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OFFICE OF THE DIVISIONAL COMMISSIONER: DELHI
REGISTRATION BRANCH, ROOM NO.144,
TIS HAZARI COURT, DELHI

NO.F.1(7)/Regn./DC/2001/372

Dated: 22-10-2001

ORDER

THE REGISTRATION AND OTHER RELATED LAWS (AMENDMENT) ACT, 2001, Act No. 48 of 2001 has been published in the Gazette of India Extraordinary Part-II vide the Ministry of Law, Justice & Company Affairs (Legislative Department), Government of India notification No. 56 dated 24th September, 2001, after it received the assent of President of India on 24.09.2001. A copy of the said notification is enclosed herewith.

The Amendment Act provides for some new provisions / sections in the Indian Registration Act, Indian Stamp Act & amendments of certain sections of transfer of property Act and Indian Registration Act. Some of the provisions of Indian Registration Act have also been deleted altogether. In view of these changes all concerned are directed to take specific note of amendment / addition / deletion in the various Acts for their implementation as per the Registration & other related law (Amendment) Act, 2001 and inter- alia are required to specifically bear following points in mind:

- i. As per Section 17(1A) of The Registration Act, 1908 and the article 23 A of the Schedule I of Indian Stamp Act, 1899, the contracts to transfer for consideration of any immovable property for the purpose of Section 53 A of The Transfer of Property Act, 1882 shall be registered by the Registering Officer after charging the stamp duty at the rate of 90% of the duty as conveyance (No. 23). While registering the documents relating to completion of transaction referred to herein above, the balance of 10% shall be recovered from the parties under the said section.

All registering authorities are directed to follow the amendments scrupulously while registering the documents under the section referred to above.

- ii. Section 30 (2) and Section 67 of The Registration Act have been omitted from the existing act. Accordingly all Tehsildars and other revenue authorities are hereby directed not to take cognizance of any document, whatsoever, registered on or after 24.09.2001 in the metropolitan cities of Mumbai, Calcutta, Chennai for any purpose , whatsoever.

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the proper registration office shall affix his passport size photograph and fingerprints to the documents. It also provides that where such documents relate to transfer of ownership of immovable property, the passport size photograph and fingerprints of each buyer and seller shall also be affixed to the document.

All the Registering Officers are hereby directed to ensure that the requirement of Section 32 A of the Indian Registration Act are being complied with.

- iv A new Section 16 A has also been inserted to The Registration Act, 1908 which provides that the books maintained by the Registering Officers may also be kept in computer floppies or diskettes or in any other electronic form to safeguard the record and it further provides that notwithstanding anything contained in this Act or in any other law for the time being in force, a copy or extracts from the books kept under sub-section (I) given by the registering officer under his hand and seal shall be deemed to be a copy given under section 57 for the purposes of sub-section (5) of that section.

Some of the Sub-Registrar Offices have already been partially computerized and the provision of Section 16 A (2) where ever possible may be followed in such cases. However, a comprehensive project will be undertaken shortly to computerize working of all Sub-Registrar Offices.

Umesh
(G.S.PATNAIK)
I.G.R./ C.C.R.A

DIVISIONAL COMMISSIONER: DELHI

NO. F. 1(7)/Regn./DC/2001/ 373

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Copy forwarded for information and necessary action to:-

1. All DCs / Registrars, Delhi/ N.Delhi.
2. All SDMs /Collector of Stamps, Delhi/N.Delhi
3. All Sub-Registrars, Delhi/N.Delhi
4. Deputy Secretary Finance (E-I), Govt. of NCT of Delhi.
5. PA to Divisional Commissioner / ADM(HQ), Tis Hazari, Delhi.
6. All Tehsildars , Delhi/N.Delhi
7. All Branch- In-Charges at the Headquarters.
8. Guard File.

V.K. Kandpal
(V.K.KANDPAL)

SUB-DIVISIONAL MAGISTRATE(HQ-I)