarifying Clause 12(1)(c) by adding “in immovable property” at the end of the clause.</li> <li>• A stakeholder has suggested that builder-buyer and joint development agreements must be compulsorily registrable.</li> <li>• A stakeholder has suggested that all documents executed by or in favour of the Government must be compulsorily registered.</li> <li>• Some stakeholders have suggested that Clause 12(3)(f) be clarified to ensure that all decrees (including compromise decrees and orders of NCLT/ NCLAT) create, for the first time, any right, title or interest in an immovable property in favour of any party to suit, such decree or order would require registration. This will codify the law laid down by the Supreme Court of India.</li> <li>• A stakeholder has sought a clarification of the term “revenue officer” under Clause 12(3)(h).</li> <li>• A stakeholder has suggested an insertion after Clause 12(3)(l): “(m) <i>Re-conveyance of Mortgaged Property executed by all banks, financial institutions, and other creditors, granting loans.</i>” with a view to enhance ease of doing business.</li> <li>• Some stakeholders have requested a transitional period (12 months) to implement the expanded compulsory registration framework under Clause 12 (in particular, for agreements of sale).</li> <li>• Some stakeholders have commended the removal of the INR 100 threshold in relation to immovable property. They have suggested that Clause 12 should expressly clarify that there is no minimum value applicable for compulsory registration through a proviso: “<i>Provided that the obligation to register under this section shall apply irrespective of the value of the immovable property or amount of consideration.</i>”</li> <li>• A stakeholder has suggested the re-drafting of Clause 12(1)(c) as follows, for greater clarity: “<i>non-testamentary instruments which acknowledge the</i></li> </ul> |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <p><i>receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any right, title, or interest, whether vested or contingent, to or in immovable property, for some consideration;”</i></p> <ul style="list-style-type: none"> <li>• A stakeholder has suggested an addition after Clause 12(5): <i>“Provided further that the registering authority shall not accept or register any document relating to such immovable property which the state governments by their existing act/laws are not eligible for registration...”</i>.</li> <li>• A stakeholder has suggested reinstating filings under Sections 89(2) and 89(4) of the 1908 Act in Clause 12.</li> <li>• A stakeholder has suggested to – use the word instrument or document uniformly in clause 12(1)(a).</li> <li>• Under Clause 12(1)(c), documents are supplementary to the documents in 12(1)(b) hence, their registration should be optional.</li> <li>• Clause 12(1)(f) should clarify that <i>“stamp duty implications on such documents will be clarified and harmonised by appropriate governments”</i>.</li> <li>• Insert a new sub-section for revocation of every registered POA will also mandate registration within 15 days of execution.</li> <li>• Clause 12(3)(h) should include such instruments of partition made by parties themselves as well. High courts have taken the view that partition does not create any transfers, only ownership by co-owners.</li> <li>• Include agreement for sale and mortgage by way of deposit of title deeds.</li> <li>• Insert a clause mandating that deeds creating or transferring interest in property (movable/immovable) must be registered for admissibility in courts and for enforcement. Registration is crucial to proving execution, ownership, and enforceability, including for purposes like mortgage, lien, charge creation.</li> </ul> |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <ul style="list-style-type: none"> <li>• Add a clause: <i>“Instruments evidencing the sale of a company as a going concern, by virtue of the Regulations framed under the Insolvency and Bankruptcy Code, where the going concern involves any immovable property within India.”</i></li> <li>• Delete Clause 12(2). Clause 12(1)(f) already covers all agreements. Section 12(2) is a reproduction of Section 17(1A) of the old Act, which will serve no purpose under the new regime.</li> <li>• Most grants are not made by governments but by the Industrial Development Corporations held by the States/ UTs. Hence, Section 12(3)(g) must be amended to be more meaningful:<br/> <i>“any grant of immovable property by government or by any corporation or authority entirely owned and controlled by the state government or central government or government of a union territory.”</i></li> <li>• Delete Clauses 12(3)(h)(i)(j)(k) – they have no relevance in this day and age as they are colonial era concepts.</li> <li>• Some stakeholders have suggested that Clause 12(5) be made Clause 12(1).</li> <li>• Some stakeholders have suggested that Clauses 12(h), 14(3), 17(2), and 19(2) of the Bill not be extended to States of Madhya Pradesh, Maharashtra, Gujarat, Tamil Nadu and Punjab. These states have already made amendments to the Registration Act by either amending Section 17 or adding/ inserting Section 89 B to the Registration Act, as applicable to their respective territories. If a different procedure under Section 14(3) or Section 12(h) is proposed, it may need further procedural changes to be implemented by these State Governments. On the other hand, a modified procedure will not provide any additional advantage as banks already have these systems in place owing to state amendments.</li> <li>• Exemptions to include: Gifts to Public Charitable Trusts, Confirmation deeds, Documents executed under Personal laws eg. Hindu Adoptions and Maintenance Act, 1956 (Adoption deed); Family Arrangements/settlements; Oral Partition amongst Coparceners; some deeds under the Sikh Gurudwaras Act,</li> </ul> |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <p>1925; Hiba (Gift) (written or oral) under Muslim personal law.</p> <ul style="list-style-type: none"> <li>Clarify stamp duty on redevelopment projects with societies – as it is often charged on flats to be handed over to the society, whereas it should be the burden of the re-developer.</li> <li>Provide a fast track method for registration of court decrees and government orders.</li> <li>On Clause 12(1)(f), one stakeholder has suggested that all exemptions be removed from this clause to ensure comprehensiveness of records. These documents can be exempted from stamp and registration fees, but not from the process of registration itself. Similarly, they recommend deletion of Clauses 12(3)(g)(i)(j)(k) as there is no justification for these categories of documents to be exempted from registration. Alternatively, if the exemptions cannot be removed, then these exempted documents need to have a notification mechanism linked to them – so they are reported to the RO and documented in Book 1.</li> <li>12(1)(g)-One stakeholder has recommended that a minimum limit of consideration for documents requiring registration be prescribed, akin to the present position that has designated INR 100 as the threshold.</li> <li>One stakeholder has suggested that for the words and sentence “<i>any document which purports or operates to effect any contract for sale of immovable property</i>” the word and sentence “<i>any document of contract for sale of immovable property</i>” may be substituted. The rationale provided is that the term contract for sale itself means a document purporting to effect a sale of immovable property in future conveyance as per the Transfer of Property Act.</li> <li>One stakeholder suggested making a distinction between (a) PoA authorising a person to sell/ transact in immovable property by executing documents AND manage registration; and (b) PoA authorising only to undertake the registration process on behalf of the individual granting the PoA. (b) should not be made registrable – only requires attestation. Usage of the word “transfer” in the clause may negate or contradict many other laws. Desirable to make it applicable only for sale transactions between strangers, exempting</li> </ul> |

| S. No. | Clause/ Sections                    | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                     | <p>relatives. Other laws relating to agency may have to be amended if this clause is retained.</p> <ul style="list-style-type: none"> <li>• One stakeholder suggested that production of mutation document may be made mandatory for registration of sale deed.</li> <li>• Developers agreements should be compulsorily registrable.</li> <li>• Joint developers agreements should be compulsorily registrable.</li> <li>• Arbitral awards and hire-purchase agreements must be compulsorily registrable.</li> </ul>                                                                                                                                                                                                                                                                                                    |
|        |                                     | <p><b><i>Prospective Application of Expanded Compulsory Registration Framework:</i></b></p> <ul style="list-style-type: none"> <li>• In principle, Clause 12 of the Bill is prospectively applicable i.e. additional documents made registrable under Clause 12 (beyond Section 17 of the 1908 Act) will only be required to be registered once the Bill comes into force. Some stakeholders have suggested a transitional provision that allows <u>voluntary</u> registration of existing unregistered documents (that will now require registration under Clause 12 of the Bill) within 12 months of the Bill coming into force, without any penalty.</li> <li>• In any event, some stakeholders have sought clarity on prospective (or retrospective) application of the expanded registration framework.</li> </ul> |
| 22.    | <b>13<br/>Optional Registration</b> | <ul style="list-style-type: none"> <li>• The clause is unclear to some stakeholders. They have recommended either (i) removal of the clause; or (ii) removal of the phrase “may also be registered under the Act” and instead, the inclusion of a comprehensive schedule of documents not required to be registered under the Bill.</li> <li>• One stakeholder has suggested setting out a list of all documents that can be optionally registered.</li> <li>• One stakeholder has recommended that wills, codicils and testaments be included in this list.</li> <li>• Some stakeholders have recommended that wills be made compulsorily registrable to avoid protracted</li> </ul>                                                                                                                                   |

| S. No. | Clause/ Sections   | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                    | <p>litigation, as also recommended by the Standing Committee of Parliament on Rural Development, in its report on Registration (Amendment) Bill 2013.</p> <ul style="list-style-type: none"> <li>• One stakeholder has suggested a proviso: <i>“Provided that the registration of such document shall not by itself confer any presumption of title or priority over other registered instruments affecting the same property.”</i></li> <li>• On Clause 13(1)(h) and 14(3), one stakeholder suggested considering an exemption for loans &lt; INR 5 lakhs OR those extended by cooperative/ rural banks, to prevent burden on small borrowers and avoid over-regulation of informal credit.</li> <li>• PoA for transfer of immovable property for consideration exceeding Rs 50,000 must be compulsorily registrable.</li> <li>• Mutation document should be compulsorily produced for registration of sale deed.</li> </ul>                                                                                                                                                                                                      |
| 23.    | <b>14<br/>MOTD</b> | <ul style="list-style-type: none"> <li>• <b><i>Retain the filing mechanism in the Bill:</i></b> Some stakeholders have supported the mechanism under Clause 14(3) of the Bill, whereby banks, FIs, and all other creditors are required to file a copy of the title deed with the jurisdictional registering office. The following suggestions were made:</li> <li>• To streamline this process, some stakeholders have suggested that a timeline (30 days to 4 months) be prescribed within which banks, FIs, and creditors are required to make the filing.</li> <li>• Some stakeholders have also proposed that banks, FIs, and creditors be penalised (e.g. with a fine of INR 25,000) in case of non-compliance or non-compliance within timelines.</li> <li>• Some stakeholders have suggested that this filing should be required only if the MOTD has not been registered under Clause 12(1)(h) – one of the two should be required.</li> <li>• One stakeholder has suggested modified language for Clause 14(4) and an additional Clause 14(5):<br/> <i>“(4) All banks, financial institutions, and other</i> </li> </ul> |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <p><i>creditors, granting loans after repayment of the same, must send a copy of the document relating to re-conveyance of Mortgaged Property. (5) The registering officer must file the copy or copies received in the above sub-sections in her Book 1."</i></p> <ul style="list-style-type: none"> <li>• Add a duty on the RO to include mortgage by deposit of title deeds in the books maintained by them, both physically and digitally. Further, enable the general public to easily access such, upon payment of the prescribed fees.</li> <li>• One stakeholder has sought clarity: while the deed recording the mortgage can be submitted, it is unclear to them whether the underlying title deeds being taken into possession would also be registered.</li> <li>• Some stakeholders have suggested that instead of requiring filing of "copies of title deeds", the clause should require filing of an agreement of deposit of title deeds, title deeds, and a list of immovable properties mortgaged with complete descriptions as in the title deeds.</li> <li>• One stakeholder has suggested that a duty be imposed on the RO to record the filed MOTDs in a book, which is accessible to the public. Alternatively, some stakeholders have suggested that these should not be made public owing to banker-client confidentiality.</li> <li>• One stakeholder has suggested that Clause 14(3) (and related clauses 12(1)(h), 17(2), and 19(2) of the Bill) not be extended to States of Madhya Pradesh, Maharashtra, Gujarat, Tamil Nadu and Punjab, since these states already have amendments that affect filing/ registration requirements for MOTDs.</li> <li>• One stakeholder has suggested the addition of a sub-clause that <i>"the registering officer must file the copy or copies received in the above subsections in her Book 1 only if the copy/copies contain a certificate evidencing that proper stamp duty, if any chargeable on its original have been collected by the authority/ Court which issued the same"</i>.</li> <li>• One stakeholder has suggested the addition of a sub-clause that <i>"every Court passing the final decree of a partition suit shall send a copy together with a</i></li> </ul> |



| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <p><i>memorandum describing the property, as far as may be practicable in the manner required by Section 34, through a person or by registered post with acknowledgment or through electronic mode to the registering officer within the local limits of whose jurisdiction the whole or any part of the immovable property comprised in such decree is situate and such officer shall file the copy in her Book 1”.</i></p> <ul style="list-style-type: none"> <li>• In cases where the mortgaged properties are spread across multiple jurisdictions, including different states, but are being secured for one facility, there should be flexibility to register or file the mortgage in one jurisdiction, rather than having to register or file it across several jurisdictions within which the property lies.</li> <li>• One stakeholder has suggested that only duly stamped agreements should be eligible for filing.</li> <li>• Obligation should be on mortgagor, not mortgagee.</li> <li>• Concern about whether this is practical.</li> <li>• Letter of discharge / notice of relinquishment should also be filed.</li> </ul> |
|        |                  | <p><b><i>Compulsory registration mechanism:</i></b></p> <ul style="list-style-type: none"> <li>• Other stakeholders have suggested that the filing mechanism under Clause 14(3) be eliminated and that all MOTDs be made compulsorily registrable under Clause 12(1).</li> <li>• Some stakeholders have suggested that the concept of MOTDs be done away with entirely – both, from Clauses 12(1)(h) and 14(3). They are not necessary in modern day financing. Consequential amendments be made to the TPA.</li> <li>• Documents filed under clause 14(3) should not be made publicly accessible, to preserve banker-customer confidentiality.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|        |                  | <p><b><i>Retrospective application:</i></b> One stakeholder has sought a clarification whether the banks/financial institutions/creditors are required to notify about mortgage by deposit of title deeds in retrospective or prospective manner.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| S. No. | Clause/ Sections     | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                      | <p><b>Other Inputs:</b></p> <ul style="list-style-type: none"> <li>Delete Clauses 14(1) and 14(2) – they have no relevance in this day and age as they are colonial era concepts.</li> </ul> <p>Replace with:</p> <p><i>“(1) Every statutory authority making an order of attachment shall file a copy of the attachment order with the registering officer within the local limits of whose jurisdiction the whole or any part of the property so mortgaged is situated, within one month of the order of attachment, in such form and manner as may be prescribed.</i></p> <p><i>(2) Any attachment so filed shall take effect in accordance with the law under which the attachment was issued...”</i></p> <ul style="list-style-type: none"> <li>Read with Clause 12(1)(h): One stakeholder has suggested mandating CERSAI ID tagging and 7-day intimation to mortgagor and bank.</li> <li>One stakeholder has suggested a central portal reporting for pan-India transparency.</li> <li>One stakeholder has suggested that a clarification (by way of an explanation or otherwise) be included: that copies of only the last title deeds in the chain of title evidencing the mortgagor’s title to the immoveable property be required to be filed.</li> <li>It is suggested: <i>“Section 58(f) of the Transfer of Property Act, 1882, is repealed”</i> be added as sub-clause to Section 86.</li> <li>One stakeholder suggested mandating issuance of encumbrance certificate when mortgage by title deed is filed.</li> <li>Clause 12(1)(i) may be re-worded as: <i>“sale certificate issued by any Court, Tribunal or competent officer or authority under any Central or State Act for the time being in force;”</i></li> </ul> |
| 24.    | <b>15 Exemptions</b> | <ul style="list-style-type: none"> <li>One stakeholder has suggested the deletion of “and to be” from the language of the clause: All such documents and maps will, for the purposes of sections</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| S. No. | Clause/ Sections                                                                                     | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                      | <p>17 and 18, be deemed to have been <b><i>and to be</i></b> registered in accordance with the provisions of this Act.</p> <ul style="list-style-type: none"> <li>One stakeholder has suggested that “<i>land acquired by appropriate government for public purpose</i>” be included in the list of exemptions.</li> <li>Clause 15(1)(d): One stakeholder has suggested deletion of “<i>assignments by government of land or of any interest in land</i>” as such documents would fall in the category of optional documents. Exempting them would cause loss of registration fees. Further, the document would not be available in the database of the registration and stamps department, which would hinder verification by future purchasers. Further still, this provision would be contrary to the TPA.</li> <li>Delete all exemptions. Make all documents referenced in Clause 15 compulsorily registrable. This will ensure comprehensiveness of records</li> </ul> |
| 25.    | <b>16<br/>Time from which registered document operates.</b>                                          | A registered document will operate from the time it would have commenced to operate if no registration was required or made (i.e. from the date of execution), and not from the time of its registration.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 26.    | <b>17<br/>Registered documents relating to property when to take effect against oral agreements.</b> | <ul style="list-style-type: none"> <li>Ties in with Clauses 14(1) and 14(2) as recommended above. Insert sub-section (3) as under: “(3) <i>Regardless of what is stated in sub-section (1), an order of attachment required to be filed with the registering officer under section 14 of this Act and so notified, will take effect against any mortgage subsequently executed, or executed and registered, which relates to the same property.</i></li> <li>Ideally, this clause should be deleted as it has lost its utility in the present day. Alternatively, the phrase ‘will take effect against any other agreement or declaration relating to such property’ should be corrected to ‘will take effect against any oral agreement or declaration relating to such property’.</li> </ul>                                                                                                                                                                              |
| 27.    | <b>18<br/>Effects of non-registration.</b>                                                           | <ul style="list-style-type: none"> <li>One stakeholder has recommended the deletion of the words “as evidence of a contract in a suit for specific performance under Chapter II of the Specific Relief Act, 1963 (47 of 1963)” – as this may dilute the</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

| S. No. | Clause/ Sections                                                                                                          | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------|---------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                           | <p>intention and effectiveness of Clause 12 of this Bill.</p> <ul style="list-style-type: none"> <li>• One stakeholder has raised the concern that since this clause uses affirmative language (as opposed to the prohibitory language of Section 49, 1908 Act), it may create the impression that registration is a rights-conferring law rather than being procedural. Language may be reconsidered in view of this.</li> <li>• Clarify that non-registration of documents affecting rights in property shall not only attract administrative penalties, but also render such documents inadmissible in evidence under judicial proceedings – essential to uphold the mandatory nature of registrations under Clause 12.</li> <li>• One stakeholder has suggested prohibiting evidence if non-registration was wilful to prejudice third parties.</li> <li>• One stakeholder has suggested that the benefit that accrues from registration be expanded. To include under Clause 18 those documents about which only information is to be sent to the RO under Clause 14. Otherwise, no protection is available to a prospective buyer against his loss due to default in filing of information under Clause 14.</li> </ul> |
| 28.    | <p><b>19</b><br/> <b>Certain registered documents relating to land to take effect against unregistered documents.</b></p> | <ul style="list-style-type: none"> <li>• One stakeholder has suggested that the term “means” be substituted by “includes”: For the purposes of this section, “unregistered” <i>means</i> 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.</li> <li>• Title of Section 19: the word “land” be replaced by the words “immoveable property”. Land has a narrow meaning and does not include all immovable property like buildings, structures (as defined in the Bill as well). Further, optionally registered documents cannot be treated at par with the documents which are compulsorily registrable. Under Explanation I to the Section 3 of the Transfer of Property Act, 1882, a person is deemed to have notice of any transaction relating to immovable property if such transaction is effected by a registered document. No such presumption is made under any existing law in the</li> </ul>                               |

| S. No. | Clause/ Sections        | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                         | <p>country relating to any moveable property. Therefore, the word “property” in Clause 19 should be qualified by “immovable” (also because the word “property” is not defined in the Bill).</p> <ul style="list-style-type: none"> <li>For attachment orders to prevail over other entries, the following change is necessary: <p><b>Renumber existing Clause 19(2) as “19(2)(a)”, and insert the following as 19(2)(b):</b><br/>Every order of attachment filed under Section 14, will take effect as regarding the property comprised in such order, against every unregistered contract or arrangement relating to the same property, unless the unregistered contract or arrangement is through a decree or order, or has been expressly permitted in writing by the order of the authority making the attachment.</p> </li> <li>Delete this section. Now registration is compulsory for most of the documents, and this section has no utility, as also raised by Shri N.C. Sen (in relation to Sections 48 and 50 of the 1908 Act) in the First Law Commission.</li> </ul>                                      |
| 29.    | <b>20<br/>Timelines</b> | <p><b><i>Timelines for presenting documents:</i></b></p> <ul style="list-style-type: none"> <li>Several stakeholders have suggested that the timelines for registration be extended. Suggestions range from 6 months to 12 months (and with a payment of penalty after a certain point of time, if needed).</li> <li>One stakeholder has suggested that delayed registration should not bar registration. It should only attract penalties.</li> <li>Some stakeholders are of the view that the time for presenting documents for registration should be reduced (10 days to 2 months), especially on account of potential evasion of stamp duty due to fluctuating circle rates within the 4-month timeline currently permissible under the Bill (and the 1908 Act). Other stakeholders have also highlighted this issue of frauds owing to the long registration time period. Accordingly, period of extension available under Clauses 21, 22, and 23 are also to be proportionately reduced.</li> <li>Some stakeholders have suggested that the time taken in drawing up of the decree or order and for</li> </ul> |

| S. No. | Clause/ Sections                            | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                             | <p>adjudication of stamp duty payable on the decree or order or the award shall be excluded in computing the period of four months.</p> <ul style="list-style-type: none"> <li>One stakeholder has suggested that the Clause contain an explicit reference to digital execution and simultaneous e-registration.</li> <li>One stakeholder has suggested deletion of Clause 20(2) as courts have held that copy of court decrees can be registered without any limitation of time (e.g. Madras High Court).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 30.    | <b>21 Execution Documents of</b>            | Some stakeholders have highlighted that in case of several persons executing the documents at different times, the time limit for presentation should be within four months from the date of <i>last</i> execution, not <i>each</i> execution.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 31.    | <b>22 Registration penalties and</b>        | <ul style="list-style-type: none"> <li>Some stakeholders have suggested that the fine of “ten times the proper registration fees” is excessive and have recommended lowering it (e.g. 1 to 5 times).</li> <li>Section 22 (1) (a) may lead to complications and therefore may be omitted / deleted.</li> <li>To allow flexibility in the provision, insert a new sub-clause (3):<br/> <i>(3) The Central or State Government shall have the power, in extraordinary cases, where the normal movement of life is disrupted, to make a general order extending the time for registration of all documents whose time for registration had lapsed during such disruption, by such period as the government deems appropriate, not exceeding thirty days.</i><br/> <i>Explanation : A lockdown imposed under the Disaster Management Act, 2005, is an example of an extraordinary case where the normal movement of life is disrupted.</i> </li> </ul> |
| 32.    | <b>23 Documents executed outside India.</b> | <ul style="list-style-type: none"> <li>One stakeholder has suggested that the Bill needs to provide a timeline after arrival in India within which the document needs to be registered.</li> <li>This clause should also contain a reference to proper stamp duty having been paid.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

| S. No. | Clause/ Sections                                                | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 33.    | 24<br><b>Officer for registering documents relating to land</b> | <ul style="list-style-type: none"> <li>• <b>‘Anywhere’ registration:</b> Some stakeholders have suggested that registration of documents pertaining to land in any part of the State or country may be registered with any RO – and not limited by sub-districts.<br/>For instance, the Registrar of Assurances, Kolkata (and the Additional Registrar of Assurances), can register documents pertaining to properties situated in any part of West Bengal. The Bill does not account for this – which will cause immense hardship, inconvenience, and disruptions to the registration process in the State.</li> <li>• As a supplementary suggestion, some stakeholders have recommended an enabling provision to prescribe officers who can register documents pertaining to property situated in (i) any part of the State; and (ii) any part of the country. This is especially recommended when several mortgages across States are being created as part of a single transaction.</li> <li>• One stakeholder has suggested that registration should be allowed at private offices that are permitted/ designated by the Registrar by linking into the Registration portal and getting online presentations before the Sub-registrar.</li> <li>• In cases where the mortgaged properties are spread across multiple jurisdictions, including different states, but are being secured for one facility, there should be flexibility to register or file the mortgage in one jurisdiction, rather than having to register or file it across several jurisdictions within which the property lies.</li> <li>• One stakeholder has suggested that while documents affecting immovable property can be presented to an RO in any Sub-district, such RO must forward the document to the jurisdictional RO, who should eventually register it.</li> <li>• Some stakeholders have made a suggestion contrary to “anywhere registration”. They recommend that the words “some portion” in Clause 24 would lead to registration of land of one sub-district in another sub-district which will hamper the process of ascertaining the actual land category affecting revenue collection. It will also create confusion among people in</li> </ul> |

| S. No. | Clause/ Sections                                             | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                              | <p>approaching the correct RO. e.g. this amendment was introduced in Bihar in 1991 and Uttar Pradesh in 1994.</p> <ul style="list-style-type: none"> <li>Some stakeholders have suggested that presentation of documents should be permitted before the Sub-Registrar <i>or the District Registrar</i>.</li> <li>One stakeholder has suggested that S. 24 and S. 30(1)(a)(i) be amended to allow registration of GPA/SPAs pertaining to immovable property at the place of residence of the executor, as making the same registerable only in the jurisdiction of the place of immovable property, defeats the purpose of GPA/SPA execution.</li> </ul>                                                                                     |
| 34.    | <b>25<br/>Office for registering other documents.</b>        | Some stakeholders have suggested that the registration process mandatorily be physical in nature (and not online). Presentation of documents through electronic mode may result in potential violation of integrity of the registration process.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 35.    | <b>26<br/>Registration by Registrar in certain cases</b>     | <ul style="list-style-type: none"> <li>May not be practical for Registrars to exercise this power given their workload.</li> <li>Some stakeholders have recommended deletion of this clause as it may cause confusion about the appropriate authority to approach.</li> <li>An unnecessary provision which is against good record-keeping and creates difficulty in searching registration records. This provision also deprives a person from his right to appeal against order of refusal by a sub-registrar under Clause 62(2).</li> <li>One stakeholder has submitted that this provision provides unfettered powers to the RO. The specific circumstances wherein the RO can exercise this discretion should be prescribed.</li> </ul> |
| 36.    | <b>27<br/>Registration at private residence.</b>             | Add language: private residence “ <i>or any other place</i> ” and person desiring to present “ <i>and/or admit</i> ” a document for registration.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 37.    | <b>28<br/>Persons to present documents for registration.</b> | <p>One stakeholder has suggested modifying Clauses 28(b) and 28(c) as under to provide clarity and suit the needs of the modern age:</p> <p><i>“(b) representative of such person; that is to say:-<br/>(i) where such person is a company or a limited liability partnership; the individual duly authorised through a</i></p>                                                                                                                                                                                                                                                                                                                                                                                                             |



| S. No. | Clause/ Sections                    | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                     | <p><i>resolution;</i><br/> <i>(ii) where such person is a partnership firm; the individual duly authorised under the deed of partnership, or a resolution signed by all partners;</i><br/> <i>(iii) where such person is a trust, society or other juristic entity, by the person duly authorized to represent such entity, under law.”</i><br/> <del>“(c) agent of such person, representative or assignee</del> <b>any power of attorney of such person</b>, duly authorised by a power of attorney executed and authenticated in the manner described in section 30.”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 38.    | <b>29<br/>Identity Verification</b> | <ul style="list-style-type: none"> <li>• Some stakeholders have suggested the introduction of faceless verification.</li> <li>• One stakeholder has voiced a counter-view on faceless registration stating that it increases the risk of fraud.</li> <li>• Several stakeholders have suggested that modes of verification other than Aadhaar should be permitted and specifically listed (especially for NRIs and marginalised communities) i.e. Aadhaar should be voluntary.</li> <li>• One stakeholder has emphasised ensuring that identity verification processes (including e-KYC, digital certificates, and digital signatures) are compliant with the Information Technology Act 2000.</li> <li>• One stakeholder has suggested re-wording Clause 29(4): “Registration of any document cannot be refused either partly or wholly in respect of any person for not furnishing an Aadhaar number.”</li> <li>• Section 29(4) may lead to difficulty if there is any change in law in respect of the Aadhaar card and thus, the same may cause amendments in this Bill. Deletion or modification recommended.</li> <li>• One stakeholder has highlighted that in the case of a paperless document, the words “affixing thumb impression” may cause violation of Digital Personal Data Protection Act, 2023 and may incur privacy issues. Therefore, if the person’s identity is established through e-KYC of UIDAI or otherwise through any of the biometrics, then thumb impression may not be required to be affixed.</li> </ul> |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <ul style="list-style-type: none"> <li>• PAN should be re-defined as “PAN as issued by Income Tax Department” – and in the absence of PAN, accept Form 60-61 allotted by the IT Department. Place this portion in Clause 37 – may be more appropriate there.</li> <li>• One stakeholder has submitted that under Clause 29(5), signature of the claiming party is against ease of doing business (e.g. mortgages).</li> <li>• In addition to the verification mechanisms given under the Section, there can also be a provision wherein verification can be done by a lawyer, conveyancer, Chartered Accountant, Company Secretary, notary official, etc.</li> <li>• There can be a provision mandating the concerned ROs to link all the immovable properties with the PAN Card of the executor of the document/owner – will reduce benami/ fraudulent transactions.</li> <li>• Do not undertake Aadhaar-based authentication. Biometric and Aadhaar-based identity verification poses significant privacy risks. Lacks adequate data protection exposing citizens to identity theft and personal data misuse. Storing and processing biometric Aadhaar and property documents centrally makes the system a lucrative target for cyberattacks. Legal clarity on data storage, usage, and liability is required.</li> <li>• Introduce mandatory integration with DigiLocker E-sign, and land records database across all states to ensure uniform adoption and prevent fragmentation.</li> <li>• Retain data max 180 days with DPDP Act compliance.</li> <li>• Add explicit opt-out safeguards and alternative verification mechanism for those refusing Aadhaar verification.</li> <li>• The below should be considered: <ul style="list-style-type: none"> <li>➤ Affixing of passport-sized colour photographs along with the thumb impression of left hand either manually or digitally. This should be attested by a gazetted officer or advocate or license deed writer.</li> </ul> </li> </ul> |

| S. No. | Clause/ Sections                                                                     | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------|--------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                      | <ul style="list-style-type: none"> <li>➤ The affixing of passport-size colour photographs and affixing of left thumb impression of self and buyer can be done on a separate page clearly showing seller and buyer details.</li> <li>➤ The option of PAN or Form 61 to citizens not having PAN should be provided.</li> <li>➤ The acceptable OVDs and Alternate permissible identity proofs for those not having Aadhaar should be prescribed.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 39.    | <b>30<br/>Power of attorney<br/>recognisable for the<br/>purposes of section 28.</b> | <ul style="list-style-type: none"> <li>• The compulsory registration of power of attorney was not included in the 1908 Act and has now been added under the Bill. Hence, Section 30(1)(a)(ii) should be made prospective and ought to be suitably modified.</li> <li>• Clause 30(1)(a)(i): add the words “with consideration” be inserted after the words “Power-of-Attorney” and before the words.</li> <li>• One stakeholder has recommended insertion of a sub-section for POAs executed abroad that require consular authentication. They have also recommended clarifying the evidence required for acceptance of POA under Clause 30(4).</li> <li>• One stakeholder has submitted that S. 30(1)(a)(i) (along with S. 24) should be amended to allow registration of GPAs/SPAs pertaining to immovable property at the place of residence of the executor- instead of limiting the permissible place as where the immovable property is situated as doing so defeats the purpose behind executing GPA/SPA.</li> </ul> |
| 40.    | <b>31<br/>Exemption from<br/>appearance of<br/>government officers.</b>              | <ul style="list-style-type: none"> <li>• One stakeholder has suggested that the words “appropriate government” should be omitted, since it restricts the scope of exemption from appearance. In other words, a Government of India official would be able to claim exemption from appearance only at a registration office situated in a union territory and not in a State.</li> <li>• 31(3): Replace “register the document” with “accept for registration”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 41.    | <b>32<br/>Form, manner and fee</b>                                                   | <ul style="list-style-type: none"> <li>• Clause 32(4): One stakeholder has suggested that in addition to fraud-prevention, ensuring no coercion in</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| S. No. | Clause/ Sections                                         | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        | <p><b>for presenting documents for registration.</b></p> | <p>execution of documents or transactions should be added as a reason for why appropriate governments may mandate physical appearance for registration even in cases where they have allowed registration solely through electronic means.</p> <ul style="list-style-type: none"> <li>• Since it will not be faceless, it will amount to exercise of discretion. If still required, it should be placed under Clause 37.</li> <li>• One stakeholder has suggested an enabling provision empowering the states to decide on the mode of presentation needs to be incorporated instead of specifically mentioning “through electronic means”.</li> <li>• Standard format/form with every transaction deed/document be attached as the first page providing the following: (i) Details of both the parties; (ii) Details of the transaction; (iii) Consideration; (iv) Details of the subject property; (e) Stamp duty. The standardized formats so prescribed must be followed by all the States. The formats of the deeds must also be in English along with the official/vernacular language of the state.</li> <li>• One stakeholder has suggested that the Bill provide an exhaustive list of documents, which can be registered compulsorily through electronic means.</li> <li>• The ability of the Government to require physical presence defeats the very purpose of electronic registration. Clause 32(4) should be removed.</li> </ul> |
| 42.    | <p><b>33 Templates</b></p>                               | <ul style="list-style-type: none"> <li>• Some stakeholders have indicated that the provision is ambiguous. Others have indicated that non-adherence to the governmental forms cannot cause refusal of registration. This would be unconstitutional as it interferes with freedom of contract. A pan-India framework undercuts regional compliance practices, risking conflict of laws, confusion in land classifications and mismatch in applicable state revenue norms. On these accounts, stakeholders have recommended deletion of this provision.</li> <li>• Templates should not be limited to documents under Clause 12 – also include documents under Clause 13.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| S. No. | Clause/ Sections                             | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                              | <ul style="list-style-type: none"> <li>• Include pre-verified templates of common agreements (POAs etc.).</li> <li>• To be effective, these templates should be made mandatory.</li> <li>• One stakeholder suggested Government-approved templates to be made mandatory.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 43.    | <b>34</b><br><b>Description of property.</b> | <ul style="list-style-type: none"> <li>• Stakeholders have suggested that property descriptions be made more exact and modern through geotagging, GIS, longitudes/ latitude references, Google Maps, including maps and photographs in the document to be registered, descriptions in vernacular languages, using standard units (rather than local units), and property tax assessment numbers.</li> <li>• Mandatory description of property based on the record of rights or any other record having spatial description would be a major reform in our registration system, which may significantly reduce litigation. Alternatively, in case of non-availability of record of rights, parties may be asked to get a fresh geo-referenced drone-survey of the plot under transfer along with and adjacent plots.</li> <li>• Sub-section (2) and (3) are not appropriate for all parts of India.</li> <li>• An alternate view suggests that the exactitude required under Clause 34 of the Bill may preclude genuine registrations. Descriptions in vernacular languages may be accepted.</li> <li>• Stakeholders have suggested that standard international units be mandated (rather than using local units like bighas, kattas etc.).</li> <li>• Stakeholders have suggested that description of “existing and former occupancies” as part of the property description would require description of all former tenants, creating an absurdity – deletion is recommended.</li> <li>• Some stakeholders have suggested that description of “existing and former occupancies” be changed to simply “existing occupants”.</li> </ul> |

| S. No. | Clause/ Sections                                                              | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                               | <ul style="list-style-type: none"> <li>• Add “and documents as may be prescribed by the appropriate government” after “contain a description of such property” – as in Maharashtra amendment to the 1908 Act.</li> <li>• Once power is given the state government to prescribe mode of description of property there is no need or justification for limiting those powers by making specific provisions in the Act. Delete clauses 34(2)(3) and (6).</li> <li>• Regarding clause 34(2)(b), one stakeholder has submitted that the description of property may keep changing. The parameters for detailing the property should not be hard-coded in the Act and must be left to be specified in the rules. Further, failure to comply with this provision must not disentitle a document from registration, if the description provided is sufficient to identify the property.</li> <li>• One stakeholder suggested that the law allow affidavits and local identifiers if digital maps are unavailable, relying on <i>Hameed v. Kanhaiya (2004) 8 SCC 183</i>. Sweden allows landmark-based property descriptions and advisory templates. Supports current affidavit-based system for rural India where cadastral data is incomplete.</li> <li>• One stakeholder suggested: <ul style="list-style-type: none"> <li>➤ mandatory inclusion of mutation records and latest encumbrance certificate.</li> <li>➤ One stakeholder suggested mandatory use of ULPIN for property identification and verification.</li> </ul> </li> <li>• One stakeholder has suggested adding the below clause:<br/> <i>“Where land cannot be uniquely identified through digital identifiers, registration may be permitted on the basis of traditional identifiers like khata number, plot number, Boundary description, and manual verification by Circle or Revenue Officers.”</i> </li> </ul> |
| 44.    | <b>35<br/>Document in language not understood by the registering officer.</b> | <ul style="list-style-type: none"> <li>• Instead of “language not understood by the registering officer”, it should be “official/vernacular language of the State and in English.”</li> <li>• The onus of providing translated documents should not</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| S. No. | Clause/ Sections                                                                | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                 | <p>be on the parties. Translation services may be provided by the State Government(s) on a chargeable basis.</p> <ul style="list-style-type: none"> <li>One stakeholder submitted that the first copy should be in the official state language. In case of a dispute between the original and the translated copy, the document in the official language must prevail.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 45.    | <b>36 Documents containing interlineations, blanks, erasures or alterations</b> | <ul style="list-style-type: none"> <li>One stakeholder has suggested that Section 36(2) (noting erasure, alteration by Sub-Registrar) is not required since the documents are now scanned but not copied as done in the pre-computerised era.</li> <li>Require digital audit trails for e-documents and sign-off on paper corrections.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 46.    | <b>37 Verification and Enquiry</b>                                              | <ul style="list-style-type: none"> <li><b>Escrow accounts' verification and enquiry:</b> Some stakeholders have suggested that upon presentation of any document purporting to effect sale or transfer of immovable property, the registering officer shall require submission of escrow-account details and shall verify, through integration with banking or e-flow modules, that an active escrow account has been opened for the transaction. Registration shall only proceed once the escrow linkage is confirmed.</li> <li>Use a fixed checklist of ID proofs and online photo-OTP. Remove subjective "satisfaction" of the RO.</li> <li>RO should not refuse registration on the basis that originals of documents were not produced.</li> <li>Some stakeholders have suggested there be a system for the RO to verify that the document in connection with immovable property has been executed by an owner or duly-titled person (such as encumbrance certificates, records of rights, or any other document prescribed by the appropriate government) so that the original purpose of the Registration Act 1908, which is to prevent fraud, will be given strength. Such stakeholders advocate registration based on title verification.</li> <li>To protect state revenue, a stakeholder has suggested addition of a Clause 37(5)(d): <i>"enquire, whether or not the document is duly stamped as per the provisions of Indian Stamp Act 1899"</i>.</li> <li>One stakeholder has suggested that another clause be</li> </ul> |

| S. No. | Clause/ Sections                                                             | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                              | <p>added after Section 37(8), to allow for verification of whether the document concerns property of Government, Boards, Corporations, Bodies constituted by Government or legislature and water bodies etc. (and eventually be able to refuse registration on that basis).</p> <ul style="list-style-type: none"> <li>Some stakeholders have suggested rationalising and grading the fine/ penalties (maximum of 2 times the registration fee).</li> <li>Clauses 29(3) and (4) are also applicable here – include references to them.</li> <li><b>Insert after after sub-clause (1):</b><br/><i>Provided that no document may be insisted upon, as a prerequisite for registration, other than an Official ID Document.</i> This will tie in with Clause 29 and prevent any abuse where any category of documents can be demanded by the RO.</li> <li><b>Replace sub-clause (6) as under:</b><br/>The registering officer may access and rely on prescribed records and <b>Official ID Documents</b><del>information in such form and manner as may be prescribed</del> for discharging its functions under sub-clause (5)(a).</li> <li>One stakeholder has suggested that the provision stresses on registering the documents only through electronic mode but S. 42(2)(b) has provisions for the SRO to examine the parties physically by going to the house or jail. Further, the modus of recording the same has not been prescribed.</li> </ul> |
| 47.    | <b>38<br/>Endorsement and receipt of document presented for registration</b> | <ul style="list-style-type: none"> <li>Some stakeholders have suggested that a timeline be provided within which receipt will be given to the parties presenting such documents for registration (7 days suggested) and within which registered documents will be copied in relevant Books.</li> <li>One stakeholder suggested the addition of sub-clause: <i>“trust deeds involving immovable property”</i>.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 48.    | <b>39<br/>Admission-Denial</b>                                               | <ul style="list-style-type: none"> <li>One stakeholder has suggested the addition of a proviso: <i>“Provided that when the document is presented in electronic form the procedure laid down by rules prescribed in this behalf shall be followed.”</i> (e.g. as in Section 35 of the 1908 Act, as amended by</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



| S. No. | Clause/ Sections                                                              | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                               | <p>Madhya Pradesh).</p> <ul style="list-style-type: none"> <li>• <b>Insert new sub-clause (7)</b><br/> <i>(i) “(7) The admission or denial of a document to registration must be communicated in writing to the executants on or before the next working day. Under no circumstances can a registering officer retain a document, once presented, without either admitting to registration, or refusing to register, for longer than this period.”</i></li> </ul> |
| 49.    | <b>40<br/>Particulars to be endorsed</b>                                      | One stakeholder has suggested re-wording “ <i>If a person admitting to the execution of a document...</i> ” to “ <i>If a person admitting the execution of a document....</i> ”.                                                                                                                                                                                                                                                                                  |
| 50.    | <b>41<br/>Procedure where appearance of executant or witness is required.</b> | <ul style="list-style-type: none"> <li>• One stakeholder has suggested the conferral of powers of a civil court on the RO.</li> <li>• Allow e-summons and video-link appearances recorded on the portal. Make consequential edits in Clauses 42 and 43.</li> <li>• This provision is unnecessary and is against the general scheme of the Act. It is the responsibility of parties to present all executants.</li> </ul>                                          |
| 51.    | <b>42(2)<br/>Persons Exempt from Appearance at the Registrar’s Office</b>     | One stakeholder has suggested that clause 42(2) should be made harmonious with clause 27 so as to examine a person at private residence only on “special cause being shown”.                                                                                                                                                                                                                                                                                      |
| 52.    | <b>44<br/>Time of presentation of wills.</b>                                  | <p><b><i>Linkages of Wills to additional documents:</i></b></p> <ul style="list-style-type: none"> <li>➤ <i>Succession Certificate:</i> Several stakeholders have suggested that wills may be linked to a succession certificate, potentially through creation of a Wills Registration Database.</li> <li>➤ <i>Medical Certificate:</i> One stakeholder has suggested that wills must be accompanied with medical certificate for elderly testators.</li> </ul>   |
| 53.    | <b>45<br/>Persons entitled to present wills and authorities to adopt.</b>     | Clause 45(3): The words “in such format and manner as may be prescribed” to be deleted. There should be no format for wills as they are personalised documents.                                                                                                                                                                                                                                                                                                   |
| 54.    | <b>46<br/>Registration of wills</b>                                           | Delete this clause as there is a lot of risk and discretion based on “satisfaction” of the RO – accordingly, Clause 45                                                                                                                                                                                                                                                                                                                                            |

| S. No. | Clause/ Sections                          | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        | <b>and authorities to adopt.</b>          | may also be deleted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 55.    | <b>47<br/>Deposit of Wills</b>            | One stakeholder has suggested that this provision be removed since many deposited wills are not sought to be opened. Further, a provision may be made to reflect details of wills in EC, since the registration of Will does not come to the knowledge of purchasers and they may be prone to purchasing the property from a wrong owner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 56.    | <b>52<br/>Registration Certificate</b>    | <p><b><i>Security Features in Registration Certificate:</i></b></p> <ul style="list-style-type: none"> <li>• Several stakeholders have suggested that registration certificates should have security features such as QR code and be printed on secure, tamper-proof paper.</li> <li>• One stakeholder has suggested that a registration certificate is not “issued”, but “endorsed”.</li> <li>• One stakeholder has suggested clarifying the provision: The registration certificate shall be admissible for establishing the fact that the document is duly registered in accordance with the Act, and the endorsement as required under section 40(3) are duly incorporated therein.</li> <li>• Add Clause 52(4): the Certificate of Registration will be a part and parcel of the deed or document registered.</li> <li>• <b>Insert at the end of sub-clause (1):</b><br/>(i) The certificate of registration must, except in cases where registration has been refused, be issued within one working day of the instrument being presented for registration.</li> </ul> |
|        |                                           | <p><b><i>Timeline for providing Registration Certificate:</i></b></p> <p>One stakeholder has suggested that registration certificates may be granted within a specific timeline, such as 3-5 days.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 57.    | <b>53<br/>Endorsements Certificate on</b> | <ul style="list-style-type: none"> <li>• One stakeholder has suggested an enabling provision that will allow appropriate governments to make provisions for reconstruction of any document whose registration has been completed under this Act, but prior to delivery of the document to the party or parties concerned, if such document is lost or damaged inadvertently from the custody of the registering</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

| S. No. | Clause/ Sections                                                                | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                 | <p>officer.</p> <ul style="list-style-type: none"> <li>In a similar vein, some stakeholders have suggested the addition of a proviso: “Provided that all relevant electronic forms and records related with Registration Certificate would be preserved as prescribed.”</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 58.    | <b>54<br/>Integration with Land Records</b>                                     | <p>Some stakeholders have recommended that all registered documents be made available on a government website akin to land/ revenue records, to enhance transparency and efficiency.</p> <p>These records must also be linked with other land/ revenue records through notifications and coordination amongst authorities.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 59.    | <b>55<br/>Procedure where document relates to land in several sub-districts</b> | <ul style="list-style-type: none"> <li>One stakeholder has suggested the insertion of a sub-clause regarding “<i>Procedure where instrument of Power of Attorney in office of Sub-Registrar relates to immovable property not situated in sub-district</i>”:</li> </ul> <p><i>“Every Sub-Registrar on registering an instrument of Power of Attorney including instrument of revocation or cancellation of such Power of Attorney relating to immovable property not situate in his own sub-district, shall make a copy and send the same together with a copy of the map or plan (if any) mentioned in section 34, to every other Sub-Registrar in whose sub-district the whole or any part of such property is situate and such Sub-Registrar shall file the same in his Book No 1.</i></p> <p><i>Provided that where such instrument relates to immovable property in several districts shall forward the same to the Sub-Registrars concerned, under intimation to the Registrar of every district in which any part of such property is situated.”</i></p> <ul style="list-style-type: none"> <li>Add proviso: wherever possible, online transmission of data and copies shall constitute compliance of this section.</li> <li>Documents in relation to properties situated in multiple districts should be exempted from multiple registrations or fee payments.</li> </ul> |
| 60.    | <b>57<br/>Re-registration</b>                                                   | <ul style="list-style-type: none"> <li>One stakeholder has requested that during re-registration, an affidavit be filed confirming that no</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

| S. No. | Clause/ Sections                      | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                       | <p>third-party rights have accrued since the original registration.</p> <ul style="list-style-type: none"> <li>• One stakeholder has recommended expanding the scope of re-registration to cases where a document is erroneously registered by an RO without jurisdiction.</li> <li>• One stakeholder has suggested re-naming the clause as “Re-registration after recognition of errors”.</li> <li>• <b>The title of the Section and Clause 57(2)(a) are out of sync with the rest of the section – to be redrafted.</b> The section starts out as a section enabling rectification of errors. However other parts of the section treat it only as an enabling provision where registration is earlier refused on account of lack of authority.</li> <li>• Introduce a procedure to correct minor errors or make minor amendments post registration. It should be clarified that this provision applies to rectification of errors also and not only for shortcomings in presentation.</li> <li>• Rectification of errors in authorised encumbrance certificates may be made within 7 days.</li> </ul> |
| 61.    | <b>58<br/>Refusal of registration</b> | <p><b><i>Grounds for refusal of registration:</i></b></p> <ul style="list-style-type: none"> <li>• Some stakeholders have recommended the deletion or clarification of the residual ground 58(1)(l).</li> <li>• One stakeholder has recommended that the residual provision (Clause 58(1)(l)) be altered from “<i>any other ground based on which registration may be refused by the registering officer under this Act</i>” to “<i>any other ground as notified by the appropriate Government from time to time.</i>”</li> <li>• One stakeholder has suggested the addition of the phrase “and any other provisions of law as may be prescribed” to Clause 58(1)(l).</li> <li>• Some stakeholders have suggested that Clause 58(1)(a) be deleted as ascertaining the true translation of a document may be complicated. They recommend deletion. Others have suggested that the phrase “language commonly understood in the district of the RO” be changed to “official / vernacular language of</li> </ul>                                                                                            |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <p>the State and in English” to avoid ambiguity. Still others have suggested that the onus of providing translated copies (read with Clause 35) should not be on the individual, it should be a service provided by the States.</p> <ul style="list-style-type: none"> <li>Some stakeholders have suggested that Clauses 58(1)(f) and 58(1)(h) be deleted. The former because it creates additional hurdles to the registration process due to extensive NOC requirements; and the latter because it is impracticable for the registrar to undertake this check regarding government properties.</li> <li>One stakeholder has suggested that Clause 58(1)(e)(iv) may cause uncertainty as any representative or assignee of a dead person may seek to challenge a valid document duly executed by the dead person. They recommend deletion.</li> <li>Some stakeholders have suggested grounds of fraud, impersonation, forged/ false information for inclusion under the refusal provisions.</li> <li>One stakeholder has suggested allowing refusal in cases where the document relates to plots in unauthorised/unapproved layouts not sanctioned by the competent planning authority/local body; buildings or structures lacking valid building permission/sanctioned plans from the relevant urban or rural local body; and properties falling under “prohibitory property lists” notified under regularisation or enforcement laws of the respective states (Telangana has implemented such laws).</li> <li>One stakeholder has recommended the inclusion of the following grounds: (i) document is submitted without the proofs of authorisation when the executants or claimant is the representative or agent authorised by the person or entity whose document is to be registered; (ii) document is submitted without proof that the principal is alive and/ or revoked the power of attorney in case where the document is executed by the power of attorney holder on behalf of the principal; and (iii) the document is not accompanied by such documents relating to proof of the ownership, as may be specified by the state government, by notification.</li> <li>One stakeholder has raised the concern that it may be</li> </ul> |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <p>impracticable to verify the categories of documents mentioned in grounds for refusal (e.g. government properties, NOCs etc.) which will create an implementation issue.</p> <ul style="list-style-type: none"> <li>Section 58(1)(f) – suggested proviso: <i>“Provided however, where any such transfer of the property is permitted under applicable law or by such competent authority under any agreement or instrument relating to the property, a separate no-objection certificate, as above, shall not be required.”</i> Mortgages of leasehold land by lessees in favour of banks or FIs would fall under the scope of this section – and sometimes, these do not require NOCs. Government lease deeds either stipulate the need to have the lessor’s consent prior to mortgage (by way of a “Permission to Mortgage” or PTM/ “No Objection Certificate” or NOC); <u><b>or sometimes, include a permission for such mortgages in the lease deed itself.</b></u> Section 108(j) of the Transfer of Property Act also enables mortgage by the lessee unless restricted by contract.</li> </ul> |
|        |                  | <p><b><i>Additional safeguards for power of refusal:</i></b></p> <ul style="list-style-type: none"> <li>One stakeholder has commended that refusal provisions have adequate safeguards.</li> <li>One stakeholder has suggested that the IGR should undertake periodic (e.g. quarterly) audits of refusal orders passed by the ROs and rectify any wrongful refusals.</li> <li>Make it mandatory for the RO to give a written explanation with detailed reasons. The explanation should be confirmed by a higher authority.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|        |                  | <p><b><i>Other inputs on refusal of registration:</i></b></p> <ul style="list-style-type: none"> <li>Some stakeholders have suggested that the RO should not have discretion or be over-empowered in refusing registration. One method suggested to do this is to change “may” to “shall” in Clause 58.</li> <li>Some stakeholders have recommended having a reviewing authority over the adjudicating authority to avoid misuse of power – while some stakeholders have recommended that this body be executive, others have</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <p>recommended a quasi-judicial or judicial body</p> <ul style="list-style-type: none"> <li>• One stakeholder has suggested that refusal powers be given to a quasi-judicial body.</li> <li>• One stakeholder has recommended that Clause 58(2) be removed, since registration based on title verification is advocated.</li> <li>• One stakeholder has suggested empowering the RO to refuse not only registration but also acceptance of presentation of documents where such defects exist at the time of presentation itself.</li> <li>• Some stakeholders have suggested that there be a timeline (15 days) within which the Sub-registrar should record a reasoned order of refusal in Book 2. They have also suggested that non-issuance of such order (or non-issuance within the timeline) must be penalised or face disciplinary action.</li> <li>• Some stakeholders have suggested that there be a timeline (7-30 days) within which a refusal decision is to be made by the RO.</li> <li>• One stakeholder has suggested that appeals from order of sub-registrar should be filed within 3 months from the date of order of refusal.</li> <li>• One stakeholder has suggested that there be a timeline (30-60 days) within which appeals and applications under clauses 60 and 61 be disposed of by authorities.</li> <li>• One stakeholder has suggested that appeals and suits under Clauses 60 and 63 respectively be referred to quasi-judicial bodies to relieve the burden on judicial and administrative machineries.</li> <li>• Some stakeholders have suggested that a reasonable timeframe be defined for rectification of technical errors, rather than refusing registration in the first instance.</li> <li>• Orders of refusal (recorded in Book 2) should be made accessible only to the parties (not to the public).</li> <li>• Some stakeholders have stated that there is a risk of ambiguity in the interpretation of the term</li> </ul> |

| S. No. | Clause/ Sections                                  | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                   | <p>“ownership”. Clause 58(2) creates a notional difference between the terms “title” and “ownership”. Language may be reconsidered – like, deleting the phrase “or ownership of property”.</p> <ul style="list-style-type: none"> <li>One stakeholder has suggest harmonising Clause 39(3) and Clause 58 in terms of refusal grounds to avoid duplication. Clause 58 should deal only with substantive grounds for refusal – Clause 39(3) can deal with procedural or technical grounds.</li> <li>Simplify the language: re-phrase as “must pass an order and record the reasons in Book 2”. Also, “must give a copy of the <u><i>order to the person presenting the document for registration...</i></u>”</li> <li>Order of refusal passed by the RO must not be made publicly accessible, rather such orders should be viewable only by the parties involved in the transaction through secure login credentials on the registration portal.</li> <li><b>Reword Clause 58(2) as under:</b><br/><br/> <i>No registering officer shall be entitled to refuse registration of a document on an issue that involves adjudication of questions of title, heredit, adoption or succession, and the power under this section must not be construed as empowering the registering officer to adjudicate upon questions of title or ownership of property, <b>heredit, adoption or succession</b>, which are within the jurisdiction of any competent court or other authority under any law for the time being in force.</i> </li> </ul> |
| 62.    | <b>59<br/>Reasons for refusal to be recorded.</b> | <ul style="list-style-type: none"> <li>One stakeholder has suggested the inclusion of the following proviso to Clause 59(2): “Provided that in case of electronically refuseddocument, an electronic record of the same shall be made as prescribed.”</li> <li>One stakeholder has suggested that Clause 59(3) is vague and required clarity.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 63.    | <b>60(2)<br/>Appeals</b>                          | <ul style="list-style-type: none"> <li>The timelines for filing appeals from orders of refusal passed by Sub-Registrars may be increased from the current 30 days, in exceptional circumstances.</li> <li>One stakeholder has suggested that the timeline for</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



| S. No. | Clause/ Sections                                             | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                              | <p>making the appeal be within 30 days of the passing of the order, not receipt of the order.</p> <ul style="list-style-type: none"> <li>Some stakeholders have suggested that there be a timeline within which the Registrar is mandated to decide the appeal.</li> <li><b>Insert the following sub-clauses:</b> <p><i>“(3) A suit under this section may include, amongst other reliefs, the relief of specific performance, or injunction.</i></p> <p><i>(4) No suit under this section shall be filed after the expiry of one year from the date of the communication of the order of refusal to register.</i></p> <p><i>(5) Notwithstanding the provisions of the Code of Civil Procedure, no notice under Section 80 of the Code shall be necessary, prior to the institution of a suit under this section.</i></p> <p><i>(6) A court trying a suit under this section shall have jurisdiction to grant interim reliefs.”</i></p> </li> </ul> |
| 64.    | <b>62<br/>Order of refusal by Registrar.</b>                 | Clause 62(2): “No appeal lies from any order by a Registrar under this section or Section 60” – should be deleted. Violates principles of natural justice and Article 14 (equality before law).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 65.    | <b>63<br/>Suit in case of order of refusal by Registrar.</b> | 63(1): replace “decree” with the word “order”. A registration officer is not a judicial authority as per the Civil Procedure Code, hence a Registrar is incompetent to pass a decree.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 66.    | <b>64<br/>Cancellation of registration</b>                   | <p><b><i>Retrospective application of cancellation provisions:</i></b></p> <ul style="list-style-type: none"> <li>Several stakeholders have suggested that the cancellation powers be made applicable retrospectively i.e. even in relation to documents that were registered prior to the coming into force of the Bill.</li> <li>Some stakeholders have requested clarity on whether the cancellation provisions would apply retrospectively.</li> <li>One stakeholder has suggested that a document registered on the basis of false or wrong entry in land records should be cancellable irrespective of the possession or time when entry was made – effectively calling for retrospective application of cancellation provisions.</li> </ul>                                                                                                                                                                                                  |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <p><b><i>Grounds for cancellation of registration:</i></b></p> <ul style="list-style-type: none"> <li>• Some stakeholders have recommended the deletion of the entire Clause 64 as the ambit of powers is too wide; because the rights of innocent third-parties may be affected; or because cancellation should be a judicial process.</li> <li>• Make the grounds joint and several – i.e. any/ all grounds will lead to cancellation.</li> <li>• Some stakeholders have suggested that there be no suo moto cancellation power.</li> <li>• Some stakeholders have suggested an additional ground of impersonation or misrepresentation.</li> <li>• One stakeholder has suggested grounds like production of the wrong legal heirship certificate, registering after the death of principal, selling property in excess of ownership, selling a share of property held by other persons, and selling property against the decision of a court on property right.</li> <li>• Some stakeholders have suggested an additional ground of fraud, while others have suggested that this ground of fraud be limited to when so adjudicated by a court.</li> <li>• Some stakeholders have suggested an additional ground for forgery.</li> <li>• Several stakeholders have recommended that the grounds contained in 64(2)(a) (<i>document registered on the basis of false information</i>) and 64(2)(c) (<i>the document relating to a transaction that is against the provisions of any law, as determined by a court</i>) are too wide and should be either clarified or deleted.</li> <li>• Some stakeholders have recommended an exact definition of “false information” under Clause 64(2)(a) to avoid ambiguity.</li> <li>• If a property has been registered more than once, the registering officer must have the power to cancel any subsequent contrary document registration in relation to the same property.</li> </ul> |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <ul style="list-style-type: none"> <li>Specifically empower Adjudication authority to cancel agreements or mandate appearance to cancel agreements – either after orders of statutory authorities (RERA) or after following due process under relevant statutory provisions.</li> <li>Allow unilateral cancellation after the Adjudicating authority issues notice and confirms that due process under relevant statutory provisions are followed.</li> <li>Add the following grounds: <ul style="list-style-type: none"> <li>➤ The developers and allottees have mutually agreed to cancel the agreement for sale or the sale deed.</li> <li>➤ The developer cancels the agreement for sale under the provisions of RERA 2016 for breach of terms and conditions.</li> <li>➤ Unilateral cancellation if any of the parties wilfully does not mark her/ his presence before the authority for cancellation of a registered agreement to sell or sale deed.</li> </ul> </li> </ul> <p><b><i>Additional safeguards for power of cancellation:</i></b></p> <ul style="list-style-type: none"> <li>Some stakeholders have suggested that a limitation period or timeline (suggestions range from 30 days to 3 years from the date of registration) be introduced within which an application for cancellation can be filed and the power can be exercised – except in cases of fraud.</li> <li>Several stakeholders have suggested that the power of cancellation be granted to either (i) courts; or (ii) quasi-judicial bodies, to ease the burden on courts. As a subset of this recommendation, some stakeholders have suggested that either (i) the Appellate Authority be a judicial forum i.e. district court; or (ii) following the decision of the Appellate Authority, there be a judicial appeal; or (iii) creation of a separate specialised tribunal composed of retired IGRs, retired judges, and retired land revenue officers.</li> <li>Some stakeholders have suggested that the cancellation power continue to vest in the IGR or be vested in the RO – to avoid protracted processes.</li> <li>Some stakeholders have suggested that (i) the Adjudicating Authority be an Additional IGR and the</li> </ul> |

| S. No. | Clause/ Sections | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                  | <p>Appellate Authority be the IGR; or (ii) the Adjudicating Authority be the Deputy IGR and the Appellate Authority be the IGR or District Registrar; or (iii) the Adjudicating Authority be the District Registrar and the Appellate Authority be the IGR; or (iv) the Adjudicating Authority be the District Registrar and the Appellate Authority be the Deputy IGR (thereby, in all cases, keeping cancellation powers within the registration establishment).</p> <ul style="list-style-type: none"> <li>• Several stakeholders have suggested that there be timelines (60-90 days) for adjudications by the Adjudicating Authority and Appellate Authority respectively under Clause 64.</li> <li>• Some stakeholders have suggested that the timeline for making the appeal to the Adjudicating Authority be increased from 30 to 60 days or 3 months.</li> <li>• One stakeholder has suggested the inclusion of a safeguard: that <i>“cancellation shall not affect rights acquired by any bona fide third-party transferee for value prior to the date of the cancellation order.”</i></li> <li>• This provision can be redrafted along the following lines: <ul style="list-style-type: none"> <li>➤ The power under this Section should be exercisable only for a very limited time, say <b>within six months of the registration of the instrument in question.</b></li> <li>➤ Clause 64(2)(a) is vague and Sec. 64(2)(c) is too wide.</li> <li>➤ Clause 64(3)(a) which enables <i>“suo motu”</i> exercise must be reconsidered.</li> <li>➤ There must be a provision where the Adjudicating Authority should have the obligation to refer the parties to a civil court, where it finds that the issues involve questions of title, heredity, succession, adoption, or authority.</li> <li>➤ The Appellate Authority under this section must be a judicial forum. In my view, it should be the jurisdictional District Court.</li> <li>➤ Explanation to sub-clause (6) must be deleted.</li> </ul> </li> <li>• The position of law is that if a document is registered on the basis of false information or transaction is against law, rights do not transfer to the transferee. In other words, the registered document itself becomes</li> </ul> |

| S. No. | Clause/ Sections                                           | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                            | <p>infructuous. There appears no need for inserting this provision which has the potential to increase unnecessary litigation.</p> <hr/> <p><b><i>Other inputs on cancellation of registration:</i></b></p> <ul style="list-style-type: none"> <li>• One stakeholder has recommended public disclosure of cancelled registrations.</li> <li>• One stakeholder has suggested that the Adjudicating Authority and the Appellate Authority should be able to delegate their functions.</li> <li>• One stakeholder has suggested the modification of Section 64(5) such that notwithstanding pendency of any title suit before a civil court, a document can be cancelled if it is a fraudulent document.</li> <li>• Publish cancelled documents and restoration orders in a digital public registry to ensure transparency.</li> </ul>                                                                                                                                                                                                                                                                         |
| 67.    | <b>65<br/>Register Books and Safe Custody of Documents</b> | <ul style="list-style-type: none"> <li>• Some stakeholders have suggested expanding Clause 65(4) to state that: “Electronic registers shall be maintained in tamper-evident systems with encryption, role-based access controls, automated backups, and audit logs as prescribed by the appropriate Government.”</li> <li>• One stakeholder has suggested an enabling provision that will allow appropriate governments to make provisions for reconstruction of destroyed/damaged original documents or Books under Clause 66.</li> <li>• One stakeholder has suggested an edit to Clause 65(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 <b><i>or seal of the office</i></b>, will be deemed to be a copy given under section 68 for the purposes of section 68(5). – especially useful for digital formats.</li> <li>• Add the words “RO or any other officer designated by the IGR in this behalf” to allow flexibility.</li> </ul> |
| 68.    | <b>66<br/>Register-books.</b>                              | <ul style="list-style-type: none"> <li>• Some stakeholders have suggested that a separate book of all registered POAs be maintained.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

| S. No. | Clause/ Sections                                                                                                                    | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------|-------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                                     | <ul style="list-style-type: none"> <li>One stakeholder has suggested an addition to enable auto-indexing and real-time register generation from digital inputs: “(6) Registers, books, and indexes maintained in electronic form under this Act may be automatically generated or updated based on registered document data, and shall be authenticated digitally by the Sub-Registrar or other authorized officer at prescribed intervals, using secure digital signature mechanisms.”</li> <li>Add the following books: <ul style="list-style-type: none"> <li>➤ Book 6: POA</li> <li>➤ Book 7: Leave and license of not more than 5 years</li> <li>➤ Book 8: Agreements relating to MOTDs.</li> <li>➤ Book 9: Documents that are duly presented but pending registration.</li> </ul> </li> <li>One stakeholder has requested that details of the “Miscellaneous” book be specified.</li> <li>Mandate real-time updation of digital indexes and ensure public access – this will increase transparency and reduce data mismatch.</li> </ul> |
| 69.    | <b>68</b><br><b>Registering officers to allow inspection of certain books and indexes, and to give certified copies of entries.</b> | <ul style="list-style-type: none"> <li>One stakeholder has suggested a revised heading for this section: “Registering officers to allow inspection of certain books and indexes, and to give certified copies of entries including electronic records.”</li> <li>Some stakeholders have suggested that inspection of indexes of both Books 1 and 4 be allowed, since both books are open for public inspection.</li> <li>Some stakeholders have suggested that Book 4 be kept open to public inspection.</li> <li>One stakeholder suggested an enabling provision that allows appropriate governments to prescribe which types of documents under Book 4 are to be made available to all and which are to be kept restricted to only some sections, especially since some documents under Book 4 are personal in nature.</li> <li>Stakeholders have also suggested opening up electronic/ online registration records for online inspection.</li> </ul>                                                                                       |

| S. No. | Clause/ Sections                  | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                   | <ul style="list-style-type: none"> <li>Clause 68(2): A stakeholder suggested re-phrasing "...copies or entries in books" as "... Copies or entries in books and indexes...".</li> <li>A stakeholder has suggested an insertion after Clause 68(5): "(6) The request for search or a copy or extract from the books mentioned in sub-section (1) which are maintained in electronic form shall be made available through online mode only."</li> <li>Add the words "RO or any other officer designated by the IGR in this behalf" to allow flexibility.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 70.    | <b>70<br/>Fees and Refunds</b>    | <ul style="list-style-type: none"> <li>A stakeholder has indicated that the phrases "reasonable relationship" and "rationalisation of fees" are ambiguous. They may lead to varying interpretations and application across states, which may make the provision litigious.</li> <li>A stakeholder has recommended the deletion of Clause 70(2) as it will adversely impact state revenue.</li> <li>Give clarity on "Principal Instrument" for charging of registration fees and exempting all other ancillary and connected documents. Since the onus to do so will be on parties, they may not execute any additional documents to avoid registration fees.</li> <li>The term "nominal fees" must be clearly defined, and it must be uniformly applicable across all jurisdictions in India.</li> <li>Provide subsidized registration fees for low-value transactions.</li> <li>Provide a mechanism to prevent overvaluation in cases of redevelopment projects.</li> <li>Sub-clause 4 may be replaced with:<br/> <i>"The appropriate government may, if in their opinion it is necessary in the public interest so to do, reduce or remit, whether prospectively or retrospectively, the fees payable in respect of any of the matters either generally or for any particular class of cases and in respect of any person or class of persons."</i> </li> </ul> |
| 71.    | <b>71<br/>Fees Payable at the</b> | <ul style="list-style-type: none"> <li>Fees to be paid in advance of registration of the document: <i>"All fees for the registration of documents</i> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

| S. No. | Clause/ Sections                                                                                                      | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        | <b>Time of Registration – Refunds</b>                                                                                 | <p><i>under this Act shall be payable in advance, in such form and manner as may be prescribed.</i>” Others have suggested payment in advance or at the time of registration</p> <ul style="list-style-type: none"> <li>• A timeline of (30 days) be provided within which any excess fees paid must be refunded to the party/ applicant for registration.</li> <li>• There should be payment of interest at the prevailing government rate on the excess amount that is refunded.</li> <li>• The power and responsibility of refund should be delegated to the Deputy IGR.</li> <li>• There should be inclusion of the following sub-clauses: <p><i>“(i) if the value of the property or the consideration, as the case may be, has been determined by the Collector under the provisions of the Indian Stamp Act, 1899, the consequential increase in the fee for the registration of documents under this Act, shall be paid by the person liable to pay the same within a period of thirty days from the date the order of determination of the value of the property or the consideration, as the case may be, is communicated to him; and (ii) the fee payable under sub-section (i) may be recovered as an arrear of land revenue.”</i></p> </li> <li>• There should be exemption or reduced fees for first-time home buyers and individuals from low-income groups.</li> </ul> |
| 72.    | <b>72<br/>Penalty for incorrectly endorsing, copying, translating or registering documents with intent to injure.</b> | <p><b><i>Departmental action against officials:</i></b></p> <ul style="list-style-type: none"> <li>• There should be enhancement of penalties under this section: that departmental action, including penalties ranging up to termination of service, may be imposed on officers found guilty under this provision.</li> <li>• Penal provisions should be introduced where individuals (including officers from the registration establishment) are involved in transactions or registrations involving fraud, forgeries, or false documents/ information.</li> <li>• Increase penalties from 3 years to 7 years (reinstate to 1908 Act status).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |



| S. No. | Clause/ Sections                                                                                                             | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                                                                                              | <ul style="list-style-type: none"> <li>These offenses should be made non-bailable.</li> <li>There must be a provision for penalties against registering officers who violate the provisions of the Registration Act.</li> </ul>                                                                                                                                                                                                                                                                                                                                     |
| 73.    | <b>73<br/>Penalty for making false statements, delivering false copies or translations, false personation, and abetment.</b> | The proposed bill burdens a layman with technological intricacies. It may attract penalties even to those, who are not making any intentional false statement or copies or presentation. Intention of the individual should be judged properly.                                                                                                                                                                                                                                                                                                                     |
| 74.    | <b>74<br/>Registering officers may commence prosecutions.</b>                                                                | The below clause 74(3) should be added:<br><i>“The appropriate government shall have the power to frame and publish lists of touts.”</i>                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 75.    | <b>77<br/>Destruction of records</b>                                                                                         | Make the timeline 5 years (instead of the current 2 years) – along with publishing details of the document on a public notice and stating that it is registered but unclaimed.                                                                                                                                                                                                                                                                                                                                                                                      |
| 76.    | <b>78<br/>Protection of Action Taken in Good Faith</b>                                                                       | The provision can also include Additional Inspectors General of Registration, Joint Inspectors General of Registration, Deputy Inspectors General of Registration and Assistant Inspectors General of Registration for similar protection.                                                                                                                                                                                                                                                                                                                          |
| 77.    | <b>80<br/>Rules</b>                                                                                                          | <ul style="list-style-type: none"> <li>Clause 80(2)(jj) should be modified to <i>“form and manner for fee payable on document, copy, extract, search, recovery and refund of registration fee under section 71;”</i></li> <li>Rule 80(2)(d) should be clarified- it is unclear who will make rules of appointment for Sub-registrars, District Office Clerks/ other Clerks etc.</li> <li>Ensure that rules framed under this Act mandate legal scrutiny for title documents and documents involving creation of any interest or encumbrance in property.</li> </ul> |
| 78.    | <b>83<br/>Amendment of Schedules</b>                                                                                         | The power to amend schedules should be with appropriate governments, not the Central Government.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 79.    | <b>Chapter VII</b>                                                                                                           | <ul style="list-style-type: none"> <li>Change the sequence of sections to the following order to align with the registration process, as follows:</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                        |

| S. No. | Clause/ Sections                   | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                                    | <ul style="list-style-type: none"> <li>➤ Templates (Clause 33)</li> <li>➤ Property Description (Clause 34)</li> <li>➤ Document in a language not understood by RO (Clause 35)</li> <li>➤ Documents containing interlineations, blanks etc. (Clause 36)</li> <li>➤ Persons to present Documents (Clause 28)</li> <li>➤ POA recognizable for the purpose of Sections 27 and 28 (Clause 30)</li> <li>➤ ID Verification (Clause 29)</li> <li>➤ Form Manner and Fees for presenting documents (Clause 32)</li> <li>➤ Endorsement and receipt of documents (Clause 38)</li> <li>➤ Enquiry and Verification by RO (Clause 37)</li> <li>➤ Admission-Denial (Clause 39)</li> <li>➤ Particulars to be endorsed (Clause 40)</li> <li>➤ Exemptions from appearance of government officers (Clause 31)</li> </ul> <ul style="list-style-type: none"> <li>• A provision for a future scenario where e-registration becomes permitted is required. The law does not contain adequate provision for that. This may have to be considered.</li> </ul>                                                                                                                                                                                                                                                                            |
| 80.    | <b>85<br/>Repeals and savings.</b> | <ul style="list-style-type: none"> <li>• Provide mapping from old to new Book numbers for ease of transitioning.</li> <li>• Suggested modification: “85. Repeals and savings. <ul style="list-style-type: none"> <li>▪ The Registration Act, 1908 (16 of 1908), <b><u>including any state specific amendments,</u></b> is hereby repealed.” To avoid overlaps/ conflicts between state amendments and the Bill. For instance, Section 89B of the Registration Act, 1908, applicable to the state of Maharashtra provides for filing of a notice of intimation for mortgage by deposit of title deeds. This may result in duplicate filing under the aforesaid section and under Clause 14(3) of the Bill (once it takes effect).</li> </ul> </li> <li>• It is suggested that a gestation period should be provided for State Government(s) to prepare necessary infrastructure, to draft and notify necessary rules and for public/ Banks to use modified provisions of presentation of documents, notifying mortgage by deposit of title deed(s) etc. This is especially required for State(s) which have not included any changes for registration of agreement relating to deposit of title deeds, like NCT, Uttar Pradesh, West Bengal (all State(s) and UT other than States of Madhya Pradesh,</li> </ul> |

| S. No. | Clause/ Sections      | Issue and Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|        |                       | <p>Maharashtra, Gujarat, Tamil Nadu and Punjab). For banks as well, necessary changes in operational guidelines need to be provided and operational trainings need to be imparted, which will take time.</p> <ul style="list-style-type: none"> <li>One stakeholder suggested inserting a clause preserving the validity of documents registered under the 1908 Act, citing <i>Hitendra Vishnu Thakur v. State of Maharashtra (1994) 4 SCC 602</i>, <i>Basantibai v. State of Maharashtra (2021) SCC OnLine Bom 879</i>.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 81.    | <b>86 Amendments.</b> | <p>Some additional amendments to the TPA have been suggested:</p> <ul style="list-style-type: none"> <li>➤ Section 1: make TPA application to the whole country without giving any powers to states to exempt any area from such application.</li> <li>➤ Section 3: ‘a person is said to have notice’: lawful entries in the Record of Rights should also be considered as a notice to the person dealing with a property.</li> <li>➤ Section 4 says that Sections 54 (parts thereof), 59, 107 and 123 will be read as supplemental to the Registration Act. These provisions actually belong to the Registration Act and should be shifted there.</li> <li>➤ Section 9 should also be shifted to the Registration Act.</li> <li>➤ Mortgage by Deposit of Deeds (Section 58) should be abolished. As per Section 96 of the Transfer of Property Act, it has the same legal value as a simple mortgage. Thus, a simple mortgage is sufficient to take care of all modern financing.</li> <li>➤ Removal of Mortgage by Condition Sale (Section 58(c)), and English Mortgage (Section 58 (e)) should also be considered. These mortgages involve transfer of property to mortgagee at the time of mortgage and transfer back to mortgagor after repayment of loan. No one is likely to use these because of the requirement of payment of stamp duty twice on the property.</li> <li>➤ Section 129 effectively allows a Muslim to make a gift without a written and registered deed. This is against the basic spirit of the Transfer of Property Act and the Registration Act. It should be removed.</li> </ul> |
| 82.    | <b>Miscellaneous</b>  | <ul style="list-style-type: none"> <li>The word “must” be replaced with “shall” across the Bill.</li> <li>The word “she” (and related terms like “her”) be</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

| S. No. | Clause/ Sections | Issue and Summary                                                                                     |
|--------|------------------|-------------------------------------------------------------------------------------------------------|
|        |                  | replaced with the word “he” or “he/ she” (and related terms like “his” or “his/her”) across the Bill. |

### **ADDITIONAL FEEDBACK / COMMENTS**

- Deed registration system is not workable/ effective – adopt a titling system (backed by sovereign title insurance) like in Australia.
- Make online registration portals available in multilingual formats, preferably all Schedule 8 languages.
- Many states may lack the technical infrastructure to allow for electronic presentation and registration of documents. Further, e-literacy of the public (especially in rural areas) is a concern – this may increase the involvement of (and harassment by) middlemen.
- The Hindi version of the Bill has several typographical/ transliteration errors – to be rectified. (They have provided suggestions on specific clauses in their submissions.)
- Insert provisions regulating deed writers’ licensing, qualifications, and conduct. Section 69(hhh) of the 1908 Act gives powers to IGRs to grant such licenses to deed writers.
- Videography of the registration process should be mentioned in the Bill.
- A digital Grievance Redressal System must be established for speedy and convenient redressal, from orders of refusal of registration passed by the registering officers or other grievances.
- Launch awareness campaigns in rural areas to educate citizens on new requirements, especially awareness on documents requiring compulsory registration.
- Develop a centralized online filing portal for financial institutions with e-acknowledgement features and which are also connected with CERSAI portal.
- Create a centralized mortgage notification portal accessible to banks and registration offices.
- Implement digital dashboard for refusals and appeals.
- Provide training modules for officers on refusal protocols and natural justice principles. Legal and technical training to be provided to Sub Registrar and Registrars.
- Mandate public disclosure on a designated dashboard of cancelled registrations to alert stakeholders.
- Develop a fee calculator tool on registration portals, based on cost slabs, regularly updated by State governments.
- Notify standard illustrations and FAQs showing what combinations qualify as a single transaction.
- Allow bulk registration discounts for developers and housing societies.
- Publish annual fee rationalization reports for transparency.
- *Online storage and public accessibility of property records* should be regulated under the Digital Personal Data Protection Act, 2023 to avoid misuse by introducing an express provision requiring compliance with the DPDP Act, 2023.
- *Public dashboard* for document status and verification.
- Mandate creation of *assisted digital registration centres and mobile kiosks* at panchayat/rural level and at registration offices.
- Ensure *regular cyber audits* of the registration platform, and provide for citizen

feedback provision on the registration portal.

- All the documents registered under this Act must be *made available on a government website* as set out below: (i) As most of the revenue records of land and property are now available online, the registered documents should also be made accessible online on an official government website. This would enhance transparency, improve efficiency, reduce paperwork and provide easier access for citizens, aligning with the broader goal of digital governance. (ii) All the registered documents are scanned and therefore upon payment of requisite charges, the certified copies of the registered documents may be made available to the public at large.
- Data protection and cybersecurity frameworks needs to be strengthened to mitigate the risk of digital forgery.
- Enable pan-India e-filing with backend district routing.
- Implementation of these provisions will heavily depend on the readiness of the states to notify rules, integrate with land/stamp databases, and digitize Sub-registrar workflows. There is significant variation across States in terms of IT infrastructure, digitized land records, and stamp duty rules. It is *recommended* that model rules be framed centrally and made applicable by default in States that do not notify their own rules within a prescribed time limit. This will ensure uniformity and prevent transaction delays in States that are less digitally prepared.
- State Government(s) should be encouraged to adopt a uniform approach towards electronic registration of documents.
- Have a KYC bank of a person's ID details.
- If a document of Company Merger deeds is being presented for registration, the registration fee ought not to be determined based on the value mentioned in the merger document. Publicise the complex provisions of the Bill for easy understanding by a lay person.
- Need to invest in infrastructure in rural areas.
- May be difficult for citizens without digital access.
- State governments may exempt simple mortgages from stamp duty to promote it over mortgage by deposit of title deeds.
- The general practice is that laypersons register documents through the 'deed writer' or an advocate. A license may be granted to deed writers and conveyancing lawyers to bring in transparency and accountability.
- Permitting 'digitalised presentation of documents only' will increase incidence of fraud. E.g. someone may be asked to present a document online at a gun point but the RO would remain unaware. Thus, physical presence should be made compulsory.
- Enable SMS/email alerts to property owners for transactions relating to an immovable property to prevent fraud.
- Property owners may provide names of nominees to registration authorities for correspondence in their absence, relating to transactions in immovable property.
- Physical modes of registration must continue, along with digital modes, so that elderly, illiterate or marginalised persons do not get excluded.
- Public notification of registration relating to immovable property that is the subject matter of pending litigation or high value transactions.
- Promote Aadhaar linking to property transactions to reduce fraudulent conveyancing.
- Mandating use of secure, tamper-evident substrate for Physical registration certificate.
- Adopt measures to reduce corruption in the registration process, including faceless registration.
- Creation of secure, Government-hosted Digital Succession Repository or Wills Registration Database, where wills, succession certificates, nominations may be uploaded to prevent fraud.

- Online registration may not be allowed due to privacy/cyber security issues.
- Mutation process may be made a part of the registration process itself.
- Blockchain and machine learning technology may be utilised to ensure integrity of transactions.
- Video-based or digital options for registration may be provided for NRI/ elderly persons.
- Fees may be capped or reduced for poor or marginalised sections.
- Technical committee may be formed with representation from revenue officers, farmer representatives etc. for a smooth transition.
- Digital audit trail, encryption and unique transaction ID may be maintained for registration of documents.
- All registered documents must be provided with QR code.
- NRI may be given the facility of accessing legal heir certificate through electronic means.
- Creation of a unified national online registration platform instead of State level platforms.
- Introduction of a single rate of registration fees and stamp duty all across India.
- Landholders may be mandated to apply for NOC for selling property, after which potential buyers may purchase.
- All land records may be made accessible online.
- A specialised tribunal may be created for adjudication of registration disputes.
- Pending litigation in respect of an immovable property to be mentioned in the registration certificate.
- Insert a provision mandating compliance with DPDPA since the Bill uses Aadhaar-based authentication.
- Mandate stakeholder consultation before amending Schedules.

\*\*\*\*\*