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**Registration (Andhra Pradesh Amendment) Act, 1999****4 of 1999**

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**Registration (Andhra Pradesh Amendment) Act, 1999****4 of 1999**

An Act further to amend the Registration Act, 1908 in its application to the State of Andhra Pradesh. Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fiftieth Year of the Republic of India as follows. \* Received the assent of the Governor on the 19-5-1998. For statement of object and reasons please see the Andhra Pradesh Gazette, Part IV-A, Extraordinary, dated 3-4-98 at pages 6, & 7.

**1. Short Title, Extent And Commencement :-**

- (1) This Act may be called the Registration (Andhra Pradesh Amendment) Act, 1999.
- (2) It extends to the whole of the State of Andhra Pradesh.
- (3) It shall come into force on such date as the State Government may, by notification, appoint.

**2. Amendment Of Section 17 :-**

In the Registration Act, 1908( Central Act 16 of 1908) (hereinafter referred to as the principal Act), as in force in the State of Andhra Pradesh, in section 17,-

(a) in sub-section (1),-

(i) for clause (d) the following shall be substituted, namely,-

"(d) leases of immovable property;"

(ii) after clause (e) but before the proviso, the following clauses shall be inserted, namely:-.

"(f) any decree or order or and or a copy thereof passed by a civil court, on consent of the defendants or on circumstantial evidence but not on the basis of any instrument which is admissible in evidence under section 35 of the Indian Stamp Act, 1899(Central Act 2 of 1899), such as registered title deed produced by the plaintiff, where such decree or order or award purports or operate to create, declare, assign, limit, extinguish whether in present or in future any right, title or interest whether vested or contingent of the value of one hundred rupee and upwards to or in immovable property; and

(g) agreement of sale of immovable property of the value of one hundred rupee and upwards;"

(b) in sub-section (2),-

(i) in clause (v) for the words "any document not in itself creating", the words "any document except an agreement of sale as mentioned in clause (g) of sub-section (1) not in itself creating", shall be substituted;

(ii) in clause (vi), for the words "any decree or order of a Court", the words "any decree or order of a Court, not being a decree or order or award falling under clause (f) of sub-section (1)", shall be substituted;

(iii) the explanation shall be omitted.

### **3. Amendment Of Section 18 :-**

In section 18 of the principal Act, clause (c) shall be omitted.

### **4. Insertion Of New Section 22 A :-**

After section 22 of the principal Act, the following section shall be inserted, namely:

22-A "Documents registration of which is opposed to Public policy.--

(1) The State Government may, by notification in the official Gazette, declare that the registration of any document or class of documents is opposed to public policy.

(2) Notwithstanding anything contained in this Act, the registering officer shall refuse to register any document to which a notification issued under sub-section (1) is applicable."

### **5. Amendment Of Section 28 :-**

In section 28 of the principal Act, for the expression "clauses (a), (b), (c), (d) and (e) of section 17 sub-section (2)", the expression "clauses (a), (b), (c), (d), (e), (f), and (g) of section 17, sub-section (2)", and for the expression "clauses (a), (b), (c) and (cc)" the expression "clauses (a), (b) and (cc)" shall be substituted.

#### **6. Amendment Of Section 50 :-**

In section 50 of the principal Act, in sub-section (1), for the expression "clauses (a), (b), (c) and (d) of section 17", the expression "clauses (a), (b), (c), (d), (e), (f) and (g) of section. 17", shall be substituted.

#### **7. Insertion Of New Section 80 A :-**

After section 80 of the principal Act, the following section shall be inserted, namely:-

80-A "Recovery of deficit registration fees.--(1) Notwithstanding anything contained in section 80, if after the registration of document, it is found that the fee payable under this Act in relation to that, document has not been paid or has been insufficiently paid, such fee or the deficit in the fee paid, as the case may be, may, on a certificate of the registering officer be recovered from the person who presented such document for registration under section 32, as arrear of a land revenue.

Provided that no such certificate shall be granted unless due inquiry is made and such person is given an opportunity of being heard; Provided further that no such enquiry shall be commenced after the expiry of such period, after the date of the registration of the document, as may be prescribed.

(2) The certificate of the registering officer under sub-section (1) shall, subject to appeal under sub-section (3), be final and shall not be called in question in any court or before any authority.

(3) Any person aggrieved by a certificate of the registering officer under sub-section (1) may appeal to the Registrar if it is a certificate of the Sub-Registrar, or to the Inspector-General of Registration if it is a certificate of the Registrar. All such appeals shall be preferred within such time and shall be heard and disposed of in such manner, as may be prescribed.

(4) The Government or the Inspector-General of Registration and Stamps may write off the irrecoverable arrears of deficit registration fee subject to such conditions as may be prescribed."

