

The Orissa Registration (Filing of True Copies) Rules, 1989

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The Orissa Registration (Filing of True Copies) Rules, 1989

Rule

THE-ORISSA-REGISTRATION-FILING-OF-TRUE-COPIES-RULES-1989 of 1989

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The Orissa Registration (Filing of True Copies) Rules, 1989Published vide Notification S.R.O. No. 69/90, Orissa Gazette Extraordinary No. 168/6.2.1990S.R.O. No. 69/90. - In exercise of the powers conferred by Section 89-B of the Registration Act, 1908 (Act 16 of 1908) as amended by the Registration (Orissa Amendment) Act, 1989 (Orissa Act No. 14 of 1989), the State Government do hereby make the following rules, namely :

1. Short title and commencement.

- (i) These rules may be called the Orissa Registration (Filing of True Copies) Rules, 1989.(ii)They shall come into force with effect from the date as may be notified by the State Government.

2. Definition.

- (i) In these rules, unless the context otherwise requires-(a)"Act" means the Registration Act, 1908;(b)"Form" means the Form appended to these rules;(c)"Government" means the State Government of Orissa;(d)"Section" means a section of the Act.(ii)All words and expressions used in these rules but not defined therein shall have the same meaning as are assigned to them in the Act.

3. Filing of true copy of the documents.

- Every document [other than the documents mentioned in Rule 97 of the Orissa Registration Rules, 1988] [Inserted vide Orissa Gazette Extraordinary No. 430/16.4.1991.] that is presented for registration shall be accompanied by true copy (hereinafter referred to as copy) thereof prepared in

the manner specified in these rules. Such true copy shall be furnished by the person presenting the document for registration. [Every copy shall also be accompanied by one pass-port size photograph of the presentant and in case of sale of immovable property the photograph of each seller and buyer shall be affixed:] [Inserted vide O.G.E. No. 1036 dated 5.7.2002.][Provided that the procedure laid down in Rule 97 of the Orissa Registration Rules, 1988 shall be followed for registration of documents of temporary character in which stamp duty and registration fees are exempted or remitted.] [Added vide Orissa Gazette Extraordinary No. 430/16.4.1991.]

4. [Deleted vide O.G.E. No. 1036 dated 5.7.2002.]

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5. [Quality and size of papers. [Substituted, vide O.G.E. No. 1036 dated 5.7.2002.]

- The copy shall be prepared in loose sheets of machine-made papers of good and durable quality. Bond Papers of the size of the stamp papers shall be used for copying. In the document as well as in the copy there shall be a margin of 3 (three) centimeters on both sides for the purpose of binding.]

6. [Preparation of copy. [Substituted, vide Orissa Gazette Extraordinary No. 430/16.4.1991.]

- [(i) The copy shall either be xeroxed, or written or typed or printed or lithographed which must be made in clear and legible manner from the original document. The original printing, or writing, or typing or lithographing shall be in long lasting blue-black or black ink used in ball-pen and typed copies shall have long lasting black impression. In case of xerox copy, it shall be facsimile one and an exact reproduction original one.](ii)Each copy shall be an exact reproduction of the original document, however, it need not be a facsimile copy. Everything in each page of the original document including the signatures of the parties and attesting witnesses etc. shall be faithfully copied in the copy in the manner as in the original document.(iii)[Both side of the paper shall be used for preparing the copies. In case of xerox both side of stamp papers used shall be xeroxed; and] [Substituted, vide O.G.E. No. 1036 dated 5.7.2002.](iv)When it will be necessary to correct a word or figure, the incorrect word or figure shall be scored out and the correct one written afresh. No altered word or figure shall be allowed to remain in the copy without being scored out and the correct one written afresh.(v)When a copy is written or typed, the writing or typing shall be done inside the compartment. If a word exceed 5 (five) letters, one more compartment may be used. The page number at the top of the next page In the original documents shall be preceded and followed by a line 2 centimetres in length. The provision of this clause shall not apply to copies prepared otherwise.(vi)[Except xerox copy, the stamp vendors endorsement on each page of the stamp paper shall be copied by the person preparing the copy;] [Substituted, vide O.G.E. No. 1036 dated 5.7.2002.](vii)The total value of the stamps shall then be entered in the copy. When no stamp issued, the entry "STAMP NIL" shall be made.]

7. Documents registered in duplicate.

- When a document is presented for registration in duplicate or in triplicate, it shall not be necessary to present or file more than one copy.

8. Procedure on presentation of documents.

- When a document is presented for registration, the Registering Officer shall see that it is accompanied by the required copy and that the copy [satisfies] [Substituted, vide Orissa Gazette Extraordinary No. 430/16.4.1991.] the requirement of these rules. If the copy appears to the Registering Officer to be defective In respect of any such requirement, the document shall be returned to the [Presentant] [Substituted, vide Orissa Gazette Extraordinary No. 430/16.4.1991.] to represent the document with another fresh copy free from any such defect or defects.

9. Register-books to be in form of file books.

- (i) Register, books numbers 13 and 4 as required to be kept under Sections 16 and 51 shall be in volumes approximately of 300 pages in respect of register-book No. 1, register-book no. 3 and register-book no. 4.(ii)[A Register book volume shall be opened as soon as the first copy of the document to be filed in it is ready for filing and it shall be prefaced with a title page which shall be of size of the true copy; and] [Substituted, vide O.G.E. No. 1036 dated 5.7.2002.](iii)[As soon as a copy of document is authenticated and sheet endorsement added and it is ready for filling, it shall be filed in a cover file provided for the purpose. A separate set of such files shall be maintained in each office for running volumes of books numbers 1, 3 and 4. The files shall be in the personal custody of the Registering officer/Record Keeper. Files containing the Volumes shall be kept at the close of the office each day in locked record receptacles.] [Substituted, vide Orissa Gazette Extraordinary No. 430/16.4.1991.](iv)When all the pages as prescribed under Clause (i) of this rule in respect of register-book volume are completed, the volume shall be removed from the file and the sheets of the volume book will be tagged together. The certificate, as to the number of pages the volume contains, shall then be added on the title page by the Registering officer and shall be signed by him with date. The [copy] [Substituted, vide O.G.E. No. 1036 dated 5.7.2002.] shall then be preserved in a cover. The cover containing the registered-book volumes shall be preserved in locked record receptacles, and the keys of the receptacles shall be in the personal custody of the Registering Officer/Record Keeper.(v)The covers containing register-book volumes may be opened for conduct of searches, grant of certified copies and such other purposes, but the volumes when so taken out of the covers shall be in the personal custody of the Registering Officer/Record Keeper and may be handled and perused only in his presence and they shall be placed back in the covers as soon as possible and invariably before closer of the office for the day.(vi)The completed register-book volumes shall be got bound at the registration offices concerned in the presence of the Registering Officers/Record Keeper in such manner and at such intervals as may be directed by the Inspector-General of Registration.

10. Procedure on admission of documents to registration and mode of authenticating copy and filing in.

- (i) The copy presented with document shall be compared by the staff of the registration office with the original document carefully. Such entries and corrections as may be necessary to make it an exact copy of the original shall be made in the copy by them. (ii) [Immediately after comparing of the document (including the copy of the signature of the parties and attesting witnesses and of the document writer) and the signature of the preparer of the copy of the value of the stamps (stamp papers) borne by the document shall then be entered in the copies in the language of the document. When no stamp is used for the document the entry to be made shall be "STAMP ANGLE". Any certificate on the document relating to stamp duty shall then be copied;] [Substituted, vide O.G.E. No. 1036 dated 5.7.2002.] and (iii) [The endorsements and certificates endorsed on the original document shall be copied in the back of the xerox/second page of the copy. In case of copy written, or typed, or printed, or lithographed, such endorsements and certificates shall be copied on the black space available in the said copy or in a separate sheet to be attached to the copy and paged.] [Substituted, vide O.G.E. No. 1036 dated 5.7.2002.] (iv) After the copy is compared and made an exact copy of the original and the endorsements on the original are copied in the copy and compared, the volume of the register-book in which it is to be filed shall be determined and the numbers in the volume to which the pages of the copy are to be assigned shall be affixed on the pages of the copy by hand or by means of a numbering machine. (v) The registration certificate required by Section 60 of the Act shall then be entered on the document showing therein the number of volume of the register-book and the pages in it which the copy of the documents will occupy. The Registration Certificate required to be copied under Sub-section (1) of Section 61 shall then be copied in the copy immediately after the copy of the endorsements. (vi) After the registration certificate is copied and compared, the notes regarding interlineation, blank, erasure, alteration, etc. in the original document and in the copy shall be entered in the copy, all erasures, interlineations, etc. in the copy being numbered serially and entered in the said note. (vii) The clerical staff of the office shall after satisfying themselves as to the correctness of the notes sign below the notes in the following manner—Copy of document presented by (name) Endorsement, etc. copied by [Name and Signature] [Substituted, vide Orissa Gazette Extraordinary No. 430/16.4.1091, Notification No. 17198-Regn.-15/91-R./15.4.1991.] (Designation) Examined by Reader [Name and Signature] [Substituted, vide Orissa Gazette Extraordinary No. 430/16.4.1091, Notification No. 17198-Regn.-15/91-R./15.4.1991.] (designation) Comparer/Examiner [Name and Signature] [Substituted, vide Orissa Gazette Extraordinary No. 430/16.4.1091, Notification No. 17198-Regn.-15/91-R./15.4.1991.] (Designation) (viii) [The registering officer shall initial at both ends of such erasure or interlineation in the copy and when such erasure or interlineation extends beyond one line he shall initial at the beginning and at the end of erased or interlined portion in each line and affix his initial at the end of the notes referred to above and authenticate the entry by signing on the line near the notes referred to above and or if there is not sufficient space on the line next below it. The signature shall be legible and made on the right side of the copy and shall be dated by the Registering Officer himself. After satisfying himself as to the correctness of the copy, the Registering Officer shall endorse the certificate "True copy" and shall append his dated signature thereunder with his designation, on the right side against the signature of the Clerk copying, reading and comparing.] [Substituted, vide Orissa Gazette Extraordinary No. 430/16.4.1091, Notification

No.17198-Regn.-15/91-R./15.4.1991.]

11. Copying of Wills deposited in sealed covers.

- For the purpose of Section 45 and Sub-section (2) of Section 46 the copying of the Will into book number 3 shall be done by a member of the office staff. The copy so prepared shall be compared, endorsed and authenticated in the manner provided in Rule 10 and then shall be filed in book number 3 :Provided that in respect of such copies prepared by the office staff in the entries specified in Clause (v) of Rule 10 the entry "copy of document presented by (name)" shall be omitted and for the words "Endorsements, etc. copied by," the words "copied" shall be substituted. Requisite number of copy papers shall be supplied by the person who applies for the opening of the sealed cover.

12. Interpretation.

- If any question arises relating to interpretation of these rules, it shall be referred to Government for decision.

Schedule XXI - Form No. 1

Government of Orissa Document No.....

Revenue (Registration) of (Year).....

Department

{|

| 80|-| 160|-| 240|-|

Signature of

Presentant

Endorsement

copied by :

Signature/Designation(Name)..... Copy of Document No.....

Examined by Reader -

of (year).....

Signature/Designation(Name)..... BookNo.....Containing.....

Sheet/Sheet No.....

Comparer - R.O.

Signature/Designation(Name).....

||-|||}

Schedule XXI - Form No. 1

Government of Orissa Document No.....

Revenue (Registration) of (Year).....

Department

{|

| 80|-| 160|-| 240|-|

Signature of Presentant

Endorsement copied by :

Signature/Designation(Name).....

Examined by

Reader -

Signature/Designation(Name).....

Comparer -

Signature/Designation(Name).....

||-|||}

Schedule XXI - Form No. 1-B

Government of Orissa

Document No.....

Revenue (Registration)

of (Year).....

Department

Signature of

Presentant

Endorsement

copied by :

Signature/Designation(Name)..... Copy of Document No.....

Examined by

Reader -

of (year).....

Signature/Designation(Name)..... BookNo.....Containing.....

Sheet/Sheet No.....

Comparer -

R.O.

Signature/Designation(Name).....

Schedule XXI - Form No. 1-B

Government of Orissa

Document No.....

Revenue (Registration)

of (Year).....

Department

Signature of Presentant

Endorsement copied by :

Signature/Designation(Name).....

Examined by

Reader -

Signature/Designation(Name).....

Comparer -

Signature/Designation(Name).....

XXI-Form No. 1-A

BookOffice of the.....Volume NumberFrom Document No..... of
20.....Copy filed on.....Date.....Registering OfficerTo Document No..... of
20.....Copy flied on.....Date.....Registering OfficerCertificateI certify that this
volume contains pages numbered in consecutive series.Date.....Registering Officer