

## THE REGISTRATION (ORISSA AMENDMENT) ACT, 2001

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39 of 1987



## ORISSA ACT 8 OF 2002

**\*THE REGISTRATION (ORISSA AMENDMENT) ACT, 2001**

[Received the assent of the President on the 7th May 2002, first published in an extraordinary issue of the *Orissa Gazette* dated the 24th May, 2002 (No. 697).]

AN ACT FURTHER TO AMEND THE REGISTRATION ACT, 1908 IN ITS APPLICATION TO THE STATE OF ORISSA.

BE it enacted by the Legislature of the State of Orissa in the Fifty-second Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Registration (Orissa Amendment) Act, 2001.

Amendment of Section 8.

2. In section 8 of the Registration Act, 1908 (hereinafter referred to as the principal Act),—

16 of 1908.

(a) in sub-section (1), for the words "Inspector of Registration Offices", the words "Additional Inspector-General of Registration, Joint Inspector-General of Registration and Deputy Inspector-General of Registration" shall be substituted; and

(b) in sub-section (2), for the words "Inspector", the words "Additional Inspector-General, Joint Inspector-General and Deputy Inspector-General" shall be substituted.

Amendment of section 17.

3. In section 17 of the principal Act, in sub-section (1), after clause (e), the following clauses shall be inserted before the proviso, namely:—

"(f) agreement to sell immovable property possession whereof has been or is handed over to the purported purchaser;

(g) power-of-attorney relating to transfer of immovable property possession whereof has been or is handed over to the purported attorney holder."

Amendment of section-19-A.

4. In section 19-A of the principal Act, in sub-section (2), for the words "otherwise prepared", the words "otherwise legibly prepared", shall be substituted.

Insertion of new section 22-A.

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

"22-A (1) The State Government may, by notification, declare that the registration of any document or class of documents is opposed to public policy.

Document Registration of which is opposed to public policy,

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

Amendment of section 28.

6. In section 28 of the principal Act,—

(i) for the word, brackets and letter "and (e)", the commas, brackets, letters and word, "(e), (f) and (g)" shall be substituted; and

(ii) the words "or some portion" shall be omitted.

\* For the Bill, See *Orissa Gazette*, Extraordinary, dated the 3rd December, 2001 (No. 2372)



Insertion of new Section 78-A.

7. After section 78 of the principal Act, the following section shall be inserted, namely:—

Power to remit fees.

“78-A The State Government, if it is of the opinion that any instrument which involves donation of property for public charitable purpose, or involves exchange of land on the initiative of the State Government in the public interest, may, by order published in the Gazette, remit the fees payable in respect of any such instrument.”

Amendment of section 89-A.

8. In section 89-A of the principal Act, in sub-section (1), for the words “and to send a copy of the order made in the proceedings to the registering officer for the recovery of the said amount”, the words “and to recover the said amount of fees alongwith the deficient amount of stamp duty” shall be substituted.