

The Indian Registration (Bombay Provision for Uniformity and Amendment) Act, 1957

MAHARASHTRA

India

The Indian Registration (Bombay Provision for Uniformity and Amendment) Act, 1957

Act 35 of 1958

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The Indian Registration (Bombay Provision for Uniformity and Amendment) Act, 1957 (Bombay Act No. 35 of 1958) [Dated 16th April, 1958] For Statement of Objects and Reasons, see Bombay Government Gazette, 1957, Extraordinary, Part V, p. 218. An Act to provide for uniformity in the provisions of the Indian Registration Act, 1908, in its application to the State of Bombay, and further to amend the said Act. Whereas it is expedient to provide for uniformity in the provisions of the Indian Registration Act, 1908, in its application to the State of Bombay, and for that purpose to extend to the rest of that State certain Acts which amend, in its application to a part of the State, the Indian Registration Act, 1908, and to repeal the Indian Registration (Madhya Pradesh Amendment) Act, 1955; And Whereas it is also expedient further to amend the Indian Registration Act, 1908, in its application to the State of Bombay, for the purposes hereinafter appearing; It is hereby enacted in the Eighth Year of the Republic of India as follows:-

1. Short title.

- This Act may be called the Indian Registration (Bombay Provision for Uniformity and Amendment) Act, 1957.

2. Extension of certain Acts amending Act XVI of 1908 to whole State.

- The provisions of the Act mentioned in the Schedule which amend the Indian Registration Act, 1908, in its application to the pre-Reorganisation State of Bombay, are hereby extended to and shall be in force in, that part of the State of Bombay to which they did not extend immediately before the commencement of this Act; and the Indian Registration Act, 1908, shall, from the commencement of this Act, be deemed to be amended accordingly also in that part of the State.

3. Repeal of M.P. Act VIII of 1955 and deletion of provisions in Act XVI of 1908.

- The Indian Registration (Madhya Pradesh Amendment) Act, 1955, is hereby repealed; and clause (k) of sub-section (1) of section 69 and new section 82A, inserted by that Act in the Indian Registration Act, 1908, in its application to the Vidarbha region of the State of Bombay, shall be deleted therefrom.

4. Amendment of section 21 of Act XVI of 1908.

- In section 21 of the Indian Registration Act, 1908, in its application to the State of Bombay (hereinafter referred to as "the principal Act"), for sub-section (2) the following shall be substituted, namely :-(2) Houses in towns shall be described as situate on the north or other side of the street or road (which should be specified) to which they front, and by their existing and former occupancies, and by their numbers if the houses in such street or road are numbered. In all city surveyed areas, houses and lands shall also be described by their cadastral survey numbers as in the city survey maps and records."

5. Amendment of section 22 of Act XVI of 1908.

- In section 22 of the principal Act, for sub-section (2). the following shall be substituted, namely :-(2) Except in the case of city surveyed areas and except as otherwise provided by a rule made under sub-section (1), failure to comply with the provisions of section 21, subsection (2) or sub-section (3), shall not disentitle a document to be registered if the description of the property to which it relates is sufficient to identify that property."

6. Amendment of section 69 of Act XVI of 1908.

(1)In section 69 of the Indian Registration Act, 1908, as in force in the pre-Reorganisation State of Bombay, in sub-section (1), clause (ggg) shall be repealed.(2)In section 69 of the principal Act, in sub-section (1), the following clause shall be inserted after clause (gg), namely:-"(ggg) regulating the procedure for transmitting documents for being photographed and the serial numbering, binding and preservation of the photographic prints and negatives, the manner of fixing the signature and seal of the Photo-Registrar at the end of a length of film, and the procedure generally in the Government Photo Registry;".

7. Amendment of section 89 of Act XVI of 1908.

(1)In section 89 of the Indian Registration Act, 1908 as in force in the Vidarbha region of the State of Bombay, sub-sections (5) and (6) shall be repealed.(2)In section 89 of the principal Act, after sub-section (4), the following sub-sections shall be inserted, namely:-"(5) Every Consolidation Officer passing an order, -(i)under sub-section (1) of section 29 or sub-section (2) of section 29A of the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947, or(ii)under

sub-section (1) of section 203 of the Madhya Pradesh Land Revenue Code, 1954, or (iii) under sub-section (1) of section 31 of the Hyderabad Prevention of Fragmentation and Consolidation of Holdings Act, 1956, shall send a copy of such order to the registering officer within the local limits of whose jurisdiction the whole or any part of the immoveable property referred to in such order is situate, and such registering officer shall file the copy in his Book No. 1. (6) Every sale officer granting a certificate of sale under section 20 of the Central Provinces and Berar Co-operative Land Mortgage Banks Act, 1937, shall send a copy of such certificate to the registering officer within the local limits of whose jurisdiction the whole or any part of the immoveable property comprised in such certificate is situated, and such registering officer shall file the copy in his Book No. 1."

Schedule

(See section 2)

Serial No.(1)	Acts(2)	Provisions extended(3)
1.	The Indian Registration (Bombay Amendment) Act, 1929 (Bombay V of 1929)	Sections 1, 3(1) and 6 to 12 (both inclusive)
2.	The Indian Registration (Bombay Amendment) Act, 1930 (Bombay XVII of 1930)	Sections 1 and 3
3.	The Indian Registration (Bombay Amendment) Act, 1933 (Bombay XVIII of 1933)	Sections 1 and 3
4.	The Indian Registration (Bombay Amendment) Act, 1938 (Bombay XXIV of 1938)	Sections 1 to 3 (both inclusive) 4(i) and 5 to 7 (both inclusive).
5.	The Transfer of Property and the Indian Registration (Bombay Amendment) Act, 1939 (Bombay XIV of 1939)	The whole Act.
6.	The Indian Registration (Bombay Amendment) Act, 1947 (Bombay Amendment) Act, 1947 (Bombay XIV of 1947)	Sections 1 and 3.