

# **The Indian Registration (Punjab Amendment) Act, 2004**

PUNJAB

India

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### **Act 20 of 2004**

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The Indian Registration (Punjab Amendment) Act, 2004 Punjab Act No. 20 of 2004 No. 30-Leg./2004. - The following Act of the Legislature of the State of Punjab received the assent of the President of India on the 6th August, 2004, and is hereby published for general information :-An Act further to amend the Registration Act, 1908, in its application to the State of Punjab. Be it enacted by the Legislature of the State of Punjab in the Fifty-fifth Year of the Republic of India as follows :-

#### **1. Short title and commencement.**

(1) This Act may be called the Registration (Punjab Amendment) Act, 2004. (2) It shall come into force at once.

#### **2. Amendment of Section 80-A of Central Act 16 of 1908.**

- In the Registration Act, 1908 (hereinafter referred to as the principal Act), in its application to the State of Punjab, in Section 80-A, for sub-section (1), the following sub-section shall be substituted, namely :- "(1) If during any proceedings under Section 47-A of the Indian Stamp Act, 1899, the Collector finds that the fee paid for registration of a document under this Act is deficient, he shall, while determining the duty, by an order, also determine the deficient amount of fee, if any, alongwith interest at the rate of twelve per cent per annum on such deficient amount, which shall be payable by the person liable to pay the fee from the date of registration of the document to the date of payment of deficient amount of fee and shall send a copy of the order so made to the concerned registering officer for the recovery of the amount of fee found so deficient and the interest on such deficient amount from the person liable to pay the deficient amount of duty under the said Section 47-A in respect of such a document : Provided that a person shall also be liable to pay penal interest at the rate of three per cent per annum on such deficient amount, if there was an intentional

omission or lapse on his part in not setting forth the correct market value of such property :Provided further that no order determining the deficient amount of fee shall be made after the expiry of a period of three years from the date of registration of the document."

### **3. Substitution of Section 80-B of Central Act 16 of 1908.**

- In the principal Act, for Section 80-B, the following section shall be substituted, namely :-"80-B. Recovery of fee, deficient amount of fee, interest, and penal interest as arrears of land revenue. - (1) Where on inspection or otherwise, it is found that the fee payable under this Act in relation to any registered document has not been paid or has been insufficiently paid, such fee or the deficient fee, interest or penal interest, as the case may be, if not paid to the concerned Registering Officer on demand within the prescribed period, may, on a certificate of the Inspector-General of Registration or of the Registrar of a District, be recovered as arrears of land revenue from the person, who presented such a document for registration in terms of the provisions of Section 32 :Provided that, -(i)no demand of fee, interest or penal interest as aforesaid shall be made after the expiry of a period of three years from the date of registration of the document; and(ii)the certificate shall be issued after due enquiry and the person concerned having been given an opportunity of being heard.(2)The certificate issued under sub-section (1), shall be final and shall not be called into question in any court or before any authority."