

The M.P. Registration Rules, 1939

MADHYA PRADESH

India

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Part I – Preliminary

1. Short title.

- These rules may be called the Madhya Pradesh Registration Rules, 1939.

2. Definitions.

- In these rules, unless is anything repugnant in the subject or context :-(i)["The Act" means the Registration Act, 1908, and a reference, made to any Act shall be deemed to mean, for the purpose of Berar, a reference to such Act as applied to Berar unless such meaning is, on the face of it, inapplicable; [Amended by Notification No. 2456-III-85, dated 6-5-1985.](ii)"Registering Officer" includes a Registrar, Sub-Registrar and Joint Sub-Registrar appointed under the Act;(iii)"Registration Office" includes the office of Registrar, Sub-Registrar and Joint Sub-Registrar.]

Part II – 3. Presentation endorsement.

- On the Presentation of a document for registration, the registering office shall forthwith, in this own hand, make on it an endorsement in Form I of Appendix A.

4. Examination of stamp duty.

- The Registering Officer shall next examine the document and ascertain whether it is "duly stamped", i.e. whether it is stamped with a stamp of the value and description required by the law in

force in India when such instrument was executed, or if several persons have executed the instrument at different times, when such instrument was first executed, vide Section 2 (6) and 2 (11) of the Indian Stamp Act, 1899.

5. [[Substituted, by Notification No. 10-1-III-87-90, dated 20-7-1990.]

When an instrument of sale (including certificate of sale) gift or usufructuary mortgage affecting immovable property situated within the limits of any Municipality or Municipal Corporation or Block is presented for registration, it is the duty of the Registering Officer to satisfy himself that the stamp duty paid on it is sufficient to cover the duty payable under the Indian Stamp Act, 1899 (Articles 23, 33 and 40 (a) of Scheduled I-A) and the additional duty payable under Section 161 of the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961), Section 133-A of the Madhya Pradesh Municipal Corporation Act, 1956 (No. XXIII of 1956) and Section 68 of the Madhya Pradesh Panchayat Act, 1981 (No. 35 of 1981).]

5A. [[Inserted by Notification No. 10-1-III-87-90, dated 20-7-1990.]

When an instrument of sale, gift, lease for a period of 30 years or more or usufructuary mortgage of vacant land and land .used for purpose of agriculture is presented for registration, it is the duly of the registering officer to satisfy himself that the Stamp Duty paid on it is sufficient to cover the duty payable under the Indian Stamp Act, 1899 and cess payable under Section 9 (1) of the Madhya Pradesh Upkar Adhiniyam, 1981 (No. 1 of 1982).]

6. Impounding or returning of documents not duly stamped.

- If a registering officer considers that a document presented for registration is not "duly stamped" he shall impound the document and forward it to the Collector, endorsing on it the date and the fact of his doing so ;[Provided that, any such instrument not being a Bill of Exchange or a Promissory Note shall be registered or be authenticated on the payment of duly with which the same is chargeable, or in the case of an instrument insufficiently stamped, of the amount required to make up such duty in accordance with clause (f) of proviso to Section 35 of the Indian Stamp Act, 1899 in its application to the State of Madhya Pradesh :Provided further that, if the Registering Officer has reason to believe that the market value of the property which is the subject matter of such instrument has not been truly set forth in the instrument, he may after registering such instrument, refer the same to the Collector for determination of the market value of such property and the proper duly payable thereon.] [Inserted by Notification No. 10-1-III-87-90, dated, 20-7-1990.]

7.

If the document is liable to advalorem duty, under the Indian Stamp Act, 1899, and the value or consideration is either not stated in money or only partly so stated, the provisions of Sections 27 and 64 of the said Act shall be made known to the persons who presented it and he shall be informed in writing by an endorsement on the back of the document in Form 2 of Appendix A, that he may, if he

chooses, withdraw, and complete the document by the addition of the required particulars, under the signature or initials of the executant, if he declines to do so, the matter shall be reported to the Collector and further proceedings shall be stayed.

8.

If a document requiring stamp under the Court Fees Act, 1870, is, in the opinion of the Registering Officer, improperly stamped, it shall be returned to the person presenting it and not impounded, in order that it may be properly stamped, vide Sections 6 and 28 of that Act.

9. Note of suspension in minute book.

- When proceedings are suspended under Rule 6, 7 or 8, a note shall be made in the minute book (Form 9 of Appendix B), and, if the document is returned to the person presenting it, the reasons for this shall be endorsed on it.

10. Effect of impounding or returning of documents on presentation.

- Presentation, when once made, is not annulled by the impounding of the document, or by its return to the person who presented it, or by its removal to a Court as a piece of evidence, provided that the presentation was made in the proper office by a competent person.

11. Procedure on return of impounded documents.

- When a document is returned by the Collector to the Registering Officer after validation, a notice of its receipt bearing a service stamp shall be sent to the presenter, but if the presenter happens to be the executant, notices shall be issued to both the executant and the claimant. On his or their appearance, the proceedings shall be resumed at the stage at which they were suspended, due regard being had to the provisions of Section 34 of the Act.

12. Place of presentation of a document.

- If the stamp appears correct, or when the proper stamp duty has been made good, the Registering Officer shall next see whether, under Sections 28, 29 and 30 (1) of the Act, the document can be registered in his office.

13. Presentation by a wrong party or in wrong office.

- If the original presentation of a document for registration is made by a wrong party or in a wrong office and if the mistake be detected before the document is admitted to registration, the presentation shall be treated as a nullity and the Registering Officer shall return the document for being represented by the proper persons or in the proper office after making a note to that effect in the minute book and an endorsement on the document in Form 3 of Appendix A. Such return is no

bar to the acceptance of the document for registration and to its being dealt with as provided by law, if the representation is made within the prescribed time.

14. Registrars and Headquarters Sub-Registrars to accept all documents presented to them for registration.

- Except for good and sufficient reasons to be recorded in the minute book, a Registrar, or a Headquarters Sub-Registrar empowered to register documents under Section 30 (1) of the Act shall accept all documents, which might be registered by any Sub-Registrar subordinate to him, presented to him for registration and shall not direct persons to resort to Sub-Registrars; but every person presenting such a document shall at once be informed of the extra or additional fee payable for registration by a Registrar or Headquarters Sub-Registrar. Where, however the document presented for registration is will or authority to adopt, or where it relates to a transaction in which the Sub-Registrar is interested, or where it is written in a language with which the Sub-Registrar is not acquainted, the District Registrar or Headquarters Sub-Registrar acting under Section 30 (1) of the Act accept such document for registration without charging the extra or additional fee otherwise payable.

15. Persons competent to present.

- If the Registering Officer finds that he has authority to accept the document for registration, he shall next ascertain whether it has been presented by a competent person (Sections 32 and 40 of the Act), and, if he finds that it has not been so presented, procedure laid down in Rule 13 shall be followed.

16. Time-limit for presentation.

- The Registering Officer shall also ascertain whether the presentation of the document has been made within the time prescribed by Section 23, 23-A, 24 or 26 of the Act. If the document is presented after the period prescribed by Section 23, 23-A or 24 of the Act, the Registering Officer shall advise the presenter to file an application for an extension of time under Section 25 of the Act. Such application, when received, shall forthwith be forwarded to the Registrar, and the proceedings shall be suspended pending receipt of order thereon. If, however, the document has been presented after the extreme period of limitation (eight months) has expired, registration shall be refused at once. Note:-(1) The time limit prescribed in Section 26 for the presentation of documents executed out of India cannot be extended under Section 25.(2) A will may be presented for registration at any time, vide Section 27.

17. [Substituted by Notification No. 10-1-III-87-90, dated 20-7-1990.]

If the presentation of document satisfies the essential conditions in Rules 4 to 16 its contents shall next be examined in detail in order to discover whether the requirements of Sections 20, 21 and 22 of the Act in regard to erasures, alterations, description of the property etc. have been complied

with, the executants shall also be required to make a note of the erasures, etc. at the foot of the document stating the line and word which have been altered, added or erased. The note so made shall be attested by all the executants. If they have not been complied with Registering Officer shall proceed as in Rule 19.]

18.

(1) In all areas to which a settlement survey has been extended, lands shall, for the purpose of Section 21 of the Act, be described by reference to the Government Settlement survey map (viz. khasra or survey number, sub-division number, if any, area and rental value or Government assessment). [The part of a Khasra Number/Sub Number shall be described by reference to the boundaries and sketch plan specifying the portion giving sufficient details to mark that piece of land on the spot.] [Inserted by Notification No. 10-1-III-87-90, dated, 20-7-1990.](2)[Omitted.] [Omitted by Notification No. 10-1-III-87-90, dated, 20-7-1990.]

19. Return of documents for correction etc.

- The following documents may be returned for amendment, correction, or supply of omissions :- (a) A document which is not in a language commonly used in the district, is not understood by the Registering Officer, and is unaccompanied by a true translation and a true copy, as required by Section 19 of the Act. (b) A document which is illegible or is in a character other than the ordinary character of the language purporting to be used in the district and is unaccompanied by a true transliteration into the ordinary character of the language and by a true copy. (c) A document which contains an interlineation, blank, erasure or alteration which has not been attested with the signature or initials of the person executing the document, as required by Section 20 of the Act. (d) A document in which the description of immovable property is not sufficient for the identification of such property, as required by Section 21 of the Act. (e) A document in which land is not described in accordance with the instructions contained in Rule 18 when a survey has been extended to the land or a record of rights has been prepared for the land. (f) A document which contains a map or plan of which no copy has been filed, as required by Section 21 (4) of the Act. (g) A document which requires a stamp under the Court Fees Act, 1870, is improperly stamped. (h) A document which does not bear the date of its execution or bears a date subsequent to the date of presentation. (i) A document which is liable to ad valorem duty under the Indian Stamp Act, 1899, and the value or consideration of which is either not stated in money or is only partly so stated, vide Section 27 of the Act. (j) [A document comprising immovable property partly situated in the Municipality or Corporation or Block and partly situated outside it, which does not contain the particulars about the value or consideration separately as required by Section 161 of the Madhya Pradesh Municipalities Act, 1961: Section 133 A of the Madhya Pradesh Municipal Corporation Act, 1956; Section 68 of the Madhya Pradesh Panchayat Act, 1981.] [Substituted by Notification No. 10-1-III-87-90, dated 20-7-1990.] (k) A document which, being a lease of immovable property, other than a lease for agricultural purposes, has not been executed by both the lessor and the lessee, vide Section 107 of the Transfer of Property Act, 1882, as amended by Section 55 of Act XX of 1929. (l) [A document required to be registered under the provisions of the clauses (a) to (e) of sub-section (1) of Section 17 of the Act which purports to transfer, assign, limit or extinguish the right, title, or interest of any

person to or in any immovable property valued at more than two lakhs, and along with a certificate from the Income Tax Officer to the following effect has not been furnished :- [Substituted by Notification No. 10-1-III-87-90, dated 20-7-1990.](a)that such person has either paid or made satisfactory provision for payment of all existing liabilities under the Act, the Excess Profits Tax Act, 1940, the Business Profit Tax Act, 1947, the Income Tax Act, 1961, the Wealth Tax Act, 1957, the Expenditure Tax Act, 1957 and the Gift Tax Act, 1958, or(b)that registration of the document will not prejudicially affect the recovery of any existing liability under any of the aforesaid Act.](m)[A document required to be registered under the provisions of clauses (a) to (e) of sub-section (1) of Section 17 of the Registration Act, 1908 pertaining to Agricultural Land, which is not presented alongwith the Bhoo Adhikar Avam Rin Pustika as required by Section 114 (a) of the Madhya Pradesh Land Revenue Code, 1959.] [Added by Notification No. 2728-III-75, dated 6-6-1975.](n)[A document relating to transfer of immovable property which is not accompanied by a statement in duplicate prescribed under Section 269-P of the Income Tax Act, 1961 (No. 43 of 1961)] [Added by Notification No. 1074-III-77, dated 26-2-1977.].(o)[A document required to be registered under the provisions of clauses (a) to (e) of sub-section (1) of Section 17 of Registration Act, 1908 (No. 16 of 1908) pertaining to Agricultural land is not presented alongwith a copy of the Panchsala Khasra [certified by the patwari of the concerned circle or] [Inserted by Notification No. (16)-B-4-2-2000-CTD-V, dated 7-4-2001.] a Revenue Officer authorised by the Revenue Department in this behalf.]

20.

In the cases referred to in Rule 19, the document shall, prior to its return, be endorsed as required by Form 2 of Appendix A and an entry in respect of it shall be made in the minute book stating the names of the parties to the document, the date of execution of the document, its nature and value, the stamp duty paid on it, the date of its presentation and return, the reasons for its return, and the period allowed for its amendment or correction.

21. Blank space in documents for endorsements.

- All documents presented for registration shall have reserved at the foot of them or on the reverse side, a blank space, in size not less than one side of a half sheet of foolscap paper, for the purpose of recording the registration endorsements.

22. When correction, etc., impracticable.

- If the correction or amendment of a document, which does not fulfil the requirements of Sections 20 to 22 of the Act, appear impracticable, registration shall be refused.

23. Grant of receipts for documents and for fees.

- A receipt in Form 12 of Appendix B shall be granted for each document presented for registration which is not returned for presentation to another office, or for correction or amendment, for each

power-of-attorney presented for authentication and for each sealed cover deposited, opened or withdrawn and for every fee or fine received by a Registering Officer.

24. Cause of delay to be recorded.

- Where it is necessary to enforce the appearance of executants or witnesses or to issue commissions or to make visits under Sections 33 and 36 to 39 of the Act, or to allow time for persons to appear without service of process on them, the Registering Officer shall record in the minute book the cause of the delay in completing or refusing registration, as the case may be, with the date fixed for the appearance of the executants or witnesses or the resumption of the proceedings. The serial number of the documents shall be noted against the last entry in the minute book when the document is finally disposed of.

25. Issue of commissions.

- A commission shall ordinarily be issued by a Registering Officer to a fit member of his own establishment. If the person, for whose examination the commission is issued, does not reside within the district or sub-district of the Registering Officer, it shall issue to the Sub-Registrar of the sub-district in which the person resides. The order for a commission shall be in Form 4 Appendix A, and shall be endorsed on the document. The report of the Commissioner shall be in Form 5 of Appendix A. The Commissioner may examine witnesses as to identity and obtain the thumb impression of the executant on the document and also in the thumb-mark register, as though he were the Registering Officer. The report of the Commissioner shall be endorsed on the document and shall bear the full signature and additions of the executant who admitted execution and of the witnesses by whom he was identified.

25A. [Attendance at the private residence. [Inserted by Notification No. 10-1-III-87-90, dated 20-7-1990.]

- In cases falling under the provisions of Section 31 and sub-section (3) of Section 33 and sub-section (2) of Section 38 the Registering Officer shall not attend the residence of any person desiring to present a document for registration or to deposit a will and to examine the executants, if such persons does not reside with the district and sub-district of the registration office.]

26. Method of identification.

- Registering Officers shall personally inquire into the identity of persons not previously known to them, who appear before them in connection with documents presented for registration or for the authentication of powers-of-attorney under Section 33 of the Act. They shall require identification of such persons by the evidence of witnesses. The best witnesses to select for this purpose, when any such are present at the office, are persons in a public or quasi-public position, such as patels, patwaris, school masters, officers of a Court, other Government officials, officials of local bodies, pleaders, and the like.

27. Administration of oath.

- An oath shall not ordinarily be administered under Section 63 of the Act, unless the Registering Officer doubts the truth of statements made by persons before him; but it shall be administered in every case in which fraud is suspected or alleged. The substance of statements made on oath shall be recorded in the minute book in the manner prescribed by the said Section 63; and the fact of evidence having been so recorded shall be endorsed by the Registering Officer on the document according to Form 9 of Appendix A.

28. Record of admission endorsement.

- When execution is admitted, the Registering Officer shall record in a formal endorsement on the document in Form 6 of Appendix A. the fact of such admission together with a memorandum of, -(a) the payment of money or delivery of goods made in the presence of the Registering Officer, (b) an admission of the receipt of consideration in whole or part, and (c) the balance of consideration, if any, remaining to be received after registration.

29. Inquiry about execution not to be delayed.

- When the persons mentioned in Section 34 of the Act are present at the time of the presentation of a document for registration, and the inquiry directed by that section can then and there be made, the procedure under Section 58 of the Act need not be delayed : [Provided that all the requirements essential for presentation of the registration of the documents are complete.] [Inserted by Notification No. 10-1-III-87-90, dated 20-7-1990.]

30. Endorsement how to be recorded.

- All endorsements on documents shall be made in the registering officer's own handwriting, unless he has been authorised to use endorsement stamps and shall be dated and signed by him, as required by Section 59 of the Act. Below his signature his official designation shall be added. Note :- The word "handwriting" referred to in this rule shall be taken to include typewriting. The Inspector-General of Registration may allow a Registering Officer, to use with his own hand, typewriter for the purpose of recording endorsements on documents presented to him for registration.

31. When document deemed admitted to registration.

- When the requirements of Sections 34, 35, 52, 58 and 59 of the Act have been satisfied, demand shall thereupon be made for the payment of the registration copying and other fees. If these are paid, the document shall be admitted to registration and shall at once be copied into the appropriate register according to the order of its admission, vide Section 52 of the Act. If the fees are not paid, registration shall be refused, vide Rule 35 (r).

32. Form and mode of recording certificate of registration.

- When a document has been copied into a register and compared, the Registering Officer shall record on it, the certificate of registration in Form 7 of Appendix A. It shall be sealed as well as signed and dated, and shall bear the date of the day on which it was written; that is to say, "of the day", on which registration became "complete".

33. Time for levying fees and fines.

- The fees leviable for the registration of a document are payable by its presenter on demand made by the Registering Officer. Such demand shall be made as soon as the Registering Officer is prepared to admit the document to registration and to order it to be copied into the appropriate book vide Rule 31.

34. [[Substituted by Notification No. 10-1-III-87-90, dated 20-7-1990.]

When registration is refused after giving the parties A Reasonable Opportunity of being heard an order of refusal with the reasons therefor shall thereupon be recorded by the Registering Officer in his own handwriting in book 2 (Form No. 2, Appendix B). On the document only the words "Registrar refused" with the date and signature of the Registering Officer and the title of his office, shall be endorsed. This endorsement shall be sealed.]

35. Reasons for refusal.

- The following shall be deemed to be valid reasons for refusal to register a document :-On presentation and before acceptance(a)That the document is not properly stamped in accordance with the Indian Stamp Act, 1899, or rules framed under that Act, and having been impounded, that has been returned by the Collector who has not, by his certificate, made under Section 40 (1) (a) of the said Act, rendered the document admissible for registration.(b)That the document has not been presented by a person executing or claiming under it, or by his representative or assign, or by an agent of any of them, duly authorised by a power-of-attorney executed and authenticated under Section 33 of the Act, vide Section 32 of the Act.(c)That, in the case of a will or authority to adopt, the presenter is not entitled to present the instrument under Section 40 of the Act.(d)That presentation of the document is time-barred under Section 23, 23-A, 24 or 26 of the Act, application under Section 25 of the Act for extension of the period having been rejected by the Registrar.(e)That a document returned under clause (a) or clause (b) of Rule 19 for presentation with a true translation, transliteration or true copy, is again presented, without the necessary accompaniments.[(e-1) That a document returned under clause (m) of Rule 19 for presentation with Bhoo Adhikar Avam Rin-Pustika is again presented, without the same.] [Inserted by Notification. No. 2728-III-75, dated 6-6-1975.][(e-2) That a document returned under clause (n) of Rule 19 for presentation, with the required statement, is again presented without the same.] [Added by Notification No. 1074-III-77, dated 26-2-1977.][(e-3) That the document returned under clause (1) of Rule 19 for presentation with the required certificate from the Income Tax Officer is presented

again without the same. [Inserted by Notification No. 10-1-III-87-90, dated 20-7-1990.](e-4) That the document purports to contravene the provisions of Section 165 of the Madhya Pradesh Land Revenue Code, 1959 i.e. refusal under Section 165 (10) of that Code.(e-5) That the document returned under clause (o) of Rule 19 for presentation with the required evidence to show that the notice of the intended transfer, to the Competent Authority is given and is again presented without the same.](e-6) That the document returned under clause (i) of Rule 19 for presentation with the certified copy of Panchsala Khasra is presented again without it.] [Inserted by Notification No. (16) B-4-2-2000-CTD-V. dated 7-4-2001.](f)That the document has not been correctly drafted (Sections 20 to 22 of the Act), or property stamped under the Court Lees Act, 1870, and correction or amendment is impracticable or has not been made in the time given vide Rule 22 or 20 respectively.(g)[x x x] [Omitted by Notification No. 1247-R, dated 16-7-1941.][(h-1) x x x [Omitted by Notification No. 10-1-III-87-90, dated 20-7-1990.](h-2) x x x(i)x x x(j)x x x(k)x x x]After acceptance(l)That appearance of persons executing documents of their representatives assigns or agents authorised under Section 33 of the Act has not taken place without the time allowed by Section 34 of the Act.Note :- If after acceptance of a document it appears probable that the period allowed by Section 34 of the Act will expire before the executants appear, the Registering Officer shall advice the presenter to apply for an extension of time.(m)That the identity of the executants has not been established to the satisfaction of the Registering Officer; or that an alleged representative, assign or agent has failed to prove his status, vide Section 35 of the Act.(n)That the death of the person alleged to have executed the document has not been proved.(o)That the person by whom the document purports to have been executed appears to be a minor, idiot or lunatic.(p)That the execution is not admitted by the executant personally, or by any one of the several representatives, left by a deceased executant, vide Section 35 of the Act.(q)That, in the case of wills and authorities, to adopt presented after the death of the testator or donor, the execution is not proved, vide Section 41 of the Act.(r)That fees and fines, having been demanded, have not been paid, vide Sections 25, 34 and 80 of the Act.(s)If the document being a lease of immovable property has not been executed by both the lessor and the lessee after it has been returned for amendment under clause (k) of Rule 19.

36. When registration not to be refused.

- Registration shall not be refused on the ground that any person executing or claiming under the document is unwilling that it shall be registered, or that want or failure of consideration or denial of execution with free consent (as defined in Section 14 of the Indian Contract Act, 1872) is pleaded by the executant of the document, although he admits execution, or that the document deals with property not belonging to the person by whom it purports to have been executed, or that the transaction is fraudulent or opposed to public policy, or that the document was executed under coercion or by fraud or under misrepresentation :Provided that the terms of the deed shall be clearly explained to the parties; and, whenever any such plea as above indicated is raised, or any objection is taken to the terms of the document, the fact shall be recorded by the Registering Officer in an endorsement in Form 6 of Appendix A. The procedure to be followed on refusal to sign endorsement is laid down in Section 58 of the Act.

37. Appeals under Section 72 of the Act.

- When a Sub-Registrar refuses to register a document for any of the reasons given in Rule 35 except that in clause (p), viz., that execution is not admitted, an appeal shall lie from his order, vide Section 72 of the Act. In appeals under Section 72 of the Act. the petition of appeal shall be accompanied by a copy of the Sub Registrars reasons' for refusing registration, and shall be presented within 30 days from the date of the Sub-Registrar's order by the appellant personally or by an agent holding a power-of-attorney authenticated as laid down in Section 33 of the Act.

38.

If the Registrar directs the registration of the instrument, his order shall be endorsed on the petition, particulars of any inquiry made being recorded in the minute book, and a copy of the order shall be sent without unnecessary delay to the Sub-Registrar concerned.

39.

If the Registrar refuses to direct registration or dismisses tin appeal under Section 72 of the Act in default or otherwise, he shall enter his order in Book 2, vide Section 76 (1) (b) of the Act.

40.

Registration cannot be ordered by a Registrar on appeal, if the maximum period prescribed for appearance under Section 34 of the Act, had expired when the order of the refusal was made by the Sub-Registrar. Note :- In order to avoid this, Sub-Registrar should see that the order of refusal is made on or a little before the date on which the maximum period prescribed for appearance expires.

41. Applications under Section 73 of the Act.

- When a Sub Registrar refuses to register a document for the reason giving in Rule 35 (p), viz. that the execution is not admitted, no appeal lies; but an application may be made in writing to the Registrar of the district for leave to prove before him that the document was really executed by the alleged executant. Such application shall be presented by the applicant personally, or by an agent holding a power-of-attorney authenticated in the manner laid down in Section 33 of the Act.

42.

Applications under Section 73 of the Act (to establish execution when execution is denied) shall be verified as if they were plants; shall be accompanied, like appeals, by a copy of the reasons for the Sub-Registrar's refusal to register; and shall be presented within 30 days from the date of refusal.

43.

A brief but clear record of any inquiry made under Section 74 of the Act shall be recorded in the minute book, as mentioned in Rule 38, and shall be referred to in Registrar's order on the application. The Registrar's order shall be recorded and communicated in the same way as an order on an appeal.

44.

Registrations under Section 77 of the Act,- Any person seeking for the registration of a document on the strength of a decree for registration passed by a Civil Court, shall produce with it a duly certified copy of the decree stamped in accordance with Article 7 of Schedule 1 to the Court fees Act, 1870. This copy shall be filed in Part 1 of the file book.

45. Return of documents unregistered.

- If the party who presented a document for registration wishes to withdraw it, it shall be returned to him with the endorsement "returned unregistered at the request of A.B. who presented it", the fact of the return being noted in the minute book :Provided that such withdrawal shall not ordinarily be permitted at a stage when all registration proceedings have been completed and the document is pending only for payment of fees.

46. Return of documents registered or refused registration.

- After registration has been completed, or refusal to register an accepted document has been made, the person who presented the document shall produce the receipt given to him for it, and the document shall then be returned to him. Should he, by endorsement made on the receipt, have authorised another person to receive the document, it shall, on delivery to the Registering Officer of the receipt so endorsed be handed over to such person. The date of the return of the document and the name of the person to whom it was delivered shall be endorsed on the receipt which shall then be pasted on to the counter foil in the receipt book.

46A. [Inserted by Notification No 10-1-III-87-90, dated 2(1-7 1990.)

A register shall be maintained in each Registration Office in Form No. 7 of Appendix C].

47. [Return of documents by post. [Inserted by Notification No. 10-I-III-87-90, dated 20-7-1990.]

- On accepting a document for registration, the Registering Officer shall ascertain from the presenter whether on registration it should be returned by post to him or some other person named by him. If the presenter desires return by post, he should be asked to make an endorsement to that effect on the back of the last portion of the receipt issued to him under Section 52 of the Act giving

his full address and the name of the nearest post office, and to deposit a fee of to cover the cost of postage, postal registration, etc. If the presenter of two or more documents desires them to be returned together by registered post to the same address, an additional fee of to cover further postal charges shall be levied for each document after the first. The fee shall be shown separately in red ink in column 6 of the fee book and credited into the treasury by the Registering Officer. The Registering Officer shall on return of the receipt so endorsed shall retain it in his personal custody till the document has been copied, issuing the middle portion of it to the presenter with an endorsement that the document covered by the receipt will be sent by post on or about the date stated in the endorsement. When the document has been copied, it should be placed in a cover which should be closed in the presence of the Registering Officer and sent to the post office, stamped with service stamps. The postal receipt under Section 52 of the Act shall be pasted on to the counterfoil of the later receipt. Documents returned undelivered by the post office shall be entered in the list of "unclaimed documents" after one month from the date of their return and shall be dealt with in the same way as other unclaimed documents, notes about their return from the post office and delivery thereafter to proper person being made on the receipts issued under Section 52 of the Act and in the remarks column of the unclaimed list.]Registration of copies of decrees and orders of Courts

48. Acceptance for registration.

- A copy of a decree or order relating to immovable property may be accepted for registration only in the office of the Sub-Registrar in whose sub-district the original decree or order was passed. A copy of a decree or order relating to movable property may be registered either in the office above-named or in the office of any other Sub-Registrar under the State Government at which all the persons claiming under it desire the copy to be registered, vide Section 29 (2) and Section 30 of the Act (as to presentation to Registrar) and Section 31 of the Act (as to attendance at private residence) apply.

49. Presentation for registration.

- The procedure laid down for original instruments in Rules 3, 8 to 10 and 12 to 17 shall be followed. The proper stamp duty is regulated by Articles 6 and 7 of Schedule I to Court Fees Act, 1870.

50. Authority and time for presentation.

- Presentation may be made by only a person claiming under the decree or order, or by his representative, assign or duly authorised agent, vide Sections 32 and 33 of the Act. Presentation shall be made within four months from the date on which the decree or order was made; or where it is appealable within four months from the date on which it becomes final. Section 25 of the Act (as to extension of the period on payment of a fine) applies.

51. Admission to registration.

- Before registering a copy of a Court decree or order, the Registering Officer shall ascertain if it has

been properly certified, and is not disqualified for registration for any of the reasons mentioned in Rule 35. Such a copy cannot be considered properly certified, unless it has a certificate at the foot thereof that it is a true copy of the document or part of the document, as the case may be, dated and signed with the official title by the officer whose duty it is to grant copies; and also sealed when he is authorised or required by law to use a seal, vide Section 76, Indian Evidence Act, 1872. If the document is found not to be a properly certified copy, registration shall be refused. Sections 34 and 35 of the Act (regulating the appearance of the executants within time, the inquiry into their identity, and the establishment of execution) do not apply to copies of decrees or orders. Note :- If a document is defective in these particulars, it shall be returned to the presenter to have the defects removed before registration is refused.

52. Registration proper.

- The only endorsements that shall be made on the certified copies of decrees or orders of Courts are the presentation endorsement (Section 52 of the Act) and the final certificate of registration (Section 60 of the Act), or the endorsement of refusal to register (Section 71 of the Act). In other respects, registration shall be carried out in the same way as the registration of executed instruments. Registration of copies of documents sent by Courts and offices under the provisions of the Registration Act

53. Filing of copies of sale-certificates, loan orders and mortgage deeds.

- Under Sections 64, 65, 66, and 89 of the Act, certain copies of loan orders, etc., and of the sale certificates and certain copies and memoranda of registered documents are to be "filed" in supplementary book 1. All that has to be verified is that these copies have been certified as "true copies" and that the memoranda are in Form 2 of Appendix C and bear the seal and signature of the dispatching officer. If, however, the description of immovable property contained in the above mentioned documents, including memoranda, is insufficient for identification, it shall be returned to the Forwarding Officer for completion.

54. Registration of original sale certificates.

- A sale certificate is sometimes presented for registration by the holder. If a copy has been received in due course from the Court or sale officer, it should be applied for before proceeding further. When this has been filed, the person desiring registration of the original should be informed that its registration is unnecessary; but if he still desires registration, that can at once be effected without further reference to the Court, vide Section 88 of the Act.

55. Issue of copies and memoranda.

- On registering any non-testamentary document relating to immovable property not wholly situated in his district or sub-district, a Registering Officer shall immediately despatch a copy of the document, to the Registrar of the district in which the rest of the property lies; if the rest of the

property is in another sub-district of the same district, he shall immediately send a memorandum (only) to the Sub-Registrar of that sub-district. When the property is situated in several sub-districts, more than one memorandum will be required. The date of the issue of the memorandum or memoranda or the despatch of the copy or copies of the document and the serial number of the document to which it or they refer shall be recorded in the minute book.

55A. Short note in advance of copies.

- If a Registering Officer is unable to despatch copies as required by Sections 65 and 66 on the day on which the document is registered, he shall on that day send in advance to each Registrar concerned a short note in Form 2 of Appendix C.

56.

When a copy of a decree or order of a Court, relating to immovable property, is presented for registration under Section 29 of the Act in the office of a Sub-Registrar or Registrar, in whose sub-district or district no portion of the immovable property affected is situate, he shall forward a memorandum or copy (as the case may be), under Sections 64 to 66 of the Act free of charge, to the Sub-Registrar or Registrar, in whose sub-district or district the whole or any portion of it is situate, for filing in supplementary book 1.

57.

On registering a non-testamentary document relating to immovable property, situate within the limits of military cantonment, the Registering Officer shall immediately supply the Cantonment Authority concerned or any other authority which may have been prescribed by the Central Government, with information in respect of such document in the form of a "memorandum" ordinarily sent under Sections 64 and 66 of the Act, vide Section 287 (2) of the Cantonment Act, 1924, as amended by Section 11 of Act XXXV of 1926. No seal deed, however, be affixed to the memorandum thus sent, but a note of the despatch of the memorandum to the Cantonment Authority shall be made by the Registering Officer in the margin of the copy of the document in the register-book for the information of the Inspecting Officers.

58.

The copy of the document and the memorandum to be issued under Sections 64 to 66 of the Act shall be prepared in Forms 1 and 2 of the Appendix C. Spare copies of printed, lithographed, typed, cyclostyled and cyclostyled documents shall be obtained from the presenter and forwarded to the Registrars of the districts concerned under Section 65 or 66 of the Act. The memoranda shall contain a description of the property affected by the document sufficient to identify it. If the description of the property affected cannot be given in the space provided for the purpose in the form, it shall be given on the reverse of the form or on a separate paper to be attached thereto. In no case shall slip be pasted in the column in the memorandum form for the description of the property.

59.

When copies of documents forwarded under Sections 65 and 66 of the Act to (lie Registrar of another district are written in a language other than the language which has been declared to be the Court language of the district to which they are sent, they should be accompanied by a statement in English containing all the information required for the preparation of the memorandum and indexes.

60. Filing of copies and memoranda.

- Each copy or memorandum shall be examined immediately on receipt, and, if found correct, filed in supplementary book I with the following endorsement recorded thereon :- "Filed in supplementary book I, Volume , on page(s) as serial number.....on the.....day of 19....Signature and designation of the Registering Officer". The copy of a document written in manuscript shall be in Form I of Appendix C.

61. Cancellation or rectification of registered documents.

- Ordinarily a registered document may be modified or superseded only by another registered document. When any registered document is re-registered or purports to supersede, cancel or in any way modify another document already registered, the fact shall be noted in red in the margin of the copy of both documents and nothing further need be done. Occasionally, however, a registered document is cancelled by order of a Court. The procedure to be followed in such cases is given in Rule 62.

62.

When under Section 39 of the Specific Relief Act, 1877, a Court sends to a Registering Officer a copy of a decree directing cancellation of a registered document, the Registering Officer shall note the following particulars across the copy of the document in the book; and he shall then sign and date the entry so made, noting below the designation of his office :-(a) Court of.....(b) Suit No of 19.....(c) Plaintiffs and defendant's names.(d) The words "by decree made in the above suit and dated this document was ordered to be cancelled, vide letter from the Judge.....No....., dated.....

63.

When a Court has, under Section 31 of the Specific Relief, 1877 ordered rectification of a registered document, and fresh registration or re-registration of such document is sought by parties executing or claiming under it, a note as follows shall be written across the original entry in the book :- For copy of his document which has been rectified, vide serial No Volume , Book No for 19.....Dated Signature of Registering Officer and official designation."

64.

At the same time opposite the entry of the rectified document, a note to the following effect shall be made in the margin of the book "This is a copy of the document as rectified under Section 31 of the Specific Relief Act, 1877, vide serial No Volume, Book No of 19.....Dated.....Signature of Registering Officer and official designation."

64A.

A Registering Officer shall, on receipt of a copy of order or decree from Court regarding rectification or cancellation of a document, make an endorsement in red ink against the index entries of the document and file the copy in Part I of the file book. He shall also send a note giving necessary particulars of such rectification or cancellation-(a) to the Sub-Registrars or Registrars concerned who with reference to Sections 64, 65 and 66 of the Act shall record the fact of rectification or cancellation against the appropriate memorandum or copy, as the case may be, already filed with them, (b) [to the Tehsilar as required by Section 112 of the Madhya Pradesh Land Revenue Code, 1959.] [Substituted by Notification No. 10-1-III-87-90, dated 20-7-1990]

65. Wills may be registered or deposited.

- Wills may be either registered or deposited in sealed covers. If they are registered, they are copied (after the ordinary registration procedure has been complied with) into book 3. If they are presented closed, for deposit, certain particulars are noted in book 5, and the cover containing the will is placed in the safe, vide Section 43 of the Act.

66. Time and authority to deposit.

- A will may be deposited at any time either by the testator personally or by a duly authorised agent. The power-of-attorney of such agent need not be authenticated in the manner required by Section 33 of the Act, which refers to presentation for registration and not to presentation for deposit. The Registering Officer, however, must satisfy himself that the person appearing as an agent is the person whose name is written on the cover of the will, vide Sections 42 and 43 of the Act.

67. Warning to depositors of wills.

- Registrars shall inform the depositors of wills contained in sealed covers that no steps will be taken by Government to ascertain the death of the testators or to communicate after their death with the beneficiaries.

68. Authority to withdraw or open sealed covers.

- During the life-time of the testator, only the testator himself or his authorised agent, may withdraw a will that has been deposited. After the testator's death, any one who is prepared to pay the copying

fees may have the cover of a will opened and the will copied into book 3, Registering Officer must be fully satisfied of the testator's death before opening a sealed cover and copying a will. When the copy has been made the will shall not be given up, but shall be re-deposited in the safe. The fact of its having been copied, with the date and serial number of the copy shall be noted on the cover in the following form, and it shall then be placed in a cover which shall then be re-sealed and re-deposited :- "Sealed cover opened on the application of..... son of..... on the day of. 19..... and contents thereof copied in Book 3 as serial No of 19.....Signature and official title of Registering Officer."

69. Wills forwarded to Courts.

- When a will is forwarded to any Court under Section 46 of the Act, it shall be accompanied by a memorandum of the fee for opening the cover and copying charges, and the Court shall at the same time be requested to levy and remit the fees to the Registrar.

70. Book for documents cancelling wills.

- A revocation or cancellation of a will or of an authority to adopt shall be treated as a document of a testamentary character and shall be registered in book 3.

71. Alphabetical index of the names of depositors.

- An alphabetical index of the names of all persons depositing sealed covers containing will shall be prepared in all Registrar's offices and kept in the personal custody of the Headquarters Sub-Registrar. On application being made the necessary search of the name of any such depositor shall be made by the Headquarters Sub-Registrar himself on payment of the fee prescribed in Article XVII (a) of the fee Schedule.

72. Preservation and inspection of original wills filed under Act XXXIX of 1925.

- Original wills filled under sub-section (1) of Section 294 of the Indian Succession Act, 1925 (XXXIX of 1925), shall be preserved and inspected in accordance with the regulations made by the State Government under sub-section (2) of that section. The register of will required to be kept under the said regulations shall be in Form 14 of the forms in Appendix B to these rules. The Registrar shall be responsible for the proper maintenance of the register of wills. Authentication of powers-of-attorney

73. Endorsement.

- Endorsement of authentication of power-of-attorney made under Section 33 of the Act, shall be made by the Registering Officer himself in Forms 8 (a), (b) and (c) of Appendix A.

74. Powers to be authenticated.

- A power-of-attorney conferring on an attorney or agent (alongwith with other powers) the power to act for the principal under the Act shall be authenticated by the Registering Officer, vide Section 33 of the Act.

75. Interlineations, etc.

- All interlineations, blanks, erasures, additions or alterations in powers-of-attorney authenticated under Section 33 of the Act but not registered, shall, at the time of authentication, be detailed in a footnote signed by the Registering Officer. When there are no interlineations, etc., this fact shall be noted in the same way. These notes shall be copied out in the authentication also. Late Presentation and Late Appearance

76. Particulars about applications for extensions to be noted in minute book.

- The following particulars regarding applications for extension of time for the presentation of a document or for the appearance of parties shall be entered from time to time by the Sub-Registrar in the minute book :- (a) Date of making application. (b) Date of Transmission of application to the Registrar. (c) Date of return of application from the Registrar. (d) Date of communication of the Registrar's order to the applicant.

77.

On return from the Registrar of an application lodged under Section 25 or 34 of the Act, it shall be filed in Part II of the file book and the purport of the Registrar's order shall be communicated without unnecessary delay to the applicant verbally if he is present, or by post if he is absent.

78. Scale of fine.

- Fines for late presentation (Section 25 of Act) and late appearance (Section 34 of the Act) shall be regulated by the scale given below. In calculating the time when the period begins to run, it must be borne in mind that words "from the date" and "from the day" used in Sections 2.3 and 24 of the exclude from the period the date of the execution of the document, and the day on which the decree or order of the Court was made or became final, as the case may be, vide Section 9(1) of the General Clauses Act, 1897 :- Scale (i) Where the delay does not exceed a month, a fine of twice the amount of the proper registration fee. (ii) Where the delay exceeds one month, but does not exceed two months, a fine of four times the amount of proper registration fee. (iii) Where the delay exceeds two months, but does not exceed three months, a fine of six times the amount of the proper registration fee. (iv) Where the delay exceeds three months, but does not exceed four months, a fine of ten times the amount of the proper registration fee. Disposal of Unclaimed Documents

79. After one month.

- If a document remains unclaimed for one month from the date on which the certificate of registration or refusal to register was recorded on it, or from the date on which the cover containing a document sent by post was received back undelivered from the post office (vide Rule 47), it shall be entered in the "list of unclaimed documents" (Form 3 of Appendix C). This list shall be conspicuously exposed to public view in each office.

80. After one month and before 23 months.

- A document which has been entered in the unclaimed list shall not thereafter be returned unless and until a fee for its safe custody, at the rate prescribed in the Fee Schedule, is paid by the person who presented it or by the person whom he may have authorised under Rule 46 to claim it, or, if the document is other than a will, by the person claiming under it, if it was presented for registration by the executant. Unclaimed wills may be returned on payment of the custody fees to any person claiming as executor or otherwise, if he testator is found to be dead.

81. After 23 months.

- When a document has been on the unclaimed list (Rule 80) for a period of twenty-two months, notice shall be given, through the Tehsildar, by the Registering Officer in whose office the document is, to all persons executing and claiming under the document. The date on which, and the names of the persons to whom such notice is sent, shall be endorsed on the document and also on the unclaimed list. This notice shall be in Form 4 of Appendix C, and shall state that in default of the document being claimed and the custody fees being paid within two months from the date of the notice, the document will be destroyed under Section 85 of the Act.

82. After 25 months.

(1) If the document is not claimed, or the custody fee not paid within the two months and the document is in the office of a Sub-Registrar, he shall report to the Registrar who shall exercise his discretion and order the destruction or further retention of the document, as the case may require. If the document is in the office of the Registrar, he shall, at the expiration of the two months, exercise his discretion and destroy or retain the document : Provided that in no case shall a document be kept in the unclaimed list for a period exceeding 30 months, unless it be a will. (2) Wills lying unclaimed in Sub-Registrars' offices shall, after the procedure laid down in Rules 79, 80 and 81 has been followed, be forwarded to the Registrars' office for being kept with similar wills of that office in the iron safe. They shall there be entered in a separate manuscript register in the following form and also in the unclaimed list of the office. If the person entitled to claimed the return of a will applies to a Sub-Registrar for its return after the document has been transmitted to the Registrar's office, he shall be advised to obtain it from the Registrar direct, on payment of the prescribed custody fee. If he is unwilling to do so, the will shall be obtained from the Registrar by the Sub-Registrar at the applicant's own cost and on payment of the necessary custody fees. It shall be returned to the

applicant and a note of its receipt from the Registrar's office and of its return shall be entered in the unclaimed list of the sub-office. Form of Register

| Serial No. | Name of office to which the will belongs | Name of the testator | Names of claimants or executors | |
|-------------------|---|---|--|--|
| (1) | (2) | (3) | (4) | |
| Date of execution | Serial number and date of registration in book 3 or refusal in book 2 | Date of receipt in the Registrar's office | Initials of the District Registrar | |
| (5) | (6) | (7) | (8) | |
| Date of return | Amount of custody fee realised | Initials of the District Registrar | Remark as to whether the will was returned direct or through the Sub-Registrar | |
| (9) | (10) | (11) | (12) | |
| | Rs. P. | | | |

83. Destruction.

- When the destruction of the unclaimed document has been ordered, prior to the destruction being carried out, a note shall be entered at foot of the copy of the document in the book in which it was registered, or in the book in which the reasons for the refusal to register it were recorded. This note shall be signed by the officer in whose office the destruction is to take place and be worded as follows :- "The document referred to above was destroyed before me on this..... day of..... 19....., it having been in the unclaimed list of this office from the.....day of. 19.....; and due notice of its intended destruction under Rule 81 having been sent to.....son of.....and.....son of.....on the..... day of..... 19.....Signature and official title of Registering Officer". Offices and Records

84. Registration offices.

- The office a Registering Officer, for the purposes of the Act, shall be the place where such officer may be holding his office or transacting public business.

85. [Office hours and hours of business. [Substituted by Notification No. 1074-III-77, dated 26-2-1977.]

- Except for Sundays and holidays, all Registration Offices shall remain open from 10.30 a.m to 5 p.m. daily unless otherwise specified by State Government or any other Competent Authority. The hours during which documents etc. shall ordinarily be accepted for registration or deposit, etc. are :- (a) from 10 a.m. to 4 p.m. (b) or if the office opens from a time different than from the time the office opens upto the end the last but one hour before the office closes.]

86. Holidays.

- The holidays to be observed in Registration Offices shall be only those prescribed by the State Government for all public offices.

87. Registers, etc.

- The following books and indexes shall be kept in Registration Offices :-

| | | |
|---|---|------------------------------------|
| Book No. 1 | As prescribed by Section 51 of the Act. For all offices. | |
| Book No. 2 | | |
| Book No. 3 | | |
| Book No. 4 | | |
| Book No. 5 | As prescribed by Section 51 of the Act. In the offices of Registrars only. | |
| [Book No. 6 Book No. 7 Book No. 7-A Book No. 8 [Substituted by Notification No. 5038-III-82, dated 18-11-1982.] | Supplementary Book No. 1 Additional Book No. 1 Additional Book No. 3 Additional Book No. 4 | as Prescribed by rules 89 anti 90] |
| Book No. 9 | Register of power-of-attorney authenticated under Section 33 of the Act. | |
| Book No. 10 | Register of thumb impressions. | |
| Book No. 11 | Register of refusal under the Land Alienation Ad. | |
| Book No. 12 | Minute Book. | |
| Book No. 13 | Register of unclaimed wills deposited in iron safe for sale custody. | |
| Book No. 14 | Register of original wills received from District Judges and deposited in iron safe for safe custody. | |
| Book No. 15 | Indexes I, II, III and IV as prescribed in Section 55 of the Act. | |
| Book No. 16 | Lee Book. | |
| Book No. 17 | Cash Account Book. | |
| Book No. 18 | Receipt Book. | |
| Book No. 19 | Register of impounded documents. | |
| Book No. 20 | File books of applications and other papers (in eight parts). | |

Book No. 21

Register of Appeal and Applications
under Sections 72 and 73 of the Act.

Note :- The aforesaid books and indexes shall be according to Forms 1 to 19 and 24 to 27 of Appendix B.

88. Documents not to be filed in [ordinary books 1, 3 or 4] [Substituted by Notification No. 5038-III-82, dated 18-11-1982.].

- In addition to the copies which have to be made in [book 1, book 1 or book 4] [Substituted by Notification No. 5038-III-82, dated 18-11-1982.] above referred to, only the following documents shall be filed (a) True copies and true translations or transliterations (Section 62 of the Act). (b) Copies and memoranda of registered documents received from other offices (Sections 64 to 67 of the Act). (c) Copies of loan orders issued by officers under the Land Improvement Loans Act, 1883 [Section 89 (1) of the Act]. (d) Copies of certificates of sale of immovable property granted by Civil Courts under Order XX Rule 94. Civil Procedure Code [Section 89 (2) of the Act]. (e) Copies of loan orders and mortgage deeds executed as security for loans granted under the Agriculturists' Loans Act, 1884, sent by officers granting the loans [Section 89 (3) of the Act]. (f) Copies of sale certificates granted by Revenue Officers to the purchasers of immovable property sold by public auction [Section 89 (4) of the Act]. (g) Copies of certificates of sales granted by sale officers under Section 20 of the Central Provinces Co-operative Land Mortgage Banks Act, 1937 [Section 89 (5) of the Act]. (h) [Spare copies of all documents prepared on printed, lithographed, typed, cyclostyled, cyclotyped or photostat forms and presented for registration in book 1, 3 or 4.] [Substituted by Notification No. 5038-III-82, dated 18-11-1982.] (i) [Copies of documents creating charge variation of mortgage duly certified to be true copy by an employee of the bank authorised to sign on its behalf as required by Section 8 of the Madhya Pradesh Krishi Udhhar Pravarlan Tatha Prakirn Upabandha (Bank) Adhiniyam, 1972. [Inserted by Notification No. 10-1-III-87-90, dated 20-7-1990.]] (j) Copy of the instrument where by immovable property is mortgaged for the purpose of securing repayment of the loan as required by Section 36 (1) of the Madhya Pradesh Sahkari Bhoomi Vikas (Bank) Adhiniyam, 1966.] Note :- Copies of maps and plans attached to documents shall be filed in the book in which the document to which they refer is copied or filed.

89. Supplementary book 1.

- To prevent injury to the binding which results from the introduction of the above documents into the hound registers, a separate file book, to be called "Supplementary book 1 " shall be kept in each office, and the documents referred to in clause [(b) to (g) and (i) and (j)] [Substituted by Notification No. 10-1-III-87-90, dated 20-7-1990.] of Rule 88 shall be filed in it.

90. [Additional Books 1, 3 and 4] [Substituted by Notification No. 5038-III-82, dated 18-11-1982.].

- [(1) Special volumes of register books 1, 3 and 4 to be called "additional books 1, 3 and 4 shall be opened in all Registration Offices in the form of file book with numbered butts for filing the spare

legible copies on fairly durable paper on which shall be made all endorsements ordinarily made on copies in books 1, 3 and 4. On each sheet the Registering Officer shall affix his signature and seal partly on the butt anti partly on the copy. Every spare copy shall be compared with the original and certified as a true copy" by the Registering Officer under his full signature and seal.] [Substituted by Notification No. 5038-III-82, dated 18-11-1982.](2)When a document is registered under this rule, a certificate of registration under Section 60 of the Act shall be endorsed on the original document and the spare copy in the following form :-"Registered in [Additional Book 1/3/4] [Substituted by Notification No. 5038-III-82, dated 18-11-1982.] volume on page(s).....as serial No on the day of 19....."(3)A copy of the stamp vendor's endorsement shall he made at the foot of the spare copy if impressed stamps are used for the document. If adhesive labels are used, the amount of stamp duty actually paid on the original instrument shall be stated below the details of fees, etc., by the Registering Officer for the information of inspecting officers.

91. Preservation of records.

- Of the books and indexes, etc., mentioned in Rule 87, books 1 to 15 Parts I and III of book 20 and book 21 shall be permanent record and preserved, in perpetuity. The remaining books and files, namely, books 16 to 19 and Parts II and IV to VIII of books 20, shall be temporary records and disposed of in the manner laid down in the rules framed by the State Government under clause (c) of sub-section (2) of Section 3 of the Destruction of Records Act, 1917 (V of 1917), for the destruction of records maintained in registration offices under the Indian Registration Act, XVI of 1908.

92. Record registers.

- In all registration offices, two registers of records shall be maintained in Forms 20 and 21 of Appendix B, one relating to the permanent and the other relating to the temporary records, in which separate pages shall be allotted for each series of books, indexes and other records. All records in an office shall be brought to account in one or the other of these registers as the case may be. There shall be one register of permanent records in Sub-Registrars' offices in Form 20, while in offices of Registrars two registers in Forms 22 and 23 of Appendix B shall be maintained, one for books and the other for indexes and file books. The pages in all these registers shall be numbered, and certificates about their total number given in the beginning.

93.

Once a month the officer-in-charge of an office shall examine all the registers and books, etc., in his charge with a view to discovering whether they have suffered any damage from white ants, insects, damp or any other cause.

94.

If any records, blank books, etc., should, at any time, be found to be missing or damaged, or if any key be lost or any lock becomes unfit for use a report on the subject shall be submitted without delay

to the Registrar of the district, who shall, if necessary, make a careful and prompt inquiry in the matter and submit his report to the Inspector-General of Registration for orders.

95. Charge lists.

- On the transfer of the charge of an office, a list shall be made out-(a)of the records which are in the office at the time of the transfer,(b)of all blank books in stock,(c)of all furniture, and(d)of all the keys with their numbers (including the duplicate key of the office door), which are made over to the officer taking over charge.At the foot of the list a memorandum shall be recorded setting forth that the records, books, etc., have been examined; and the result of the examination as showing whether or not they were found undamaged; and stating whether or not the provisions of Rule 93 have been complied with. This list and the memorandum shall be signed both by the officer who takes over and by the officer who takes over charges and shall be filed in Part II of the filed book of the office. The Relieving Officer shall also sign a certificate in the following form and if he is a Sub-Registrar shall transmit it without delay to the office of the Registrar :-Certificate"I hereby declare that I have this day received charge of the records of the headquarters/sub-office at.....in good order, exact as detailed below ; -Dated the..... 19.....Sub-Registrar".

96. Safes.

- There shall be provided for the office of each Registrar a fire-proof safe fitted with duplicate keys, for the deposit of will (Section 43 of the Act) and for such other purposes not inconsistent with the rules in force as may seem fit to the Registrar. The safe shall be kept in the strong room of the Treasury (Sub Treasury at Damoh, Seoni and Narsimhapur) and placed in a position above the level of the floor. The safe shall never be opened except in the Registrar's presence and he shall not leave it until it has been securely closed.

97. Almirahs and record racks.

- Almirahs or record racks shall be provided for the officer of every Registrar and Sub-Registrar for the safe custody of the office books, records and seal, which shall be kept therein. These almirahs or racks must be removed from contact with any wall, and must be elevated a few inches above the floor on feet or trestles placed in tin or stone troughs filled with water, the floor beneath being coated with tar. If in addition they are lined with tin, the tin lining should be continuous and without crevices. Every such almirah or box shall be secured by a good padlock of English pattern filled with duplicate keys. The keys and the office seal shall be in the custody of the Registering Officer and not of the Moharrir.

98. Custody of duplicate keys.

- The duplicate keys of all safes, almirahs and boxes in his district shall be lodged by the Registrar in the safe referred to in Rule 96 supra. The duplicate keys of the safe shall remain in the personal custody of the Registrar.

99. Schedule of fees.

- A copy of the Fee Schedule both in English and the Court language shall be pasted on a board and be exposed to public view in a conspicuous place outside all registration offices; and the Sub-Registrar of each office shall be held responsible that it is maintained in a legible condition.

100. Custody of fees.

- A small but strongly made box with a good lock shall be provided for the temporary custody of the fee receipts of each office.

101. Custody of documents.

- Documents pending registration, copying or delivery shall be deposited for safe custody in a tin box (of the size of an ordinary office box), which shall be locked up every night in the office almirah.

102. Registration maps.

- There shall be maintained in the office of each Registrar a map or tracing (scale 2 miles to 1 inch) showing the boundaries of the registration of sub-districts; into which the district is divided, and also the most important towns and villages, together with such natural features as prevent free communication during the rains. A similar map shall be maintained in the office of every Sub-Registrar showing the boundary of the sub-district and the names and situation of all villages therein contained. Maintenance of the Registration Records

103. Languages.

- In each district the language deemed to be commonly used shall be Hindi written in Devanagari script.

104. Power-of-attorney, its translation when necessary.

- When a Power-of-attorney is presented for attestation or when an attested power-of attorney is produced by an agent with, or in connection with, a document presented for registration and the power-of-attorney is written in a language which is not the Court language of the district, the Registering Officer may, if he does not understand the language, demand of the presentant, a true translation of the power (in English or) in the Court language of the district. The translation shall be certified to be a true translation and shall be signed by the presentant. No fee is leviable for filing a translation in cases falling under this rule.

105. Errors, etc., in original documents.

- Errors, erasures, interlineations, etc., in the original document shall be copied in the register book exactly as they appear in the document. A note shall be made in the margin of the book explaining such errors, etc., in the following manner (a) Interlineations, additions or mis-spellings, of a single word shall be marked with a single mark x in ink over the defect, with a similar x mark and the word "sic", with the initials of the Registering Officer in the margin of the book. (b) Erasures, additions or interlineations of more than one word shall be marked with two marks x x, one at each end of the erasure, addition or interlineation, with similar marks and the word "erasure", "addition" or "interlineation" between them with the initials of the Registering Officer in the margin of the book. (c) An erasure accompanied by interlineation of an entry substituted for the one erased, the erasure as prescribed in clause (b) and the interlineation shall be marked with marks x x, one at each end of the correct entry, with similar marks and the word "sic" between them with the initials of the Registering Officer, in the margin of the book.

106. Authentication of copies in books.

- The Registering Officer shall authenticate each copy made in a register by legibly affixing his signature in full, together with his official designation, at the foot of such entry and by initialing the stamp vendor's endorsement.

107.

Authentication shall invariably be made prior to the return of the document to the person who presented it or claims it. Before so authenticating it, the Registering Officer shall examine the copy made, and if he finds that any error has been made in copying, he shall cause the error to be amended and affix to it his initials. Should an interlineation or erasure be necessary, he shall affix his initials to both ends of it, and the words "error in copying" shall be entered opposite the mistake in the margin of the book.

108. Copying of endorsement.

- All endorsements made on documents shall be copied in the margin of the page or pages of the book in which the document has been copied, and in the same order. At the foot of the last endorsement so copied, the value of the stamp paper used for, or of the adhesive Court fee stamp affixed to the document, shall be recorded. The amount of the ordinary and the extraordinary (if any), copying and other fees levied on the document by the Registering Officer shall be recorded below the record of the value of the stamp paper or stamp, and the Registering Officer shall initial the entry.

109.

The entries made in the register shall be numbered separately and the numbering shall commence and terminate with each financial year, beginning from the 1st April and ending with the 31st March, irrespective of the date on which the annual accounts are closed.

110. Endorsement on copies of sale certificates, loan orders and mortgage deeds filed.

- On copies of-(a)orders issued under the Land Improvement Loans Act;(b)certificates of sale of immovable properly granted under Order XXI, Rule 94, Civil Procedure Code;(c)orders under the Agriculturists' Loans Act, and mortgage deeds executed as security for such loans;(d)certificates granted by Revenue Officers to purchasers of immovable property sold by public auction;(e)certificates of sale of immovable property granted under Section 20 of the Central Provinces Co-operative I and Mortgage Banks Act, 1937;(f)[documents creating charge, variation or mortgage sent under Section 8 of the Madhya Pradesh Krishi Udhar Pravartan Tatha Prakirn Upabandha (Bank) Adhiniyam, 1972; [Inserted by Notification No. 10-1-III-87-90, dated 20-7-1990.](g)instruments whereby immovable property is mortgaged under sub-section (1) of Section 36 of the Madhya Pradesh Sahkari Bhoomi Vikas (Bank) Adhiniyam, 1966,]which are filed in supplementary book 1, endorsement in the following form shall be recorded :-"Filed in supplementary book 1, volume.....on page(s)....., as serial number....., on the..... day of..... 19.....Signature and designation of the Registering Officer."

111. Re-registration under Section 23-A of the Act.

- If it is necessary to re-register a document which was presented at the time of its first registration by a person not duly empowered to present it, any person claiming under such document may present it for re-registration in the office of the Registrar of the district in which the original document was presented, within four months from his first becoming aware of the invalid registration of the document, as provided for in Section 23-A of the Act. The result of the inquiry made by the Registrar or Headquarters Sub-Registrar to satisfy himself of the unauthorised presentation of the document at the time of its first registration and also of its presentation for re-registration within the time prescribed by Section 23-A of the Act shall invariably be recorded in the minute-book. The preparation of Indexes

112. Indexes how prepared.

- Indexes shall be prepared alphabetically in the language which has been declared to be the Court language of the district, one or more sheets being allotted to each letter of the alphabet in indexes Nos. I, III and IV. The entries in all indexes shall be made immediately the document has been copied or the copy or spare copy or the memorandum has been filed. The forms of the indexes are given in Appendix B (Forms 24, 25 and 261).

113. Index No. II.

- In preparing Index II, separate sheets shall be used for each village so that the entries for any given village may be continuous. These entries shall close at the end of each year, and shall be bound in yearly volumes like other indexes. For large towns, from which registrations are numerous and which the divided into recognized divisions, mohallas or circles, separate sheets shall be assigned in the file book to each division, mohalla or circle.

114. Index forms how supplied and used.

- Index forms will be supplied in loose sheets, and these, as they are filled in, shall be tacked together.

115.

Separate sheets of indexes shall not be used for each month, but when a sheet has had tin entry made in it, entries coming under the same letter of the alphabet shall continue to be made on that sheet till it is fully, when a fresh sheet shall be added to it, and so on, till the close of the year.

116. Transfer of villages how dealt with.

- Whenever villages are transferred from one sub-district to another during the period for which volumes of Index II are maintained by Sub-Registrars, the Sub-Registrar from whose sub-district a village is transferred shall make a note in red ink after the last entry' in the index sheet assigned to the village, showing the name of the sub-district to which it is transferred and the date of the transfer. Similarly, the Sub-Registrar of the sub-district to which the village is transferred shall make a note in red ink at lop of each sheet assigned to the village, showing the name of the sub-district from which the village was received and the date of the transfer.

117. Binding of Indexes.

- At the end of the year. Indexes I, II, III and IV shall be carefully examined, and any mistakes or omissions found shall be corrected or supplied. They shall then be arranged in alphabetical and serial order and be bound. Sheets of each of the Indexes I, II, III and IV shall be bound in a separate volume. All pages in a volume shall be serially numbered, a certified of their total number given on the title page under the signature of the Registering Officer.

118. Crediting of fees.

(1)All fees paid shall be brought to account in the fee book (Form 16 in Appendix B) in detail, distinguishing "Ordinary" from "extraordinary" or "other" fees; and all moneys paid shall, from time to time, be entered in the receipts given for documents under Rule 23.(2)Registering Officers are held personally responsible that this rule is strictly adhered to; and they shall cause the entries in

the fee book to be totalled daily, initialing the result after checking it.

119. Cash and cash account.

- The cash received in each office shall be remitted without undue delay with a challan to the treasury or sub-treasury where there is one, and the challan shall be filed when returned from the treasury. Where there is no treasury, the fee receipts should be allowed to accumulate till they reach Rs. 100, or the month end, whichever may first occur, and then remitted by money order to the nearest treasury through the Headquarters Sub-Registrar. In such cases special provision shall be made under the sanction of the Inspector-General of Registration for the safe custody of the cash.

120. Refund of fees.

(1) Refunds of the following fees are claimable provided that the claim or refund is lodged within three months of the date on which the refund becomes claimable and the party concerned comes to know that he is entitled to the refund :-(a) Fees charged in excess of the authorised scale. (b) Fees paid for a visit (Sections 31, 33 and 38 of Act) or issue of a commission (Sections 33 and 38 of the Act), if such visit is not paid or such commission is not issued. (c) Fines paid and subsequently remitted by the Inspector-General of Registration under Section 70 of the Act. (2) A Registering Officer may refund fees which he has collected under clause (a), without reference to any Higher Authority, if the mistake made in collecting them is discovered before the fees have remitted to the treasury. Any amount so refunded shall be deducted from the total amount of the day's collections entered in the fee book, and the particulars stated therein. (3) If the mistake is not discovered until after the fees have been remitted to the treasury, the person interested shall be informed that a refund of the fees paid by him (or a portion of them, as the case may be) is claimable. On receipt of his application, the Sub-Registrar shall submit it to the Registrar with his remarks thereon, together with a refund bill prepared in Form 22 of Schedule I of the Accounts Form (Rule 325, Chapter VII of Financial Rules, Volume I, First Edition of 1929) under his signature. (4) The Registrar shall check the claim, and, if it appears allowable, shall pass an order for refund on the application. He shall then countersign the refund bill and return it, along with the application, to the Sub-Registrar concerned who shall after obtaining the signature of the payee on the application referred to handover the refund bill to the person claiming the refund with instructions to present it for payment at the treasury. The amount sanctioned for refund shall invariably be shown in column 8 of the refund bill in figures as well as in words. Refunds may be sanctioned by Registrars on their own authority and without the previous sanction of the Inspector-General of Registration. (5) Fees or travelling allowance paid for copies made, visits paid, commissions executed, or journey performed, cannot be returned. The principle to be borne in mind is that a fee should not be retained when the consideration for which it was paid has wholly failed.

121. Minute book.

- A minute book shall be maintained in every registration office in Form 9 of Appendix B. It is intended to contain the record of all suspensions of the ordinary procedure of acceptance for, and admission to, registration, and of such other proceedings as the Inspector-General of Registration

may from time to time prescribe.

122.

The entries in the minute book shall be made by the Registering Officer in his own hand and each proceeding shall be signed and dated by him. Besides the particulars mentioned in the Rule 121, the book may contain any other matter of importance which the Registering Officer thinks fit to record.

123. Register of power-of-attorney authenticated.

- The form of the register of power-of-attorney authenticated (Form No. 11) will be found in Appendix B. All powers authenticated shall be entered in it in the order in which they are authenticated and not in the order of registration if they are registered as well as authenticated. Only such powers as are authenticated under Section 33 of the Act need be entered in this register.

124. Receipt book.

- The receipt book is made up of forms in triplicate (Form 12 of Appendix B) stitched together with page numbers entered in print, each book containing 100 pages. The counterfoil of every receipt shall be retained by the Registering Officer, while the second and third parts thereof shall be issued to the presenter of the deed with the initials of the Registering Officer.

125. Recopying of crumbling pages or fading entries.

- When a page in a register book is crumbling or an entry is fading, the page or entry may, with the previous sanction of the Inspector-General of Registration, be recopied on the copy sheets used for sending copies of registered documents under Sections 65 and 66 of the Act. Before applying for sanction to recopying, the Registrar shall satisfy himself by personal inspection that recopying is necessary. The entries recopied shall be carefully compared and signed by the copyist and the comparer and shall then be certified as "true copies" under the signature of the Registering Officer. The original shall be faithfully reproduced as it is found, and any missing or undecipherable letters, words or figures shall not be filled up by guessing from the context. A note shall be made regarding portions not legible or visible. Note :- Documents originally copied in Modi or Urdu Character shall be recopied in the Balbodha or Deonagri character and shall be certified as "True transliterations" instead of as "True Copies."

126. Transfer of books by Sub-Registrars.

- In the month of January in each year, Sub-Registrars shall transfer to the offices of their respective Registrars the following books, registers and file books when the last entry made in each of them bears a date three years old and the book is full :-

126. Book Nos. 1, 3 and 4 (with their indexes) and [book Nos. 6, 7, 7-A and 8, i.e., supplementary book No. 1 and additional book Nos. 1, 3 and 4] [Substituted by Notification No. 5038-III-82, dated 18-11-1982.], register of thumb impression, minute book and file book Part I only.

Applications for Inspections, Searches and Copies

127. Inspection, search and grant of copies.

- Section 57 (1) of the Act permits any person to inspect books 1 and 2 and the indexes belonging to book 1 and to obtain copies of entries therein. Section 57 (2) of the Act confines the exercise of these privileges within narrow limits, that is to say, it does not permit of inspection of book 3, and so long as the executants are alive, copies of entries in that book or in the index relating there to can be granted only to persons executing the documents to which such entries relate or to their agents, and, after the death of the executants, to any person applying for such copies. By Section 57 (3) of the Act, the privilege of obtaining copies from book 4 are also restricted and may be exercised only by persons executing or claiming under the documents or by their representatives or agents. It is further laid down that the requisite search for entries in books 3 and 4 shall be made only by the Registering Officer. It should, therefore, be borne in mind that neither these books nor their indexes are to be put into the hands of any person for the purposes of search. It must be noted that the Act does not contemplate the inspection of, or the grant of copies of entries in book 5, so neither inspection of that book nor the grant of copies of entries in it is permissible. These distinctions must be every carefully noted when applications for inspections, search or copies are received.

128.

All inspection shall be made in the presence of the Registering Officer and the law does not authorise the making of copies while inspecting books, etc. any copy required must be duly applied for in writing.

129. Applications for inspection, search or copies.

- All applications for inspection, search or copies (including copies of reasons for refusal to register) shall be made in writing.

130.

On the application shall be entered the date of its receipt, the date on which it was complied with, the mode of compliance, and the amount of fees paid in connection with it. It shall then be filed and be given a serial number.

131.

Receipts shall be given for all applications for copies, inspections or searches and for fees paid thereon. If the application is for a copy, note shall be made on the receipt specifying the probable date on which the copy will be ready for delivery. The provisions of Rule 46 shall mutatis mutandis apply to receipts given under this rule.

131A. [[Inserted by Notification No. 10-1-III-87-90, dated 20-7-1990.]

A register shall be maintained in each Registration Office in Form No. 7 Appendix C.]

132. Exemption from inspection, search or copying fees.

- No fees are payable under Section 71 of the Act for copies of reasons for refusal to register. If such copies are granted by Sub-Registrars to persons executing or claiming under the document; but for copies given by Registrars of Headquarters Sub-Registrars, copying fees must be paid by the applicant, as Section 76 of the Act does not exempt them. It should, however, be noted that copies of entries in book 2 granted to persons other than the executants or the claimants, as also those granted even to the executants or claimants on the second or subsequent occasion, are not so exempt, and copying fees shall be levied on them. The copies shall be given immediately on receipt of the application, and the latter shall be dealt with as prescribed in Rule 130.

133. Refusal of inspection of copies.

- If the application is not complied with, the reasons for non-compliance shall be endorsed on the application which shall be returned to the presenter, provided that no fee of any kind has been realised in respect thereof. An application for which a search or inspection fee has been realised shall be considered to have been partially complied with and shall not therefore be returned. A copy of such reason shall invariably be made in the minute book whether the application is rejected immediately or after some interval and the applicant then informed that the entry sought for has not been found in the books and if he so desires, given a certificate to that effect.

134. Topics applied for in person.

- Applications for copies of entries contained in the registers of any sub-office or in books which have, under Rule 126 been transferred to the office of a Registrar, may be made personally or by post. If they are made personally, they shall be dealt with in accordance with the foregoing instructions. If they are made by post, they shall be disposed of as shown in Rule 135.

135. Topics applied for by post.

(1) Applications for copies may be made by post and addressed to the Registrar or Sub-Registrar as the case may be, with the following particulars, namely :-(a) the names of the executant of, and

claimant under, the document;(b)the nature of the document;(c)the name of the village wherein the immovable property, if any, affected by the document is situate; and(d)the date and place of registration.(2)The applications shall be signed and dated by the applicants, who should give their addresses fully and specify clearly the village, post office, tehsil and district. In no cases, however, may copies of entries in hook 3, and in the index relating thereto, be given on applications by post if the death of testator has not already been proved.

136.

Every application shall be submitted on plain paper, to which a two-anna Court-fee label shall be affixed, and it shall be accompanied by a money order of such amount as will approximately cover the cost of the stamp paper used in preparing the copy plus the requisite copying fees, etc.

137.

If the information originally given is insufficient to enable the document, a copy of which is applied for, to be traced, a service post card shall be sent to the applicant requesting him to remit the necessary' search fee, the minimum amount of which is one rupee, if the search has to be made from books or Indexes I, III and IV, and eight annas when search has to be made from mauzawar Index II. If the information is sufficient, the copy shall be prepared and as soon as it is ready, shall be despatched to the address given by the applicant together with an account of the money received from the applicant.

138.

If the amount of the advance does not cover the whole of the charges (including stamp paper, copying fees, search fees, postage and registration fees), the applicant will be asked to remit the balance on receipt of which copy will be prepared. If, on the other hand, the amount of the advance is more than sufficient to cover all charges, the surplus shall be remitted along with the copy, by money order when it is four annas or above, or in postage stamps when it is less than four annas.

139.

Rules 137 and 138 shall also apply to applicants who attend in person and who desire that the copies should be sent by post, provided that they supply the necessary postal envelope to the Registering Officer.

140.

The copying and search fees shall be noted in the fee book and the middle part of the receipt prescribed in Rule 23 shall be sent to the applicant along with the copy. The receipts issued by the post office for the registered letter containing the copy and for money order, if any, at the time of despatch, together with the acknowledgement of the delivery of the copy and the payee's receipt for

the money order, if any, received from the post office, shall be attached to the application as evidence that the copy has been duly prepared, despatched and delivery to the applicant along with the surplus, if any.

141. Endorsements on copies issued.

(1) All Registering Officers granting copies shall certify and seal them in the manner prescribed for copies of decrees (vide Rule 51). (2) This rule applies to all copies of whatsoever description which may be prepared in a registration office.

142.

When under Section 46 (2) of the Indian Stamps Act, 1899, a Registering Officer is called upon to give an authenticated copy of an impounded document, he shall authenticate such copy by a certificate in the following form :- "Certified that this is a true copy of the document purporting to be executed on.....by....., son of....., resident of....., in favour of. son of.....resident of....., impounded in order to be sent to the Collector of.....district on the day of. 19....."

143. Copies by whom to be made.

- No one but the Moharrir attached to the office shall be allowed to copy into or from the books or to prepare indexes or to compile statistical returns from them : Provided that the Registering Officer may, under a written order, specially or generally authorise a particular copyist to make a copy or copies of entries in Urdu or other character with which the Registering Officer or his Moharrir is not Conversant.

144. List of unclaimed copies.

- If a copy of document remains unclaimed for one month from the date on which it was ready for delivery or from the date of which the cover containing the copy sent by post was returned by the post office as undelivered, it shall be entered in the list of unclaimed copies prepared in manuscript in the following form and conspicuously exposed to public view in the registration office concerned :-

Column (1)- Nature of document copied.

Column (2)- Name of applicant.

Column (3)- Date of application.

Column (4)- Date on which copy became ready for delivery.

Column (5)- Date of entry in the list.

Column (6)- Final disposal of copy with date and amount of custody fee, if any, realized.

Column (7)- Signature of Sub-Registrar.

Column (8)- Remarks.

145. Disposal of unclaimed copies.

- When an applicant fails to appear to receive a copy of a document for which he has applied, the copy shall be kept for two months from the date on which it was ready for delivery. A notice bearing service stamp shall then be sent to the applicant warning him that the copy will be destroyed, if not claimed within one month from the date of notice. If he does not appear to claim it within that time, or pay postage to have it sent to him, it shall be destroyed.

Table of Registration Fees[Prescribed by the State Government for the Madhya Pradesh under Section 78 of the Registration Act, 1908, w.e.f. the 1st March, 1975 vide Notification dated 24-2-1975, for Madhya Pradesh]I - Registration Fees (Ordinary)(For the State of Madhya Pradesh only)A. Documents Chargeable Advalorem RatesArticle IFor the registration of all documents other than leases :-

| | | Rs. P. |
|-----|--|--------|
| (a) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]does not exceed Rs. 100 | 2.00 |
| (b) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 100 but does not exceedRs. 200 | 3.00 |
| (c) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 200 but does not exceedRs. 300 | 4.50 |
| (d) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 300 but does not exceedRs. 400 | 6.00 |
| (e) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 400 but does not exceedRs. 500 | 7.50 |
| (f) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 500 but does not exceedRs. 600 | 9.00 |
| (g) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 600 but does not exceedRs. 700 | 10.50 |
| (h) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 700 but does not exceed Rs. 800 | 12.00 |
| (i) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 800 but does not exceed Rs. 900 | 13.50 |
| (j) | | 15.00 |

| | | |
|---|---|---------|
| | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 900 but does not exceedRs. 1000 | |
| (k) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 1,000 but does notexceed Rs. 10,000 for every Rs. 500 or part of Rs. 500 in excessof Rs. 1,000 | 5.00 |
| (l) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 10,000 but does notexceed Rs. 50,000 for every Rs. 500 or part of Rs. 500 in excessof Rs. 10,000 | 5.50 |
| (m) | When the[market value] [Substituted by Notification No. 2086-3688-V-SR-75, dated 19-5-1975]exceeds Rs. 50,000 for everyRs. 500 or part of Rs. 500 in excess of Rs. 50,000 | 4.00 |
| (n) [[Substituted by Notification No. 6646-6262-V-SR, dated 10-12-1975.] | When the transaction is not capable of being valued in terms of money. | 150.00] |

Notes :- (1) The registration fee leviable upon a document purporting to give collateral or auxiliary or additional or substituted security or security by way of further assurance, where the principal or primary mortgage is proved to the satisfaction of the Registration Officer to have been duly registered shall be Rs. 5.(2)[In the case of an instrument of partition the market value of the separated share or shares on the basis of which stamp duty has been paid may be taken as the market value for the purpose of determining the registration fee.] [Substituted by Notification No. 6646-6262-V-SR, dated 10-12-1975.](3)The market value as slated in a document shall for the basis determining the registration fees. In cases in which no market value is stated, an opportunity shall be given to the party concerned to State market value and on his failure to avail of the opportunity, the registering officer shall proceed to assess the registration fees-(i)under item (n) of the articles, or(ii)on the basis of the consideration expressed in the document, whichever is more.(4)When an agreement to sell, mortgage, etc., for a definite sum is executed and presented for registration and, ad valorem registration fee should be charged on such sum. A fixed fee of Rs. 5 only should be levied on the actual conveyance, mortgage, etc. subsequently tendered for registration, provided that the registration of the previous agreement has been proved to the satisfaction of the Registering Officer.(5)A fixed fee of Rs. 15 only shall be levied on a hypothecation bond executed by proprietary firm or partnership by way of security for loans advanced to it by a bank.(6)[The maximum limit of registration fee chargeable in respect of a mortgage deed executed by a "New Industry" in the field of energy generation and mineral oil refining, for raising capital to set up the industry, shall be rupees one lac. [Inserted by Notification No. (47) B-4-45-98-CTD-5, dated 13-10-1999.]Explanation : - For this purpose, "New Industry" means an industrial unit which has not gone into production before 19-8-1999 and is so certified by the Commissioner of Industries or any Officer appointed by him in this behalf.](7)[When a power of attorney, general or special, authorising the agent to transfer immovable property and chargeable with ad valorem stamp duty is executed and presented for registration, an ad valorem registration fee under this Article should be charged on such power of

attorney. If a conveyance relating to that property is executed in pursuance of power of attorney between the executant of power of attorney and the person in whose favour it is executed, the fees on conveyance shall be the fees calculated on the market value of the property reduced by fees paid on the power of attorney.] [Inserted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001, w.e.f. 13-9-2001.](8)[Registration fees at the rate of 0.5 per cent of the amount secured, subject to a maximum of one thousand rupees, shall be levied on an instrument of agreement relating to the deposit of title deeds.] [Inserted by Notification No. (36) B-4-48-05-2-IV, dated 5-9-2005.]Article IIFor the registration of leases :-

Rs. P.

| | |
|---|---|
| Three-fourths of the value of the stamp duty payable on the lease subject to a minimum of | [Rs. 50] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] |
| If the lease is exempt from Stamp Duty, a fee of | [Rs. 50.00] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] |

[Note :- The term "lease" used in this Article includes a patta or kabuliyat not being a counterpart of a lease.] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]B. Document Chargeable With Fixed Fees[Article III] [Substituted by Not In. No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]For the registration of-

Rs. P.

| | |
|---|---------|
| (a) A will | 200.00 |
| (b) An authority to adopt or adoption deed | 100.00 |
| (c) A general power-of-attorney (excluding those chargeable with ad valorem stamp duty), deed of divorce or certified copy of a decree or order of Court. | 100.00] |

[Article IV] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]For the registration of-

| | |
|--|--|
| (1) A separate deed acknowledging receipt of payment of consideration on account of another deed which has been previously registered; and | The same fee as would be required for registration of the principal deed if such fees does not exceed Rs. 100 otherwise Rs.100. |
| (2) A document amending, modifying or correcting but not cancelling any previously registered deed. | The same fee as would be required for registration of the principal deed if such fees does not exceed Rs. 100, otherwise Rs. 100.] |

[Article V] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]For the registration of-

Rs. P.

| | |
|---|--------|
| (a) Special power-of-attorney (excluding those chargeable with ad valorem stamp duty) | 50.00 |
| (b) Agreement of service or hire | 50.00 |
| (c) Counterparts or duplicates of instruments | 100.00 |
| (d) Consent deed without any consideration | 100.00 |
| (e) Agreement styled as a lease without any premium or rent | 100.00 |
| (f) Any other document which cannot be brought under any other article of this table | 50.00 |
| (g) Security or mortgage deed for loan under the Land Improvement or Agriculturists' Loans Act. | 10.00 |

Note:- (1) Consents without consideration whether recorded on the principal deeds or made the subject of separate documents, constitute separate instruments, and should be charged to a registration fee under clause (d). (2) Consents granted for consideration, whether endorsed on the principal deed or on deeds drawn up separately, should be charged under the ad valorem scale prescribed in Article I of the Fee Table; but when such consent is endorsed on the principal document chargeable under Article I, the Registering Officer should levy a registration fee under that Article, on the aggregate of the amounts of consideration for both transactions.][Article VI] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]

| | |
|---|--|
| For the registration of a document cancelling any previously registered document, a surrender of lease or a transfer of lease, without any consideration. | The same fee as would be required for registration of the original document subject to a maximum of Rs. 100 only.] |
|---|--|

II - Registration Fees (Extraordinary)[Article VII] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001]

| | |
|---|---|
| Extra fees for registration of any document by Registrar. | Rs. 200.00 in addition to the ordinary fee. |
|---|---|

Note : - The extra fee under the Article is not payable on the registration of wills and Authorities to adopt, nor will it be levied in cases where the Sub-Registrar owing to his being interested in the transaction or for any other sufficient reason is unable to register himself.][III - Fees Incidental to Registration][Article VIII] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001]

1. Payable in all cases :-

| | Rs. P. |
|--|--------|
| (a) Fixed fee for copying the endorsement on documents | 10.00 |
| (b) for copying registered documents into the appropriate book (for each folio or fraction of a folio of words 100.) | 2.50 |

Note : - If a document relates to immovable property situate in more districts than one and a copy thereof has to be forwarded to another district or other districts under Section 65 or 66, copying fee shall be payable twice over (or thrice, etc. as the case may be), once for the original copying into the register, and again for making the copy or copies for despatch (vide Article XVII), except as provided in Note (4) of that Article.][Article IX] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]

| | Rs.P. |
|---|--------|
| (a) For comparing printed copies of printed documents presented for registration, for each folio or fraction of a folio of 100 words. | 0.50 |
| (b) For filing each copy | 10.00] |

[Article X] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] Payable in special cases :-

| | Rs.P. |
|--|-------|
| For every copy of a memorandum to be sent under Sections 64, 65 and 66, a uniform fee of | 10.00 |

Note : - (1) No fee will be charged for the issue of a memorandum under Sections 64 and 65 when a copy of a decree or order of Court relating to immovable property is presented for registration under Section 29 in the office of the Sub Registrar or District Registrar, in whose sub-district or district no portion of the property is situated. (2) No fee will be charged for the issue of a memorandum under Section 65 (1) in cases where the Sub-Registrar, owing to his being interested in the transaction or to his being unacquainted with the language in which the deed is written, or for any other sufficient reason, is unable to register himself. [Article XI] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]

Rs.P.

For filing a translation or transliteration (Section 62) 10.00]

[Article XII] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] For the return of registered document by post-

Rs.P.

(a) For a single document 30.00

(b) For every additional document to be returned in the same registered cover. 15.00]

[Article XIII] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]

| | |
|---|------------------------------|
| For the custody of a document which has remained | Rs. 10/- for each month or a |
| (a) unclaimed for one month from the date on which it was | portion of a month after |
| endorsed registered or registration refused. | the first month during which |
| | the document is unclaimed. |

| | |
|---|------------------------------|
| For the custody of a copy of a document which has | Rs. 5.00 for each month or a |
| been presented for registration or registered, when such a copy | portion of a month after |
| (b) has been prepared in the registration office on the application | the first month during which |
| of any person and is unclaimed for one month from the date the | the copy is unclaimed. |
| copy was ready for delivery to the applicant. | |

Note :- The maximum fee is Rs. 100/- for a document and Rs. 50/- for a copy. [IV - Fees for Visits and Commissions] [Article XIV] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] For each attendance at a private residence or jail under Section 31, 33 or 38 or for the issue of a commission under Section 33 or 38 -

Rs.P.

(i) If the person is in jail 50.00

(ii) If a the person is physically unable to attend the office 75.00

(iii) Otherwise 150.00

Notes :- (1) The fee mentioned in this Article shall be charged in addition to the ordinary fee and Travelling allowance at the rate of Rs. 3.00 per kilometer for the Registration Officer and at the rate of 1.50 paise per kilometer for peon accompanying the Registering Officer. (2) When an attendance takes place under both Sections 31 and 38 at the same time and place relating to registration of one document, only one attendance fee and one registration fee will be levied. If a Registering Officer, when the registration of one document is concerned, attends on the presenter on one occasion and the executant on another necessary witness on another occasion, two attendance fees will be levied. If a Registering Officer attends at a private residence or jail and one person present several documents or one or more persons admit the execution of several documents jointly executed by

them all at one and the same time and place, only one attendance fee will be levied, but the registration fee will be levied in the case of each document. Where several persons at one and the same time and place present for registration or admit execution of several different documents not jointly executed by them, the Registering Officer will levy one attendance fee for each district transaction, the registration fees being payable on all such documents.(3)For every attendance at a private residence of a nurse or a female assistant, if required to accompany a Registering Officer to take the thumb impression of one or more female executants who are purdahnashine or of high birth, an extra fee of Rs. 50 shall be charged irrespective of the number of documents registered at such private residence.(4)The fee leviable under this Article shall not be chargeable for attendance of private residence for registration of documents executed in favour of the Government of Madhya Pradesh for the purpose of land acquisition :Provided that when a Sub Registrar is required to attend second time in respect of the registration of the same instrument due to absence of the owner of the land, full fees leviable under this article shall be charged from the said owner.(5)All fees recovered under this article will be credited into the treasury suo-treasury. Thereafter, the Registering Officer will be entitled to the whole amount of travelling allowance specified in note (1). The amount shall be drawn and paid to him. Similarly, the peon will be paid the amount realised under note (2) and the nurse will be paid the amount realised under note (4).]V - Fees for Late Presentation and Late AppearanceArticle XV Fine for late presentation (Section 25) and late appearance (Section 34) shall be regulated by the scale given below :-Scale(a)Where the delay does not exceed a month, a fine of twice the amount of the proper registration fee;(b)Where the delay exceeds one month, but does not exceed two months, a fine of four times the amount of the proper registration fee;(c)Where the delay exceeds two months, but does not exceed three months, a fine of six times the amount of the proper registration fee;(d)Where the delay exceeds three months, but does not exceed four months, a fine of ten times the amount of the proper registration fee.Note :- In calculating the time when period begins to run, it must be borne in mind that the words "from the date" and "from the day" used in Section 23, exclude from the period the date of execution of the document and the day on which the decree or order of the Court was made or become final, as the case may be (Section 3, clause 2 of the General Clauses Act, 1897).VI - Fee for Searches and for Copies[Article XVI] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]

Rs. P.

- | | | |
|-----|---|---------------------|
| (a) | For a search made by a Registering Officer for each entry or document | 5.00 for each year |
| (b) | For allowing an appellant to inspect for each entry or document | 10.00 for each year |

- Notwithstanding anything contained in clause (b) fees for allowing the inspection for the purpose of securing loans for agricultural purposes from the authorised banks shall be in the case of-

(i)

Bhumiswami
belonging to
Scheduled Castes Nil
and Scheduled
Tribes

| | |
|------|--|
| (ii) | Bhumiswami not covered by item (i) above the holding land 25.00] not exceeding 10 hectares |
|------|--|

[Article XVII] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]

- | | |
|---|--|
| (a) For making or granting copies of reasons, entries and documents for the benefit of any person; or to be forwarded to any other officer under Sections 65, 66 and 67 | The same fee as is chargeable under Article VIII (b) and in addition a fixed fee chargeable under Article VIII (a) : Provided that an additional fee of Rs. 2.00 for each page shall be chargeable in case the copies are made by Photocopy Machine. |
| (b) For making or granting such copies expeditiously. | Double the fee chargeable under clause (a). |

Note : - (1) If an application for copy of any entry gives any one of the following particulars, no search fee is to be levied.-(a) Names of the claimant and executant, nature of the document and date of registration and in the case of an application by an executant, the date of admission, or (b) The book, volume and page or serial number of the document with year. (2) Servants of the Government who may require to inspect or search the registers for bonafide public purposes are exempted from the payment of fees. (3) Copies of reasons for refusal when granted by Sub-Registrars to persons claiming under or executing documents are exempt from fees (Vide Section 71). (4) No fee under this Article shall be charged for the issue of a copy under Section 65 or 66 when a copy of a decree or order of Court, relating to immovable property, is presented for registration under Section 29 in the office of the Sub-Registrar or District Registrar, in whose sub-district or district no portion of the property affected is situated. (5) Servants of the Government who require copies of entries or documents for bonafide public purposes are exempted from the payment of fees. [Article XVIII] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]

| | |
|--|-----------------|
| For granting copy of a map (provided the applicant makes his own arrangement for the preparation of such copy and bears the cost thereof). | Rs. P. 10.00 |
|--|-----------------|

Note :- Servants of the Government who require copies of maps for bonafide public purposes are exempted from the payment of fees. [VII-Fees for Miscellaneous Proceedings [Article XIX] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.]

- | | |
|---|------------------|
| (a) For deposit of a sealed cover containing a will | Rs. P. 100.00 |
| (b) For opening or withdrawal of such cover. | 50.00] |

Note:- For opening the sealed covers, the fees of copying the contents according to the scale laid down in Article VIII shall be charged additionally. [Article XX] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] For attestation of power of attorney,-

- | | |
|----------------|-----------------|
| (a) If special | Rs. P. 10.00 |
|----------------|-----------------|

(b) If general 20.00]

VIII - Fees for Applications and Issues of Processes Article XXI(1) The fees payable under the Court Fees Act for application to Revenue Officers shall be levied on all applications which are required by law to be made in writing to Registering Officers.(2) The same fees as are required to be paid by the rules made under the Court Fees Act for the issue of processes by Civil Courts shall be levied on process issued by Registering Officers. Note 1. - (a) A Court fee of [two rupees] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] under clause (a) Article 1 of Schedule I to the Court Fees Act, 1870, shall be charged on every application made to a Registering Officer under Section 57 of the Registration Act, 1908 for a copy of an entry in any of book Nos. 1, 2, 3 and 4 or in Index No. I or II relating thereto.(b) A Court fee of [five rupees] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] under clause (b) of Article I of Schedule II to the Court Fees Act, 1870, shall be charged in every application to a Registering Officer under Section 57 of Registration Act 1908 for the inspection of any number of entries in book No. 1 or 2 or in Index No. 1 or II relating thereto, for a search to be made by a Registering Officer of any number of entries in said books in indexes, or in book No. 3 of 4, or in index relating to these books. Note 2. - No Court fee shall be charged on an application made by a servant of the Government for copies of entries or documents or for the inspection or search of the registers required for a bonafide public purpose. Article XXII A fixed fee of [Rs. 50] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] shall be levied-

1. (a) For the presentation of each appeal under Section 72 or application under Section 73 against the orders of a Sub-Registrar refusing to register a document;

(b) For an enquiry in under Section 74; (c) For an inquiry by a Sub-Registrar invested with the powers of a Registrar under the second proviso to sub-section (3) of Section 35, in respect of documents, the execution of which is denied.

2. A fixed fee for [Rs. 10] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] shall be levied in respect of the following :-

(a) for each application made to a Sub-Registrar under Section 25(2) and 34(4); (b) for each application made to a Registering Officer under Section 36 for enforcing the appearance of executants and witnesses; (c) for filing a translation of a power of attorney produced by an agent with or in connection with a document presented for registration when the power of attorney is written in language not commonly used in the district; (d) for filing a special power of attorney produced with or in connection with a document presented for registration; (e) for each application for the return of all will registered or refused to be registered and transmitted to the Registrar's office for safe custody; (f) for each petition presented to a Registering Officer objecting to the return of a document to a person in whose favour the receipt has been drawn up; (g) for each application claiming remission or refund of the fine levied under Sections 25 (1) and 34 (1).

3. A fixed fee of [Rs. 10] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] shall be levied :

(a) for each petition presented to a Registering Officer protesting against the registration of document. Note:- No fees shall be levied on petitions, from Secretaries of District Sailor's Soldier's and Airmen's Boards contesting alleged illegal sales of soldiers : Provided that in cases falling under clause (a) if protest is made against the registration of more than one document in a petition, the fee payable for the petition shall be calculated at the rate of [Rs. 10] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] for each of such documents specified in the petition and if the number of such documents is not specified in the petition, a fee of [Rs. 50] [Substituted by Notification No. (32) B-4-3-2001-CT-V, dated 6-9-2001.] shall be levied for such petition. (b) for each petition presented to a Registering Officer- (i) for withdrawing a document from registration; (ii) for complete or partial refusal to register a document; (iii) for keeping a document pending appearance of parties executing it.

4. (a) A fixed fee of [Rs. 50] [Substituted by Notification No. (32) B-4-3-2001-CI V, dated 6-9-2001.] shall be levied for each application presented to a Registering Officer to accept a document for registration at his office on a holiday on the ground of special urgency.

(b) A fixed fee of [Rs. 50] [Substituted by Notification No. (32) B-4-3-2001-CI V, dated 6-9-2001.] shall be levied for each application presented to a Registering Officer to accept a sealed cover purporting to contain a will for deposit under Section 42 on an authorised holiday on the ground of special emergency. (c) A fixed fee of [Rs. 50] [Substituted by Notification No. (32) B-4-3-2001-CI V, dated 6-9-2001.] shall be levied for each application presented to a Registering Officer to accept a power-of-attorney for attestation only or for attestation and registration at his office on a holiday on the ground of special emergency. (d) For the registration of a document partially refused in the first instance and directed to be registered by a Registrar under Section 75 copying fee at the prescribed rate shall be levied. Exemption and Reductions Fees leviable under Articles I to X and XVII for issue of copies under Sections 65 to 67 of the Registration Act, 1908, shall not be chargeable in respect of the following :-

1. Documents executed by, or in favour of Government on which as such no stamp duty is leviable under Section 3, Proviso I, of the India Stamp Act, 1899

2. Mortgage deeds executed by servants of the Government in civil or military service for securing the repayment of advances received from any Government for the purpose of constructing or purchasing dwelling houses for their own use.

- 3. Security bonds and bonds on account of advances made for the purposes of obtaining uniform executed in favour of any Government by public servants of all classes and their sureties.**
- 4. Any instrument of reconveyance of mortgaged property executed by any Government in favour of an officer in civil or military service, on the payment of an advance received by him from Government, for the purpose of constructing or purchasing a dwelling house for his own use.**
- 5. Any agreement executed by the owner of a house in favour of the State Government as a fit place for the purpose of being used as a licensee's liquor shop, on a rent fixed by the Collector.**
- 6. A deed of gift of immovable property executed in favour of the managing committee or the trustees of an educational institution recognized by the State Government as a Vidhya Mandir or established under the Central Provinces and Berar Vidhya Mandir Act, 1939 (III of 1940).**
- 7. Indentures by way of mortgage executed by Managers of Aided Institutions in consideration of building grants received from the State Government.**
- 8. Mortgage deeds executed on or after the 17th September, 1945 by officers of Government in Civil and Military employ for securing the repayment of advances received from Government for the purpose of purchasing a motor car, motor boat or motor cycle, for their own use.**
- 9. Indentures or deeds creating trusts of movable or immovable property given to the State Government for a charitable purpose.**
- 10. A deed of gift of immovable property executed in favour of a Janpad Sabha for the establishment or maintenance of a primary school under the control and management of such Janpad Sabha.**
- 11. Mortgage deed executed by an officer of the Government of Madhya Pradesh for securing the repayment of an advance received by him from the Madhya Pradesh Housing Board established under the Madhya Pradesh Housing Board Act, 1950 for the purpose of constructing a dwelling house for his own residential use.**

12. Instrument of reconveyance of mortgaged property executed by the Madhya Pradesh Housing Board established under the Madhya Pradesh Housing Board Act, 1950 in favour of any officer of the Government of Madhya Pradesh on the repayment of an advance received by him from the said Board for the purpose of constructing a dwelling house for his own residential use.

13. Security Bond executed by the surety of an officer of the Government of Madhya Pradesh for the due performance of the terms and conditions of the mortgage deed in Form V prescribed under the Madhya Pradesh Housing Board Act, 1950.

14. [[Added by Notification No. 776-1155-VI-R-80, dated 24-10-1980.] Mortgage deeds and hypothecation deeds forming part of such mortgage executed by :-

(a)a Bhoomiswami belonging to Schedule Castes or Scheduled Tribes; or,(b)a Bhoomiswami not covered by (a) above and holding land not exceeding ten hectares, in favour of a Central Development Bank within the meaning of clause (b) of Section 2 of the Madhya Pradesh Sahakari Bhoomi Vikas Bank Adhiniyam, 1966 (No. 28 of 1966) or a Development Bank within the meaning of clause (d) of Section 2 of the said Act, for securing loan;]

14A. [[Omitted by Notification No. 2847-B-6-17-CTD-V-87, dated 30-5-1992.] Omitted.]

15. All kinds of documents executed by the Goldsmiths in connection with the grant of loan under the Madhya Pradesh Goldsmiths Rehabilitation (Loans) Rules, 1963.

16. [16. x x x] [Omitted by Notification No. 776-1155-VI-R-80, dated 24-10-1980.]

17. Instruments executed by or in favour of the Technical Co-operation Mission personnel (now called the U.S.A. Agency for International Development), the incidence of which falls directly under the Act. upon them in the State of Madhya Pradesh in respect of the use or ownership of property in Madhya Pradesh.

**18. [[Substituted by Notification No. 6259-8255-V-SR-75, dated 21-11-1975.]
Mortgage deed executed by :-]**

(i)the Bhoomiswami belonging to the Scheduled Castes or the Scheduled Tribes; or(ii)the Bhoomiswami not covered by (i) above and holding land not exceeding twenty-five acres;for securing loans for agricultural purposes from the following banks namely :- (i) State Bank of India;(ii)State Bank of Indore;(iii)Central Bank of India;(iv)Bank of India;(v)Punjab National Bank;(vi)Bank of Baroda;(vii)United Commercial Bank;(viii)Canara Bank;(ix)United Bank of India;(x)Dena Bank;(xi)Syndicate Bank;(xii)Union Bank of India;(xiii)Allahabad Bank;(xiv)Indian Bank;(xv)Bank of Maharashtra;(xvi)Indian Overseas Bank;(xvii)[Regional Rural Banks established under the Regional Rural Banks Act, 1976 (No. 21 of 1976)] [Added by Notification No. 878-718-VI-R-76, dated 7-11-1976.](xviii)[Punjab and Sindh Bank.] [Added by Notification No. 294-1122-VI-R, dated 16-4-1977.]

19. Nyaspalra executed by Madhya Pradesh Rashtrabhasha Prachar Samiti in favour of Ravi Shankar Shukla Hindi Bhavan, Bhopal.

**20. [[Added by Notification No. 710-5845-VI-R-76, dated 6-10-1976.]
Documents executed by or in favour of the sending State or head of the Mission within the meaning of Article 23, set out in Schedule to the Diplomatic Relation (Vienna Convention) Act, 1972 (No. 43 of 1972).]**

**21. [[Added by Notification No. 608-801-VI-R-78, dated 16-8-1978.]
Agreements, Security Bonds, Affidavits and other documents executed in favour of Government by the persons for securing loans from the Madhya Pradesh Government under the scheme formulated under Planning, Economics and Statistics Department's Memo No. 606-707-M & EA-23-R-I(iii), dated the 4th April, 1978, No. 797-M & H-78-R-1(iii), dated the 12th May. 1978 and No. 1254-78-M & II-123-R-1(iii)-A, dated the 2nd August, 1978 read with Memo No. 75-M & H.B. Soft Loan 1575, dated the 28th November, 1975.]**

22. [[Added by Notification No. 510-1183-VI-R-77,dated 18-7-1978.] Sale deed executed for transfer of Sanawad Spinning Mills from Madhya Pradesh Rajya Udyog Nigam to M.P. Rajya Vastra Nigam].

23. [[Added by Notification No. 774-1155-VI-R-80, dated 24-10-1980.] [(a) x x x].

(b)Instruments executed in favour of the Primary Co-operative Housing Society registered or deemed to be registered under the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961)

for acquisition of land for housing purchases.(c)Deed of mortgage or deed of assignment executed by or on behalf of a Primary Co-operative Housing Society registered or deemed to be registered under the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961) for securing loan from any institution or society for the housing purposes.(d)Instrument of reconveyance or mortgaged property executed by any institution or society in favour of a Primary Co-operative Housing Society registered or deemed to be registered under the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961) on repayment of loan by such primary society.]

24. [[Added by Notification No. 429-524-VI-R-79, dated 20-7-1979.] Sale deed executed for transfer of Central Dying, Bleaching and calendering Plant, Ujjain from M.P. State Industries Corporation to M.P. State Textile Corporation.]

25. [[Added by Notification No. F-2-25-VI-F-1979-(ii), dated 14-9-1979.] Mortgage deeds and other instruments executed in favour of the Trust within the meaning of clause (c) of Section 2 of the Madhya Pradesh Ganga Jali Fund Trust Act, 1954 (No. II of 1954), in relation to utilization of the income from the Ganga Jali Fund, for promotion and implementation of the schemes specified under sub-section (3) of Section 7 of the said Act.]

26. [[Added by Notification No. 223-92-VI-R-80, dated 27-3-1980.] Gift deed valued Rs. 28,500 (Rupees twenty-eight thousand five hundred) executed by the Sai Samaj, Jabalpur.

27. Instrument of gift to be executed by the Krishi Upaj Mandi Samiti, Sonkach, in District Dewas, in favour of the Maha Vidyalaya Samiti, Sonkach.]

28. [[Added by Notification No. F.B-4-18-(A)-V-SE-82, dated 20-10-1982.] Gift deed of five acres of land situated in Ratlam district executed by Mr. Jamashedji, contractor in favour of the missionaries of Charity, C/o. Catholic Church, Ratlam.]

29. [[Added by Notification No. F.B-4-6-V-SR-83, dated 1-4-1983.] Gift deed of Kh. No. 660, area 1.12 acres land, situated in Mouza Juna Bilaspur, district Bilaspur, executed by Shri E. Ashok Rao S/o Late R. Raghvendra Rao of Bilaspur in favour of M.E.S. Law College, Bilaspur.]

30. [[Added by Notification No. 3122-B-4-19-V-SR-85, dated 22-7-1985.] The State Government remits the Registration fees chargeable on the deed of gift of plot bearing Municipal No. 143 area 2869 sq. feet of land situated at Vidya Nagar Colony, Indore in favour of Shri Sathya Sai Institute of Higher Learning Prasanthi Nilayam, Sri Sathya Sai Taluka, Ananthur District, Andhra Pradesh, represented by Shri Ranjeet Vithaldas.]

31. [[Added by Notification No. 294-B-6/23/VSR/86, dated 15-5-1987.] Remission of registration fee chargeable on sale-deed/lease deed executed by Madhya Pradesh Housing Board, Nagar Vikas Pradhikaran, Town Improvement Trust, Vishesh Kshetra Pradhikaran, Gandhi Basti Unmulan Mandal or Gramin Awas Mandal, after the date of publication of this order in favour of persons of Economically Weaker Section and Lower Income Group subject to the conditions that :-

(a) Where the purchaser/lessee belongs to economically weaker section :- (i) he produces a certificate from the seller/lessor to the effect that he belongs to the economically weaker section; (ii) the cost of plot together with building thereon does not exceed Rs. 30,000 and in case of plot only the cost thereof does not exceed Rs. 10,000, on the date of allotment of the building/plot; (iii) the area of plot with or without building is not more than 60 square meters. (b) Where the purchaser/lessee belongs to Lower Income Group :- (i) he produces a Certificate from the seller/lessor to the effect that he belongs to Lower Income Group; (ii) the cost of plot together with building thereon does not exceed Rs. 50,000 and in case of plot only the cost thereof does not exceed Rs. 15,000, on the date of allotment of the building/plot; (iii) the area of plot with or without building is not more than 96 square meters. Explanation :- For the purpose of this order :- (i) Purchaser/lessee belonging to economically weaker section means a person whose monthly income from all sources does not exceed Rs. 700 on the date of allotment of the building/plot. (ii) Purchaser/lessee belonging to Lower Income Group means a person whose monthly income from all sources exceeds Rs. 700 but does not exceed Rs. 1,500 on the date of allotment of the building/plot.]

32. [Remission of registration fee chargeable on sale deed of plot bearing No. 6-B and 6-C, area 2738 Sq. Ft. and 2889 Sq. Ft. of respectively situated at Kailash Park, Manoramaganj Indore, to be executed by Shri Gendalal S/o Chhotlal Chowrishi and Shrimati Premala W/o Kanhaiyalal, Shrimati Savita W/o Sanjay Kumar and Kumari Manjula D/o Gendalal Chowrishi, all residents of Indore, in favour of Shri Gceta Bhawan Trust Manoramaganj, Indore.] [Added by Notification No. 5642-B-4-15-V-SR-87, dated 16-11-1987.]

33. [Remission of registration fee chargeable on instrument of sale deeds/lease deeds executed by Primary Co-operative Housing Societies registered or deemed to be registered under the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961) after the date of publication of this order in favour of persons of economically weaker section and Lower Income Group subject to the conditions that :-

(A)Where the purchaser/lessee belongs to economically weaker section ;-(i)he produces an affidavit in the form annexed to this notification (with the deed);(ii)the cost of plot together with building thereon does not exceed Rs. 30,000 and in case of plot only the cost thereof does not exceed Rs. 10,000, on the date of allotment of the building/plot;(iii)the area of plot with or without building is not more than 60 square meters.(iv)the plot/building is for residential purpose only.(B)Where the purchaser/lessee belongs to lower Income Group :- (i)he produces an affidavit in the form annexed to this notification (with the deed);(ii)the cost of plot together with building thereon does not exceed Rs. 50,000 and in case of plot only the cost thereof does not exceed Rs. 15,000, on the date of allotment of the building/plot;(iii)the area of plot with or without building is not more than 60 square meters.(iv)the plot/building is for residential purpose only :Provided that remission under this order,-(i)shall not be available in case of partly constructed building;(ii)shall be available on first conveyance deed executed by the seller/lessee.Explanation :- For the purpose of this order :- (i)purchaser/lessee belonging to economically weaker sections means a person whose monthly income from all sources does not exceed Rs. 700.00 on the date of allotment of the building/plot.(ii)purchaser/lessee belonging to Lower Income Group means a person whose monthly income from all sources exceeds Rs 700.00 but does not exceed Rs. 1,500.00 on the date of allotment of the building/plot.AffidavitI declare on oath that :-

1. My name is father's name age Cask (In case of Scheduled Castes/Tribes).

2. I am a permanent resident of..... Tehsil of..... District..... of M.P. since..... years.

3. Following are the members of my family :-

(1).....(Wife age.....)(2).....(Son age.....)(3).....(Daughter age.)(if mother-father are dependent State their names/age)

4. There is no residential building in my own name or in the name of the above mentioned number of my family in M.P.

5. My occupation is (if employed on monthly salary basis in Government or private institution enclose certificate of post held and pay from the employer).

6. My annual income from this occupation and other sources is Rs.....(State last year's income).

7. The plot/plot together with building constructed thereon, allotted to me by the.....Primary Co-operative Housing Society measures.....square meters. On the date of allotment the cost of the same is Rs.....A certificate of the society to this effect is enclosed.

8. I am a member of the above mentioned Primary Co-operative Housing Society. My membership No. is.....

9. I am not a registered Sales Tax payee. My Sales Tax Registration No. is.....

10. I do not pay Income Tax.

11. Description of my Commercial premises is as follows :-

(1)Commercial premises dimensions of which are sq. meters is situated at (State complete postal address).(2)Commercial premises is held on ownership/rental basis. I pay to Shri.....(name and address of the shop owner) monthly rent of Rs.....(3)In the above commercial premises trade/production of.....is carried out. Stock value on the date of declaration is Rs.....approximately.(4)My shop is registered by the Labour Department of Government of M.P its registration No. is.....

12. I own Motor Car/Motor Cycle and its Registration No. is.....

Note :- All items from 1 to 12 shall be retained as above. Portion not applicable may be struck off by a line.

Place.....

Date..... Signature (Declarant).

VerificationI.....verify that contents from No. 1 to 12 of the aforesaid declaration are true to the best of my knowledge and belief.

Place.....

Date..... Signature (Declarant).

Certificate Primary Co-operative Housing Society..... (Name and Registration No.). Certified that Shri..... Father's name..... Address is a member of this society. His membership No. is..... on..... (dale) plot No..... situated in (State scheme No., name of colony, address) measuring..... sq. metre/plot No..... and building construction thereon situated in (State scheme No., name of colony, address) measuring..... sq. meter of which the value is Rs..... has been allotted to him. Signature President/Chairman Primary Co-operative Society. Note : - If only plot is allotted the area and value of plot and if plot together with building constructed thereon is allotted area and value of plot and building constructed thereon shall be certified separately.]

**34. [[Added by Notification No. 4841-B-4-5-V-SR-87, dated 30-11-1988.]
Remission of registration fees chargeable on lease deed for and bearing in
scheme No. 54, 8095 square Meters Near Meghdoot Upwan Indore situated at
Indore to be executed by Indore Development Authority in favour of Shri
Sarda Mandal, 16/25, Anup Nagar, Indore.] [Added by Notification No.
F-3151-B-4-3-VSR-88, dated 13-7-1988.]**

**35. [[Added by Notification No. 941-B-6-17-V-SR-88, dated 9-3-1989.]
Remission of Registration Fees chargeable on instruments of agreement
executed by units under Khadi and Gramodhyog Board for obtaining
assistance from the Board.]**

**36. [[Substituted by Notification No. 28-B-6-17-CTD-V-88, dated 13-12-1990.]
Remission of Registration Fees chargeable on instruments of mortgage-deed
executed by Small Scale Industrial units for obtaining financial assistance up
to Rupees 7.5 lakhs from the Madhya Pradesh Finance Corporation.]**

**37. [[Added by Notification No. 5085-B-4-6-V-SR-87, dated 19-12-1988.]
Remission of registration fee chargeable on mortgage deed, executed by
servant of the Government in civil or military service, for the purpose of
securing the repayment of an advance received by him, from the Madhya
Pradesh Gramin Awas Mandal, for constructing, purchasing or repairing a
dwelling house for his own use.]**

**38. [[Substituted by Notification No. (19) B-17-2000-CTD-V, dated 12-7-2002.]
Remission of registration fees chargeable on sale deed/lease deed executed
to acquire land in favour of a member of a family displaced on account of
Narmada Valley Projects subject to the following conditions, namely :-**

(a)A certificate from the Land Acquisition Officer of the project area is obtained in which the total amount including the amount of compensation item wise of his land and other immovable properties, special rehabilitation grant, rehabilitation grants, etc., is mentioned. But the amount of transport fee paid for self transportation of goods shall not be included.(b)The agricultural land or/and other immovable property is purchased by the displaced person anywhere in the State of Madhya Pradesh during the process of rehabilitation;(c)The position in clauses (a) and (b), above is expressed in the instrument of transfer itself;(d)The eligibility of exemption shall be limited to the amount of registration fee chargeable on the value of land and/or immovable property or the total amount of consideration paid to the said displaced person as compensation, special rehabilitation grant, rehabilitation grant, financial assistance, etc., whichever is less;(e)Only a 'displaced family" as defined in the Rehabilitation Policy shall be entitled for exemption;(f)Such landless displaced person and adult son, who want to purchase agricultural land and/or other immovable property from various amounts as Rehabilitation grant, financial assistance given to purchase productive assets, financial assistance given for developed residential plot at the rehabilitation place, shall also be entitled for the said exemption.]

39. [[Added by Notification No. B-13-4-25-V-SR-89(3), dated 11-1-1990.] Mortgage deed executed by Indore Table Tennis Trust, Indore in favour of the Madhya Pradesh State Co-operative Bank Limited in consideration of the loan for Rs. 35,00,000 (Rupees thirty-five lakhs) only for the construction of Sports Complex.]

40. [[Added by Notification No. B-4-26-V-SR-89-(5), dated 12-2-1990.] Registration fees chargeable of Gift Deed of one acre Agricultural Land out of Khasra No. 197 situated at Village Korba, Tehsil and District Bilaspur, Madhya Pradesh, executed by Shri Muniram S/o Dhansay resident of Korba in favour of Shri Sarveshvri Samooh-of Korba be reduced by 15%.]

40A. [[Added by Notification No. 3-B-6-1-CTD-V-91, dated 22-3-1991.] Gift Deed executed by Shri Rana Hamuman Singh, resident of Village Badagaon, District Balaghat in favour of Indira Gandhi Krishi Vishwa Vidyalaya, Raipur in respect of Agricultural Land situated in village Badgaon Khasra Nos. 118, 115, [26, 25, 117, 12, 11] measuring 65 acres including well and building, etc. valuing Rs. 35 lacs.]

41. [[Added by Notification No. 7-B-4-12-CT-V-90, dated 2-4-1991.] Reduces the Registration Fee chargeable under Article I of the table by 50 per cent, chargeable on charge-deed/mortgage deed of Rs. 7.00 crores executed on the 25th March 1991 by Madhya Pradesh State Co-operative Housing Federation Limited, Bhopal, in favour of Life Insurance Corporation of India.]

**42. [[Inserted by Notification No. B-4-12-90-CTD-V-90(2), dated 28-9-1992.]
Reduces the Registration fee chargeable under Article 1 of the Table by 50 per cent, chargeable on charge-deed/mortgage deed relating to loan of Rs. 7 crores and Rs. 1 crore executed on 30th March, 1992 by Madhya Pradesh State Co-operative Housing Federation Ltd., Bhopal in favour of the Life Insurance Corporation of India.]**

43. [[Added by Notification No. 2851-B-6-17-CTD-V-87, dated 30-5-1992.] On instruments of sale to the extent of the value of the house/ apartment executed by Madhya Pradesh Housing Board, Nagar Vikas Pradhikaran and Primary Co-operative Housing Society Registered, or deemed to be Registered under the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961), constructed under the self financing scheme with the money received from the purchaser from the date of publication of this notification.

On such instruments the Registration fees shall be chargeable only on the value of the total area of the plot with or without building :Provided that the exemption under this notification shall not be available in case partly constructed house/apartment.]

**44. [[Inserted by Notification F. No. B-4-12-90-CTD-V, dated 3-5-1993.]
Reduces to 50 per cent of the rates specified in Article I of the Table of Registration Fee under the said Act on charge-deed/mortgaged deed executed on 27th March, 1993 by Madhya Pradesh State Co-operative Housing Federation Ltd., in favour of Life Insurance Corporation of India in connection with the grant of a loan of Rupees 8 crores.]**

**45. [[Inserted by Notification F. No. B-4-12-90-CTD-V, dated 24-1-1995.]
Reduces to one half of the rates specified in Article I of the Table of Registration Fee under the said Act on mortgage deed executed on 29th March, 1994 by Madhya Pradesh State Co-operative Housing Federation Ltd., in favour of Life Insurance Corporation of India in connection with the grant of a loan of Rupees 6 crores.]**