

Registration (Rajasthan Amendment) Act, 1982

11 of 1982

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[Received the assent of the President on the 12th day of July, 1982.] An Act further to amend the Registration Act 1908 in its application to the State of Rajasthan, Be it enacted by the Rajasthan State Legislature in the Thirty-third Year of the Republic of India, as follows:--

1. Short title, extent and commencement :-

(1) This Act may be called the Registration (Rajasthan Amendment) Act, 1982. (2) It shall extend to the whole of the State of Rajasthan. (3) It shall come into force at once.

2. Substitution of section 8, Central Act XVI of 1908 :-

Section 8 of the Registration Act, 1908 (Central Act XVI of 1908), in its application to the State of Rajasthan, hereinafter referred to as the principal Act, shall be substituted by the following, namely:-
- "8. Officers of registration offices.-- (1) The State Government may also appoint officers as may be designated from time to time and may prescribe the duties of such officers. (2) Every such officer shall be subordinate to the Inspector-General."

3. Amendment of section 19, Central Act XVI of 1908 :-

in section 19 of the principal Act, for the words "a true translation" the words "two copies of the true translation" shall be substituted.

4. Insertion of new section 19-A. Central Act, XVI of 1908

:-

After section 19 of the principal Act, the following new section shall be inserted, namely:-- "19A. Refusal to register.-- Notwithstanding anything contained in this Act, the registration officer shall refuse to register any document presented to him for registration unless such document is accompanied by a true or photostat copy thereof."

5. Amendment of sec. 52, Central Act XVI of 1908 :-

For clause (c) of sub-section (1) of section 52 of the principal Act, the following shall be substituted, namely:-- "(c) subject to the provisions contained in section 62, a true, or photostat copy of every document admitted to registration shall without unnecessary delay be pasted in the book appropriated therefor according to the order of its admission".

6. Amendment of section 62, Central Act, XVI of 1908 :-

For sub section (1) of section 62 of the principal Act, the following shall be substituted, namely:-- "(1) When a document is presented for registration under section 19, a copy of the translation shall be pasted in the register of documents of the nature of the original, and the second copy of the translation together with the copy referred to in section 19, shall be filed in the registration office".

7. Amendment of section 69, Central Act XVI of 1908 :-

After clause (d) of sub-section (1) of section 69 of the principal Act, the following clauses shall be inserted, namely.-- "(dd) providing for recovery of deficit registration fee; (ddd) providing for refund of registration fee paid in excess".

8. Insertion of new sections 80A and 80B, Central Act XVI of 1908 :-

After section 80 of the principal Act, the following new sections shall be inserted, namely.-- "80A. Duty of Collector in proceedings 47 A and 47 C of the Indian Stamp Act, 1899.-- (1) Where during the course of the proceedings, if any, under section 47A or section 47C of the Indian Stamp Act, 1899, the Collector is satisfied that the fee for registration paid under this Act in respect of a document or instrument is in deficit, he shall determine, in the course of such proceedings, the deficient amount of fee and recover the same from the person liable to pay the deficient amount of stamp duty under the said section. (2) The amount recoverable under this section shall be recovered as arrears of land revenue. 80B. Recovery

of deficient registration fee as arrears of land revenue.-- If on inspection or otherwise, it is found that the fee payable under this Act in relation to any document which is registered, has not been paid or has been insufficiently paid, such fee may (after failure to pay the same on demand within the prescribed period), on a certificate of Inspector General of Registration or any other officer appointed under section 8, be recovered from the persons liable to pay the stamp duty as arrears of land revenue. Such certificate shall be final and shall not be called in question in any court or before any authority: Provided that no such certificate shall be quired is made and such person has been given heard".