

# THE REGISTRATION MANUAL

## UTTARAKHAND

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### VOLUME II

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#### CHAPTER

#### REGISTRATION ESTABLISHMENT

#### DISTRICT REGISTRARS

1. Under section 6, Act XVI of 1908, as amended by Act IV of 114, all permanent appointments in the office of the District Registrar are made by the local Government and the power of appointing sub-registrars has been delegated by the local Government to the Inspector General of Registration.

Appointment  
of District  
Registrars.

2. All district Judges, except that of Kumaun and Uttara Khand, the Sessions and Civil Judges of Banda, Mirzapur, Jaunpur and Pilibhit and the Collectors of Naini Tal, Almora, Garhwal and Tehri-Garhwal, Pithoragargh and Chamoli are ex officio District Registrars for the purposes of the Registration Act. Additional Judges are not ex officio District Registrars.

3. When a District Registrar is absent from headquarters and no locum tenens is appointed the Additional Judge, if any, or the senior judicial officer shall ordinarily be appointed to act as District Registrar during such absence, but the District Registrar may, in the circumstances mentioned in section 11 of the Act appoint the sub-registrar at headquarters or other official of the district, who will perform all the duties of a District Registrar except those enumerated in sections 68 and 72 of the Act.

Temporary  
absence of  
District  
Registrars.

**INSPECTOR OF REGISTRATION OFFICES**  
**PART-A**

The Uttar Pradesh Service of Inspectors of Stamps and Registration Rules, 1942, published with Government notification no. M-998/ X-702-1942, dated 18th May, 1942.

**PART I - GENERAL**

4. *Rule 1. Short title and commencement* – (1) These rules may be called "The Uttar Pradesh Service of Inspectors of Stamps and Registration Rules, 1942".

(2) They shall be deemed to have come into force with effect from July 2, 1938, but nothing in these rules shall be construed as invalidating any appointment made, or orders issued, under the provisions of the Uttar Pradesh Stamps Service Rules or of the Uttar Pradesh Service of Inspectors of Registration Offices Rules, or of both the said sets of rules taken together, or otherwise, before the publication of these rules, and any such appointments or orders shall be deemed to have been made or issued respectively under the appropriate provisions of these rules.

5. *Rule 2. Status of the Service* – The Uttar Pradesh Service of Inspectors of Stamps and Registration is a provincial (State) service.

6. *Rule 3. Definitions* - In these rules, unless there is anything repugnant in the subject or context –

(a) "*Commission*" means the Uttar Pradesh Public Service Commission ;

(a) "*District Registrar*" means the Registrar of the district appointed under section 6 of the Indian Registration Act, 1908;

(b) "*Government*" means the Government of the Uttar Pradesh;

(c) "*Governor*" means the Governor of the Uttar Pradesh;

(d) "*High Court*" means the High Court of Judicature at Allahabad;

(e) "*Inspector General*" means the officer holding the post of Inspector General of Registration Chief Inspector of Offices and Stamps and Junior Secretary, Board of Revenue, Uttar Pradesh;

- (f) "*Member of the Service*" means a person appointed in a substantive capacity to a post in the cadre of the Service under the provisions of these rules, or in cadre of the Uttar Pradesh Stamps Service or the Uttar Pradesh Service of Inspectors of Registration Offices under the superseded rules relating to those services or to a post of Inspector of Stamps and Registration previous to the publication of these rules;

"*The Service*" means the Uttar Pradesh Service of Inspectors of Stamps and Registration.

## **PART II – CADRE**

7. **Rule 4. Strength of the Service** – The sanctioned strength of the service consists of eleven posts of Inspector of Stamps and Registration, including that of Personal Assistant to the Inspector General:

- (1) hold in abeyance or leave unfilled any vacant post in the cadre of the Service without thereby entitling any person to compensation, or
- (2) Create additional permanent or temporary post in the cadre of the Service from time to time as may be found necessary.

## **PART III – RECRUITMENT**

8. **Rule 5. Sources from which appointments are to be made** – (1) Appointment to the Service shall be made by –

- (i) promotion of Sub-Registrars ;
- (ii) promotion of –
  - (a) Stamp reporters on the staff of the High Court ;
  - (b) Inspectors of Offices;
  - (c) Munsarims of civil courts; and

Officials of the Stamps and Registration Departments other than Sub-Registrars.

(2) The Governor shall in each case determine the source from which a vacancy shall be filled. As far as may be the allocation of the posts in the cadre of the Service amongst the various classes of officials mentioned in the preceding sub-rule shall be as follows:

(i) five posts shall be filled by promotion of Sub-Registrars, and two posts shall be filled by promotion of persons belonging to any class mentioned in clause (ii) of the preceding sub-rule.

In the event of an increase in the strength of the Service the Governor shall decide the source from which additional post or posts shall be filled.

#### **PART IV – QUALIFICATIONS**

9. Rule 6. **Age** – A person shall not be eligible for appointment to the Service unless he has put in at least 10 years of service in a permanent capacity on one of the posts mentioned in rule 5(1) and has not attained the age of 48 years on the first day August of the year in which the appointment is to be made.

10. Rule 7. **Educational qualifications** – (1) A person desirous of entering the service, shall hold a degree of a university established by law in Uttar Pradesh or of any other university recognized for this purpose by the Governor, but, other things being equal, preference shall be given to a person who holds a degree in law :

Provided that the Governor may, consultation with the Commission waive the requirements of this sub-rule in the case of a person of outstanding merit and ability.

**Note** – The B.A. and B.Sc. degrees of universities outside Uttar Pradesh established by law in India have been recognized for the purpose of this sub-rule.

(2) No person shall be eligible for appointment to the service unless he can read and write Hindi and Urdu with ease.

#### **PART V – PROCEDURE**

11. **Rule 8. [Deleted]**

*A- Appointment by promotion of Sub-Registrars*

12. Rule 9. **Procedure for appointment by promotion of Sub-Registrars** – (1) For the purposes of appointment under clause (i) of sub-rule (1) 5, a selection strictly on merit shall be made from amongst Sub-Registrars who are eligible for promotion under these rules.

(2)(i) Each District Registrar, when called upon by the Inspector General, shall in consultation with the Inspector of Stamps and Registration of the circle, recommend to the Inspector General one of the several Sub-Registrars eligible for appointment serving within his jurisdiction for promotion to a post in the Cadre of the Service :

**Provided that –**

- (a) the District Registrar shall make no such recommendation if in his judgment there is no suitable Sub-Registrar eligible for promotion under these rules ;
  - (b) the District Registrar may, while making his recommendation, take into consideration the claims of any Sub-Registrar who may have been transferred from his jurisdiction within one year preceding the date on which he receives the reference from the Inspector General asking him to make a recommendation under this sub-rule, but, in order to avoid a double recommendation, the District Registrar shall not recommend any such Sub-Registrar if on inquiry from the District Registrar concerned he finds that the same Sub-Registrar is being recommended by that District Registrar.
- (ii) The Inspector General shall enter the names of all Sub-Registrars so recommended together with not more than two nominees of his own for each vacancy to be filled under this rule in a list and shall submit the same with such remarks as he may think fit to make to the Secretary to Government in the Finance Department along with the character rolls and personal files, if any, of all the nominee.

13. Rule 10. (1) A preliminary selection from amongst the Sub-Registrars recommended under the preceding rule shall be made by a departmental Selection Committee consisting of –

- (i) the Finance Secretary to Government ;
- (ii) the Inspector General; and
- (iii) an officer to be nominated by the Governor :

Provided that if a member of the Committee is unable to be present at a meeting of the Committee an officer of the Finance Department other than the Finance Secretary, will take his

place.

(2) The Committee shall consider the cases of all the Sub-Registrars in the list received from the Inspector General and may examine their character rolls and personal files, if any and may call all or any of them for interview.

(3) The Committee shall prepare a list containing the names of the Sub-Registrar whom it recommends for promotion. The number of name in the list shall be equal to the number of vacancies to be filled by the promotion of Sub-Registrar. The committee shall also prepare a supplementary list containing in order of merit the names of other candidates whom it considers fit for promotion and which shall not be less than half nor more than the number of Sub-Registrars included in the first list. The Committee shall forward both lists to Government.

(4) Government shall forward both lists to the Commission together with the character rolls and the personal files, if any of the Sub-Registrars included therein, and shall ask the Commission to advise on the suitability for promotion of the Sub-Registrars included in the first list. If the Commission is of opinion that none of these Sub-Registrars is suitable for promotion, it shall consider the names in the supplementary list to the order in which they are placed in that list and shall advise on the suitability of the Sub-Registrar or Sub-Registrars on that list for promotion. The Commission shall report to Government the names of Sub-Registrars whom it considers suitable for promotion but shall not arrange them in order of preference.

(5) The final selection shall then be made by the Governor.

B – Appointment by promotion of other officials.

14. Rule 11. **Procedure for appointment by promotion of other officials** – (1) For the purposes of appointment under clause (ii) of sub-rule (1) of rule 5 a selection strictly on merit shall be made from amongst the officials mentioned in that rule] who are eligible for appointment under these rules.

(2) The Inspector General shall request –

(i) the High Court to recommend the Stamp Reporter on its staff for promotion to the Service if he is eligible under the rules and the Court considers him suitable for such appointment and to forward his character roll and personal file, if any;

(ii) each District Judge in the Uttar Pradesh to recommend one of the munsarims of the several civil courts in his judgeship for appointment to the Service and to forward his character roll and personal file, if any :

Provided that the District Judge shall make no recommendation if in his judgment there is no suitable munsarim in his judgeship eligible for appointment under the rules.

(3) The Inspector General shall himself recommend an official of the Stamps and Registration Departments, other than a sub—registrar, for promotion to the Service, and shall also recommend in his capacity as Chief Inspector of Offices, one of the Inspectors of Offices for similar promotion :

Provided that no recommendation under this sub-rule shall be made if there is no suitable person eligible for promotion under the rule.

(4) The Inspector General shall enter the names of all the persons recommended under the two preceding sub-rules in a list and shall submit the same with such remarks as he may think fit to make to the Secretary to Government in the Finance Department along with the character rolls and personal files if any, of all the persons so recommended.

15. Rule 12. Further proceedings shall then be taken in accordance with the provisions or rule 9 with the modification that references to sub-registrars in that rule shall be construed as references to the officials included in the list prepared under sub-rule (4) of the preceding rule.

#### **PART VI- APPOINTING AUTHORITY, PROBATIONS AND CONFIRMATION**

16. Rule 13 Appointing Authority- Appointments to the Service shall be made by the Governor.

17. Rule 14. Probation- Every person shall on appointment to a permanent post in the cadre of the Service otherwise than in an officiating or temporary capacity be placed on probation for a period of one year from the date on which he joins his appointment :

**Provided that the Governor may –**

(a) in any special case, extend the period of probation by such further period as he may deem fit ;

- (b) permit the period during which a person has held officiating or temporary appointments as Inspector of Stamps and Registration to be counted, in whole or in part, towards the period of probation under this rule.

18. Rule 15. **Training, departmental examination and confirmation** – (1) At the beginning of the period of probation prescribed in the preceding rule every officer shall be trained for a period of approximately six weeks in the office of the Board of Revenue, Uttar Pradesh, in the law relating to court fees and stamps. Thereafter the Inspector General shall arrange for his training in the law and procedure relating to stamps and registration in association with himself or with one of the senior members of the Service, or with both, for such period not exceeding six months, as the Inspector General may consider to be necessary in each case.

- (2) Every officer appointed by promotion shall, during the period of his probation, have to pass such departmental examination under the rules prescribed by the Governor :

Provided that the Governor may, in any special case, exempt an officer from passing the departmental examination in one or more subjects.

*Note – The syllabus and the rules at present prescribed for this Departmental Examination will be found in the rules of the conduct of Departmental Examination in Uttar Pradesh.*

- (3) If it appears at any time during or at the end of the period of probation, or the extended period of probation, as the case may be that a probationer has not, made sufficient use of or is found to be unfit for permanent appointment to the Service, the Governor may revert him to his substantive appointment.

- (4) Subject to the provisions of sub-rule (3), a probationer shall be confirmed in his appointment at the end of the period of probation, or the extended period of probation, as the case may be, if he is reported by the Inspector General to be fit for confirmation and, in the case of a probationer appointed by promotion under sub-rule (1) of rule 5, if he has also passed all the prescribed departmental examinations unless specially exempted under rule 15(2).

## **PART VII – PAY**

19. Rule 16. **Monthly rates of pay-** (1) The monthly rates of pay admissible to persons appointed to posts in the cadre of the Service, whether in a substantive officiating capacity or as a



temporary measure, shall be Rs. 300-25-400-E.B.-30-550-E.B.-30-700-50-900 per menses.

(2) A person holding the post of Personal Assistant mentioned in rule 4 shall also receive a special pay of Rs. 50 per menses.

(3) No person shall be allowed to cross an efficiency bar unless the Governor is satisfied that he has been working satisfactory and to the best of his ability and his integrity is certified.

(4) The pay of a person appointed to the Service shall, during his period of probation, be regulated by the rules in the Uttar Pradesh Fundamental Rules.

#### **PART VII – SUPPLEMENTAL**

20. Rule 17. **Canvassing** – No recommendations, either written or oral, other than those of the authorities empowered by these rules to make nominations or recommendations for appointment to the service, shall be taken into consideration.

Any attempt on the part of a candidate to enlist support for his candidature by other means may disqualify him.

21. Rule 18. **Personal Assistant** – (1) The Inspector General may, with the approval of the Governor in each case, and without regard to seniority, appoint a member of the Service having an aptitude for secretarial work, to the post of Personal Assistant mentioned in rule 4.

(2) The post of Personal Assistant shall be a tenure post for a term not ordinarily exceeding three years.

22. Rule 19. **Seniority** – The seniority of members of the Service appointed by promotion shall be determined in accordance with the date of the order of appointment:

Provided that the seniority of members of the Service appointed by an order issued on the same date, shall be specially determined by the Governor.

23. Rule 20. **Appointments, etc to be notified** – All appointments, confirmations, promotions, reversions, suspensions, and leave arrangements shall be notified in the official Gazette.

24. Rule 21. **Regulation of other condition of service** – Except as provided by these rules

the pay, allowances, leave, pension and other conditions of service of persons appointed to posts in the Service shall be regulated by the general rules made by the Governor under paragraph (b) of sub-section (2) of section 241 of the Government of India Act, 1935, and pending the issue of such rules, by the rules continued in force by section 276 of the said Act and by and in accordance with the provisions of paragraph 15(2) of the Government of India (Commencement and Transitory Provisions) Order, 1936.

## PART B

### *[Rules under the Indian Registration Act, 1908 (XVI of 1908)]*

30. Unless otherwise ordered by the Inspector General of Registration each inspector must inspect every Sub- Registrar's office in his circle at least twice a year and every District Registrars' office at least once a year. He should inspect at least eight offices every month and is required to be on inspection tour for at least 230 days in the year. As a rule Inspectors should spend 20 days on tour every month, except in the month of June, when under the orders of the Inspector General of Registration, they or any of them may allowed to stay at their respective headquarters and do such office and other work as is entrusted to them or may be required to inspect, outside their circles any of those districts where Civil Courts remain open during that month.

*Note- All offices that are required to be inspected twice a year should be inspected once in the first half and again in the second half of the year provided that no inspection taking place within three months of the inspection that preceded it shall be taken into account for the purpose of this rule.*

**Explanation-** Extraordinary inspections required by special circumstance should be made irrespective of the interval prescribed above, such extra ordinary inspection shall not be taken account of for the purpose of compliance with this rule.

31. The Inspector General may from time to time alter the limits of inspector's circles provided that the circles shall at all times be so arranged as to give each inspector as nearly as possible an equal share of the work to be done.

The Inspector General may also fix or change the head quarters of the Inspectors and may transfer inspectors from one circle to another. An inspector should in ordinary circumstances stay in a circle for not less than four and not more than five years, although this rule need not be

applied with any rigidity to inspectors about to retire.

32. The Inspector General may from time to time arrange for each inspector the general direction of his tour and the order in which the several districts are to be visited. An inspector will usually intimate to each District Registrar he will arrive in his district, and the order in which he proposes to inspect the sub-offices; and will at the same time ask for any particular instructions from the District Registrar as to matters which may require special attention.

33. Each inspector shall keep up a diary in Form no. 26, Appendix III (bound volumes and loose sheets of which will be supplied from the office of the Inspector General). In this diary shall be entered daily a concise account of all journeys performed and business transacted. He shall submit to the Inspector General on the first of each month a copy of his diary for the preceding month. The diary is not to include any matter with respect to which separate reports as directed in paragraph 40 are required to be submitted, but is to be confined to brief and accurate statements of the nature of the duties performed by the inspector from day to day.

34. Each inspector will be allowed one peon at Government expense but no tents or camp equipage.

35. The power to appoint and punish orderlies of inspector of Registration offices rests with the Inspector General of Registration. The procedure laid down in rule 55\* of the Civil Services (Classification, Control and Appeal) Rules shall be followed before any punishment is imposed on them.

36. Each inspector will be supplied with the necessary stationery, forms and service postage stamps from the office of the Inspector General.

37. Inspectors and their peon will be entitled to travelling allowance according to the rules laid down in the Financial Handbook, Volume III. Traveling allowance bills for them to the Inspector General for countersignature punctually every month.

After countersignature, the bills will be returned to the inspectors, who may then draw the amounts at any headquarters treasury within their circles.

38. Subject to any special directions which may be issued under rule 32 by District Registrars, it is the duty of each inspector to minutely examine and fully

Duties of Inspectors.

report upon every Sub-Registrar's office within his circle. His functions are confined to inspection and report ; he is not empowered to direct any changes in the existing procedure or in the distribution of work. All such order s will be issued upon his reports by the District Registrar or, if necessary, by the Inspector General. But these instructions do not absolve him from responsibility to explain all minor points of law and procedure, as laid down in the Manual, on which there may be a doubt or which he may find being misunderstood.

39. Inspectors should insist on compliance with the rules in all offices, and should not insert suggestions involving alteration of rules in their inspection notes. Such suggestions should be submitted along with their annual reports. When noting an irregularity or mistake of any kind, inspectors should invariably state what explanation the Sub-Registrar offered.

40. For the purpose of guiding and assisting inspectors as to the points to be examined the list of questions contained in Appendix VII has been question are not intended to be exhaustive, and that the inspection may, and should, extend to any matters not included therein into which it may appear necessary to enquire.

Guide to  
Inspectors.

41. The report will be drawn up in the form of answers to the prescribed question. Each question answered will be cited by its number only. No entry of either question or answer need be made in the case of matters in which the answer would be simply "yes" or "no". The number of the question must, however, be cited and a full answer given in all cases in which an irregularity has been detected, or in which the inspector finds it desirable to make a suggestion or to give any instruction or advice. At the close of each section of the report the inspector should add any remarks which he desires to make on the general state of the work or upon points which cannot conveniently be brought under any of the foregoing questions.

Forms of  
report.

42. Immediately on the completion of the inspection of an office the inspector will record in ordinary inspection book of the office a brief note of the fact of such inspection and of the general opinion he has formed as to the accuracy and punctuality with which the work is carried on. This note should enter into no

detail, and should not ordinarily exceed half a dozen lines. The complete inspection report in form no. 27, Appendix III, must be written and signed in the office at the time of inspection. A complete copy of this report shall be submitted to the District Registrar of the district by post within one week from the date of inspection. The District Registrar will, on receipt of this report, proceed to deal with all matters requiring his orders, taking explanations of the officials concerned where necessary, and will send a copy of the report with orders thereon to the Sub-Registrar concerned, to be retained in his office for his future guidance. The District Registrar will also forward a copy of the report, with a statement of the action taken by him and any further remarks or suggestions he may see fit to officer, to the Inspector General.

43. Inspector must comply carefully with rules 13 and 15 of the rules for the inspection and supervision of stamps in Uttar Pradesh published as Appendix GG to the Stamp Manual.

Under the provisions of section 2(9)(b) of the Indian Stamp Act. 1899 (II of 1899), Inspectors of Registration have been appointed to be Collectors for the purposes of section 40 of the same Act. They shall also be deemed to be persons in charge of public office for purpose of section 33 of the Act.

44. Halts for purposes of inspection shall be confined to the period required exclusively for official work and shall on no account be prolonged unnecessarily. In proceeding from one office to another journeys must be made with as much expedition as possible, the necessity for intermediate halts, if any, being fully explained in the diary. The Inspectors may, however, avail themselves of Sundays and gazette revenue (not civil) holidays.

Halts and marches.

45. Each inspector shall submit to the Inspector General not later than the 1st of February each year a report on the condition and progress of registration within his circle during the previous calendar year.

**SUB-REGISTRARS**  
**The Sub-Registrar's Service Rules, 1942**  
**PART A**

**PART I – General**

46. Rule 1. (1) These rules may be called the Sub –Registrar's Service Rules, 1942. Short title and commencement.

(2) They shall take effect from the date of their notification in the official Gazette:

**Provided that –**

(a) nothing in these rules shall be construed as affecting or invalidating appointments made, or orders issued, under the rules hereby superseded, and all such appointments and orders shall continue in force and shall be deemed to have been made or issued under the appropriate provisions of these rules ;

(b) these rules shall not limit or abridge the power of a District Registrar to make temporary appointments to the posts of Sub-Registrar under section 12 of the Indian Registration Act, 1908.

47. Rule 2. The service of Sub- Registrars is a subordinate service. Status of the service.

48. Rule 3. In these rules, unless there is anything repugnant in the subject or context, - Definitions

- (a) "Commission" means the Uttar Pradesh Public Service Commission ;
- (b) " direct recruitment" means recruitment under rules 5(1)(i);
- (c) " District Registrar" means the Registrar of the district appointed under section 6 of the Indian Registration Act, 1908 ;
- (d) " Governor" means the Governor of Uttar Pradesh ;
- (e) " Governor" means the Governor of Uttar Pradesh ;
- (f) " Inspector General" means the Inspector General of Registration Uttar Pradesh, appointed under section 3 of the Indian Registration Act, 1908 ;
- (g) "member of the service" means a person appointed in a substantive capacity to the service under the provisions of these rules or of the in force

previous to the publication of these rules ;

(h) " the service" means the Service of Sub-Registrars.

### **PART II – Cadre**

49. Rule 4. The sanctioned strength of the service at present is 214, but the Governor – Cadre

(a) may create additional permanent or temporary posts in the cadre of the Service as may from time to time be necessary ;

(b) may hold in abeyance, or the Inspector General may leave unfilled, any vacant post in the cadre of the Service without thereby entitling any servant of the State to compensation.

### **PART III- Recruitment**

50. Rule 5. (1) Recruitment to the Service shall be made Sources of recruitment.

(i) on the result of a competitive examination conducted by the Commission ;

(ii) by promotion from amongst the clerical establishment of registration office:

Provided that not more than twenty-five percent of the vacancies occurring in any year after the promulgation of clerical establishment of registration offices and the Inspector General's office.

(2) Subject to the provisions of sub-rule (1) and rule 6, the Inspector General shall, after calculating the number of vacancies likely to occur during the recruitment year, decide the number of recruits to be taken from each of the two sources specified in sub-rule (1), and, in the case of direct recruitment, also the number of posts which are to be reserved for any particular community or class.

51. Rule 6. In making direct recruitment to the Service care shall be taken to secure a reasonable representation of the different communities and to prevent the preponderance of any one class or community. Communal representation.

### **PART IV – Qualification**

52. Rule 7. No person shall be recruited to the Service under rule 5(1)(i) unless he be - Nationality domicile and residence

(a) a natural born Citizen of India whose original domicile is not in Uttar

Pradesh, provided he has not acquired a domicile elsewhere ; or

(b) a natural born Citizen of India whose original domicile is not in Uttar Pradesh, but who has acquired a domicile in Uttar Pradesh and has resided there for not less than five years at the date on which he applies for recruitment to the service or post ; or

(c) the ruler or a subject of an Indian State or a native of a tribal area or territory adjacent to India, in respect of whom or which a declaration has been made by the Governor of Uttar Pradesh under sub-section (2) of section 262 of the Government of India Act, 1935.

**Exception**– Notwithstanding anything contained in this rule, a natural born citizen of India whose father is (or, if dead, was at the time of his death) employed in any department of the Central Government, and is (or was) liable to inter-provincial transfers, shall be eligible for recruitment provided he has himself resided in Uttar Pradesh for three continuous year immediately preceding the date of application for appointment.

**Notes** – (1) *A declaration as required by sub-rule (c) above has been issued with regard to the subjects of the State of Benaras, Rampur and Tehri Garhwal.*

(2) The original domicile prevails until a new domicile has been acquired, and a new domicile continues until the former domicile has been resumed or another has been acquired. But a person can have only one domicile at one time for the purpose of this rule.

(3) A person acquires a new domicile by taking up his fixed habitation in a province which is not that of his original domicile. Such a person may make a declaration of his having acquired a new domicile before the District Magistrate of the district in which he takes up his fixed habitation but such declaration shall not by itself be regarded as sufficient proof of change of domicile.



53. Rule 8. A candidate for recruitment to the Service must be a male. Sex.

54. Rule 9. (1) A candidate for direct recruitment must have attained the age of 23 years and must not have attained the age of 27 years on the first day of April of the financial year following that in which the competitive examination is held. Age

(2) No person shall be selected for appointment to the Service under rule 5(1)(ii) unless he shall have attained the age of 30 years and shall not have attained the age of 45 years on the 1st day of April of the financial year following that in which selection is made.

55. Rule 10. (1) A candidate for direct recruitment to the Service must be a Bachelor of Law of University established by law in the Uttar Pradesh or of any other University in India recognized for this purpose by the Governor, Uttar Pradesh, and must be reasonably familiar with Hindi and Urdu and be able to write in Persian as well Nagri scripts. Academic qualifications.

(2) A candidate for recruitment by promotion under rule 5(1)(ii) must have passed the High School examination of the Board of High School and Intermediate Education, Uttar Pradesh, or an examination recognized by the Governor as equivalent thereto. No exemption from this qualification shall be granted in any case. Other things being equal, preference will be given to those who possess a degree of Bachelor of Law over and above.

Note- The following examinations have been recognized as equivalent to the examination mentioned in this sub-rule.

(i) Admission examination of the Banaras Hindu University.

(ii) Cambridge School Certificate examination, provided that a student has passed in five of such subjects as are recognized for the High School examination of the Board of High School and Intermediate Education, Uttar Pradesh.

(iii) Diploma Examination of the Royal Indian Military College, Dehradun, so long as the syllabus and the standard of the examination continue to be the same as those of the Diploma Examination of the Chief's College.

(iv) School Leaving and Matriculation Examinations that were previously held in Uttar Pradesh.

56. Rule 11. The character of a candidate for direct recruitment must be such as to qualify him for appointment to the Service. He must produce certificates of good character from the principal academic officer of the officer of the school, college or university in which he last studied and from two respectable persons of status, other than his relations, who are well acquainted with him in private life and were unconnected with the school, college or university in which he studied. Character

*Note- A conviction need not of itself involve the refusal of a certificate of good character. The circumstances of the conviction shall be taken into account and if they involve no moral turpitude or association with crimes of violence or with a movement which has as its object the overthrow by violent means of Government as by law established, the mere conviction need not be regarded as a disqualification.*

## PART V – Procedure for Direct Recruitment

57. Rule 12. (1) Applications for permission to sit at the competitive examination shall be invited by the Commission and shall be in the prescribed form which may be obtained from the Secretary to the Commission. Competition examination.

(2) No candidates shall be admitted to the examination unless he holds a certificates of admission granted by the Commission.

58. Rule 18. The syllabus and rules relating to the examination shall be prescribed by the Commission with the approval of the Governor. Syllabus and rules for the examination.

*NOTE– The syllabus and the rules at present prescribed are shown in Appendix A.*

59. Rule 14. Candidates must pay to the Commission such fees as may from time to time be prescribed by the Governor. No claim for refund of these fees shall be entertained. Fees.

*NOTE- The syllabus and the rules at present prescribed are shown in Appendix B.*

60. Rule 15. (1) After the marks obtained by candidates in the written test have been received a consolidated list of the candidates shall be prepared in order of merit and laid before the Commission. The list should show neither the roll numbers nor the names of the candidates, but should only give the candidates belong and the marks obtained by them in the written test. The Commission shall summon for interview as many candidates as have shown their suitability for appointment in the written test, having regard to the necessity for securing due representation of the communities and classes for which reservation has been made, and shall award marks up to 2 maximum of 50 to each such candidate for his suitability for appointment in respect of character, personality, address and physique. The marks so allotted shall be added to the marks obtained in the written examination.

(2) Except for the purpose indicated above, the marks obtained by the candidates in the written test shall not be disclosed to the Members of the Commission who conduct the viva voce examination until the examination is over

and marks therefore have been finally awarded.

(3) The Commission shall prepare a list of the candidates in the order of their proficiency as disclosed by the marks finally awarded to each candidate and shall forward it to the Inspector General. If two or more candidates obtain equal marks in the aggregate the Commission shall arrange them in order of merit on the basis of their general suitability for the Service.

(4) The Inspector General shall select such select candidates of each community or class as stand highest in order of merit in the list received from the Commission up to the number of vacancies to be filled from that community or class, provided that he is satisfied that the candidates comply with the qualifications of Service as previously announced.

(5) The names of the candidates selected shall be entered, in the order in which the Commission arrange them under sub-rule (3), in a waiting list directly recruited candidates to be maintained by the Inspector General.

#### **PART VI – Procedure for Recruitment by Promotion**

61. Rule 16. (1) For the purposes of recruitment by promotion under rule 5(1)(ii) a selection strictly on merit shall be made from amongst the person eligible for such promotion under the rules.

Procedure for promotion of candidates from amongst the clerical establishment of Registration office and Inspector General office.

(2) Each District Registrar, when called upon by the Inspector General, shall, in consultation with the Inspector of Stamps and Registration of the circle, nominate a candidate of proved integrity and efficiency from amongst the clerical establishment of the registration offices under his charge for promotion to the Service and shall forward to the Inspector General the character roll and personal file, if any, of the person so nominated:

Provided that that District Registrar shall make no nomination if in his judgment there be no suitable candidate eligible for such promotion under the

rules.

(3) The Inspector General may also nominate not more than three candidates form amongst the persons eligible for promotion to the Service under rule 15(1)(ii).

(4) A preliminary selection from among the persons nominated under the last two preceding sub-rules shall be made by a departmental Selection Committee consisting of -

- (a) the Finance Secretary to Government, or an officer nominated by him ;
- (b) the Inspector General, and
- (c) the District Registrar of the district in which the meeting of the Committee is held.

(5) The Committee shall consider the cases of all the nominees, and, if necessary, after interviewing all or any of them, prepare a list containing the names of the candidates whom it recommends for promotion, the number of names in the list being equal to the number of vacancies to be filled by promotion. The Committee shall also prepare a supplementary list containing in order of merit the names of other candidates whom it considers fit for promotion, the number of names in the supplementary list being not less than half nor more than the number of names in the main list.

(6) The Inspector General shall forward both the lists to the Commission together with the character rolls and personal files, if any, of the candidates included therein, and shall ask the Commission to advise on the suitability for promotion of the candidates included in the main list. If the Commission is of the opinion that any of those candidates is not suitable for promotion, it shall consider the names in the supplementary list in the order in which they appear in that list and shall advise on the suitability of so many of the candidates in the supplementary list as may be necessary in order to provide a number of suitable candidates equal to the number which it is proposed to recruit by promotion. In advising on the suitability of candidates for promotion, the Commission shall not arrange their names in order of preference.

(7) Final selection shall then be made by the Inspector General after considering the advice of the Commission.

(8) The names of the candidates selected under sub-rule (7) shall be entered in a waiting list of candidates recruited by promotion to be maintained by the Inspector General, the names in the list being arranged in the descending order of age.

62. Rule 17. (1) No person shall be appointed as a physical member of the service unless he be in good mental and bodily fitness health and free from any physical defect likely to interfere with the efficient performance of his duties as member of the Service.

(2) Before a candidate directly recruited under rule 5(1)(i) is finally approved for appointment to the Service he shall be required to produce a certificate of physics fitness from the Civil Surgeon of the district in which he may be residing for the time being. A candidate failing to produce such a certificate shall be disqualified for appointment to the Service.

63. Rule 18. (1) The Inspector General shall make appointments to the Service on the occurrence of substantive vacancies by taking candidates alternately, so far as this may be possible, from the two lists prepared under rules 15(3) and 16(8).

Candidates shall be taken in the order in which they stand in the lists and the first candidate taken shall be from the list prepared under rule 16(8), if available. Should it happen that all the candidates on the two lists are not absorbed in permanent vacancies in the year for which they were selected for appointment, those remaining shall be entered at the top of the next year's lists and absorbed first in the same order as if there had been no break in the process of absorption from their original lists. Recruitment in a year to which candidates are carried forward shall be reduced pro rata.

(2) Subject to the provisions of proviso (b) to sub-rule (2) of rule 1, the Inspector General may make appointments to temporary or officiating vacancies from persons who are eligible for appointment to the Service under these rules.

64. Rule 19. (1) Every person shall, on appointment to a post of sub-registrar in substantive vacancy, be placed on probation for a period of two years :

Probation  
departmental  
examination  
and  
confirmation

Provided that the Inspector General may -

(a) permit the period during which a person may have held officiating or temporary appointment as sub-registrar to be counted in whole or in part towards the period of probation prescribed by this rule ;

(b) from sufficient reasons extend the period of probation by such further period, not exceeding on year, as he may deem fit.

(2) Every probationer shall be required to pass, within his period of probation, a departmental examination, the syllabus and the rules relating to which shall be prescribed by the Governor :

Provided that the Governor may for special reasons exempt any sub-registrar recruited by promotion from passing the examination in all or any of the subjects.

(3) The Inspector General may dispense with the services of a probationer or revert him to his substantive appointment, as the case may be, during or at the end of his period of probation, if the probationer has failed to pass the departmental examination within the original or the extended period of probation and has not been exempted from passing that examination under the proviso to the last preceding sub-rule, or has failed to give satisfaction or is found to be otherwise unfit for permanent appointment to the Service. A probationer whose services are dispensed with under this sub-rule will not be entitled to any compensation.

(4) Subject to the provisions of sub-rule (3) a probationer shall be confirmed in his appointment by the Inspector General on the expiration of his period of probation, if he has passed the departmental examination and is considered fit for promotion.

## **PART VII – Pay\***

65. Rule 20. (1) Subject to the provisions of the Revised Rates of Pay Rules (1931) and the Revised Rates of Pay Rules (1939), the rates of monthly pay admissible to persons appointed to posts in the cadre of the service whether in a substantive or officiating capacity or as a temporary measure shall be as follows :

(i) For those appointed before 4th July, 1931 :

One post on Rs. 275 per mensem :

One post on Rs. 250 per mesem :

Two posts on Rs. 225 per mensem each :

Three posts on Rs. 200 per mensem each ;

Five posts on Rs. 175 per mensem each ;

Eight posts on Rs. 150 per mensem each ;

Twenty- five posts on Rs. 125 per mensem each ;

Forty- nine posts Rs. 100 per mensem each ;

Forty-nine posts Rs. 90 per mensem each ;

Thirty- four post on Rs. 75 per mensem each ;

Fifteen posts on Rs. 60 per mensem each ;

(ii) For those appointed on or after 4th July, 1931, but before 1st July, 1938 :

Grade I- Twenty posts on Rs. 175-5-200 per mensem each ;

Grade II- Sixty-five posts on Rs. 100-5-150 per mensem each ;

Grade III- Seventy-eight posts on Rs. 60-3-90 per mensem each ;

**Probationers** - Twenty-five posts on Rs. 50 per mesem each;

(iii) For those appointed on or after 1st July, 1938 :

Grade I- Twenty posts on Rs. 180-10-200 per mensem each ;

Grade II – Forty posts on Rs. 135-7-170 per mensem each ;

Grade III – Sixty posts on Rs. 90-5-125 per mensem each ;

Grade IV – Ninety four posts on Rs. 60-4-84 per mensem each ;

*NOTES- (1) The scale of Rs. 60-1-84 in Grade IV shall to persons recruited on or after 1st April, 1945 and to persons who were holding posts in Grade V on 31st March, 1945, and were promoted to Grade IV on 1st April, 1945, on the abolition of Grade V.*



(2) The permanent incumbents of posts in Grade IV who continued in that grade after 1st April 1945, shall continue to draw pay in that grade in the scale of Rs. 65-4-85 so long as they remain in that grade and that scale of pay shall be personal to them.

(3) The scale of pay of Rs. 65-4-85 in Grade, IV will gradually be replaced by the scale of Rs. 60-4-84 on the occurrence of vacancies in that grade, which will be filled by new recruits on the later scale of pay.

(2) A directly recruited candidate shall on appointment to a post in the cadre of the Service, draw Rs. 60 per mensem, being the minimum of the last grade in clause (iii) sub-rule (1), during the first year of his probation and Rs. 61 per mensem during the rest of the period of probation, provided that service during the first year is approved and other tests and conditions attaching to the probation during that period are satisfied. On confirmation he shall be placed at the Rs. 68 stage in the said grade.

(3) The initial pay of a person recruited by promotion shall be regulated by the rules in the Fundamental Rules (Uttar Pradesh)

(4) The promotion of sub-registrars from a lower to a higher grade mentioned in clause (iii) sub-rule (1), will depend on vacancies occurring in the grades mentioned in clauses (i) and (ii) taken together falls below 120, the number of sub-registrars to be so promoted being limited to the number required to make up that total. Likewise, no sub-registrar of Grade III will be promoted to Grade II until the said total falls below 60, the number of sub-registrars to be so promoted being limited to the number required to make up that total

*NOTE- sub-registrars appointed before 1st July, 1938, will draw pay under clause (i) or clause (ii) of sub-rule (1) as the case may be, as if the grades in clause (iii) of that sub-rule had not come into existence.*

(5) No member of the Service shall be promoted from a lower to higher grade unless the Inspector General is satisfied that he has been working satisfactorily and to the best of his ability and his integrity is certified.

## **PART IX – Supplemental**

66. Rule 21. No recommendations, either written or oral, other than those required under these rules will be taken into consideration. Any attempt on the part of a candidate to enlist support directly or indirectly for disqualification. Canvassing

67. Rule 22. Seniority in the service will be determined by the date of the order of appointment in a substantive vacancy: Seniority

### **Provided that –**

(a) If the orders of appointment of two or more persons bear the same date, their seniority inter se shall be determined according to the order in which names appear in those orders:

(b) in any special case seniority shall be determined by special orders of the Inspector General.

67-A. Rule 23. Such conditions of service of a person appointed to a post in the service as are not provided for in these rules shall be regulated by separated rules made under paragraph (b) of sub-rule (2) of section 241 of the Government of India Act, 1935, and pending the issue of such rules, by the rules which were in force immediately before the commencement of Part III of the Act and which have continued in force by virtue of section 276 of the Act.

## **APPENDIX A [See rule 58 (13)]**

### **SYLLABUS AND RULES FOR THE COMPETITIVE EXAMINATION**

1. The standard of the examination will be that of an Intermediate pass.
2. The examination will be held in the following subjects viz :
  - (a) English – Candidates will be required to write an essay on some subject of general interest and letter on or a description of some event to test their power of expression as well as their ability to arrange facts and arguments in proper sequence and to explain words and expressions in common use: or to comment on the

grammatical structure of sentences.

The maximum marks will be 100; and the time allowed 3 hours.

(b) **General Knowledge** – A paper will be set to test general intelligence power of observation and knowledge such as is expected of candidates who, having had the usual grounding in subjects taught in schools and colleges have passed their education either at a university or by reading books, newspapers, and magazines, attending lectures and taking an intelligent interest in things round them such as radios, aeroplanes, etc. The questions will ordinarily be so set as to admit of brief answers, and besides covering popular science, will embrace knowledge of the social, political and economic events of the day.

The maximum marks will be 100; and the time allowed 3 hours.

(c) **Indian languages** – Familiarity with both the Nagri and the Persian script is essential for a sub-registrar, who will have not only to interpret and assess documents presented to him which may be in either script, but may have to copy them in the appropriate sanctioned registers. Moreover, these documents contain a variety of legal and technical expressions with at least the more common of which sub-registrars must necessarily be familiar. The extent of the candidate's knowledge will be tested by a paper as follows :

- (1) A passage in English to be translated into Urdu.
- (2) A passage in English to be translated into Hindi.
- (3) A number of sentences or phrases as appear in documents brought for registration in Roman script to be explained in Hindustan either Persian or Nagri script being used.

The maximum marks will be 100; 35 each being allotted to (1) and (2) and 30 to (3). Time allowed 3 hours.

3. From the marks assigned to candidates in each subject such deduction will be made as the Commission may consider necessary in order to secure that no credit is

allowed for merely superficial knowledge.

4. If a candidate's handwriting is not easily legible a deduction which may be of considerable amount will be made on this account from the total marks otherwise accruing to him.

5. Viva voce- The maximum marks will be 50.

The examination will be in matters of general interest, not in matters of academic interest. Marks will be awarded to each candidate for intelligence, personality, character, physique and general suitability for the service.

**APPENDIX B**  
**[See rule 59 (14)]**  
**SCALES OF FEES TO BE PAID TO THE COMMISSION**

- |     |                       |   |
|-----|-----------------------|---|
| (1) | Application fee ..... | Rs. 5 payable in two installments—<br>Rs. 1 with the requisition for application form and<br>Rs. 4 with the application when it is filed. |
| (2) | Examination fee ....  | Rs. 25 for candidates other than scheduled caste candidates, and Rs. 15 for scheduled caste candidates.                                   |

**PART B**

68. Applications from persons already in Government service must be submitted through their superior officers and through the District Magistrate of the district of their permanent residence. Only in very exceptional circumstance will such applications be entertained.

69. Approved candidates will be excepted to undergo a period of training at a suitable center before being placed in the independent charge of an office. A departmental examination for probationary sub-registrars will be held in the first half of November each year by an examination Board composed of the Inspector General of Registration and the District Registrar of the district in which the examination is held. The examination will be held in the following subjects:-

- (1) Registration and Stamp Acts;
- (2) Registration Manual, Part II;
- (3) Practical; and
- (4) Urdu and Hindi reading and writing.

70. No list of candidates for sub-registrar ship will be maintained in future by District Registrars. They may in their discretion maintain lists of persons fitted to occupy temporary vacancies, but copies of this list need not be sent to the Inspector General and the persons entered in it have no claims to be appointed as permanent sub-registrars.

Register of approved candidates for sub-registrar ship

71. On his first appointment a sub-registrar will not ordinarily be put in charge of an office. He will be posted to one of the principal registration circles to learn work and be available for filling temporary vacancies. When not officiating in leave or other vacancies he will assist the sub-registrar of the headquarters' office. Or other office in the circle to which the District Registrar may post him. He will exercise the powers prescribed for a joint sub-registrar working in the office of a chief sub-registrar.

72. On his first appointment a sub-registrar will ordinarily be placed at the bottom of the Lowest grade. A sub-registrar appointed on account of approved Government service in another department may be placed in any position in any grade.

73. (1) Admission to the first four grades of Rs. 200 and upwards in the old scale will be reserved for men with a good Knowledge of English, who are suitable for the charge of important offices.

(2) From the Rs. 125 grade and towards in the old scale, there will be an efficiency bar and vacancies in these grades will be filled by selection.

(3) Vacancies in the Rs. 100, Rs.90 and Rs. 75 grades in the old scaled will ordinarily be filled by promoting the senior sub-registrar in the next lower grade

(4) No sub-registrar will be promoted into a higher grade unless, in the opinion of the inspector General of Registration, his conduct and work entitle him to promotion

into that grade.

74. A sub-registrar may be reduced to a lower grade for misconduct or neglect of duty. On reduction he will be placed at the head of the grade to which he is reduced, but his future promotion will be regulated by rule 73 (4)

75. A Sub-registrar may be reduced one or more places within his grade for misconduct or neglect of duty.

76. When a sub-registrar is promoted into a higher grade his position in that grade will be at the bottom of the grade provided that a sub-registrar who has been reduced under rule 74 or 75 may on promotion be restored to his original place in the list.

77. Grading promotions and reductions will be regulated by the Inspector General of Registration in accordance with these rules.

leave, transfer and punishment

78. No sub-registrar may absent himself from his station without leave. He should obtain the permission of the District Registrar if he wishes to leave his station on gazetted holidays.

Absence of sub-registrars from station

79. District Registrars are authorized to grant during each calendar year casual leave of absence not exceeding 14 days to each officer. Holiday or non-working days of any kind, if included in the period of absence, must be reckoned as part of the maximum of fourteen days.

Casual leave.

80. All departmental sub-registrars shall for purposes of leave, be governed by rule 35 of the rules framed by the local Government under rule 66 of the Fundamental Rules in Financial Handbook, Volume II In cases of emergency the District Registrar may relieve a sub-registrar in anticipation of the sanction of the leave to which the sub-registrar

Privilege and other Leave.

81. When a sub-registrar proceeds on Leave of absence or is temporarily absent -  
(i) In the case of an ex officio sub-officio sub-registrar, the officer of Left in charge of his ordinary duties will perform his registration duties.

Temporary appointment of sub-registrars

(ii) In the case of a departmental sub- registrar, the District Registrar, the District Registrar will appoint to perform his duties-

- (a) A probationary sub- registrar; or
- (b) a tahsildar or other official in charge of a tahsil, if the office is at a tahsil headquarters; or
- (c) Any other person he considers qualified.

82. All temporary appointments made under the preceding rules will be reported to the Inspector General annually in form no. 5 , Appendix III , in accordance with section 1 of the Act .

Reports of temporary appointments.

83. The power of transferring departmental sub-registrar from one place to another is vested in the Inspector General. District Registrars are also empowered to transfer sub-registrars from one office to another within the district, provided that no such transfer shall be made without obtaining previous approval of the Inspector General, if a sub- registrar has not completed two years at the office or if there is a special order of the Inspector General for any sub-registrar to be retained in a particular office for a certain period. An application by a sub – registrar for transfer to another district shall be submitted through the District Registrar who is empowered to withhold the application if he is not prepared to support it.

Transfer

Note: Sub- registrars after five year's service in a district will ordinarily be transferred in another district. Hence to avoid two transfers in quick succession. the transfer within the district of a sub-registrar who has completed or nearly completed five years service in the district should be avoided as far as possible.

84. The District Registrar may suspend a sub-registrar pending inquiry. The Inspector General of Registration may sanction the prosecution of a sub-registrar.

85. All departmental sub-registrars are required to furnish Rs. 200 security.

Sub-Registrars

Provided that in all temporary arrangements security of Rs. 200 shall be taken from the registration clerks who may be considered fit by District Registrars to officiate as sub-registrars. The District registrars may in his discretion permit that security of such registration clerks to be furnished in installments by monthly deductions at the rate of 10 per cent of the salary. Until the full amount of the security is thus made up, the procedure laid down in paragraph 71 A of the Financial Handbook, Volume V, Part I, shall be followed: -

Provided that the Inspector General of Registration may increase or decrease the amount of security according to the circumstances and local conditions of a registration office.

86. Departmental sub-registrars who receive grade pay shall be entitled to receive traveling allowances in accordance with the provisions of the Financial Handbook, Volume III.

#### *Miscellaneous*

87. The departmental and public officers mentioned in Appendix VI have been appointed sub-registrars in the several districts therein specified. People specially appointed under rules 46 to 68 are designated departmental sub-registrars. Officers of other departments who perform registration duties by virtue of their office in addition to their other duties are called ex officio sub-registrars.

88. When the office is at the headquarters of a tahsil, and the total receipts do not exceed Rs. 500 per annum the tahsildar shall ordinarily be sub-registrars ex officio.

89. The allowances to tahsildars and other ex officio sub-registrars in permanent charge of registration office has been fixed by Government at rates varying according to the receipts and the importance of the office.

90. When an ex officio sub-registrar takes leave of absence the official who acts for him will draw the registration allowance.

91. When an ex officio sub-registrar leaves his head quarter's jurisdiction on duty and the charge of the registration work devolves on the naib-tahsildar, or other



official left in charge of the current duties of the office, and the absence does not exceed seven days. The substitute will receive no remuneration, and the sub-registrar will be responsible for the correct and punctual performance of the work. But when the absence exceeds seven days at a time. The substitute will receive a share of the monthly allowance proportionate to the number of days he held charge of the office.

92. When a tahsildar or any other government servant is appointed to officiate as a departmental sub-registrar in addition to his own duties his pay and allowances will be governed by Fundamental Rule 49 and orders of the Government there under. When the circumstances do not justify a formal officiating appointment under the orders of the Government Under Fundamental Rule 49 and a government servant is only placed in charge of the duties of a post of departmental sub-registrar, he may be allowed a special pay of Rs. 10 per mensem for the additional work. When the absence of the sub-registrar does not exceed a week and another government servant is placed in charge of only the current duties of the post, he will not be entitled to any additional or special pay. Acting allowances.

93. A tahsildar may be appointed to officiate as a sub-registrar in addition to his own duties in a vacancy caused by the resignation or death of a departmental sub-registrar.

#### ***Registration Clerks***

94. (i) Appointment to the post of a Chief Registration Clerks in District Registrars offices shall be made by the District Registrar from amongst the permanent Registration Clerks in his district possessing the following qualifications : Appointment of chief Registration clerk.

(a) those who have put in at least 3 years continuous service, and

(b) have passed at least the High School or any other examination recognized by Government as equivalent thereto. On the occurrence of a permanent vacancy in a post of Chief Registration Clerk the senior most qualified Registration Clerk in the district shall be appointed there to. If he is not fit for promotion having regard to his efficiency and integrity, the next senior Registration Clerk in the district shall be considered for appointment, and so on. It will however, be necessary for the District

Registrar to record in writing the reasons for superseding a Registration Clerk.

(2) If in the opinion of the District Registrar there is no qualified Registration Clerk in his district suitable for appointment to the post of his Chief Registration Clerk he shall report the matter to the Inspector General of Registration who shall request the District Registrars of adjacent Registration districts to nominate two qualified persons if available, in their districts from amongst the Registration Clerks eligible for appointment to the post of Chief Registration Clerk. The District Registrars will also forward the service books and character rolls of the person's nominated by them. The Inspector General of Registration will send to the District Registrar concerned the names and records of all persons nominated by the District Registrars for selecting a Chief Registration Clerk. In accordance with the provisions in sub-rule (1) Above, from amongst the nominees of the other District Registrars.

(3) A Registration Clerk appointed in a substantive vacancy as a Chief Registration Clerk under clauses (1) and (2) above, shall remain on probation for at least one year

(4) In a temporary or an officiating vacancy not likely to last for more than 3 months, the District Registrar may appoint any Registration Clerk of his district as his Chief Registration Clerk. This temporary appointment alone shall be filled as in sub-rules (1) and (2) above.

(5) The Inspector General of Registration may transfer a Chief Registration Clerk from one district to another for administration reasons.

(6) The power to punish a Chief Registration Clerk is vested in the District Registrar in accordance with the procedure contained in Government (Appointment Department) notification no. 2627/II-264 dated 3rd August, 1932 as amended from time to time (vide Appendix VIII) The Inspector General may in exercise of his power of general control direct the District Registrar to take proceedings under those rules against a Chief Registrar Clerk. No Chief Registration Clerk shall be punished in any manner until written charges against him have been framed and communicated, his written statement has been obtained, his defence recorded and the order passed thereon has been communicated to him in writing. An appeal against such an order of

punishment by the District Registrar lies to the Inspector General of Registration in accordance with rule 2 of the Rules published under Government notification no. 2628/II-264, dated 3 rd August. 1932

**(Vide Appendix VIII)**

*NOTE- The revised scale of pay of Chief Registration Clerks with effect from April 1, 1947. is Rs. 80-5-100-6-130*

94-A (1) Appointment to the post of Registration Clerks in sub- Registrar's offices and in District Registrar's office shall be made by the District Registrar as prescribed in this rule and in Rule 97.

Appointme  
nt of  
Registration  
Clerks.

(2) Ordinarily no Registration Clerk shall remain in the same office for more than five years. Transfers of Registration Clerks shall be made by the District Registrar within the Registration District to which they are attached. The Inspector General may, however, transfer a Registration Clerk from one district to another on administrative grounds. On transfer of a Registration Clerk to another district, seniority in the grade of Rs. 30 and upwards will be determined according to the date of promotion to that grade, while in the Lowest grade it will be determined according to the date of his original appointment in a permanent vacancy.

(3) Vacancies in the Rs. 30, 35, 40 and 45 grades will ordinarily be filled by seniority, If the senior most clerk in a grade, in the opinion of the District Registrar, is not fit for promotion having regard to his efficiency and integrity the clerk next below him in that grade may be considered for promotion and so on. It will, however, be necessary for the District Registrar in each case to record in writing the reasons for superseding a clerk.

(4) The power to punish Registration Clerks is vested in the District Registrar in accordance with the procedure contained in Government (Appointment Department) notification no. 2627/II-264, dated 3 rd August, 1932, as amended from time to time (vide Appendix VIII) No. Registration Clerk shall be punished in any manner untill written charges against him have been framed and communicated to him in writing, his written statements has been communicated to him in writing.

An appeal against such an order of punishment by the District Registrar lies to the

Inspector General of Registration in accordance with rule 2 of the Rules published under Government notification no. 2628/II-264, dated 3rd August, 1932 (vide Appendix VIII)

*Note – The revised scale of pay of departmental Registration Clerks with effect from April 1, 1947, is Rs. 60-3-90-4-110*

95. The strength and remuneration of registration establishment shall vary according to the amount of work to be performed in each office and will undergo periodical review. As a general rule one clerk may be allowed for every 1,000 documents registered annually, but the average length of documents and amount of copying and other miscellaneous work will be taken into account. The sub- registrar will be expected to carry on the work without the assistance of a clerk, provided that the total number of documents registered during the year does not exceed 500. When necessary, the Inspector General of Registration may transfer a post of a registration clerk from one registration district to another temporarily for a period not exceeding one year, subject to the condition that a report is submitted for the information for Government as soon as such a transfer is made.

Strength of establishment.

96. The power to sanction temporary establishment within the limits of budget provision and up to a rate of pay not exceeding Rs. 150 per mensem in each case is vested in the Inspector General of Registration, subject to the following conditions:

- (a) that the delegation does not cover temporary staff in the Inspector – General's Office;
- (b) that the extension does not exceed 12 months;
- (c) that budget provision is not augmented by re appropriation for this purpose; and
- (d) that the sanction is communicated to the Accountant General and the Government, for information;

Provided that a District Registrar may sanction with the previous approval of the Inspector General the temporary appointment of extra clerks in the Registration

offices under his control up a rate of pay not exceeding Rs. 60 per mensem in each case. Before sanctioning the appointment, the District Registrar should see that the permanent clerks have been working up to the standard prescribed by the preceding rule.

97(1) A List of approved candidates for the post of Registration Clerks shall be maintained by each District Registrar.

List of approved candidate for appointment as Registration Clerks.

(2) The number of candidates for each registration district shall be fixed by the Inspector General of Registration according to the needs of each district; at no time shall the number of enlisted candidates exceed this number with the previous sanction of the Inspector General.

(3) No candidate shall be enlisted who is-

(a) Above the age of 21 years; and (b) who has not passed the High School or any other examination recognized by the Government as equivalent thereto; and

(c) Who for any other reason is not suitable for appointment.

Preference will be given to candidates who have also passed the Vernacular Final Examination.

*N.B. –The Inspector General of Registration, may, in special circumstances, exempt a candidate from the age-limit of 21 years prescribed in this rule.*

(4) The list of approved candidates shall be revised by the District Registrar annually in the month of January, and a copy of the revised list shall be forwarded by the end of February each year to the Inspector General for record in his office.

(5) Names of candidates once brought on the list shall not be removed by District Registrar except on the following grounds.

(a) That the candidate has already attained the age of 25 years on the first day of January of the year in which the list of candidates is revised and has not held officiating or temporary vacancies as a Registration Clerk for a total period of at least

six months;

(b) That he has attained the age of 30 years on the first day of January of the year in which the revision of the list takes place before he is substantive appointed as a Registration Clerk. In calculating the age of 30 years the total period of service rendered by the candidate shall be excluded. No. Candidate will be retained on the list beyond the age of 30 years save in exceptional cases under the orders of the Government:

(c) That in spite of adequate notice he has refused or neglected to join as a Registration Clerk in an officiating or temporary vacancy of not less than a month's duration offered to him on two successive occasions.

(d) That he is unfit for appointment on account of misconduct or for some other valid reason to be recorded in writing; provided in case under this sub-rule no District Registrar shall remove the name of any candidate from the list, without giving him an opportunity by serving on him a notice in writing to show cause why his name should not be removed from the list of candidates.

(6) For a candidate exceeding 25 years of age the previous sanction of the Inspector General of Registration to his exemption from the age- limit is necessary before his substantive appointment to a permanent post of Registration Clerk (vide Subsidiary Rule 187 of the Financial Handbook, Volume II, Part III)

(7) Care shall be taken to secure reasonable representation of the different communities and to prevent the preponderance of any one class or community in the enlisted candidates.

(8) Permanent appointment to the post of Registration Clerk shall be made from amongst the enlisted candidates by rotation.

(9) A candidate appointed in a substantive vacancy as a Registration Clerk shall remain on probation for at least six months.

98. Registration officers should maintain vigilant control over their clerks, and not

Control to be maintained

place them in closer contact with the public than is unavoidable. Ordinarily over clerks. registering officers should keep in their own hands the duty of receiving documents or money, the recording of endorsements, and the returning of documents. If it is necessary to leave any of these duties to the clerk, they should be performed by him in the presence, and under the direct supervision of the registering officer. The issue of commissions to registration clerks for the examination of executants at private residence, jails, e.t.c. Under section 33 or 38, Act XVI OF 1908, Is Prohibited, except in case of extreme urgency; such case should always be reported to the District Registrar.

99. In filling up vacancies, the claims of all deserving clerks, in the registration district should invariably be first considered; and when it is necessary to displace a clerk on account of reduction of establishment, etc, the junior clerk in the registration district should ordinarily be discharged, and the displaced clerk should take his place. Reference can be made to the Inspector General where a deserving man comes under reduction with a view to his re-appointment in, or transfer to, another district. Promotion and reduction of clerks.

## Sunita

100. Registration clerks are to be employed exclusively on the work for which they are paid, and are not to be required to take part in the work of other departments. Registration clerks should also be strictly prohibited from drawing up or engrossing instruments in the registration of which they may subsequently be required to take part and from seeking or accepting any post, employment or office in addition to their duties in the Registration department without the previous sanction of the Inspector General of Registration. Clerks to be employed solely on registration work.

101. The employment of unpaid apprentices in registration offices is strictly prohibited, except in special cases, and with the previous sanction, in writing of the District Registrar of the district or of the Inspector General, which sanction can be at any time withdraw. It should, at the same time, be clearly understood that, as the employment of an unpaid apprentice can only be regarded as a convenience to the sub-registrar himself, such service will not be recognized as giving any claim to appointment. Employment of unpaid apprentices.

102. A service book in the form prescribed by the Civil Service Regulations shall be kept up for all registration clerks paid by Government. Remarks on character and conduct by superiors should be recorded in the character roll which shall be maintained in the prescribed form as required by paragraph 355 of the Manual of Government Orders. Any observations which inspecting officers may desire to make should be recorded in the office inspection book.

Service books  
and character  
rolls of clerks

103. When a registration clerk is appointed to officiate in another department, the whole of his pay and allowances shall be charged to that department and no portion of it will be admitted as charge against the Registration department. But the pay and allowances of his locum tenens in the registration office will form a charge against the department.

Officiating  
appointments

104. [Deleted.]

105. Registration clerks should be granted travelling allowance when transferred.

106. Sub-Registrars are empowered to grant full casual leave to their subordinate clerks within the limits prescribed under rule 79, subject to the condition that they always and without delay report to the District Registrar their action in allowing or disallowing such leave. All such leave shall be noted in the leave register to be maintained in manuscript in each sub-registrar's office.

107. Subordinate officials are subject to the rules regarding punishment contained in the Manual of Government Orders, paragraphs 368 to 377.

Punishment



## CHAPTER – II OFFICE REGULATIONS

108. Registrars of districts will prepare a consolidated bill on account of fixed salaries of tehsildars and other ex officio sub-registrars and of departmental sub-registrars in the current forms of the Accounts Department. In a separate bill should be drawn the salaries and allowances (if any) of all ministerial and menial establishment paid by Government arranged in the order of sections given in Appendix A to the Accountant General's standing orders. When the registration district comprises two or more revenue districts or portions thereof, separate bills must be prepared for each revenue district.

Office salary  
bill

109. An establishment order book in form no. 32, Appendix III, shall be maintained in the office of every District Registrar. In this book the final result of each order passed by him the subject of leave, promotion, reversion etc., of individual officials of the Registration Department under his control will be shown. The chief registration clerk will invariably check the office copies of the establishment pay bills by comparison with the entries in the establishment order book, and the District Registrar who passes the establishment pay bills should also occasionally check a few items with the establishment order book.

110. This bill will be presented or forwarded to the officer incharge of the treasury of the revenue district concerned for payment in cash on account of the office at headquarters and of offices at places other than the headquarters of a tahsil, and for issue of cash orders on sub-treasuries on account of other offices. District Registrars will remit the salaries of sub-registrars and their establishments at places other than the headquarters of a tahsil by money order, and debit the money order commission to the contract contingent grant for the year. The amount, when disbursed, must be properly recorded in acqiottamce rolls which shall be kept up in each office receipts being taken for each payment and receipts stamps affixed when the amount paid exceeds Rs. 20 (twenty).

111. When a District Registrar sends by money order the pay of a sub-registrar of an office where there is no treasury or sub-treasury he will add thereto any amount due to the sub-registrar on account of money order commission paid by him in remitting the collections of his office for the month to the treasury or sub-treasury. The money order commission paid by the sub-registrar and remitted to him, and the

money order commission paid by the District Registrar will be debited to the contract contingent grant for the year.

112. Service books in the form prescribed by the Civil Service Regulations shall be kept in the District Registrars offices for every departmental sub-registrar holding a substantive appointment on the permanent establishment.

Service book of sub-registrars

113. A character roll of each departmental sub-registrar shall be maintained in the office of the Inspector General of Registration and the instructions contained in paragraphs 355 to 357 of the Manual of Government Orders shall apply mutatis mutandis to all such rolls. The inspector of the circle shall submit through the district registrar concerned early in April each year a confidential report in column 2 of the form prescribed below, about the preceding financial year's work and conduct of each sub-registrar in his circle. The Inspector shall also record a certificate on each report, if he can conscientiously do so, to the effect that nothing has come to his knowledge which casts any doubt upon the sub-registrar's official integrity. If, however, such a certificate cannot be given in the case of any sub-registrar, the Inspector shall bring out this fact prominently in the report. Such an entry shall be self contained and shall, so far as possible, give the reasons for withholding the certificate.

Character rolls

On receipt of such confidential report the district registrar shall record his own remarks in column 3 of the form and forward the same, not later than 1st May, each year to the Inspector General of Registration, who will record his own remarks, if any, in column 4 of the form. No separate register shall be maintained for entering any confidential remarks by the Inspector General about any sub-registrar.

In the case of a sub-registrar transferred from one district to another, the Inspectors of Registration for both the circles will send their independent reports to the district registrars concerned who, after recording their own remarks, shall forward the same to the Inspector General of Registration. In such cases the Inspector General of Registration shall record his own remarks, if any, in column 4 of the form received from the district registrar of the district to which the sub-registrar has been transferred.

After the Inspector General of Registration has entered his own remarks, if any, in the annual reports, they shall be filed in original, as they are received, in the personal file of each sub-registrar, maintained in the office of the Inspector General of Registration. Every entry in the character roll which may adversely affect promotion

should be communicated to the sub-registrar concerned. If the certificate of integrity is withheld on grounds of mere suspicion, the fact shall not be communicated but the Inspector and the District Registrar, under whom the sub-registrar is working shall be asked confidentially by the Inspector General of Registration to keep a close watch on him. If, on the other hand, the reasons for withholding the certificate are tantamount to a virtual certainty that the sub-registrar has been dishonest, the fact shall be communicated to him. The Inspector General of Registration shall decide in each case what adverse remarks shall be communicated and in what form.

**Form**

**Confidential report on the work, conduct and integrity of .....Sub-Registrar of  
..... district ..... in the grade of**

Year	Remarks by the Inspector of the Circle	Remarks by the District Registrar	Remarks by the Inspector General of Registration
1	2	3	4

114. District Registrars, when on inspection tour, will charge their travelling allowance to the head from which their salaries are drawn, and not to the Registration department, vide Article 824 A, Civil Account Code.

Travelling allowance

**CONTINGENCIES  
DISTRICT REGISTRARS**

115. District Registrars are allowed a permanent advance to the extent shown in Appendix IV for contingent expenditure of their own and subordinate offices.

Permanent advance

116. At the close of each official year and whenever there is a change of incumbency, District Registrars will send an acknowledgement of the advance to the Accountant General Uttar Pradesh.

Annual acknowledgement to the Accountant General

117. The permanent advance will not be repaid into the treasury, but shall be recouped from time to time, when necessary, by the submission of a bill or bills supported by the needful vouchers.

Permanent advances how recouped

118. Contingent charges are divided into the following heads:	Contingent charges
(1) Contract Contingencies	
(2) Non-contract contingencies	
119. Contract contingencies are those for which a lump sum is allotted annually to each District Registrar, within which he can spend without any further sanction. At the beginning of each financial year the Inspector General will distribute to District Registrars the allotment sanctioned by Government for the year.	Contract contingencies
120. Under contract contingencies shall be included the following charges:	Heads of charges
(1) Service postage and telegram charges.	
(2) Purchase and repair of furniture	
(3) Hot and cold weather charges	
(4) Country stationery.	
(5) Carriage of stationery.	
(6) cloth for bastas or binding charges.	
(7) Other petty and miscellaneous expenses.	
(8) Pay of menials.	
121. Contract contingent charges will, be drawn from the treasury upon bills in the form prescribed by the accountant General. No sub-vouchers are required and no details need be stated beyond the total figure opposite each of the printed headings. If any charge occurs which the printed headings do not provide for the general nature of it may be entered in a similar heading in manuscript. The disbursing officer must be careful to bring forward, from the last bill, the correct amount of the total expenditure to date, in his register of contingencies otherwise he may overrun his limit without perceiving it.	Money, how to be drawn
122. Disbursing officers are responsible for keeping and reproducing when required any sub-voucher of his expenditure except those which he is authorised to destroy (Accountant General's circular no. 144, dated the 20th April, 1889).	Vouchers to be preserved in certain cases.
123. A bill must always be drawn on or immediately before 31st March of each year for all expenditure up to date. Money drawn from the treasury after that date comes out of the allotment of the next year, and it is contrary to the principle of the scheme that expenditure incurred in the current year should be in any way held over, after being incurred, to be paid out of the allowances of the next year.	Final bill for the year

124. Non-contract contingencies are those which cannot be incurred without the sanction of the Inspector General or of Government, previously obtained.	Non-contract contingencies
125. Under non-contract contingencies shall be included the following charges:	Head of charges
<ul style="list-style-type: none"> <li>(1) Purchase of books and publications</li> <li>(2) House rent</li> <li>(3) Furniture</li> </ul>	
126. The money required for non-contract contingencies will be drawn from the treasury upon abstract bills in the forms prescribed by the Accountant General, the number and date of sanctioning orders being noted thereon.	Money how to be drawn
127. A separate register will be kept up for each of the two classes of contingencies, viz. one for contract contingencies and a second for non-contract contingencies, in the form prescribed by the Accountant General. The entries in these registers will be made in accordance with Chapter VI of the Civil Account Code.	Contingent registers
128. District Registrars should report to the Inspector General quarterly in form no. 4, Appendix III, the quarterly expenditure under both heads.	Quarterly report of contingent expenditure
<b>Sub-Registrars</b>	
129. Contingent charges (including hot and cold weather charges) of departmental sub-registrars will be borne by Government.	Contingencies of departmental sub-registrars
130. Sub-Registrars, ex officio, will be paid the actual expenses of their offices up to a limit of one rupee per clerk per mensem. The charges will similarly be debited against the District Registrars, contract grant.	contingencies of ex officio sub-registrars
<b>Holidays and office hours</b>	
131. In the offices of District Registrars and sub-registrars, the holidays annually prescribed for Revenue Courts by the Board of Revenue. Uttar Pradesh and local holidays sanctioned by the Collector of the district may be observed, but it will be optional with District Registrars and sub-registrars to keep their offices open on any holiday.	Holidays
132. The offices of all sub-registrars shall be open for not less than six hours daily, Sundays and holidays excepted, and shall ordinarily open at 10:00 a.m. If it be found necessary to change these hours a notice be affixed in each office for the information of the public.	Office hour

133. Where registering officers have other duties to perform, a certain portion of each day should be allotted exclusively to registration work. The time so set apart shall be made generally known, and a written notice of it shall be exhibited in a conspicuous and accessible part of the building in which the registration office is located. The notice should state the hours at which documents will be received and returned daily.

### **PERIODICAL REPORTS AND RETURNS**

#### **Weekly**

134. Every sub-registrar will submit to the District Registrar of his district a weekly report of documents and applications for copies remaining undelivered or undisposed of after three days from the expiration of date of presentation, prescribed by rule 325.

Weekly report by sub-registrars to District Registrars.

135. This report shall be in the form prescribed in Appendix III, form no. I. It should invariably be sent on Monday following the week to which it relates. It will be understood that this form will suffice for the majority of the returns submitted. When any mischief of injury to the records has to be reported or where a special explanation is necessary regarding delay in returning documents or complying with applications for copies, this form should not be used but a separate report in manuscript submitted.

Form of weekly report

136. The weekly report should, on receipt in the District Registrar's office, be carefully scrutinized and orders issued by District Registrars where necessary.

Reports to be scrutinized

#### **Monthly**

137. Every sub-registrar shall submit to the District Registrar of his district by the 5th of each month a statement showing the transactions of his office for the preceding month in form no. 2, Appendix-III.

Monthly returns by sub-registrars to District Registrars.

138. The monthly return will be prepared not according to the calendar month, but according to the month of account as it is absolutely necessary, that the figures given in the different accounts and returns should exactly agree with those shown in the treasury accounts. The detail of work done should be given in the same statement as that which shows the receipts on account of it. Sub-treasury accounts and bring to the credit of Government on that date all fees then in hand. It may sometimes happen in the case of officers at places other than the headquarters of a tahsil who credit their receipts monthly, that the entire receipts of the month are not credited in time for inclusion in the accounts of the current month. This should never happen in the month

Monthly returns to be prepared according to month of account.

of December, and with proper care should very rarely occur at other times. But in the event of this happening to prevent a disagreement between the accounts of the Registration Department and the treasury, the number of registrations of that month and the receipts and expenditure should be omitted from the current months accounts, an explanatory note being made in the column for remarks. In the following month's returns the statistics of two months for the office in question should be added, but each should be shown separately thus:

Sub-Registrar, Bari	---	October, 1892
Ditto	---	November, 1892

139. When the District Registrar receives the monthly returns above described from such-registrars he will have them carefully examined. An amalgamated statement of receipts and disbursements for each revenue district should then be prepared in the District Registrar's office and sent to the headquarters treasury concerned for verification. The total figures for the revenue district should correspond with the treasury credits and disbursements. On verification by the treasury the District Registrar shall send a certificate verifying the total receipts and disbursements for the month to each office. The certificate shall show these amounts in words as well as in figures and shall be filed with the invoices for that month.

Scrutiny of sub-registrar's return in District Registrar's office

District Registrars shall take measures to secure the punctual submission of the return by sub-registrars.

140. Every District Registrar will submit to the office of Quarterly the Inspector General the following quarterly returns for his district:

Quarterly returns of District Registrars.

- District return no. I-Statement showing the transaction of the quarter.
- District returns no. II-Budget allotments and expenditure.

These returns will be prepared on printed forms to be supplied from the Government Central Press, and they should be despatched so as to reach the office of the Inspector General by the 10th of January, April, July and October.

141. This returns shall be in the same form- Form no. 2 Appendix III- as is prescribed for sub-registrars, but it shall be submitted to the Inspector General in English. The District Registrar shall fill in the transactions of his own office for the quarter. He shall next transcribe from the vernacular returns the transactions of the several sub-registrars subordinate to him, each office being entered separately. Care

District return no. I

must be taken always to preserve the same order of offices, as want of uniformity in this respect causes inconvenience in the preparation of general returns in the office of the Inspector General. This remark applies not only to the return immediately under notice, but to all returns. The several offices should be arranged in the order given in Appendix VI, the spelling of which should be followed. Finally, the several columns shall be totaled up so as to show the aggregate business of the district during the quarter under report. Where the registration district comprises two or more revenue districts, separate intermediate totals should also be given for each revenue district so as to facilitate comparison in the Inspector-General's office with the statements furnished by the Accountant General.

142. This return is prescribed in rule 128, and will be prepared in form no. 4 Appendix III, in English. It is only necessary to enjoin a watch on the progress of the expenditure under each head as compared with the budget grant for it. A progressive total of all expenditure must be made monthly, and will include all payments under each head from the commencement of the year to the end of the last expired month.

District return  
no. II

#### **Annual**

143. Every sub-registrar shall prepared, as soon as possible, after the close of the year, a statement in form no. 6 given in Appendix III, and submit the same to the district registrar not later than the 10th of January.

Annual return  
by sub-  
registrars to  
district  
registrars

144. Every district registrar shall in like manner, prepare a consolidated statement for his district in form no. 6 given in Appendix III, and submit the same to the Inspector General of Registration not later than the 1st of February, accompanied by a report reviewing the operations of the year as laid down in rule 153. District registration should be careful to check this annual return by the monthly ones to see that the figures in the former exactly coincide with the aggregate of the corresponding figures in the latter. Inattention to these matters may lead to unnecessary delay, trouble and correspondence.

145. In addition to the above the following miscellaneous annual returns shall also be submitted:

Miscellaneous  
annual returns  
by District  
Registrars.

I – Detailed statement of establishment.

II – Return of officials over 55 years of age.

III – Statement showing the number of inspections by District Registrars, and Inspectors.



#### IV – Budget estimates.

146. Every District Registrar shall submit to the Inspector General with his quarterly statements in April in each year, a copy of the statement submitted by him to the Accountant General (under Article 62 of the Civil Account code, Volume I).

Detailed statement of establishment

147. The annual return will contain the list of all departmental sub-registrars, who have passed the age of 55 or will reach it within the coming year. The return will be prepared in form no. 12, Appendix III. Against each officer in the list will be recorded the District Registrar's own recommendation, an opportunity, if possible, being taken of personally seeing and examining each sub-registrar at or before the preparation of the return. A sub-registrar who has attained the age of 55 should ordinarily be required to retire and should not be retained in service except where unquestionable public grounds for retention exist and there is no doubt as to the physical fitness of the officer.

Returns of officials over 55 years of age

His retention or retirement will, under Article 459 of the civil Service Regulations be sanctioned by Government.

After 60 an officer cannot be retained in the service save with the sanction of the local Government.

148. On receipt of this list the Inspector General of Registration will submit the list (received from the Accountant General, under Article 463 of the Civil Service Regulations) of sub-registrars who will attain the age of 55 or complete the term for which extension has been allowed during the ensuing official year, for the orders of Government, together with his recommendations. In view of Article 459 (d) of the Civil Service Regulations the cases of registration clerk will disposed of by the district Registrars. The return should be submitted to the office of the Inspector General by the 31st October at latest, under endorsement only, not by letter.

149. The stock book of Government property (excluding landed property and buildings) -

Return of valuable ordnance and other government stores.

(1) The stock book of Government property prescribed in G.O. no. 3128/XVIII – 340.30, dated the 24th November, 1934, shall be maintained, in every District Registrar's Office and in every sub-registrar's office subordinate to him. Full instructions for the maintenance of the stock book and other matters will be found recorded in rules 1 to 12 and in appendix, issued with the aforesaid Government order.

(2) Under rule 10 of the rules the District Registrar shall arrange for annual verification of the stock of his office by a gazetted officer who shall verify the articles with the book balances and sign a certificate on the stock book of having done so, and under rule 11 thereof sub-registrars should carry out annual verification of their offices in a similar manner after the close of the financial year and forward their certificate of verification to the District Registrar so as to reach him on or before 15th April each year.

(3) The District Registrar at the time of his own periodical inspection of the sub-registrar's offices should scrutinize the stock book and check some of the valuable articles, bring to the notice of Government through the Inspector General of Registration any matters needing attention. The Inspector of Registration offices will, during the course of his inspections, pay special attention to the examination of the stock books maintained in registration offices. He may see that all new purchases have been brought on the stock book and have been duly checked and the annual verification has been duly made.

150. All cases of the registration of deeds of transfer of immovable property to which Government servants are parties shall be reported by the District Registrar concerned to the Head of the Department, Commissioner of the division, District Officer or District and Sessions Judge to whom the official concerned is subordinate.

Registration of deeds of transfer of landed properties

151. The return of statement of inspections will be in form no. 11, Appendix III. It should be submitted by District Registrars with the annual statistical tables not later than the 1st February. It should show separately for each office the particulars required by the headings, but not the results of inspections, which will be submitted in accordance with rule 385.

Statement of inspections

152. Every District Registrar shall prepare and submit to the Inspector General by the 15th August in each year a budget estimate of receipts and charges in form no. 14. Appendix III, for each revenue district separately. All important variations shall be explained briefly in the column provided for the purpose. In framing the estimates the instructions laid down in Chapter X of the Civil Account Code should be followed.

Budget estimates

153. District registrars shall submit to the Inspector General every year a

Annual reports by District

report on the administration of the department. The report should give a clear indication as to the significance of the statistics and a brief review of the operations of the preceding year, with such further remarks as the statistics or the inspections may suggest. For example, any marked increase or decrease in the number of registrations under the several heads of classification should be explained. The causes affecting the popularity of registration and the tendency to resort to it should be reported. Facts which seem to afford data for conclusion as to whether optional registration is becoming more or less frequent should be noted. If district registrar is of opinion that registration is not gaining popularity, remedies which may appear to be suitable should be suggested. Remarks on the miscellaneous business of the department, such as the deposit, etc. of will authentication of powers-of-attorney, issue of commissions, refusals to register, prosecutions, applications for searches, inspections and copies and such like, will be interesting. The reasons for refusing to register should be analysed, and details should be given of the cause and results of prosecutions and registered document discredited by civil courts. The working of the staff and their qualifications should also be noticed. The instructions for the preparation of reports laid down by Government in paragraphs 414 to 427, Manual of Government Orders, should be generally observed.

154. The annual reports must be forwarded to the Inspector General at the latest by the 1st of February, each year. Delay in submission will be noted in the provincial report submitted to Government.

Date of submission

### **Seal**

155. Every District Registrar and sub-registrar has been provided with a seal as required by section 15, bearing an inscription in Hindi, of the authorised designation of his office. This seal shall always remain in the personal custody of the registering officer and shall be used for the authentication of the following:

Inscriptions on seals and their custody

- (1) all powers-of-attorney attested under section 33, clause (a);
- (2) all commissions issued under sections 33 and 38;
- (3) all applications for the issue of summons to witnesses under section 36;
- (4) all copies of entries in register books and indexes granted under section 57;
- (5) all certificates of registration made under section 60;
- (6) all memoranda and copies forwarded under sections 64, 65, 66 and 67;

(7) all copies of reasons for refusal to register granted under sections 71 and 76;

(8) all orders issued by District Registrars under section 72 or 75, directing documents to be registered;

(9) all summonses issued by District Registrars under section 75;

(10) all search certificates issued under rule 327.

156. When a seal has become unfit for use, and is replaced by a new one, the former shall be destroyed in the presence of the District Registrar of the district. The seals of offices permanently closed shall be destroyed in the same manner. All new seals, whether for newly created offices, or to replace those which have become unfit for use, shall be supplied on application from the office of the Inspector General. Care should be taken to produce a distinct and legible impression, and for this purpose the use of a pad and good ink should be insisted on;

Renewal of seals

### **Blank books and forms**

157. District Registrars shall submit by the 1st November in each year and indent for blank books and forms for the requirements of their own and subordinate office for the next ensuing calendar year.

District Registrars; indents

158. The indent shall contain the headings given in form no. 13, Appendix III, in column 2 of which will be found printed a list of the sanctioned forms of the department.

Form of indents

159. No supplementary indents will be permitted except in the most urgent and special cases, which must be fully explained. When, however, the submission of a supplementary indent becomes necessary, it should be drawn up in the form prescribed and the necessary entries regarding balance, etc., made in respect of the books of forms required.

Supplementary indents

160. To ensure regularity in supply, indents should be punctually submitted to this office on or before the prescribed date, so that they may be checked and sufficient time allowed to the press for the printing and supply by the end of March. This rule must be carefully observed as inattention to it will frustrate all the press arrangements for economical working.

Punctual submission of indents

161. All the registers, books and forms will be supplied by the Government Central Press, Allahabad, direct to District Registrars, who will arrange for their

Supply of register books

custody and transmission to sub-registrars in accordance with the following rules.

162. Registers nos. I to VIII and file book no. I will be retained in the custody of the District Registrar of the district and supplied to sub-registrars only as they are required on application in form no. 25, Appendix III. Sub-registrars should make applications in ample time to admit of the arrival of these registers and books before they are actually required. Spare blank volumes of these registers and books should on no account be allowed to remain in sub-registrars' offices longer than is absolutely necessary before being brought into use.

Distribution of registers receipts and file books

Before issuing these registers and books to sub-registrars the District Registrar will certify the number of pages in each of the registers and books on the title page in accordance with section 16 (2), Act XVI of 1908.

163. With the exception of the registers and books referred to in the preceding rule, all other books and forms will be distributed to sub-registrar as soon as they are received by the District Registrar from the Government Central, Press, Allahabad. Care should be taken that not more than a sufficient number of forms is annually supplied. For this purpose all indents from sub-registrars should be carefully scrutinized in the District Registrar's office.

Distribution of other books and forms

164. The District Registrar shall fix a permanent advance of the number of each kind of saleable forms (forms nos. 28, 30 and 31, Appendix III) required for his office and for each sub-registrar's office under him. This permanent advance which will be known as "the standard" shall be based on three months requirements offices and on a whole year's requirements for the whole district in the case of District Registrar's offices. Each sub-registrar shall make an application for saleable forms in sufficient time to admit of the arrival of a fresh supply before the existing stock is exhausted. This application for replenishing the stock should be accompanied by the treasury chalans for the sale proceeds of the consumed stock. Similarly when the District Registrar's stock runs short he shall forward to the Government Central Press direct a requisition for the required saleable forms in form no. Mis. 131 A (Recoupment order of the Government Central Press, Uttar Pradesh for saleable forms) alongwith copies of the treasury chalans of deposits, made by sub-registrars in his district on account of the sale of forms. The treasury Chalans will then be checked in the Press with the recoupment order, and if found correct, forms to the equivalent value will be supplied to the District Registrar. The requisition for saleable forms

should not include a demand for any other kind of form. On or before the 10th of January, April, July and October each year, each sub-registrar shall submit to the District Registrar for verification a statement showing the description and number of each saleable form received from the District Registrar's office during the preceding quarter and shall file the same in his office on return after the district Registrar's verification. On the last working day of each financial year each District Registrar shall check his stock of saleable forms and forward to the Superintendent. Printing and Stationery, Allahabad, a certificate that the stock of the permanent advance of saleable forms for his district is correct.

165. No forms other than the sanctioned forms should be brought into use in the department without the express sanction of the Inspector General, and on no pretext whatever should books or forms be printed at private presses.

Use of other than sanctioned forms prohibited forms for use in their departments

Forms for use in the accounts and other departments must be indented for under the orders of the department concerned.

166. A stock book of forms will be kept in every office in form no. 19, Appendix I.

Stock books of forms

### Official Correspondence

167. Official correspondence between District Registrars and sub-registrars should ordinarily be in the form of a vernacular proceeding, but where the sub-registrar is a European officer or acquainted with English there is no objection to the correspondence being conduct by English letter or docket. A register of letters received and despatched should be maintained in every office. District Registrars may issue instructions relating to the maintenance of the register.

Correspondence between District Registrars and sub-registrars

168. District Registrars should, as far as possible, themselves dispose of references from sub-registrars, and should not transmit them to the Inspector General, unless his orders are really required. This caution is necessary because a great proportion of the references that reach the Inspector General's office are on points which have already been distinctly provided for and should have been disposed of in the District Registrar's office. But where a point of law or of procedure not already provided for is raised, or where the question is one of general application, the District Registrar should refer it for orders by means of an English letter which should fully state the case and the District Registrar's opinion thereon.

district Registrars to dispose of references from sub-registrars

169. The official correspondence between District Registrars and the Inspector

Correspondence

General shall be in English, and in the conduct of such correspondence District Registrars shall be guided by the general rules prescribed in Department III, paragraphs 391 to 411, Manual of government Orders. District Registrars will see that no unnecessary delay takes place either in their own offices, or in the offices of their sub-registrars, in replying to references from the Inspector General.

between  
District  
Registrars and  
Inspector  
General

### **Joint sub-registrars**

170. These rules are only concerned with the case of a joint sub-registrar whose office is at a distance from that of the chief sub-registrar. In cases where the joint sub-registrar is working in the office of the chief sub-registrar and as his assistant, no special procedure is required; and only ordinarily one set of books, registers and returns will be kept up jointly by the sub-registrar and joint sub-registrar.

Joint offices

171. In the case of joint sub-registrars located in different places, there will be two or more separate offices in a single sub-district, and all joint sub-registrars will have concurrent jurisdiction within the sub-district to which they are appointed. It will be optional to any party to register documents at any office in the sub-district.

Jurisdiction

172. The several registers prescribed by the Act and the rules shall be maintained at both chief and joint offices. As soon as any volume of the registers of a joint office is completed, it shall forthwith be forwarded to the chief office where it will remain until it is finally transferred to the central office of record in the district, In the case of joint offices, the file book no. I shall contain only the translation and copies of documents in foreign languages under section 19, and maps and plans presented under section 21(4). All other documents and copies filed under the provisions of sections 64 to 67 and 89 of the Act shall be filed in file book no. I of the chief office.

Registers

173. The prescribed indexes I to IV shall be kept up in both chief and joint offices. On the first day of each month joint sub-registrars shall make and forward to the chief office a copy of such entries in their indexes I, II, III and IV as may have been made by them during the past month. On receipt of the copies so sent, the chief sub-registrar shall place the sheets in their proper alphabetical order alongwith the index sheets of his own office.

The original indexes retained in the joint office will be bound at the close of the year and the volumes retained for record there subject to the provisions of rule

199.

174. In joint offices the records will, under rules 172 and 173 consist of the current registers and the index volumes only. On receipt of application for search or for copies in the current registers, the joint sub-registrar will allow the search or grant the copy, as the case may be, if such search or grant is admissible under the Act or the rules made thereunder. But if the registers to be searched, or from which the copy is to be made, have been sent to the chief office, the application will be forwarded to the chief office the application will be forwarded to the chief office or returned to the applicant for presentation there, as the applicant may desire, and the search shall be permitted or copy granted by the chief office without any fresh application. If the applicant desires the copy shall be furnished through the joint office. All applications for certificates of encumbrances by courts shall be made to the chief sub-registrar, who will obtain, if necessary a report from the joint sub-registrar previous to furnishing the certificate required.

Application for  
copies and  
searches

175. The fees realized in joint offices shall be credited at convenient intervals direct into the Government treasury.

Fees

176. Monthly and other reports and returns shall be prepared separately for chief and joint offices.

Reports and  
returns



**CHAPTER – III**  
**DUTIES AND PROCEDURE FOR REGISTERING OFFICERS**

177. All departmental sub-registrars are forbidden to seek or accept any other post, employment or office in addition to their duties in the Registration Department without the previous sanction of the Inspector General. Other employment

They are also strictly prohibited from drawing up or engrossing instruments in the registration of which they may be required to take part subsequently.

**CUSTODY, PRESERVATION AND DESTRUCTION OF RECORDS**

178. The District Registrar's office shall be a central office of record for each district, and the registers of his own and those of subordinate offices, which are to be preserved in perpetuity, shall be transferred to it from time to time. Office of record in each district

179. A catalogue shall be kept up in every registration office in Form no. 20, Appendix I. It shall be divided into two parts, part I, containing all records to be permanently preserved in the central office of record and Part II containing records to be destroyed after the expiry of the periods mentioned in rule 199. On the occasion of every permanent change in the incumbency, the officer receiving charge should compare his registers, books etc. with the catalogue, and certify therein that he has found them correct. Catalogue of registers books etc.

180. The following records shall henceforward be permanently preserved in the central office of record of the district where they still exist, or in which they may be subsequently deposited under rule 181 or 182. Records to be permanently preserved.

(1) All registers of documents and indexes, certified copies of documents and registers and originals of powers-of-attorney filed under Regulation XX of 1812.

(2) Kazis' records

(3) All register books and their indexes, translations and true copies filed and books containing abstracts of authenticate powers-of-attorney prescribed by Act XVI of 1864. Act XX of 1866. Act VIII of 1871 and Act XVI of 1908, and the file book containing special power-of-attorney under which documents have been presented for registration.

(4) All register books and indexes prescribed by Act XVI of 1908, as well as those received from subordinate offices and file books.

(5) Registers of powers-of-attorney authenticated.

(6) Authenticated special powers-of-attorney under which documents have

been registered.

(7) Catalogues

(8) List of records destroyed.

(9) Inspection Book

181. At the commencement of every calendar year such of the following books and indexes as are completely filled up and in which the last entry dates back over 12 years, shall be transferred to the central office of record in the district.

Transfer of records of central office of records

(1) Register books nos. I to V prescribed by Act XVI of 1908 and register book no. VI.

(2) File-books.

(3) File books of special powers-of-attorney under which documents have been registered.

(4) Indexes nos. I, II, III and IV – The indexes shall not, however, be so transferred, unless the register books nos. I, III and IV to which they relate have been transferred.

182. In the case of all outlying offices where the sub-registration office is not in a secure building, the transfer of the records to the central office of record may, with the sanction of the District Registrar, be made at lesser intervals, or on the volumes being filed up, should this in any case be considered expedient.

183. All records transferred to the central office of record shall be accompanied by an invoice in duplicate in Form 20, Appendix III. One copy of the invoice shall, after careful verification, be receipted and returned to the office from which receive with as little delay as possible. Dispatching officers will be responsible for seeking that the records are securely packed before dispatch, and every precaution taken to guard against their loss or damage in transit. If necessary, instructions should be previously obtained from the District Registrar as to the mode and manner of dispatch.

Transfer of records, how to be made

184. The District Registrar's office shall be provided, where possible with a special record room for registration records, provided with racks and presses, or strong sheet-iron almirahs fastened by secure locks. The central office of record may, with the sanction of the District Registrar, be placed directly under the supervision of the sub-registrar at headquarters.

Arrangement for custody of records in District Registrar's office.

185. The District Registrar of every district has been supplied with a fireproof

Fire proof safe

safe. Wills in sealed covers and authorities to adopt which may have been deposited under the provisions of enactments prior to the passing of Act XVI of 1908, also wills in sealed covers which have been deposited or may be presented for deposit under section 43 and wills which have been or may be opened under section 45 of Act VIII of 1871 and of act XVI of 1908 shall be kept in this safe. The key of the safe shall remain in the personal custody of the District Registrar, who alone shall open and close it. The duplicate key shall be deposited in some secure place. The safe should be placed where it cannot be affected by damp, and it shall be opened half-yearly in January and July with the view of ascertaining that its contents (which will be counted if there are any) are correct and in good condition, and that the lock is in order. This will be certified by the District Registrar on form no. 3, Appendix III.

for custody of wills, etc.

186. In sub-registration offices sheet-iron almirahs or other receptacles will be provided. The almirahs etc. shall if possible be placed in the room where the registering officer transacts his public business, and shall be opened and closed by that officer himself or in his presence. When locked, the key shall be retained in his presence. When locked, the key shall be retained in his own possession. The duplicate keys of the locks supplied to sub-registrars shall remain in the custody of the District Registrar of the district, who will label each with the name of the office of which it belongs and deposit it in his iron safe.

Arrangement for custody of records in sub-registrar's office

187. On no account may money or other private property be kept in a registration office.

Prohibition from keeping money or other private property in registration office.

188. The following miscellaneous records shall be classified and arranged as follows:

Miscellaneous records

(1) Powers-of-attorney authenticated under section 33, presented by agents bringing documents for registration. If the document is presented for registration under a special power of attorney, the power shall be retained and pasted into a file book in the office with the following endorsement.

No. \_\_\_\_\_ of 19  
*Presented with document No. \_\_\_\_\_ of 19 \_\_\_\_\_ of book No.*  
\_\_\_\_\_ volume \_\_\_\_\_

Dated \_\_\_\_\_

A.B.  
Sub-Registrar

Seal

If the document is presented for registration under a general power of attorney, the power shall be returned with the following endorsement:

Presented with document No. \_\_\_\_\_ of 19 \_\_\_\_\_ of book No.  
\_\_\_\_\_ volume \_\_\_\_\_.

Seal

Dated: \_\_\_\_\_

A.B.  
Sub-Registrar

(2) Copies of decrees of court ordering cancellation of registered documents received under section 39 of the Specific Relief Act, to be kept in annual bundles.

(3) Depositions of witnesses examined by the registering officer, to be kept in annual bundles.

(4) Miscellaneous paper of an ephemeral character, e.g., applications for summoning executants or witnesses, for issue of commissions and the reports of commissioners and for copies of reasons for refusal to register to be classified and kept in annual bundles.

189. Every registering officer shall be responsible for the preservation and safe custody of all registration records, including those of previous years which have accumulated in his office, or have been transferred to it. Safe custody of records

190. Registration officials are strictly forbidden to remove any registers, indexes, books or records (other than book when registration takes place at a private residence) from their offices for any purpose whatever, except with the sanction in writing of the District Registrar. All registration records should be kept in the receptacles provided for them not in use, and should on no account be taken to the Removal of records from office

private quarters of any official.

191. To prevent injury occurring to the records by damp, white-ants etc., the contents of the almirahs, presses, etc. should be thoroughly examined once a week.

Examination  
of records

192. All cases of injury to the records, from whatever cause, shall be made the subject of a special inquiry, and the District Registrar shall pass order, as to the degree of responsibility attaching to the officer in charge, the steps to be taken to repair the injury so far as may be possible, and the measures to be adopted to safeguard the records in future.

Injury to  
records.

193. In offices where white-ants have made their appearance, and other expedients have proved unsuccessful, the almirahs or boxes may be placed on shallow saucers filed with ordinary mustard oil with a rest in the centre thus ----- on which the almirah will rest. The saucers when once filled will not require replenishment for a very long time. This plan has been found satisfactory.

Precaution to  
be observed  
where white-  
ants or book-  
worm make  
their  
appearance

194. The results of experiments which have been tried for preserving books, etc. from the attacks of white-ants and other insects, show that a simple solution of perchloride of mercury (corrosive sublimate) in the proportion of one part by weight of the drug to 144 parts of water, is quite as efficacious as any other preparation, while at the same time it is very cheap (G.G.O. no. 14/475, dated the 29th April, 1883-circulated under G.O. no. 1537, dated May 1883).

195. All documents other than those deposited under sections 42 and 43, which remain unclaimed in the District Registrar's office or are returned undelivered by post after they have been registered or after registration has been refused, shall, after the expiry of one month from the date of registration or refusal or return by post, as the case may be entered in the register of unclaimed documents (form no. 33, Appendix III) and deposited in the fire-proof safe of the office for safe custody. A list of unclaimed documents in form no. 34, Appendix III, shall be exposed to the public view in each office.

Custody of  
unclaimed  
documents

**Note:** If the last day of the month be a day on which the office is closed, the document shall be entered on the next day afterwards on which the office reopens.

(2) A document which has been entered in the register of unclaimed documents will thereafter not be returned until a fee at the rate prescribed by Article XI of the Table of Fees (Appendix V) is paid by the person whom he may have nominated to receive it.

196. (1) All documents which remain unclaimed in the office of a sub-registrar or are returned undelivered by post after they have been registered or after registration has been refused, shall, after the expiry of one month from the date of registration or refusal or return by post as the case may be, be entered in the register of unclaimed documents (form no. 33, Appendix III). A list of unclaimed documents in form no. 34, Appendix III, shall be exposed to the public view in each office.

**Note:** If the last day of the month be a holiday on which the office is closed, the document shall be entered on the next day afterwards on which the office reopens.

(2) A document which has been entered in the register of unclaimed documents will thereafter not be returned unless and until a fee at the rate prescribed by Article XI of the Table of Fees (Appendix V) is paid by the person who presented it for registration or by the person whom he may have nominated to receive it.

(3) If the document be not claimed within three months from the date of registration or refusal or return by post, as the case may be, it shall, after the expiry of three months from that date, be posted so as to reach on the following Monday the District Registrar of the district for safe custody in his fire-proof safe. The District Registrar on receipt of these documents shall also enter them in the register of unclaimed documents (form no. 33, Appendix III) of his office and they will only be surrendered on payment of the fees prescribed in Article XI of the Table of Fees (Appendix V). The fees may be paid and the documents returned through the sub-registrar, if desired.

(4) Every sub-registrar shall submit to the District Registrar a weekly report of unclaimed documents in the form prescribed in form no. 35, Appendix III. It should invariably be sent on Monday following the week to which it relates.

197. All unclaimed documents forwarded by sub-registrars for safe custody in the District Registrar's fire-proof safe, shall be accompanied by an invoice, in duplicate, in form no. 15, appendix III. One copy of the invoice shall after careful verification, be receipted and returned to the office from which received, with as little delay as possible.

List of documents in District Registrar's office safe

198. In District Registrar's offices a list shall be maintained of all documents deposited in his fire-proof safe. It shall be in the form of a small book to be itself kept in the safe. It should show the contents of the safe on any given date separately for (1) sealed wills; (2) open wills; (3) unclaimed documents; and (4) any other non-testamentary documents. The list of sealed and open wills should only give serial

number, date of deposit or opening and the reference to book no. V. The list of other documents should show serial number, date of deposit, name of depositor, nature of deed, and date of return or destruction. From time to time, when it seems desirable, new pages should be opened, and all documents not surrendered or destroyed under proper authority should be brought forward under a fresh serial number, and a note made after the previous entries to this effect.

#### Destruction of records

199. The following records may be destroyed after the expiration of periods specified against each, computed from the 1<sup>st</sup> January, next following the date of the record, provided that the District Registrar may, at his discretion, direct the retention for a longer period, or permanently, of any papers which he may consider likely to be useful in the future.

Nature of records	Period of retention	Remarks
All correspondence whether in English or in Vernacular which is of an ordinary routine character and which the District Registrar considers fit to be destroyed.	One Year	
Copies of documents unclaimed by applicants.	Ditto	
Application for copies of reasons for refusal to register.	Ditto	
Other applications petitioners appeals, records and paper of anephemeral character not otherwise specified.	Ditto	
Weekly reports of unreturned documents.	One year	
Invoice of unclaimed documents	Ditto	
Periodical returns of sub-registrars office received by registrars.	Ditto	
Indent for forms and applications for registration by sub-registrars.	Ditto	
Receipts for memoranda of document received and despatched.	Ditto	
Rubkars, etc, relating to documents impounded	Ditto	

under the Stamp Act.		
Rubkars from Civil and Revenue courts and officers forwarding copies of orders and certificates under section 89, Act XVI of 1908.	Ditto	
Rubkars and reports relating to searches of encumbrances.	Two years	
Application for summoning executants and witnesses for issue of commissions.	Ditto	
Summons returned after execution	Two years	
Certificates by public officers to search register or take copies of entries in register.	Ditto	
Indents of forms on press	Three years	
Papers about buildings for furnitures of office.	Ditto	
Papers connected with the issue of commissions and the reports of Commissioners.	Ditto	
Office copies of periodical returns in District Registrar's and sub-registrar's office.	Ditto	
Dak books or despatch books---- Receipt books under section 52, Act XVI of 1908.	Ditto	
Bills for fees	Ditto	
Completed volumes of receipts and despatch registers maintained in sub-registrar's offices.	Ditto	
Applications for copies, inspections and searches along with affidavits or statements on oath taken by registering officers in connection with such applications for copies, inspections and searches.	Ditto	
Completed volumes of registers of applications for copies, searches and inspections, the minutes books.	Three years	
Miscellaneous correspondence on such subjects as bills and vouchers indents, books, leave, and accounts.	Ditto	
Charge certificates	Ditto	



Proceedings under section 72, Act XVI of 1908.	Ditto	
Orders regarding registration clerks in sub-registrars offices if the original orders exist in the District Registrar's office.	Ditto	
Copies of decrees of Civil Courts canceling registered documents.	Ditto	
Objection slips	Ditto	
Blank form stock book	Ditto	
Registers of service postage stamps	Ditto	
Paper relating to appointment and promotions for temporary establishment.	Ditto	After leaving Government service
Papers relating to resignation or dismissal.	Ditto	After the cases to be in Government service
Papers relating to misconduct of an officer	Ditto	After final order have been carried out and entry made in service book
Papers relating to punishment of Government servants.	Ditto	
Register of documents sent by post	Ditto	
Correspondence regarding budget	Five years	
Contingent and travelling allowance bills	Ditto	
Register of unclaimed documents	Ditto	
Contingent registers	Ditto	
Completed volumes of register no. VII of visits and commissions	Ditto	
Chalans of invoices of cash remitted to treasury and dakilas.	Six years	
Budget	Ten years	
Annual reports	Twelve years	
Papers regarding transfers	Ditto	
Completed volumes of registers of fees (saihas) and registers of impounded documents	Ditto	
Statements and depositions of witnesses or	Ditto	

proceedings under section 41, 63, 73 and 74, Act XVI of 1908, and medical certificates filed in support of the executants being major under section 41 of the Registration Act.		
Inspection notes	Ditto	
Register of saleable forms	Ditto	
Invoice with which records of over 12 years' standing are sent to central office of records.	Twenty-five years	
Order books	Ditto	
Register (no. VIII) of thumb-impressions	Thirty years	
Establishment pay bills	(a) Thirty give years. (b) Five years (A)	If the bills relate to the period prior to 1 <sup>st</sup> April, 1932. For bills from April 1932.
Detailed statement of establishment as it stood on 1 <sup>st</sup> April	(a) Six years (b) Thirty five years	In respect of form III from 1 <sup>st</sup> April, 1932. For those which relate to the period prior to 1 <sup>st</sup> April, 1932.
Papers relating to appointment and promotions for permanent establishment.	Thirty five years (B)	
Acquaintance rolls	Five years	Until a revised register duly attested by the sub-registrar and approved by the District Registrar is prepared
List of Government articles		
Catalogue of books		Ditto

N. B.- Papers relating to revision of establishment should be retained permanently.

(A) To be destroyed simultaneously with the pay bills, when service books have been verified in the manner laid down in the note below Subsidiary Rule 137 of the Financial Handbook, Volume II.

(B) Subject to the condition that before destruction, service of menials should be verified and a note to that effect in the service rolls concerned under the signature of the head of the officer or one of his gazetted assistants.

200. Early in December in each year a list shall be prepared in form no. 16, Appendix III, in all District Registrars' and sub-registrars' offices of the records and papers which, under the preceeding rule, are liable to destruction on the 1<sup>st</sup> January next ensuing. This list shall be submitted to the District Registrar for orders, and as soon as sanction is recorded thereon, the records or papers will be destroyed, and a certificate recorded at foot of the list that they have been effectually destroyed. This list shall then be permanently preserved. It must be distinctly understood that no books, records, or other papers whatever, shall be destroyed without the previous sanction in writing of the District Registrar of the district.

201. All District Registrars should, early in October of each year begin to prepare a list of unclaimed documents which have become liable to destruction under section 85 of the Act, As soon as the list is prepared it should be hung up in a conspicuous place outside the office with a notice that unless the recipients appear within one month to claim the documents and pay any fines due on them, the documents will be destroyed. Extracts from this list should, at the same time, be forwarded to the office in which the document was registered, to be exposed in a similar manner. At the close of the month notice by letters "service paid" should be addressed to the party entitled to receive the document lying unclaimed, and if the document is not claimed a month after the issue of the letter it should be destroyed by, or in the presence of the District Registrar, and the date of destruction should be notified to sub-registrars concerned, in view to a note being made in the margin opposite the copy in the book in which it is registered. In the event of the document being one of which registration has been refused, a note shall be made in the page of book II containing the order or refusal.

#### LANGUAGES

202. With reference to section 19 of the Act it is declared that the language commonly used in the State shall be deemed to be Hindi in Devanagri script, but documents presented for registration may be written in any language.

If, however, the document is written in a language other than Hindi in Devanagri script, and the language is not understood by the registering officer, the document shall be accompanied by a true copy thereof in that language and also by a true translation in Hindi in Devanagri script.

203. (1) When a document presented for registration is written in a language which the registering officer does not understand, and which is not commonly used in the district, the copy and translation required under section 19 of the Registration Act must be compared by some person acquainted with both the language of the document and that of the translation, and the original must be read out by him to the executant in the presence of the registering officer. That officer will then administer an oath to such person, and record his statement to the effect that the copy and translation are true, and that the executant understands the contents and admits execution.

Procedure to be followed by registering officers when documents written in a foreign language are presented for registration.

This statement will be recorded on the translation and signed by the declarant and the registering officer. It will be copied, along with the translation and other endorsements, into the proper book.

#### ***FEES AND FINES***

204. The fees prescribed by Government under section 78 of the Act are those given appendix V. A printed table of fees in English and in the vernacular of the district shall be suspended in some conspicuous place in every registration office.

Table of fess

205. All fees for the registration of documents are payable on presentation but should not be realized until the document has been formally accepted for registration. All fees received shall be credited to Government, whether the documents have been admitted to registration or not. Travelling allowance realized under the provision of Article VII of the table of fees may, however, be appropriated by the registering officer or commissioner, as the case may be.

Credit of fess

206. All receipts in the Registration Department shall be credited in the treasury account under the following heads:

- (a) Fees for registering documents-  
Registration fees under Act XVI of 1908.

(b) Fees for copies of registered documents.

Miscellaneous:

- (1) Fees for the authentication of power-of-attorney.
- (2) Fees on deposit, withdrawal or opening of covers containing wills.
- (3) Fees on filing translations.
- (4) Fines
- (5) Fees on commissions issued.
- (6) Fees on visits paid.
- (7) Fees for inspection of books and indexes.
- (8) Fees for searching for entries in books and their indexes.
- (9) Extra fees for registration for entries in books and their indexes.
- (10) Other miscellaneous receipts.

**207.** The sale-proceeds of the registration forms nos. 28, 30 and 31, Appendix III, shall be credited into the treasury under the head "LVI-Stationery and Printing Stock forms-Other forms" (not "XI-Registration" to which other registration receipts are creditable) by a separate chalan which should not contain any other item in treasury form no. 209 (not registration form no. 19, Appendix III, which is used for other registration receipts.) These chalans in treasury form no. 209 should be prepared and presented at the treasury in triplicate, the first copy to be retained in the treasury, the second to be sent to the District Registrar's office with application for replenishing the stock under rule 164, and the third to be kept in the record of the registering officer's office. In monthly and quarterly returns to be prepared under rules 138 to 140 Income on account of sale of form shall be entered separately below the total of registration receipts.

**208.** Where there is a treasury or sub-treasury at the same place as the registration office, the fees taken at the latter shall be paid into the former daily, in time to admit of their being included in the treasury accounts for the day. All sums received subsequent to the closing of the treasury or sub-treasury accounts for the day shall be credited the next day along with the receipts up to the hours of closing of the treasury or sub-treasury accounts for that day, and so on. All sums taken on any day on which the treasury or sub-treasury is closed owing to holidays shall be credited on the day on which the treasury or sub-treasury re-

opens. The words "treasury closed" should however be noted in the fees book against the fees of the day not credited on this account. All remittances to the treasury or sub-treasury shall be accompanied by an invoice in duplicate in form no.19, Appendix III.

**209.** Where there is no treasury or sub-treasury at the same place as the registration office, the collections shall be remitted monthly or at such intervals as the District Registrar directs to the nearest treasury or sub-treasury of the revenue district in which the office is situated, by postal money order, in time to admit of their being included in the accounts of the month then currents, and the following procedure shall observed in doing so;

I- District Registrars will provide the sub-registrars of such offices with ordinary inland money order forms in books with counterfoils, such as are obtainable at all post offices, and, these alone shall be used.

II- The sub-registrar shall make out a money order one of these forms, filling in the name of the most convenient post office and other particulars, and making it payable to the officer in charge of the treasury or sub-treasury to which the money is to be remitted. He should note briefly on the counterfoil and the coupon the heads to which the remittance is to be credited as laid down in rules 206 and 207 for his own and the treasury officer's information. The sub-registrar should at the same time fill in the usual form of invoice (form no. 19, Appendix III) and in treasury form no. 209, if the amount of sale-proceeds of form has also been remitted showing the particulars of the remittance made, and send it to the District Registrar of the district with the receipt granted to him by the post office for the money order and the commission paid there on for his information as to the amount remitted and the amount paid as money order commission. The treasury officer, on receipt from the post office of the money order will sign and date the money order and return it to the post office after cutting off the coupon. The acknowledgment of the treasury officer will in due course be delivered to the sub-registrar by the post office and should be affixed to the counterfoil of the form in the money order book in support of the payment. In these cases the coupon will take the place of the chalan or invoice of cash remitted (form no. 19 Appendix III, and treasury form no. 209 if the remittance is on account of the sale-proceeds of saleable forms) and the post

office acknowledgment of the payee i.e. the treasury officer, will take the place of the treasury receipt.

**210.** Sub-registrar should therefore ascertain the fixed closing date of the treasury or sub-treasury accounts, and remit all fees in hand by money order in time to secure their inclusion in the treasury accounts by the fixed date. No deduction should be made on account of the cost of the money order, which will be repaid to the sub-registrar along with his pay for the month as provided for in rule 111.

**211.** A fees book in form no. 13, Appendix I will be kept in all registration offices. This book must be written up daily.

**212.** The receipt book will be in form no. 8, Appendix I. Each volume contains one hundred blank printed forms, and each form is divided into three parts:

(1) To contain particulars for identifying the document presented for registration, and an acknowledgment of the receipt of the prescribed registration fees. This is to be filled up, torn off and given to the presenter on realization of the fees.

(2) To contain a brief description of the document, an acknowledgment of its receipt for registration. This is the "receipt" mentioned in section 52 of the Act, and it should be filled up, torn off and given to the person presenting the document at the same time as the receipt for the fees.

(3) The counterfoils, which remain permanently in the book.

**213.** Registering officers will see that receipts are given in the order in which documents are admitted to registration; that all prescribed particulars are filled in; that in the place for description of property it is stated whether it is immovable or movable, and in the case of mortgages whether with or without possession; and lastly, that the name of the executant and not, as is sometimes erroneously done, the name of the scribe, is noted in the place provided for this purpose.

**214.** Each volume of these receipt books, which contains one hundred printed forms numbered consecutively 1 to 100, shall be numbered in a consecutive series, which shall commence and terminate with the calendar year, a fresh series being commenced at the beginning of each calendar year. A new

volume however need not be brought into use at the beginning of the year, until all the receipts in the volume in use have been filled up. The volume in which receipts of two years fall should bear a double number, eg. 300 of 1889/1 of 1900. The document will be returned to the person applying for return and presenting the receipt granted under section 52 of the Act, or to the person desiring its return by post in the manner as laid down in rule 322, provided he is the presenter of the document or a person nominated by the presenter under section 61(2) of the Act. The nomination in both cases must be on the reverse of the receipt. In cases of document returned personally to the person mentioned above, on presenting the receipt, the signature of the recipient will be taken with the date, in the space on the reverse of the receipt which will be pasted immediately to its proper counterfoil in the receipt book.

**215.** If the person to whom the receipt was granted satisfies the District Registrar or sub-registrar that he has lost or mislaid it the document may be returned to him on his written acknowledgment of its return. If he is not personally known to the officer returning the document his thumb-impression should be taken on the counterfoil of the receipt unless he is of sufficient standing to render this precaution unnecessary. The document shall in no case be returned to any one but the person who presented it for registration, or his representative or agent or a person nominated in writing to receive it in accordance with section 61. Lost receipt

**216.** When several documents are registered by one party at the same time and place, one commission fee and one travelling allowance shall be charged. But if one journey is made to register documents belonging to different executants, the commission fees shall be charged against each person, or group of persons, registering a document or documents. Only one travelling allowance shall be charged and it shall be divided equally among the parties. For instance, if the sub-registrar goes to mauza Rampur to register one document belonging to A, two documents belonging to B and two documents belonging to C and D, he should charge one commission fees to A, one commission fee to B and one commission fee to C, V should charge each with one-third of the travelling allowance. Commission fee

**217.** The fees chargeble for coping documents into registers will be Fees for search or



found in article II, those chargeable for copies of records issued to the public in article X, and those chargeable for searches and inspections in article VI of the table of fees, Appendix V. for copies.

**218.** In reckoning the number of words for the purposes of copying fees, every five figures and every group of five or less initials shall count as a word. Copying fee how to be calculated.

**219.** District Registrars shall permit inspection and grant copies of entries in the registers kept up previous to the enactment of Act XVI of 1908, at the same rate of fees and to the same extent as in the case of registers under the present act. Inspection and copies of entries in registers.

**220.** In the event of registration being refused, or not taking place for other reasons, any fees, which may have been levied, will be refunded except fees for commissions, summons and attendances, travelling allowances, where such fees have been earned. Inspection or search fees may be refunded in cases where no inspection or search is made, but not where a partial inspection or search has been made. Any registration fees charged by a registering officer in excess of what is actually chargeable under the rules may be refunded at the discretion of the District Registrar provided that the refund is claimed within thirty days and the District Registrar is satisfied that there has been a clear over-charge. Refund of fees

Applications for refund of fees will be in writing to the District Registrar who will pass orders thereon. District Registrars will be responsible for seeing that receipts are obtained and recorded for the full amount of fees to be refund.

**221.** Applications for remission of fines levied under section 25 or section 34 shall be made in writing to the District Registrar, who shall forward them to the Inspector General under section 70 of the Registration Act with his own remarks, together with a bill for refund, if necessary, in the form prescribed by the Accountant General. Accounts so refunded shall be drawn by the District Registrar and paid to the person entitled to receive them on his furnishing a formal receipt. Remission of fines

### REGISTERS

**222.** In the office of every District Registrar and sub-registrar the following registers must be maintained : Registers

Book ..... No. I Book ..... No. IV

Additional Book	„	I	Additional Book	„	IV
File Book .....	„	I	Book .....	„	VI
Book .....	„	II	Book .....	„	VII
Book .....	„	III	Book .....	„	VIII

Each District Registrar must also keep an additional register called book no.V.

**223.** The books shall consist of printed forms, containing the headings hereinafter described, and paged consecutively, bound in volume of convenient size, the number of pages in each volume being certified on the title page. These volumes shall be numbered consecutively (a separate series for each book), and the numbers shall not terminate with the year, but shall run on perpetually. Each registering officer, on receiving such a volume, shall immediately examining it to see that it contains the certified number of pages, and that these have been numbered in proper consecutive order. He shall note the result on the title page.

**224.** When a volume is filled up and at the end of each calendar year (at whatever point in a volume this may occur), the registering officer shall certify that last entry in the volume or of the year, as the case may be, the number of entries made in that volume during the current calendar year and the number of pages on which they are written. He shall also examine those entries and note in his certificate any errors or defects that he may discover, and any accidental omission to make entries on any of the pages dealt with by the certificate. If in any current volume no entry is made in any calendar year the registering officer shall enter a certificate to that effect in that volume.

Certificate of examination.

**225.** The consecutive number of entries in each book prescribed in section 53 shall commence and terminate with the calendar year.

Consecutive numbers to be by the year

**226.** If in any office the number of documents to be registered be so large that there is difficulty in entering them day by day in the appropriate registers, the registering officer may, with the previous sanction of the District Registrar, keep up concurrently two or more volumes of any register book; the documents bearing even numbers being entered in one volume, and those being odd numbers in the other.

Concurrent volumes of same register

**227.** In order to guard against mistakes and alterations in the figures

Certificate as to figures and

used in documents, the registering officer shall, in cases where the figures are not also expressed in words in the body of the document, sign a certificate in the following form on the back of document, using words not figures: "Certified that in the tenth line figures expressing five biswas, and in the fifteenth line, figures expressing one thousand rupees. etc. etc., occur". All figures, whether ordinary or rakam, used in documents which are not also expressed in word in the body of the documents should be included in the certificates. If they are also expressed in words in the document itself no certificate is required.

amounts mentioned in documents.

*(Note- This rule does not apply to the khasra numbers of fields nor to the muhalla numbers of houses.)*

*Book No. 1*

**288.** Book No. 1 is the register of non-testamentary documents relating to immovable property as defined in the Registration Act. In this book shall be entered all documents registered under sections 17 and 18 which relate to immovable property, and are not wills. It is open to public inspection, and copies of entries in it shall be given to all persons applying for them on payment of the prescribed fees. It shall contain the headings prescribed in Form No. 1 Appendix 1

Book no. 1

**299.** The description of the territorial division required by section 21 of the Act shall be the name of the village, pargana, tahsil and revenue district in which the house or parcel of land is situate, the name of the thok or palli being prefixed when the property is situated in a pallidari or bhayachara village.

Territorial divisions

Entries relating to property, within the registering officer's jurisdiction should be made in black ink, the others in red ink in order to facilitate the preparation of index no IT.

**230.** When any document is registered in book no. I, III or IV affecting some other document previously registered in book no. I, III or IV a note giving the page, volume and the number book of the latter document shall be entered opposite the entry of the earlier document. The note should be signed by the registering officer of the day, When the book containing the previous document is in the office, the note will be immediately made. When the book is in the central office of the record of the district or in another district, a request for compliance with the rule will be immediately sent to the officer in charge of the

Reference to previous registration

central office of record or to the District Registrar in whose district the previous document was registered. Notes of compliance with this rule should always be entered on the copies of documents in which the reference to previous documents occur, as without such notes it cannot be easily ascertained whether the rule has been complied with.

**231.** Ordinarily no difficulty will be experienced in determining for the purposes of the Act what is and what is not "Immovable", but occasionally doubts on this head may arise, and the following ruling is stated for the guidance of registering officers.

Immovable  
Property

**233.** Owing perhaps, to the varying definitions of "Immovable property" and to the wording in section 2 of the Registration Act, XVI of 1908, there is considerable want of uniformity in the practice followed in different parts of this State when registering deeds of transfer or hypothecation of standing trees other than the those sold in execution of decree by order of courts. The matter has been considered by the State Government and the Government of India, and the principles to be followed are thus stated in the Government of India, Home Department letter no. 49/1814, dated the 31st October, 1884:

Transfer or  
hypathecation of  
standing trees  
other than those  
sold in execution  
of decree by order  
or court

"It would seem to be difficult to frame a definition of 'movable' and 'immovable' property suitable for practical use on a mere consideration of the physical nature of the property. It would appear to be necessary to take into account also the way in which the property is regarded and dealt with as the time of transaction, and this is apparently what the framers of the Indian Registration Act, 1877, meant to do by using the words 'standing timber' in contradistinction to trees. Certain trees, being almost invariably used as timber, are commonly spoken of as 'timber trees.' But probably most trees would admit of being used both as timber and for other purpose. Thus, properly speaking, almost every tree, being potentially timber and no tree actually timber, the question whether a tree is for the purposes of the transaction to be deemed to be 'timber' must depend upon the way it is regarded and treated in that transaction. If, for example trees are sold with a view to their being cut down and removed, to sale is one of 'standing timber' within the meaning of the Registration act. If, on the other hand, trees are sold, as it is understood they are in the class of cases referred to by the Government of Madras, with a view to the purchaser keeping

them permanently standing and enjoying them by taking their fruit or otherwise, the sale would not, it is believed on any construction of the Act, be regarded as one of 'standing timber' but would be a sale of immovable property. For these reasons the difference between the definition of 'immovable' property for the purposes of the Registration Act and the Code of Civil Procedure would probably be found to be smaller than has, by some authorities, been supposed; but the possibility of removing any thence arising and assimilating the definitions by an amendment of the law will be considered. Meaning it seems clear that, if the certificates in question when forwarded by the Civil courts are to be registered at all, they must be registered in book no. I

(see Act XII of 1879). The only question is whether, where the registering officer is of opinion that the property concerned is not 'immovable' within the meaning of the Registration Act, he should treat the certificate as sent by mistake and abstain from registering it. The Government of India is of opinion that the proper course is to leave it to the Civil courts to determine in what cases certificates should be sent for registration, and that Registrars should, without attempting to consider and decide the points themselves, register every certificate forwarded in book I in accordance with provisions of section 89 of the Indian Registration Act, 1877, as amended by Act XII of 1879."

**233.** All registering officers should apply the same principle to private sales of standing trees when deeds are presented for registration, and should determine in each case whether trees should be treated as immovable property and the deeds entered in book I, or a movable property and the deeds registered in book IV. In view of the definition in the Registration act it will, perhaps, be well to trees of the classes ordinarily utilized for "timber as movable property", unless the terras of the deed clearly contemplate the purchaser keeping them standing and enjoying their products. Conversely, trees not ordinarily utilized as timber would be treated as immovable property and registered in book I, un less the terms of the document made it clear that they were to be cut down.

**234.** Instruments evidencing the sale or exchange or mortgage for immovable property of a value less than Rs. 100 have, under the terms of section 54, section 59 (as amended by Act VI of 1904) and section 118 of the

Transfer of property Act IV of 1882, to be registered. The effect of section 54 and of amended section 59 is virtually to abolish the distinction created by sections 17 and 18 of the Indian Registration Act between the compulsory and optional registration of instruments of sale or mortgage of immovable property even when the value of the property concerned was under Rs. 100.

Under the Registration Act their registration is not compulsory and therefore for the purpose of classification such transactions are to be treated as compulsory.

**235.** A special volume of register book I, to be called "Additional Book no I", in the form of file book with numbered butts, may be opened, with the sanction of the Inspector General, in any office where documents on printed or lithographed forms are presented for registration. The copy of each such document and endorsements required for entry in the register shall be made by filling in the blanks in a spare copy of printed or lithographed form and by copying the endorsements written on the original on the reverse of the last page of copy of the form thus prepared; or on a separate sheet of paper when necessary. Each sheet of the copy thus made shall then be pasted on a separate numbered butt in the additional book no. 1, and the registration officer shall write his signature and the date, and shall affix the seal of the office, so that both signature and seal may be partly on each butt so used and partly on the sheet pasted thereon. All documents entered in the additional volume of book no.1, shall be numbered in the same series as documents copied in the ordinary volume. As additional book no. 1, is part and parcel of book no. 1, each sheet pasted in the additional book no. 1, must be paged at the top outer corner in bold figures in red ink in manuscript, each sheet pasted in the additional book no. 1, must be paged at the top outer corner in bold figures in red ink in manuscript, each leaf being considered as two pages as in the case of book no. 1 and endorsement under section 60 must be recorded by referring to the pages thus given in manuscript and not to the butt numbers on which each sheet is pasted. Whenever any such document is transferred to the said additional volume of book no. 1, a brief note, showing that the document bearing number so and so, has been pasted into the additional volume of book no. 1, at page so and so, shall be inserted in red ink in book no. 1, on the top of the page on which the

next serial number is entered, but if the consecutive number of documents registered in additional book no. I, is so large that there is no space for making all the entries on the top of the page, the whole page of the ordinary book no. 1, may be utilized for recording the notes in respect of those document. On each printed or lithographed document is entered and below the line should be given the page and volume of the additional book also, e.g., "Registered as no. 500 in Book i, volume 10 in page, 20 and 21 The indexing Additional Book no. 1 volume 11 on pages 6 and 61.

should similarly be made with reference to pages and volume of both the registers. The form (specimen attached) of the printed butt shall contain the following particulars:

I-Value of stamp. Note – This column should also be used for notes of the kind written in the second column of ordinary book no. 1.

II- Serial number of entry, nature and value of transaction and amount of registration and other fees and lines levied.

### **Specimen Form**

Space for binding	Value of stamps. Note – This column should also be used for the notes of the kind written in the first column sub head 4 of ordinary book no. 1	Serial number of entry nature and value of transaction, amount of registration and other fees and fines levied.
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Note – (1) In the case of printed or lithographed document presented for registration, whether with on without maps or plans which are stitched and sealed in the form of a book, it will not be necessary to separate each page of the document, but the whole document consisting of printed or lithographed matter together with maps or plans, if any, should be pasted on one but in the additional book no. 1.

(2) In the case of maps or plans presented with printed or lithographed documents, if any, it will not be necessary to paste such maps or documents in the butts in the additional book no. 1.

236. File book no. 1- For filing (pasting in) copies and memoranda received from other offices under sections 64 to 67 and 89 to the Registration Act, as well as the maps and plans presented with manuscript or typed documents under section 21 (c) and translations and copies of documents in foreign languages presented under section 19. As regards the copies of maps and plans and the translation and copies of foreign instruments filed in this book under section 61 and 62, it will be sufficient to note thereon the registration number and date of registration of the document to which they appertain and the volume and the page where the entry will be found. But all other copies and memoranda filed in this book shall be numbered in the manner laid down in rule 237 and the necessary particulars given of them in indexes nos. I and II. All documents should be pasted in to it immediately on receipt, otherwise there is danger of their being lost or injured. It must be remembered that this file book is part and parcel of book no. I, and is only maintained as a separate volume to prevent the injury to the binding and the disturbance of paging which would result if the document filed there in were filed in the ordinary bound volumes.

File book  
no. 1

237. Copies and memoranda pasted into the file volumes of register book no. I, shall be entered in the consecutive numerical series of that register according to the date of receipt: for example a document having been entered in register book no I as no. 457, a copy received the no. 458; and if before another copy is received a document is entered in register book no. I, it shall be numbered 459. The numbering of the copies pasted in the file book no. 1, shall be conspicuously marked at the top and the document numbers with volume and pages of the file book noted in red ink on the heading of the page in book no. 1, on which the next serial number is entered. The file book is merely an additional volume of book no. 1, and must be paged in exactly the same way, i.e. each side of each leaf being considered as two pages, as in the case of book no. I, itself.

Numberin  
g of papers  
filed in file  
book no. I

On each copy and memorandum entered in the file book should be conspicuously noted the page and volume of register book no.1, of the consecutive series in which the copy or memorandum is entered and below the line should be given the page and volume of the file book also, e.g. "Registered as nos. 500 in book 1, volume 10 on pages 20 and 21" The indexing should similarly be made with



reference to pages and volume of both the registers.

238. It sometimes happens that translations and copies are filed under section 62 in the case of documents in foreign languages registered in book nos. III and IV. If such translations and copies are few in number, they may be pasted into the register book to which they relate. But if they are at all numerous, it is in the discretion of the registering officer to open file books subsidiary to book no. III and IV, as the case may be.

File books subsidiary to book nos. III & IV.

#### Book No. II

Book no. II

239. Book no. II- For recording reasons for refusal to register. This book is also open to public inspection, and copies of entries in it shall be given to all persons applying for them. In the event of the applicants being persons executing or claiming under the document registration of which has been refused, or their representatives or agents, the copy shall be given free of charge (for copying), but the copy must be stamped. The practice which sometimes prevails of copying the registered document in to this book in expense is unnecessary and erroneous. The reasons for refusal should however without being prolix, be sufficiently full to enable an appellate or inspecting officer to judge of their sufficiency but they need not contain a summary of any evidence which the registering officer may have taken; such evidence should be recorded on separate sheets of paper and filed in the office. When a document, the registration of which was originally refused, is subsequently registered by order of a District Registrar, under section 72 or 75 or of a Civil court under section 77, a note of such order shall be made in this register opposite the original record of refusal. When a registering officer refuses to registrar a document solely on the ground of want of jurisdiction, he shall hand it back to the person presenting it in the manner described in rule 287 without recording an order of refusal either on the document or in this book.

240 Re-registration under section 23-A are made by the District Registrar under section 30, clause (a) discretionary authority is given to the District Registrar of a district to receive and register any document which might be registered by any sub-registrar subordinate to him. District Registrars should exercise the discretion here given them with a due regard to the public

Discretionary registrars by District Registrars

convenience. A refusal to register may compel numerous parties and witness to travel to a distant sub-office and carry with them large sums of money. Where the document is a will or authority to adopt, or where it relates to a transaction in which the sub registrar having jurisdiction is peculiarly interested, or where it is written in English and the sub registrar except for very congenial reasons. Where a District Registrar decides that a document presented to him under section 30 ought to be registered in the office of a sub registrar, he shall return it to the person presenting it without recording an order of refusal either on the document or in his book no. II.

241 Registering officers should bear in mind that they are in no way concerned with the validity of document brought to them for registration, and that it would be wrong for them to refuse to register on any such grounds as the following – (1) that the executant was dealing with property not belonging to him; (2) that the instrument infringed the rights of third persons not parties to the transaction; (3) that the transaction was fraudulent or opposed to public policy; (4) that the executant had not agreed to certain conditions of the documents; (5) that the executant was not acquainted declared that he had been deceived into executing; (7) that the executant is blind the cannot count. These and such like are matters for decision, if necessary, by competent courts of law, and registering officers, as such, have nothing to do with them. If the document be presented in a proper manner, by a competent person, at the proper office, within the time allowed by law, and if the registering officers, as such, have nothing to do with them. If the document be presented in a proper manner, by a competent person at the proper office, within the time allowed by law, and if the registering officer be satisfied that the alleged executant is the person he represents himself to be, and if such person admits execution, the registering officer is bound to register the document without regard to its possible effects. But the registering officer shall make a note of such objections of the kinds mentioned in grounds (1) to (7) above as may be brought to his notice in the endorsement required by section 58.

Registering officers not concerned with validity of document

242 If any person admits the execution of a document presented for registration, but denies the receipt in whole or part of the consideration recited therein. Registration shall not be refused because of such denied, but a note of

Denial of receipt of considerations.

the denial shall be made in the endorsement required by section 58.

243 If after the presentation of a document for registration the executant thereof does not appear, and the presenter neglects or refuses to enforce his attendance under part VII of the Registration Act, the document may be returned if claimed back. In such cases the refusal to register should be recorded after the four months' limit prescribed in section 34 has expired, and the document is to be sent to the District Registrar for safe custody under rule 196.

Unwilling ness  
to register.

244. If the executant appears and admits execution and his identify is established the registration should be completed even though one or both of the parties may, after this stage, desire to withdraw the document from registration. If after admission of execution the executant refuses or neglects to sign the endorsement. The registering officer should note this refusal as prescribed in section 58 of the Registration Act.

245 If after admission of execution and the necessary identification of the parties the presenter (irrespective of the executant's action) refuses to proceed or to sign the endorsement, the registration should nevertheless be completed and a note of the refusal to sign endorsed on the document. The document if not claimed, should be kept three months under rule 196 and then sent to the District Registrar.

246. The case of simple denial of receipt of consideration is met by rule 242. If the document is not claimed by the person who presented it, or some one authorised by him to receive it (section 61) it should be retained three months under rule 196 and then sent to the District Registrar.

247. Orders refusing to register should be made only after due care and consideration, and if the impediment to registration be a mere informality or defect capable of remedy, opportunity should always be given to the parties to correct the flaw. In such cases registration shall be deferred, and no final order of refusal shall be made until the document concerned becomes time-barred.

Correction of  
defects capable  
of remedy.

248. When, under section 35 of the Registration Act registration is admitted as to some of the parties to a document, but is refused as to the rest, the registering officer shall endorse thereon an order in this form :

Partial refusal  
or

"Registration refused as to A B and C.D."

He shall record the reason for this partial refusal in his book no. II; but in all

other respects he shall proceed with the registration of the document in the ordinary manner. This register shall contain the headings prescribed in form no. 2, Appendix I.

Provided that where the person executing a document is dead, a registering officer shall not register the document unless all his legal representatives (personally or by agent as prescribed in section 34 of the Registration Act) appear and admit the execution. The registering officer shall also take in such cases an affidavit from the claimants to the effect that there are no legal representatives of the deceased person beside themselves and shall refuse to register the document if the affidavit is not furnished.

249. The Calcutta High Court has ruled under Act III of 1877 in the case of Radha Kissen versus Choonnelal Dat (I.L.R., V. Cal. 445) that refusal to admit execution of a document even if it is not made in the presence of the registering officer is a denial of execution within refusal or neglect to attend before the registering officer to admit execution, not with standing sufficient legal service which may not necessarily be personal; and when such refusal or neglect occurs, the remedy will lie under section 73 or 77 of the Registration Act, as the case may be, for the purpose of having the document registered.

Wilful refusal. neglect to attend equivalent to denial of execution.

#### Book No. III

Book no. III.

250. Book no. III is the register in which wills and authorities to adopt are to be copied, after they have been accepted for registration under section 41; also such wills as have been opened under sections 45 and 46. It shall contain the headings prescribed in form no. 3, Appendix I. This book is not open to public inspection, nor are its indexes; but copies of entries in it or them shall on payment of the prescribed fees, be given to the persons executing the documents to which such entries relate, or to their agents, and after the death of the executants (but not before) to any person applying for such copies. The necessary search shall be made by the registering officer. When a will entered in this book affect immovable property situate in districts or sub-districts other than that where the entry has been made, no copy or memorandum of such will need be sent to the registering officers of those districts or sub districts.

251. No entry is required in the 5th column of the heading of book no. III in the ordinary case of a testator presenting his own will. The particulars of

the witnesses to his identity occur in the endorsement. It is only in the case of proceedings before the District Registrar under section 45, or when a will, etc., is presented for registration to a sub registrar by a person claiming thereunder after the death of the testator, that entries are to be made in column 5.

252. In this book no III the District Registrar must enter not only copies of the wills, etc., registered by him self, but also copies of the wills, opened under the provisions of sections 45 and 46.

253. To prevent mistakes it is here explained that every document making posthumous disposition of property is a "Will" and should, when registered, be entered in book no. III. Further, that a document which merely declares the fact of having adopted a son, or giving a son for adoption, is not an authority to "adopt" and should not be entered in this book unless it contains testamentary dispositions which bring it within the above definition of "will".

Wills and  
authorities to  
adopt.

Deeds of adoption as generally met with in practice are of four classes -

- (1) Deeds which recite the fact of adoption only.
- (2) Deeds which recite the fact of adoption and convey the property of the adoptive father to the adopted son in the lifetime of the former.
- (3) Deeds which recite the fact of adoption and will the property to the adopted son after the adoptive father's death.
- (4) Adoption deed executed by windows in pursuance of an authority to adopt.

Instruments of the first class fall under section 18, Clause (1) of the Registration Act, and their registration is optional, but they must be presented if registration is desired within the time allowed in Part IV. They should be entered in book IV.

Instruments of the second class should always be recorded in the registers instruments of "gift" (hibba-nama). They must be brought for registration within the period of limitation allowed in Part IV, but are subject to different treatment, according as the property transferred is immovable or movable :

- (a) Where the property transferred or any part there of is immovable, the instrument falls under section 17, clause (a) of Act XVI of 1908, and should be entered in book I. Its registration is compulsory.

(b) Where the whole of the property conveyed is movable, the instruments falls under section 18, clause (d), and should be entered in book IV. Its registration is optional unless the transfer of the property is effected by the instruments itself when its registration is compulsory under section 123 (2) of the Transfer of property Act.

Instruments of the third class must be recorded and treated in every respect as wills (wasiyat-nama) Their registration is optional, section 18, clause (e), and they may be presented at any time (section 27); they must be entered in book III.

Instrument of the fourth class must be treated in every respect as those of the first. But care must be taken to distinguish between instruments conferring authority to adopt a son (ijazal-nama tabniyat), and adoption deeds executed in pursuance of such authority. The registration of an authority to adopt is compulsory, while that of an adoption deed is optional; the former deed must be entered in book no. III, the latter in book no. IV. Adoption deeds not uncommonly contain stipulations on the part of the adoptive father for the maintenance of the adopted son, and provision for his marriage expenses. Such stipulations are to be regarded only as a record of duties which are imposed by the law itself, without express mention, upon the adoptive father, and do not bring the deeds which contain them within the definition of "agreements" in section 2, Act IX of 1872.

#### **Book No. IV**

Book no. IV.

254. (1) Book no. IV is the miscellaneous register, in which are to be copied all documents registered under clauses (d) and (f) of section 18 which do not relate to immovable property. It is not open to public inspection, nor are its indexes; and copies of entries in it or them shall be given, on payment of the prescribed fees, only to the parties executing or claiming under the documents to which such entries relate, or the agents or representatives of such persons. The necessary search shall be made by the registering officer. This register shall contain the headings prescribed in form no 4, Appendix I.

(2) A special volume of register book IV to be called "Additional book no. IV" in the form of the file book with numbered butts, may be opened, with the sanction of the inspector General, in any office when documents on printed or

lithographed forms are presented for registrations. The procedure as laid down in rule 235 shall also be followed in respect of printed or lithographed documents pated in Additional book no. IV. The form (specimen attached) of the printed butt shall contain the following particulars :

I – Value of stamp.

II – Nature and value of transaction

III- Serial number of entry amount of registration and other fees and fines levied.

### **Specimen Form**

Value of stamp	Nature and value of transaction, if any	Serial number of entry amount or registration and other fees and fines levied
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(3) Copies of entries in book no. IV, Additional Book no. IV or of their indices containing any information relating to the property of a waqf or any deed of Waqf shall be given free of charge when asked for by the President or the Secretary of the Shia Central Board or the Sunni Central Board for a bona fide public purpose.

255. it may here be noted that the registration of instruments of gift or movable property has under the 2nd clause of section 123 of the Transfer of Property Act IV, of 1882, been rendered compulsory whenever the property is not delivered to the donee. Under Section 18 (d) of the Registration Act they are however optionally registrable and for the purposes of this Act the registration will be in book IV.

Gift of movable property

### **Book V**

Book no. V.

256 Book no. V is the register for recording transactions relating to the deposit and withdrawal of sealed wills mentioned in part IX of the Registration Act. When will has been removed by order of court under section 46, the fact shall be noted in red ink across the entry and the note shall be authenticated by the signature of the District Registrar. It shall contain the headings prescribed in Appendix I. form no. 5.

257. All depositors of wills should be informed that no steps will be taken by Government to ascertain when they die and to communicate after their death with the beneficiaries. A copy of the following notice may be given to

every person depositing a will for safe custody under the provisions of sections 42 of the Indian Registration Act, 1908.

#### **Notice to depositors of wills**

All wills deposited under section 42 of the Registration Act are kept in perpetuity (unless withdrawn by the testator under section 44 or removed in to court under section 46) in a fireproof safe. But depositors are informed that no steps can be taken by Government to ascertain the fact of their decease or to communicate thereafter with their beneficiaries. The sealed cover will simply be kept as deposited, unopened, until an application is made under section 45 or 46 of the Act. It is the testator's duty to take such steps as he may deem necessary to ensure that the existence and place of custody of the will may be known to the person or persons interested.

#### **Book No. VI**

258. Book No. VI is the register for recording brief abstracts of power-of-attorney authenticated under section 33, clause (a). It is not necessary to copy out in full the powers-of-attorney authenticated under section 33, a brief memorandum of the contents is sufficient; but the exact words of the governing portion of the power of attorney empowering the attorney to present documents for registration and to complete the registration should be copied in column 4 of Register no VI. The office where registration is to be effected and a brief description of the property to be dealt with should be given in the abstracts relating to special powers of attorney. Particulars as to identifying witnesses should be copied in the last column. But when a power of attorney is registered it must of course be copied out in full in book no. IV like any other document.

259. To prevent mistakes it is explained that the only description of power of attorney which a registering officer is competent to authenticate under section 33 is one which contains authority to present a document for registration, and this is the only kind of power of which entry should be made in book no. VI. The power of Attorney must, except as provided in section 33 of the Act, be executed before the sub registrar. The endorsement should state that this has been done and the abstract should always note that the instrument confers power to register. A power of attorney may of course be registered like



any other document as explained above, but it will not be valid for registration purpose unless it has been authenticated under section 33. Accordingly, when a power of attorney is presented by a person who presumably does not understand the distinction between registration and authentication, and it be not a power which the registering officer can authenticate, he shall register the document in his book no. IV. But if the power contains authority to present a document for registration, the registering officer shall explain the difference between authentication and registration, and ascertain the presenter's exact wishes in respect of the document. There is nothing, of course, to prevent such a document being registered as well as authenticated if the principal wishes it; but in that case the two operations shall be treated as separate transaction, and the usual fees shall be levied for both. This book shall contain the headings prescribed in form no. 6, Appendix I.

#### **Book No. VII**

Book No.  
VII.

260. Book No. VII is the register of visits and commissions under section 31, 33 and 38. It shall contain the headings prescribed in form no. 7, Appendix I. In the column "distance traveled" is to be shown the distance from the office to the place visited.

#### **Book No. VIII**

Book no. VIII

261. Book no. VIII is the register of thumb-impressions. It shall contain the headings prescribed in form no. 18, Appendix I. If a thumb impression relates to a documents registered in another office a note to that effect should be made in book no. VIII.

#### **Authentication of Register Books**

Authentication  
of entries in  
register books.

262. Every entry in books nos. I, III and IV shall be, as far as practicable, an exact counterpart of the original; but interlineations, blanks, erasures or alterations should not be copied as such, but should be noted at foot as required by section 20 of the Act. The registering officer shall also see that the entry has been made in the book to which it property belongs; that the number affixed to it is that which it properly belongs; that the number affixed to it is that which it ought to bear in order to maintain the consecutive series required by section 53, and that the book, the volume, and the page entered in the certificate of

registration are correctly stated.

263. The record of every document shall be compared with the original by some person other than the copyist, and both the copyist and the examiner shall append their signatures to the record and enter the words "copied by" or "examined by". The registering officer shall then proceed to authenticate errors in the copy and to make any notes, which may be necessary under section 20 of the Act. He shall also affix his initials in English or short signature in vernacular at the bottom of each page and at the end of the record, and shall, under his usual full signature and official designation, certify it to be a true copy. In offices where there is no clerk the procedure laid down in rule 349 should be followed.

Examination of copies and authentication of errors.

264. No erasures shall be made with an ink erasure, knife or by any other means in any register book, but mistakes shall be corrected when necessary with the pen. All interlineations and corrections in the register books shall be made in red ink. Corrections shall be made by drawing the pen through the words wrongly copied and rewriting them.

Erasure prohibited.

Indexes

265. The current indexes, required by section 54 to be kept up in every registration office shall be prepared on printed forms to be supplied to the office of the Government Central Press, on indent being submitted to the office of the Inspector General. The sheets should be headed with the different letters of the alphabet by the registering officer. At the end of the year all used sheets should be bound up in their proper alphabetical order.

Indexes to be prepared on printed forms.

266. Index no. I is that in which section 55 requires that the names and additions of all persons executing and of all persons claiming under every document registered, or memorandum filed in book no. I, shall be entered. This index shall contain the names and additions not only of the parties concerned in the document but also of those concerned in the copies or memoranda of document received from other registration offices and filed under sections 64, 65, 66 and 67 as well as those concerned in the copies of orders by Revenue officers granting loans under the Land Improvement Act or under the Agriculturists loans Act, and of certificates granted by Civil courts under rule 94, Order XXI, schedule I of the Civil procedure code, 1908 or by Revenue

Index no. 1

officers which are filed under section 89 of the Registration Act. It shall contain the headings prescribed in form no. I, Appendix II.

267. Index no. II is that in which, by section 55, the particulars mentioned in section 21 relating to every document registered, or memoranda filed, in book no. 1 are to be entered. Entries should, as a rule, be made under the name of the town or principal village where the property affected is situated, the name of mohalla in the case of a town or of a hamlet in the case of a village being given in column 4. Index no. II.

But in sub-districts containing towns to which the United provinces Municipalities Act II, of 1916, has been extended entries relating to property situate in such towns should be made under the name of the mohalla. A Sub registrar on registering a document of the nature mentioned in section 64 or 65 shall enter in this index only that portion of the property which is situate in his own sub district. A District Registrar on receiving a copy of a document under section 65, 66 or 67 shall enter only the property situate in his own district. A sub registrar on receiving a memorandum of a document under section 64, 65, 66 or 67 or a copy of an order or certificate under section 89, shall enter the particulars of the property concerned in this index. But if the property situated in more than one town or village in the district or sub-district the name of each place shall be separately indexed under its initial letter. It shall contain the headings prescribed in form no. 2, Appendix II.

268. Index no. III is that in which section 55 requires that the names and additions of all persons executing every will and authority to adopt registered in book no. III of the executors and persons respectively appointed thereunder, and (after the death of the testator or donor, but not before) of all persons claiming under the same shall be entered. It shall contain the headings prescribed in form no 3. Appendix II. Index no. III.

Note – The names of the claimants under a will or an authority to adopt should be indexed only when the testator or the donor is dead at the time the will or the authority to adopt is registered or the contents of a wills is copied in book no. III according to section 45 of the Indian Registration Act.

269. Index no. IV is that in which section 55 requires the names and additions of all persons executing, and of all persons claiming under every Book no. IV.

document copied in book no. IV or filed in Additional Book no. IV to be entered. It shall contain the headings prescribed in form no. 4, Appendix II.

270. Index entries shall be made on the same day as the document to which they relate is copied or filed in its proper register, or at latest on the following day. The official who indexes the document shall append his signature with date under the words "indexed by" which will be entered in red ink on the top of the copy of the document entered in the proper register, on the document filed in Additional book no. I under rule 235 on the document filed in Additional book no. IV under rule 254 or on a copy or memorandum filed in File Book no. I under rule 236 read with rule 237 as the case may be. The registering officer shall, before he certifies a copy as true copy under rule 263, or finally endorse a document copy or memorandum under rule 235 or 237 satisfy himself that the same has been properly indexed. The indexes shall ordinarily be kept in Urdu and in the Kumaun division in Hindi. The headings of the columns have however been printed in English Urdu and for the Kumaun division in English-Hindi, so as to enable all District Registrars and sub registrars acquainted with English and able to conduct business in that language (rule 202) to prepare indexes of English documents in English. The English lettered sheets of the index should at the time of binding be put with sheets of the corresponding Urdu or Hindi Letter.

Indexes, how to be prepared

271. Entries regarding Indians should be made with reference to the first letter of the name, and not that of the rank, title or caste. Entries regarding Europeans should be made with reference to the first letter of the surname.

Initial Letters.

272. In the case of Native Christians who have Christian names and family names, the entries should be indexed in the same manner as European names. In the case of Native Christians who have no family names, and who add their father's names or the names of their villages to their own, the entries should be indexed in the same manner as ordinary Indian names.

Native Christians

273. Entries regarding companies, banks, etc., shall be made under the initial letter of the first words, omitting the article.

Companies, banks etc.

Example – The Land Mortgage Bank of India, under "L", the Bank of Upper India, under "B", and the Allahabad Bank under "A".

274. Entries in the case of documents in which Government is concerned

Government

shall be made in the English indexes under "G" as the first letter of the word "Government" and in the Urdu and Hindi indexes under and as the first letter of the word "Sarkar" the official designation of the officer representing Government being given in the first column.

275. In the case of certificates of sale given by a court, the names of the judgment debtor and of the auction purchaser should be indexed in the appropriate nominal index and an entry made under "G" in the English and I in the Urdu or Hindi indexes of the official designation of the officer who has granted the certificate.

Certificates of Sale, etc.

276. In the case of security bonds, the name of the person for whom the security is given should be indexed as well as those of the executant of the bond, and the person in whose favour it is executed.

Security bonds.

277. When a document is executed by an agent or representative, the name of every principal as well as of every agent or representative, and of every person claiming under the document should, be indexed.

Agent or representatives

Example – A bond executed by Mr. D., Manager, on behalf of the Allahabad Bank, would be indexed under A for principal, and also under D, that being the first letter of the surname of the agent executing the bond on behalf of the Bank. Document executed by or in favour of guardians on behalf of minor should be indexed in the names of the guardians as well as the minors.

If the person with respect to whom a document is to be indexed is mentioned in the document under an alias as well as his real name, the document should be indexed with respect to both the alias and the real name. Similarly, if a town or village is called by two distinct names in the document, it must be indexed with respect to both names.

278. The entries in indexes respecting all documents entered in file book no. 1 shall be made in red ink, so that it may be apparent that the document has only been filed in the District Register or sub-registrar's office.

Documents entered in file book no. 1

#### SUBSIDIARY BOOKS

Order file

279. The order file is a guard book in which should be filed all orders whether emanating from the inspector General or the District Registrar of the District. All orders of this character should be pasted in as soon as received, and should be pasted in as soon as received, and should not be allowed to lie loosely

about. The order file must be in two part : (1) Circulars and general orders of a general of the Inspector General and (2) Orders of a general or permanent character issued by the District Registrar. Temporary or special orders will be put in the yearly bundles and be weeded according to the rules in Chapter V. The correction slips are not to be placed in the order file book but in the manual. A list should be prepared for each year and pasted into the order file containing a brief description of all orders so filed. This list should not be made up at the end of the year, but written up from time to time as orders are filed.

280. Every sub-registrar shall keep a minute book in form no. 14, Appendix I. Minute book This book is intended, primarily to contain the record of all suspensions of the ordinary procedure of acceptances for and admission to registration: for example -

- (1) When the document presented for registration has been impounded under the stamp Act;
- (2) When the document is returned for presentation in the proper office;
- (3) When the document is returned for correction or amendment;
- (4) When the document is put aside pending appearance of parties or witnesses.

In it should also be recorded the reasons for non compliance with an application for search, inspection or copy.

Unless in the case of copies searches and inspections sufficient particulars have already been given in the remarks columns or registers of applications for copies, searches and inspections.

281. The entries in the minute book should be made by the sub registrar with his own hand and each proceeding should be signed and dated by him. When proceedings relating to the same case are recorded on more than one occasion, the serial numbers of the subsequent entries will be entered in column 2 of the first entry. Column 2 of each subsequent entry will show the serial number of the first entry.

282. When a document presented for registration is returned by a sub registrar for correction of amendment or on any other ground, the sub registrar shall also briefly record his reasons on an objection slip in form no. 16, Appendix I, and make over the slip to the presenter. When the document is subsequently admitted for registration, the sub registrar will file the slip for

perusal by the inspecting officers.

283. A refusal to register is not a suspension but a final termination of the proceedings and in such a case the record is made in register no. II, not in the minute book. Every other circumstances which causes an interruption of the proceedings between the presentation of a document and its admission to registration, however, brief that interruption may be must be made the subject of separate entry in the minute book stating why proceedings were interrupted, and also if necessary of a second entry recording the removal of the impediment and the completion of the registration. In cases in which refusal has to be recorded on a date subsequent to the adjournment of proceedings after entry in the minute book a reference to the entry in book 2 should be given in column 2 against the last entry of adjournment. Thus, in the commonest case, that of non-appearance of an executant, there must be in the first place an entry to this or similar effect:

"Deed of sale, dated the 1st February 1898, of a two anna share in mahal Rampur by A, B, in favour of C, D, presented by the latter this 10th day of February 1898. A, B, is not present. Registration postponed and process issued." Then, if executant appears, there will be a second entry :

"Document referred to in serial number so and so, A, B, having appeared registration completed, dated etc." In this case if the process were ineffectual there would be no further separate entry, the eventual refusal being recorded in registrar II with a reference to the first entry in the minute book, and to the entry in book II in the second column against the first entry in the minute book.

Similarly the reasons for non-compliance with an application for inspection or copy should be concisely recorded, and if the objection is subsequently removed and the application is granted, a second entry stating the fact should be made. The method of filling in column 2 so as to connect entries relating to the same document together is another point which is not understood. The object of the reference number is to enable each document to be traced through all the entries referring to it in the register.

The following examples will show clearly what is required :

Annual Serial no.	Reference number and number of and serial number of	Note of proceedings
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- document (if any)
1. 4 ..... Deed of mortgage by A, B to C, D of 100 bighas in mahal Rampur, Dated the 5th January 1908. Impounded as not duly stamped and sent to collector this 12th day of January 1898.
  2. (Blank) Deed of sale by E, F to G, H of a house and grove in Jalalpur, dated the 12th February 1898. Returned for presentation to S. R., Kanpur the proper office this 20th day of February 1898.
  3. 7 ..... Deed of mortgage of a 2 annas share in mahal Ram Prashad, Mauza Gutani, by J. K. to D. M. dated the 8th March 1899. Erasures not attested. Returned for compliance with section 20 of the Registration Act, this 15th day of March 1898.
  4. 1  
(Book I, Vol. no. 124). Deed referred to in serial no. 1 received back duly certified by Collector as to stamp. Registration completed this 17th day of March, 1898.
  5. 8 ..... Deed of sale of house and garden in mohalla Uparkot. Kasba Syedpur by N. O. to P. Q. dated the 8th March, 1898. Presented by P. Q. N. O. does not appear. Registration deferred pending return to process issued this 18th day of March 1898.
  6. .... Application by R. S. dated the 26th March 1898 for copy of document no. 10 book III, Vol. 2, being the will of T. O. refused under section 57 of the Registration Act. testator being alive.
  7. 4  
(Book I, Vol. 23, no. 196). Document referred to in serial no. 3 represented after compliance with section 20 of the Registration Act and registered this 25th day of March 1898.
  8. 5  
(Book I. Vol. 22, no. 224) Document referred to in serial no. 5, N, O having appeared and admitted execution registration completed this 10th day of April 1898.  
etc. etc. etc.



PROCEDURE  
Prior to acceptance

Registration of documents in which sub registrar is interested or concerned. Examination of document.

284. Sub-registrars are prohibited from registering documents in which they are personally, or otherwise connected, or interested. Such documents can be registered by District Registrars without extra fee under article IV of the table of fees.

285. When a document is presented for registration the points requiring the attention of the registering officer may be summarized as follows :

- (1) Whether he has jurisdiction to register the document?
- (2) Whether the document is time barred?
- (3) Whether the document is free from the objections in sections 19, 20 and 21?
- (4) Whether the document is properly stamped?
- (5) Whether the document is presented by a proper person?
- (6) Whether the document was executed by the persons by whom it purports to have been executed?

286. When a document is presented at a registration office the registration officer will examine it to see whether he has authority to register it; and on this head, Parts V and VIII of the Registration Act should be consulted. For the purposes of jurisdiction documents may be grouped in to four classes:

Examination as to jurisdiction

- (1) Non-testamentary documents relating to immovable property mentioned in clauses (a) to (d) of section 17, and clauses (a) to (c) of section 18.
- (2) Wills and authorities to adopt.
- (3) Copies of decrees and orders of court.
- (4) All other documents.

Instruments of the first class may be accepted for registration by any registering officer within whose district or sub district any portion of the property concerned is situate. Instruments of the second class may be registered in any office. A copy of a decree or order may be registered in the office of the sub registrar in whose sub district the decree or order was made, or if it does not affect immovable property, in the office of any other sub registrar under the State Government at which all the persons claiming under decree or order desire the copy to be registered. A document of the fourth class may be registered, either in

the office of the sub registrar at the place of execution, or if desired by the executants and persons claiming under it, in the office of any other sub registrar under the State Government.

287. If the registering officer finds he has no jurisdiction to register a document presented to him, he should endorse on the document the words "Returned for presentation in the proper office" and return it to the presenter, informing him at what office he can obtain registration. An entry of the occurrence should at the same time be made in the minute book (rule 280).

Procedure when registering officer has no jurisdiction

288. When the registering officer finds he has jurisdiction, he should examine the document to see that it has been presented within the time allowed by part IV of the Registration Act. Section 26 refers to documents executed out of the States and will be noticed below. With regard to all other documents, the law requires with certain exceptions (Sections 23, 23-A and 34, sub-section (1), that both the presentation for registration and the appearance of the executant shall take place within four months from the date of execution. But in order to avoid hardship in certain cases, it also provides that a further period of four months shall be allowed subject to a fine :

Examination as to time.

(1) When a document cannot be presented within the first four months, owing to urgent necessity or unavoidable accident (section 25);

(2) When after a document cannot be presented, the executants, owing also to urgent necessity or unavoidable accident, cannot appear or cannot be made to appear to admit execution (section 34, proviso).

289. If the document be brought for registration within the time allowed by law the registering officer should see whether it contains any unverified interlineations, blanks, erasures or alteration of the kind mentioned in section 20 of the Registration Act; and, in the case of document relating to immovable property, whether the description of it is sufficient for identification. If he is not satisfied on either of these points and if the omission cannot be immediately supplied he should endorse on the document the words "Returned for compliance with section 20" (as the case may be) and hand the document back to the presenter in view to the defect being remedied. An entry of the occurrence is to be made in the minute book (rule 280). Foreign documents should not be

Examination as to unverified interpolations, etc.

accepted unless accompanied by the translation, and copies required by section 19, nor documents of the kind mentioned in section 21 (4), unless accompanied by the required copy or copies of the map or plan.

290 Where interlineations or corrections occur in a document presented for registration, the registering officer must require such interlineations and corrections to be attested by the initials or signatures of the executants of the deed, if that has not already been done. If the parties or any of them cannot read or write, the sub-registrar should read over to them the correction or interlineations, and add a certificate that he has not already been done. If the parties or any of them cannot read or write, the sub registrar should read over to them the correction or interlineations, and add a certificate that he has done so, and that the parties agreed thereto to his registration endorsement.

291. When a document is presented at a registration office, the endorsement required by section 52 of the Registration Act should be recorded in the form given in rule 384, clause A, and signed by the registering officer and by the ... sin presenting the documents, except in the cases referred to in rules 284 to 289 and rule 302. After recording the endorsement the first duty of the registering officer is to examine the document to see that it is duly stamped, or is exempt from stamp duty. When such examination discloses that a document is not duly stamped, the registering officer will levy the prescribed fees and make the endorsements required by sections 58 and 59 but before proceeding to register the document under section 60 further proceeding in the registration office should be stayed and the document should be immediately impounded and forwarded to the Collector of the district under section 38, clause 2, of Act II of 1899. After the document has been endorsed by the Collector in the manner prescribed by section 40 (a) or 42 of the stamp Act, as the case may be, registration proceedings shall at once be resumed and completed. Document impounded under the Stamp Act should be sent to the Collector through the District Registrar. Every sub-registrar shall keep a register of documents impounded by him in form no. 15 given in Appendix I.

Examination  
as to stamp

Note A – In the case of the registration of any document the stamp duty paid on which is lower than it would be but for the previous payment of stamp duty on some connected document, the registering officer shall note the amount of stamp duty paid on the previous document. This note should be made in the column "Value of stamps" in register I or IV.

Government notification no. 1074/VI –225-1909, dated the 11th November, 1909.

Note B – When a document has been impounded by a sub registrar, the District Registrar has no power under the Stamp Act to declare it duly stamped and to stop it from going to the Collector. There is of course no. bar to his forwarding his opinion with it."

Note – C Under notification no. 683-F., dated the 28th December 1912, published in the Gazette of India, dated the 4th January 1913 the stamp duty with which instruments executed by or on behalf of any Co-operative Society. for the time being registered under Act II of 1912, or instruments executed by any officer or member of any such society, and relating to the business of the society, are respectively chargeable has been remitted.

292. Documents must ordinarily be presented for registration at the registration office; but under section 31, registering officers may, on special causes being shown, proceed to the private residence of any person desiring to present a document and may accept it there for registration. This permission, however, must not be interpreted as extending to the acceptance for registration of documents at the private residence of the registering officer.

293. No court-fee is required on written applications made to a registering officer for issue of commissions under section 33 or 38 for the attendance by a registering officer under section 31, 33 or 38 at a private residence or jail or for issue of summonses under section 36. An application for the attendance for the registering officer at a private residence may be presented by an agent, relative or servant of the applicant or be sent by post but the presentation of the applicant or be sent by post but the presentation of the document in such cases can be made only by the person who desires to present for registration at his or her residence.

Court fee stamp on application.

294. In cases of urgent necessity or unavoidable accident, therefore, a delay of four months is allowed for presented and a similar delay for

appearance; and both periods may be allowed for the same document, if any urgent necessity or an unavoidable accident occurs to prevent both the presentation of the document and the appearance of the executant in due time (section 25 and 34, proviso). The two periods are quite distinct, and are given for different purposes and at different stages in the procedure of registration. This distinction is important; and, if it is borne in mind, the following instructions will be readily understood.

Section 25 and 31.

295. (1) When a document has been presented to a sub registrar for registration, within the period (prescribed by section 23, namely, four months from date of its execution), and the executant fails or appear to admit execution within that period, and the case does not come under rule 249, the sub registrar must, immediately after the expiration of the said period, record a formal refusal to register, leaving it to the parties to appeal to the District Registrar under section 72 within 30 days, if they think proper :

Procedure on failure executant to appear within four months from execution of document.

Provided that if proceedings under section 36 for the appearance of the executant are still pending at the expiry of the four months, and the executant has not appeared, the case shall be reported to the District Registrar without a formal refusal to register being recorded. But when summons has been duly served and the executant refuses or neglects to appear a formal refusal to register will be recorded under rule 249 without waiting for the expiry of the period of four months.

(2) In any case referred to in sub-rule (1) the District Registrar shall not pass an order granting an extension of time or directing the sub-registrar to register the document, unless it is shown that the non appearance of the executant was due to urgent necessity or unavoidable accident.

296. (1) If the time for accepting a document for registration has been extended under section 25, and the executant fails to appear to admit execution within the period of eight months from the date of its execution within the period of eight months from the date of its execution, and the case does not come under rule 249, the sub registrar must, immerefusal to register, leaving it to the parties to appeal to the District Registrar under section 72 within thirty days, if they think proper.

Procedure on failure of the executant to appear after payment of a fine under section 25, within eight months from execution of document.

Provided that if proceedings under section 36 for the appearance of the

executant are till pending at the expiry of the eight months, and the executant has not appeared, the case shall be reported to the District Registrar without a formal refusal to register being recorded. But when summons has been duly served and the executant refuses or neglects to appear a formal refusal to register will be recorded under rule 249 without waiting for the expiry of the period of eight months.

(2) In any case referred to in sub-rule (1) the District Registrar shall not pass an order granting an extension of time or directing the sub registrar to register the document, unless it is shown that the non-appearance of the excutant was due to urgent necessity or unavoidable accident.

297. The above instructions apply to document presented under section 26. his exception only that the first period of four months and the extended period of eight months must be reckoned from the date of their arrival in the States and not from the date of their execution. These documents can under no circumstances remain pending beyond eight months from the date of their arrival in the States. In the case of a document executed by some of the parties in, and by others out of the States, the party presenting the document may proceed at his option under section 23, section 24 or section 25 instead of section 26; and, if he does so, the provisions of the above instructions regarding those sections shall apply. All pending documents must thus be refused registration after eight months from the date of execution, if presented under section 23 or section 24 after 12 months, if presented under section 25; and after eight months from the date of arrival in India, if presented under section 26. Section 96

298. The above instructions (rules 295, 296, 297) are however subject to the proviso that the sub-registrar may immediately record a refusal to register, with out reporting the matte to the District Registrar, if it is apparent that the failure to attend is due to the wilful default or ground of denial of execution, vide rule 249 supra.

299. If the period of limitation for presentation or for appearance to admit execution of a document prescribed by the Act or extended by the District Registrar expires on a day on which the registration office is closed, the presentation or appearance shall be considered to have been made in due time if it is made on the first day of the opening of the office, vide section 10 of the

General Clauses Act, X of 1897.

300. If the document be not open to any of the objections set forth above, the registering officer, before finally accepting it for registration, should satisfy himself that the person presenting it has legal authority to do so. The persons who may present a document for registration are the following :

Parties entitled to present document for registration.

- (a) in the case of a will, the testator, and after his death any person claiming under it as executor or other wise;
- (b) in the case of an authority to adopt, the donor, and after his death, the donee or the adopted son;
- (c) in the case of a copy of a decree or order, any person claiming under the decree or order;
- (d) in any other case, any person executing or claiming under the document;
- (e) the representative or assign of any of the foregoing;
- (f) the agent of any of the foregoing.

Note – Where the Indian Registration Act, 1908 or any rule made there under, requires or permits any act to be done with reference to a document has been executed on behalf of Municipal or District Board or is a document under which a Municipal or District Board claims, the act may, not with standing anything to the contrary contained in the aforesaid enactment or in any rule there under be done (1) in the case of Municipal Board, by the chairman, the executive officer or a secretary of the board, or by other officer of the board empowered by regulation in this behalf, and (2) in the case, of District Board, by the Chairman or by any other officer of the board empowered by regulation in this behalf.

301. If the document having been executed by the principal, be presented by a representative or assign the latter should satisfy the registering officer of his status. If by an agent, he must produce a power of attorney authenticated in the manner prescribed in section 33 of the Registration Act. But care must be taken to distinguish between deeds executed by agents in pursuance of power in that behalf conferred upon them by their principals, and deeds executed by principals presented for registration by agents empowered in that behalf. It is not the duty of the registering officer to satisfy him self of the power of an agent being the actual executant of an instrument to execute it, i.e. to deal with the

Presentation by representatives, assigns or agents.

property forming the subject-matter of the deed. The registering officer does not record any confirmation of that power. His duty is confined to the question whether the persons purporting to have executed the instrument have in fact done so or not. There are three possible cases :

- (1) Where the actual executant, or person claiming under the instrument, appears;
- (2) Where a representative or an assign of such person appears :
- (3) Where an agent of either of the above person appears.

In the first case, the registering officer has simply to ascertain whether the person so appearing does or does not admit execution, and his identity; he is not concerned with the capacity in which the executant acted in signing the document. In the second case, the registering officer has further to satisfy himself as to the right of the representative or the assign to appear in that capacity and to admit execution. In the third case, the registering officer has simply to see whether the person appearing is an agent duly empowered as prescribed by section 33 to appear and bind his principal, viz., the executant, person claiming under the instrument, representative or assign with an admission of execution. If the power-of-attorney is in a language which the registering officer does not understand and which is not commonly used in the district he shall require a translation of it to be filed with the document.

302. If the registering officer finds the person presenting the document is no legally authorized to present it he should endorse on the document "Presented by . who is not legally authorized to present it – Returned." An entry of the occurrence should at the same time be made in the minute book. Section 23-A of the Indian Registration Act, 1908 as amended by Act XV of 1917, does not authorize a registering officer to accept presentation by an improper person but is only enacted to rectify errors already made.

Presentation by unauthorized person.

303. It shall not be necessary for an officer of Government or any other person referred to in sub-section (1) of section 88 of the Act to appear in person or by agent at any registration office in any proceeding connected with the registration official capacity or to sign as provided in section 58. Such registration may transmit the same to the proper registering officer either through a messenger or by post. The words "executed by him or in his favour"

Officials exempt from appearance.



shall be construed as referring also to an instrument executed by or in favour of the predecessor in office of the officer or person entitled to present any instrument for registration.

#### Procedure on acceptance

304. When a document is accepted for registration the prescribed fees should be levied and the necessary entries on made in the fees book. The counterfoil receipt should then be prepared and the receipts for the document and the fees delivered to the presenter. The registering officer should then, with as little delay as possible, enquire whether the document was executed by the alleged executant, and satisfy himself as to the identity of the person appearing before him to admit execution. He should also satisfy himself that the person admitting execution has read and understood the contents of the document and should if the person is illiterate or cannot read and understand the document will explain the nature and contents to him. If the presenter be the executant, or his representative assign or agent, and if such executant, representative assign or agent be present, the registering officer shall make the necessary enquiry at once.

When the registering officer is not personally acquainted with executants, he shall require them to produce persons to testify to their identity. Such persons shall, if possible, be persons known to the registering officer personally, or failing these, persons of apparent respectability. With nesses who are unknown to the registering officer shall have their thumb impressions recorded as in the case of executants (vide rule 308, so far as it is applicable). Any distinctive physical peculiarity or marked deformity in a party or witness should be noted in the endorsement. But a descriptive roll need not be recorded except in suspicious cases. This procedure must be in addition to, and not take the place of, the procedure required by section 34, that the registering officer shall satisfy himself of their identity. Such descriptive rolls afford in themselves no proof of identity.

305. The registering officer must take care that the witness is really able to identify the person to identified. To this end the witness should be clearly and specially asked whether that person is or is not the person he professes himself to be, and what the nature of his- the witness's – acquaintance with that person

Identity of  
obscure and  
unknown  
persons.

is. The testimony of an identifying witness should be rejected if he has had no personal acquaintance with the person identified, but has merely been told his name for the purposes of that identification. Care should be taken that identification does not become a trade among the petition writers, menials and hangers on of the office. The testimony of persons who make such a trade should not be accepted.

306. In the case of documents executed by pardanashin ladies, registering officers should be careful to obtain an admission of execution from the execution from the executant's own lips. The mere statement of the relatives or other persons accompanying her is not sufficient. the lady should be seen and identified by some person acquainted with her appearance, and the name and relationship of such person to the executant should be noted in the endorsement. The terms of the document should be explained to the executant, and if while admitting execution, she objects to any of the terms such objection should be noted. The instructions apply to the case of all document executed by pardanashin ladies, whether registered at the registration office or on visit or by commission at the executant's residence.

Identity of  
pardanashin  
women.

307. If execution by the alleged executant is admitted and the registering officer is satisfied on the points laid down in paragraph I of rule 304 he should record on the instrument the endorsement required by section 58 in one or other or the signed by the registering officer, the executant, and all the witnesses examined; but no such endorsement is necessary on a copy of a decree or order, or on a certificate sent under section 89 of the Registration Act.

Admission by  
and  
identification  
of executants.

308. In addition to all or any of the directions laid down in the Act or Rules made thereunder for securing the identification of executants of documents, registering officers shall take the thumb – impressions of all executants of document, registering officers shall take the thumb-impressions of all executants of documents, whether personally known to them or not, in the following cass :

Thumb  
impressions.

- (1) Registrations under section 17, clauses (a), (b), (c), (d) and (e) of the Act.
- (2) Registrations under section 18 clauses (a), (b) and (c) of the Act.
- (3) of the Act.

"and also under clauses (d), (e) and (f) in the Meerut and Rohikhand Division only.

(4) Powers-of-attorney authenticated under section 33.

(5) Of all pardanashin women.

This rule may be relaxed only in the case of persons of position, regarding whose identity there can be no doubt or room for suspicion and in the case of persons suffering from leprosy or similiar highly contagious disease, notwithstanding that such persons are not personally known to the registering officer. In the case of pardansahin women the impression shall be made either in the presence of the registering officer or of the person who identifies the women, and in the latter case the name of the person who takes the impression should be noted. A note shall be made in the register and on the document, of the fact and grounds of relaxation of the rule under this paragraph.

The impression taken shall be of the left thumb. If the left thumb be defective or injured, the right thumb, or any other digit may be used, and a note made in the register and on the document of the particular digit employed. If none of the above methods be possible, special care should be taken that the directions contained in rule 304 are strictly complied with.

The impression shall be taken (1) on the document, in a clear space immediately under the signature of the executant to the endorsement required by section 58 of the Act, and (2) in Register no. VIII (form no. 18, Appendix I), which shall be maintained in all registration offices.

The apparatus to be employed will be supplied by the Office of the Inspector General of Registration, and shall ordinarily consist of a tin box containing (1) a roller, (2) a tin plate, (3) a pot of printer's ink, and (4) a phial of turpentine. the mode of taking impression is as follows :

(a) A small quantity of ink should be applied to the plate and worked with the roller till it forms an even layer on the surface, which must be so thin as to allow the plate to show through it.

(b) The executant's left hand should be taken and the ball of the thumb, after being wiped should be laid on the inked plate and rolled from side to side (not rubbed) and pressed gently, but firmly with the operator's own hand until sufficiently inked, and the inked finger should then be placed and lightly and

carefully rolled on the paper on which the print is to be taken, in such a way that the pattern of the whole ball of the thumb, from side to side is clearly impressed on it. It must be specially borne in mind that any reverse movement, either at the time of applying or removing the thumb, will cause a smudge and spoil the impression.

(c) The roller and plate must be thoroughly cleaned daily.

Some difficulty is occasionally experienced in obtaining satisfactory thumb – impression when the executant is a pardanashin woman or an ignorant agriculturist. In such case it is advisable to take first a few impressions on a piece of waste paper and not to take an impression on a piece of waste paper and not to take an impression on the document (when as in the case of a paradanashin women the registering officer is not the actual operator are fully acquainted with the method to be employed. In cases when the thumb impression taken on the document or on the register is blurred or indistinct, a second or, if necessary, a third impression should be taken

along the first, a note being made in the register and signed by the registering officer whenever more than impression is taken on the document itself.

**309.** Under rules 34(2), Province of Agra, Identification by Patwaris, and 39(2) Oudh, of the Patwaris Rule- Board's Extent Circulars, Part III-all patwaris are required when attending any court or upon any record in their diaries the fact of attendance, the cause of attendance, and the name and designation of the court or official. These rules apply to patwaris when attending the offices of District Registrars and sub-registrars for the purposes of identification in registration proceedings. It should accordingly be the practice for registering officers to require any patwari attending a registration office for the purpose of identifying a person executing a document to note the particulars referred to above in his diary, such entry being authenticated by the signature of the registering officer. Any neglect or refusal on the part of a patwari to produce his diary should be brought to the notice of Collector or Deputy Commissioner of the district. Sub-registrars should address the District Registrar of the district, who will take the necessary action in the matter.

Identification  
by partwari

**310.** It will be observed that the endorsement just mentioned is to Enquiry as to

contain, amongst other particulars, any payment of money or delivery of goods made in presence of the registering officer in reference to execution of the document, and any admission of receipt of consideration, in whole or in part, made in his presence in reference to such execution. Although the registering officer is required by law to question the alleged executant as to the fact of execution, he is under no legal obligation to question him as to the fact of receipt of consideration. At the same time such questioning would not be inconsistent with the provisions of the Act.

consideration

**311.** If the alleged executant or his representative, assign or agent be not present, and if it be necessary to summon such person or any other person whose presence or testimony is necessary where the registering officer is also either a Judge or Revenue Officer, he shall issue process as such District Judge or Revenue Officer, as the case may be. Where the registering officer is neither a District Judge nor a Revenue Officer the necessary process shall be issued by the tahsildar within whose revenue jurisdiction the office of the registering officer is situate. The appearance by the executant before the registering officer must be within the time, prescribed in section 34 of the Act.

Sommons for appearance of executants or witnesses.

**312.** The law in force as to the summoning and attendance of witnesses is contained in order XVI, Schedule I of the Code of Civil Procedure, and the rules in force for the remuneration of witnesses in Chapter XVII of General Rules (Civil) for Civil courts subordinate to the High Court of Judicature at Allahabad, Volume I (1926), and in rules 153 to 163 of the Oudh Civil Rules, Volume I to 1912.

Law as to summoning and attendance of witnesses

**313.** Sub-registrars are absolutely prohibited from producing the registers or books of their offices in courts on their own authority. When a sub-registrar receive an order or summons direct from a court for the production of registers or books of his office, he should return it with an endorsement that he has no power to produce the registers, etc., without the authority of the District Registrar, and that if the court requires the registers, etc. the order of summons should be addressed direct to the District Registrar, District Registrars receiving such summons or order may permit the production of the original records, but they should ordinarily refuse to do so in the exercise of their discretion under sections 123 and 124. Act I of 1872.

Production of books and registers in court

A Government servant who is to attend a court as a witness with official documents should, where permission under section 123 of the Evidence Act has been withheld, be given an order duly signed by the District Registrar in the following form. He should produce the certificate when called upon to give his evidence and should explain that he is not at liberty to produce the registers before the court, or to give evidence derived from them. He should, however, take with him the registers which he has been summoned to produce :

### ORDERS

Summons from the Court of \_\_\_\_\_ for the production at \_\_\_\_\_ at Registers nos. \_\_\_\_\_ Volumes of 19 \_\_\_\_\_ relating to the District Registrars/ Sub-Registrars \_\_\_\_\_ office:

- (a) I direct \_\_\_\_\_ to appear with the registers mentioned in the summons and to claim privilege for them under section 123 of the Evidence Act.
- (b) I withhold permission to give any evidence derived from the registers for which privilege is claimed under this order:

Dated \_\_\_\_\_ the \_\_\_\_\_ District Registrar.

**314.** All documents must be presented, by a person entitled to present them, to a registering officer and not to a commissioner.

Attendance for presentation of documents

Ordinarily a document must be presented at the office of registration, but in the circumstances mentioned in section 31 it may be presented at the residence of the person wishing to present it.

**315.** When a document has been presented to a registering officer, he may issue a commission under the circumstances laid down in the Registration act to verify a power of attorney under section 33, or to examine an executant or witness under section 38. The issue of a commission to a registration clerk, is absolutely prohibited except in cases of extreme urgency. In every case of the issue of a commission by a departmental sub-registrar he should report to the District Registrar the name and position of the person to whom it was issued, and the reason why he did not proceed to the spot himself. The order shall be briefly endorsed on the document in words to this effect:

Issue of commissions under section 33 and 38

"A commission is hereby issued under section 33 or 38 of the Indian Registration Act, XVI of 1908, to (name and the designation of the commissioner), for the purpose of enquiring whether this power (or document)

has been executed by A, B, son of C, D, of ..... by whom it purports to have been executed."

**316.** If the person to be examined under section 38 be not resident within the district or sub-district of the registering officer, a commission shall be directed to the District Registrar of the district in which such person resides, who may redirect to the sub-registrar, who may, if he cannot personally attend, redirect it to any other person. The travelling allowance will be transferred to the registering officer to whom the commission is addressed.

Commissions and visits to persons residing outside district or sub-district

A sub-registrar must not attend a residence situated outside his sub-district for any of the purposes of a visit without the permission of the District Registrar, and this permission should be granted unless the district Registrar is satisfied that attendance at his own office or at the office of the sub-registrar by some duly qualified person would involve very exceptional inconvenience.

**317.** When the commission has been executed, the commissioner shall return the document to the office from which it was issued with a report which will be endorsed upon the document in the following form :

Return of commission

"Having visited the residence of A, B, son of C, D, at \_\_\_\_\_, I have this day examined the said son of G, H., etc., resident of \_\_\_\_\_ and the said A, B, admitted (or denied) the execution of this power (or document) and the receipt of the consideration (or part of it).

Full Signature of executant.

Full Signature of witnesses.

Full Signature of Commissioner."

**318.** A Commissioner may examine witnesses in the same manner as a registering officer; and persons refusing to give testimony to a Commissioner on being required to do so, shall be subject to the penalties and punishments, which they would incur for the same offence if committed in a registration office. It shall be competent to a registering officer to examine the Commissioner personally in his office touching any of the circumstances connected with discharge of his commission, especially with reference to the voluntary nature of the admission of execution.

Examination of witnesses by commissions

**319.** If the person by whom the document purports to be executed, denies its execution, or if he appears to the registering officer to be a minor, an

Procedure on denial of execution etc.

idiot or a lunatic, or if he be dead, and his representative or assign denies its execution the registering officer, if a sub-registrar, is bound to record an order of refusal to register. A sub-registrar, on any such denial, has no authority to inquire into fact of execution, but a District Registrar may do so either on appeal from the order of sub-registrar under section 73, or when the denial is made before him under section 74.

**320.** Section 71 of the Act prescribes that when a sub-registrar refuses to register a document except on the ground of want of jurisdiction, he shall make an order of refusal and record his reasons in book no. II, and endorse the words "registration refused" on the document. On application made by any person executing or claiming under the document, the sub-registrar shall, without payment and unnecessary delay, give him a copy of the reasons so recorded. The words "with out payment" refer to copying fees and not to stamps.

Copies of reasons for refusing to register

**321.** When a document purports to have been executed by more than one person, the process described above must be observed in the case of each; but it is not essential that all the alleged executants should appear about the registering officer simultaneously. The identification and admission of as many as are present should be at once recorded, and registration of the document be postponed until the appearance subsequently, of the others. In such case, a single fee will be charged, and not a separate fee for each executant or appearance.

Procedure when there are several executants.

**322.** On accepting a document for document for registration the registering officer shall ascertain from the presenter whether on registration it should be returned to him, or to some other person named by him, by him, by post. If he desires the document to be returned by post he should be asked to make an endorsement to that effect on the back of the receipt issued to him under section 52 of the Registration Act, giving the full address and the name of the nearest post office and to deposit a fee of seventy-five naye paise to cover the cost of transit charges. If the presenter has registered two or more documents at the same time and desires them to be returned together by registered.

.....

Note to Rule 319- For the purposes of the Registration Act all persons



domiciled in India being citizens of India of whatever race or religion, are to be considered minors until they have reached the full age of eighteen years [vide Government of India No. 535 (Home Department), dated the 16th April 1897.] post to the same addressee, the rate for additional documents should be the actual amount of postage required for their dispatch subject to a minimum of twenty-five naye paise per document. The fee shall be shown separately for each document in red ink in column 8 of the fee book and credited into the treasury by the registering officer. When the document has been copied out it should be placed in a strong cover by the registering officer himself which should be sealed in his presence and sent to the presenter or to the person named under a service registered cover. The postal receipt for the cover will be kept with the registering officer until the postage acknowledgment receipt bearing the signature of person receiving the document with date is duly received. The delivery acknowledgment (the yellow receipt) with the receipt under section 52 shall be pasted to the counterfoil and the postal white receipt will be destroyed. If the delivery acknowledgment is not returned within a fortnight, a reminder should be issued about it to the post office concerned. Documents returned undelivered by post shall be entered in the list of "unclaimed documents" after one month from the date of their return and shall be dealt with exactly as other unclaimed documents. A register in form no. 121, Appendix I, shall be maintained in all offices for documents sent by post and notes about their return by the post office and delivery thereafter to proper persons shall be made in the columns provided in the register.

### **Procedure on admission to registration**

**323.** When a document has been admitted to registration, it should be made over to the registration clerk to be copied into its appropriate book; and the registering officer should see that no unnecessary delay occurs, and that documents are always entered in the books in the order of their admission. The entry should be an exact copy of the document registered, and all interlineations, blanks, erasures and alterations, which appear in the original, shall be noted in the manner laid down in rule 262. All such entries must be authenticated by the registering officer daily.

Procedure when document is admitted to registration.

**324.** The certificate of registration required by section 60 shall be

Certificate of

endorsed on the document registered according to form F of rule 384 and shall be signed by the registering officer and sealed with the seal of his office. It shall contain the serial number of the entry and the book, volume and page wherein the document has been registered as well as the date of registration which, it may be explained is the date on which the instrument is copied into the register, and not the date on which it was presented for registration.

registration

325. Registering officers should see that documents are promptly returned after registration to the presenters or other persons authorized to receive them and the accumulation in the registration office of registered documents avoided as much as possible. Owners of documents should be informed of the date and hour at which their documents will be ready for return and the documents should be ready for return. Every document presented for registration early in the day should, as a rule, be registered and returned on the same day. If at the end of a month a document remains unreturned and the owner has not appeared to claim it, the registering officer should proceed in the manner laid down in rules 195 and 196. Sub-registrars should report to District Registrars the number of documents undisposed of within three days from date of presentation in form no. 1, Appendix III.

Return of documents after registration

Applications for inspection, search or copies

**326.** Section 57, Act XVI, 1908, provides for-

Inspection and search and grant of copies

(a) Inspection of books nos. I and II and of the indexes relating to book no. I by any person desirous of inspecting the same. The foregoing books and indexes being open to inspection (on payment of the prescribed fee) by any member of the public it follows that any person desiring information as to their contents may employ any other persons to make the necessary inspection.

(b) Searches for entries in books nos. III and IV to be made only by the registering officer as a preliminary to the grant of a copy, on the application of certain classes of persons specified in clauses 2 and 3.

(c) The grant of copies of entries-

(1) In books I and II and the indexes relating to book I, to all persons applying for such copies.

(2) In books III and IV and the indexes relating thereto, to certain classes of persons specified in clauses 2 and 3, section 57, Act

XVI of 1908.

327. (1) Any decree-holder may, for the purpose of ascertaining the particulars required by Order XXI, rule 66(2) (c) of the Civil Procedure Code, apply for the search of books I and II and Indexes I and II, and on payment of the prescribed fee, the registering officer shall search the said books and indexes for the proceeding twelve years or twelve years preceding the mortgage or attachment as the case may be, and shall give a certificate of the result in form no. 29 Appendix III, within twelve days of receipt of the application. A bonafide decree-holder will be entitled to obtain a supplementary search certificate for a period he produces the original search certificate relating to the same property for a period of 12 years or files an affidavit to the effect that he had obtained a search certificate before.

(2) On application by a decree-holder regarding ancestral property, the sale of which has been ordered in execution of a Civil court decree, or immovable property, the sale of which has been ordered in execution of a Revenue court decree, and on payment of the prescribed fee, the registering officer shall make a similar search and give a similar certificate.

(3) Similarly any application desiring to file a security bond hypothecating immovable property under the provisions of rules 5, 6, 8, or 10, Order XLI of the Civil Procedure Code, or otherwise in pursuance of any order of a court, may apply to a registering officer for search of books and indexes relating thereto and on payment of the prescribed fee a certificate of non-encumbrance of otherwise will be granted to him in the form mentioned above.

The application, for such a certificate, shall note the following additional particulars in his application :

- (a) The name of the court and the number of the suit in which the certificate is to be filed.
- (b) The date of registration of the security bond.
- (c) The name of the party who executed the bond.
- (d) The name of the party for whose benefit it has been executed.
- (e) Whether this is the first application. If any other application was made the result should be noted.

**328.** All applications for copies, inspections and searches shall be made in writing to the registering officer. The applications for copies shall be made in form no. 28 of Appendix III and bear a court-fee label of twenty five naye paise under Schedule II of the Court Fee Act, 1870 (Act no. VII of 1870), as amended in Uttar Pradesh but no court-fee is leviable on application for searches and inspection.

Applications for searches to be made in books nos. III and IV, under the provisions of section 57 of the Registration Act, and applications for copies of entries made in books I, II, III and IV may be presented personally or by post. When an application is made by post, the applicant shall at the same time remit to the registering officer by money order, the amount of the fees chargeable on account of the stamp duty, if any, payable under Article 24 of Schedule I-B of the Indian Stamp Act, 1899 (Act no. II of 1899) as amended in Uttar Pradesh.

Application for searches under rule 327 may be made by a decree-holder, or by his duly appointed agent and may be presented either personally by the decree-holder or by his duly appointed agent or by post. All applications for inspections and searches will be made in form no. 28, 30 or 31 of Appendix III. All applications in form nos. 28, 30 or 31, shall state the applicant's full address and whether he desires the copy, result of search or encumbrance certificate to be sent by post or will attend in person or receive it through another person nominated by him in that behalf.

In case the applicant desires the searches certificates or copies of entries made in books, I, II, III and IV to be sent to him by registered post he shall attach with his application a properly stamped and addressed registration (postal) envelope with a properly addressed acknowledgement receipt. The registering officer shall send the certificate or copies, as soon as ready, in the registered cover provided for the purpose and paste the post office receipt as well as the acknowledgment receipt on the corresponding counterfoil of the receipt book. If the postage stamps supplied by the applicant are insufficient the required papers including the postal cover supplied will be sent in another cover per bearing post. The fact that an envelope has been received with the application shall be noted as soon as the application is entered in the register, in the column of remarks in

form no. 9 (register of application for copies) or form no. 10 (register of searches) Appendix I, as the case may be.

**329.** Copies of the prescribed forms of applications for copies, inspections and searches may be obtained at five naye paise each from licensed deed-writers and stamp-vendors to whom such forms will be issued by the registering officer in quantities of not less than ten of each kind at a time at the rate of four rupees per hundred. Forms will also be procurable from the registering officer at five naye paise each in case there is no licensed deed-writer or stamp-vender near the office or he had no stock for sale to the public. The registering officer shall maintain an account of the sale of these forms in the register or saleable forms (form no. 22, Appendix I) and shall issue receipt for the sale-proceeds in form no. 8 Appendix I, showing distinctly the amount of sale-proceeds against the item "Miscellaneous" therein and enter the amount in the register of fees (form no. 13, Appendix I). As the amount of sale-proceeds of forms will be credited to a head different from that to which registration receipts are credited, entries on account of the sale-proceeds of forms should be made in the fee book below the total of registration receipts and separate from it, a separate total being struck for the daily sale-proceeds of forms. Every entry of sale of those forms must be recorded in the said register (form no. 22, Appendix I). The register in form no. 22 shall also be maintained in the District Registrar's office which will issue these forms to sub-registrars only. Columns 7, 9, and 11 will remain blank in his register.

**330.** Every application for inspection shall state the year or years in the books of which inspection is desired.

Particulars to be stated in application for inspection  
Particulars to be stated in application for search

**331.** Every application for search shall state the year or years in the books of which search is desired to be made together with such further particulars as are necessary to enable the registering officer to identify the entry sought for. It shall also contain such further information as is necessary to satisfy the registering officer that the applicant is entitled under clause 2 or 3, section 57, Act XVI of 1908, to require a search to be made, and the registering officer may require such proof, if any, as he considers necessary, of the correctness of such information.

332. Applications for copies will be made in form No. 28, Appendix III. All applications for copies which are received by the registering officer must be shown in the register of applications for copies (form no. 9, Appendix I). A note must be made in column 11 against all applications which required amendment or completion by search or inspection.

Application for and grant of copy.

In case insufficient particulars are given in an application received by post for a copy of a document in Book I or II, the sub-registrar should intimate the fact to the applicant and direct him to attend in person or authorize some other person to make an inspection.

333. Every application for a copy of an entry in book III or book IV, or in the indexes relating thereto, shall also contain such information as is necessary to satisfy the registering officer that the applicant is entitled under sub-section 2 or 3, section 57, Act XVI of 1908, to claim the copy, and the registering officer may require such proof, if any, as he considers necessary of the correctness of such information.

Application for copy of entry in book III or IV to contain certain information.

334. A person desirous of obtaining a copy of an entry in book III or IV, or in the indexes relating thereto, should, if he is unable to furnish the necessary particulars, apply to the registering officer to search for the entry. Application for a search for an entry, and for a copy of the entry when found, may be made simultaneously and in a single application, bearing a court-fee label of twenty-five naye paise and the same fees will be charged as would be chargeable on two separate applications. Subject to the provision of rule 327, the registering officer is not required to search for entries other than those in books III and IV, or in the indexes relating thereto. If, therefore, a person desirous of obtaining a copy of any other entry is not able to furnish such particulars as are necessary to enable the necessary information by inspecting the records, or causing them to be inspected on his behalf.

Procedure to be adopted when above information cannot be furnished.

335. A copy of a document registerable in Book I but inadvertently registered in Book III or book IV can be granted only to the persons referred to in clauses (2) and (3) of section 57 unless and until the entry is transferred to the right book under rule 355.

336. The court-fee stamp on every application received shall be immediately punched by the receiving official, who shall add his initials and the

Court-fee stamps on applications to be punched.

date under t, and enter the application in the appropriate register (forms nos. 9, 10 and 11, Appendix I). All applications of the same class should, save as provided by rule 338, be dealt with inter se strictly in the order of receipt. Applications for copies received in the forenoon should, as far as possible, be complied with the same day and those received in the afternoon on the next day, and should have precedence over the documents remaining to be copied in the registers. Urgent copies shall have preference over ordinary ones and must be furnished with as little delay as possible. Sub-Registrars will be responsible for seeing that no application for an urgent copy remains unattended for more than 24 hours.

337. Applications for inspections of records should be dealt with as early as possible and, as a rule, on the date of presentation; if it be necessary to postpone the inspection, the reasons should be noted in the column of remarks of the register of inspections (form no. 11, Appendix I). Persons inspecting records shall not be permitted to bring pen and ink into the room; pencil notes may however be made. Inspections shall take place in the presence of the registering officer or, in the case of District Registrars' offices, in the presence of the chief registration clerk. In all cases due precautions should be taken to prevent tampering with the records.

Instructions in respect of inspections.

338. Applications for search should be dealt with as early as possible, and, as a rule, on the date of presentation ; if it be necessary to postpone the search, the reason should be noted in the column of remarks of the register of searches (form no. 10, Appendix I).

Instructions in respect of searches

339. If the search required is one which cannot under clause 4, section 57, Act XVI of 1908, or rule 327 be claimed by the applicant, or, if the application does not contain sufficient information to enable the required entry to be identified, or if the registering officer considers it necessary to require proof of the correctness of the information referred to in rule 331, he will inform the applicant personally if in attendance, or by service paid post if he is not present, of the order passed on his application, and will note in the remarks column of the register the date of such intimation.

340. Upon the completion of the search the registering officer will intimate to the applicant whether the required entry has been found, or whether

the search has proved fruitless. In the latter case the fee for search shall not be refunded, but the applicant shall be entitled to receive, if he wishes, a certificate that the entry sought has not been found, the year or years in the books of which search has been made being specified. In the former case he shall be permitted, if present, to read, or to have read to him, the entry for the finding of which the fee has been paid, and may be permitted to take notes thereof in pencil only, due precautions being taken to prevent any tampering with the registers. If the applicant is not in attendance, the required intimation will be sent to him by post service paid. The date of intimation will be entered in column 8 of register of searches (form no. 10 Appendix I). If the application for search has been accompanied by an application for a copy and the entry of which the copy is required has been traced, the requisite particulars should forthwith be noted on the application for copy which shall be dealt with in the order in which it would have received priority if presented at the time at which such entries are made. The date of entry of such particulars will be noted in column 5 of register of applications for copies (form no. 9, Appendix I).

341. Upon the receipt of an application for copy, containing the particulars and information required by rules 332 and 333, the registering officer shall sanction the application, unless it is one which should be refused under section 57 Act XVI of 1908, in which case he shall record the reasons for his refusal on the application, the applicant being informed personally, if he is in attendance, or by post service paid if he is not present. If the entry cannot be found, or if the applications is refused on the ground that it does not contain the particulars or information required by rules 332 and 333, or if the registering officer considers it necessary to required proof of such information, the nature of and reason for the order passed will be intimated to the applicant in the foregoing manner. The date of such intimation will be entered in the remarks column of register of applications for copies (form no. 9, Appendix I).

Application for  
and grant of copy

342. In the case of maps and plans for which no fees are fixed, the amount of the fee that will be charged will be intimated to the applicant in the foregoing manner, the date of intimation being entered in column 11 of the register of applications for copies (form no. 9, Appendix I).

Manner of  
intimating  
amount of fee.  
Chargeable for  
searches or copies  
of maps ad plans.

343. In the case of an application for search or for copy presented by



post, and not accompanied by a sufficient fee, the registering officer shall intimate to the applicant by service paid post the amount of the fees required including the stamp duty, if any, payable under Article 24 of Schedule I–B of the Indian Stamp Act, 1899 (Act no. II of 1899) as amended in Uttar Pradesh and shall allow him a period of fifteen days within which to make good the deficiency. If at the end of such period the deficiency be not made good the application shall be rejected. The date of intimation of the fees to the applicant will be entered in column 11 of the register of applications for copies (form no. 9, Appendix I).

344. If for any reason a copy, the fees for which have been paid, cannot be furnished to the applicant, he shall be entitled to a refund of the fee for preparation of the copy, but not of the twenty-five naye paise court fee affixed to the application. Similarly if in any case the sum paid by an applicant on account of a copy exceeds the amount chargeable on account of a such copy, the applicant shall be entitled to a refund of the excess. Such refunds shall be obtained in the manner prescribed by rule 220.

Refund of copying fees.

345. The rules for granting or refusing copies and searches of the registers and indexes are contained in section 57. Act XVI of 1908. Copies of official letters are not to be given as a mere matter of course, a copy of a report submitted to superior authority should not, as a rule be given to the party concerned. Neither should copies of official letters from supreme authority be ordinarily given (paragraph 411, Manual of Government Orders). Copies of miscellaneous proceedings between parties before registering officers should, however, not be withheld. This does not of course apply to correspondence and proceedings between officials, but only to proceedings before a registering officer, to which any of the public are parties. There may conceivably be cases in which it might not be advisable to issue copies, and if such cases arise, they should be referred to the District Registrar for orders.

Rules for granting and refusing inspections, searches and copies of entries in registers, indexes and miscellaneous proceedings.

346. Registering officers must be careful to see that the provisions of the stamp law, for the time being in force, are complied with in respect of copies of documents which they may furnish to applicants. A copy given under section 57, Act XVI of 1908, requires to be stamped under Article 24, Schedule I–B of the Indian Stamp Act, 1899 (Act no. II of 1899), as amended in Uttar Pradesh, with

Copies of documents, etc. to be stamped.

reference to the duty chargeable on the original document.

Copies given under sections 57 and 71, Act XVI of 1908, and copies of proceedings, orders and depositions, etc., recorded by registering officers require to be stamped under Article 24, Schedule I, Act II of 1899, the Indian Stamp Act. Copies of proceedings, orders or depositions taken or made by District Registrars under and for the purposes of section 480 to 482 of the Code of Criminal Procedure, require to be stamped under Article 9, Appendix I, Act VII of 1870, the court fees Act.

347. Every application for search or inspection or for a copy shall be numbered and filed by the registering officer in yearly bundles. Upon each such application, if it is granted, should be previously endorsed the order granting the application and in the case of applications for search or inspection the numbers of the years for which the search or inspection the numbers of the years for which the search or inspection was made and the amount of fee levied.

Application to be filed in yearly bundles.

348. Free searches shall be allowed by registering officers in the following cases :

Inspection and searches by Government officials.

(a) When ordered by Collectors or sale officers in connexion with encumbrances on ancestral property the sale or which has been ordered in execution of Civil Court decree.

(b) When ordered by a court in respect of security bonds filed by or in favour of a person bound under sections 106, 107, 109 and 110, Code of Criminal Procedure.

(c) When ordered by the head of Government office in respect of security bonds filed by Government officials for due discharge of their duties or in connexion with encumbrances on the property pledged as a security for the house building advances granted to Government servants.

(d) When ordered by district officers or tahsildars in respect of matters connected with taqavi loans or the acquisition of land under the Land Acquisition Act, 1894, or by Income tax officers in connection with the assessment of income tax, or by the Deputy District Planning Officers, Block Development Officers and Principal Training Centres in respect of matters connected with loans under the Development and Planning Rules.

(e) When asked by the manager of a co-operative society registered

under Act II of 1912.

(f) When requisitioned by the Director of Industries, Uttar Pradesh, in respect of encumbrances on securities to industrial concerns.

(g) When ordered by a Collector conducting the sale of immovable property in connexion with the realization of arrears of ferry dues, under section 9 of the Northern India Ferries Act, 1878 (XVII of 1878).

Government notification no. M-1323/X-99-40, dated the 6th August, 1940.

(h) When asked by the President or the Secretary of the Shia Central Board or of the Sunni-Central Board, for a bona fide public purpose, regarding any information relating to the landed property of a Waqf or encumbrances existing on it or any deed of Waqf registered in any registration office.

All searches under this rule shall be made by the registering officers themselves, except in cases (d), (e) and (h) where inspections, subject to the restrictions contained in section 57 of the Indian Registration Act, XVI of 1908, shall be permitted to be made by any person nominated on this behalf by the requisitioning authority.

Government of India notification no. 376-Home Department (Judicial), dated the 24th April, 1911.

Registration officers are also required to make searches themselves for encumbrances in connexion with the securities offered by applications for loans from the Uttar Pradesh Financial Corporation or security bonds executed by Municipal or District Boards employees or by Court of Wards officials when requisitioned by the head of their departments if such requisition are accompanied by the requisite search fees. In all other cases the District Registrar may decide whether search may be made free of charge by the registering officer if a requisition is received for bona fide public purposes from a Government officer or court. Search made by the registering officer under this rule may extend to books I and II and both corresponding indexes as well as to books nos. III and IV and their indexes.

The result of such searches shall be intimated in writing and signed by the registering officer. The requisition and this intimation shall state the particulars of years and books under search.

349. No copy of an entry in the registers or indexes granted under section 57, or of reasons for refusal to register granted under sections 71 and 76 of the Registration Act, or of miscellaneous papers or proceedings of which copies may

Copies to be examined and certified as true copies.

be issued under rule 345 shall be delivered to the applicant until it has been signed by the person who made it and, where possible, also by another person, who has compared it with the original and ascertained that it is correct, and until it has been certified to be a true copy by the registering officer. In offices where there are two or more clerks copies made by one clerk will be examined by another. Where there is only one clerk the registering officer must himself examine the copies and sign as having done so before certifying them as true copies. In the few offices in which there is to clerk all copies must necessarily be made, examined and certified by the registering officer himself, in which case the certificate will be as follows :

*"True copies made and compared with the original by me."*  
A. B.,  
Sub-Registrar.

Where there is an authorized apprentice entertained, such apprentice may be employed in making, but not in examining copies. No copy shall be certified to be a true copy unless it show correctly the value of the stamp or stamps, if any, on the original document.

350. Re-registration of a document may take place under three circumstances : the first is—where a deed is altered after registration by consent of parties, to correct an error of description and in furtherance of their original intention. Such alteration, in effect makes the document a new one, different from the one already registered; and if it be a document falling under section 17, re-registration becomes obligatory.

Re-registration for error of description.

Corrections in sale certificates and deeds by an order or decree of the court under section 31 of the Specific Relief Act or sections 152 and 153 of the Civil Procedure Code, should be made in the file books, registers and indexes in their proper places.

351. Another mode of correcting a misdescription in a registered document, is to draw up a supplementary document reciting the error in the former one, and the correction now intended to be made, and to register this document also. The supplementary document will require to be treated in every respect the same as the original, and would be liable to the same fees, subject to a

Supplementary instrument to correct errors of description.

maximum of rupees two and twenty five naye paise. Stamp duty on the document shall be chargeable according to the provisions of the Indian Stamp Act, 1899 (II of 1899), as modified by subsequent amendments.

352. The third way in which document may be registered be registered more than once is, where it purports to be executed by several persons, but at the time of first registration had in fact been executed by some only of those persons. If after registration, the other persons also execute, the document must be registered afresh, but in the latter case limitation will run, under the proviso in section 23m not from the date of the document, but from the date of the last execution.

Re-registration when a document has been executed by several persons at different times.

353. The third way in which document may be registered is as permitted by section 23–A of the Indian Registration Act, 1908, as amended by Act XV of 1917.

354. Wherever a document is re-registered, it will be treated in all respects as if it were an entirely new document, and must be recopied, in its altered form, in the proper register, and the full fees levied. If there be not sufficient room on the back of the document for the new set of endorsements required, owing to its being already occupied with the endorsements recorded at the first registration, they may be written or continued on a separate piece of paper, as provided for in rule 383.

Procedure on registration.

*Errors in registration (sections 68 and 69 of Act XVI of 1908)*

355. (i) In the event of a document being registered in a wrong register, the registration shall stand, but the District Registrar shall on a report being made or in his own initiative after fully satisfying himself of the fact, direct that the copy of the document with the endorsement and the certificate thereon shall be transcribed in its appropriate register without further charge. A document so copied shall be given the number assigned to the last previous document in the book to which it is transferred with the letter "A" affixed.

(ii) A certificate in the following form shall be entered in the endorsement column of the register to which the entry is transferred and on the document below the former certificate, the document being sent for if it is not in the office:

Registered again under the orders of the District Registrar no.  
 dated 19 , as document no. A of 19 , in Book  
 volume , Pages Dated 19,  
*Signature of Registering Officer.*

(iii) A similar certificate shall be entered in red ink at the foot of the original entry of registration with the words "wrongly" registered in this book "prefixed".

356. The registering officer shall, on receipt of the District Registrar's order directing the re-registration under the foregoing paragraph, issue a notice to the claimant under the document informing him of the defect in registration and requiring him to produce the original document. If the document followed. If the document is not produced no action need be take.

357. (i) Where by inadvertence a document is registered in a wrong office, the registering officer shall inform the executing and claiming parties of the fact and advise them to apply to the District Registrar for a direction under section 68 for its registration afresh in the proper office.

(ii) Where the proper office of registration is in a district other than that in which the office of wrong registration is situated, the application shall be made to the District Registrar of that other district.

(iii) When a direction is so issued to a sub-registrar, he shall register the document without the levy of any fee and in the endorsement of presentation shall refer to the orders of the District Registrar.

(iv) The registering officer in whose office the document was originally registered shall in any case forward to the property office, free of charge, a copy or a memorandum of the document in accordance with the procedure prescribed by section 64 to 66 and the receiving officer shall file the copy of memorandum in his file book 1.

358. A registering officer will be held liable for any loss to Government which may arise from neglect on his part in the registration of a document, the making of a search or the grant of copy of a document.

Special registration of loans under Land Improvement Act.

#### SPECIAL REGISTRATION UNDER SECTION 89

359. Section 89 of the Indian Registration Act, XVI of 1908, enacts that every office granting a loan under the Land Improvement Act, 1871, shall send a

Effect of the above.

copy of his order to the registering officer within the local limits of whose jurisdiction the whole or any part of the land to be improved or of the land to be granted as collateral security, is situate, and such registering officer shall file the copy in his book (file book) no. 1.

360. Section 89 of the Registration Act, XVI of 1908, prescribes a special mode of registration of certain classes of documents, the effect of the provisions of this section is threefold :

(1) they render obligatory the registration of all documents of the classes abovementioned, without regard to value ;

(2) the obligation to register is imposed upon the officer granting the loan or the court of Revenue officer granting the certificate (as the case may be), and not upon the person to whom the loan or certificate has been granted or the person claiming thereunder ;

(3) a particular mode of registration is prescribed : the Revenue officer is to send a copy of his order, or of the instrument securing repayment of the loan, to registering officer having jurisdiction ; and, in like manner, the court of Revenue officer is to send the registering officer a copy of the certificate of sale ; the registering officer will then file such copy in his book (file book) no. 1, and this is sufficient registration for all legal purposes.

361. It may be explained further that, although the law requires that documents of the kinds under notice shall be registered by Revenue officers and courts, and not by the parties, there is nothing to prevent the holder of such a document, or any persons claiming thereunder, from taking it, within four months from its date to a registering officer having jurisdiction, for registration, in the usual way, irrespective of any separate registration effected by the Revenue officer or court; but every such second registration is entirely voluntary, and in all such cases the registration is to be treated as optional and classed as such in the periodical returns [columns 25 and 26–Miscellaneous registration other than certified copies of decree and order of court of the annual statement no. 1].

Separate registration of such documents by parties is quite voluntary.

*Registration and authentication of documents presented in duplicates*

362. (i) When two or more copies of a document are presented for registration at the same time the original document shall be registered in the ordinary manner, a note being entered on the original as regards the number of duplicates registered.

Documents presented for registration in duplicate.

The registering officer shall treat the duplicates as such, if they are exact reproductions of the original, bear the same date and are certified by the executing parties to be true and exact copies of the original. Such copies shall be examined with the original, and should any discrepancy be detected the presenter shall be required to reconcile it before the document is accepted for registration, if the original contains a map or plan, or any other annexure a copy shall be annexed to each of the copies to be registered.

Each such copy shall be separately numbered in the fees books and the register but it will not be necessary to copy the whole document more than once in the register. So far as such copies are concerned only the serial numbers and the endorsements including the stamp vendor's endorsement, if any shall be copied in the register below the copy of the original document, and the certificate of registration on the original and on the copies shall mention all the pages of the volume occupied by the entries which relate to the original and the copies. Each copy of the document shall bear the same endorsements as the original with necessary change as to the serial number and also the following additional endorsement :

Procedure (of Registration) of duplicate presented with a document.

Duplicate (or triplicate or other copy) of serial no.....

Difference between the original and the duplicate (or triplicate or other copy) :

Interlineations, blanks, alterations, erasures in this :

Compared by { Reader.....  
                  { Examiner.....

Date \_\_\_\_\_.

Signature of Registering Officer.



(ii) The duplicate or the triplicate of a power-of-attorney presented for authentication shall be treated as a separate power and a separate attestation fee levied thereon, but it shall not be necessary to abstract the power more than once in the register of power-of-attorney (book no. VI). So far as the duplicate or the triplicate copies are concerned, only their number, together with the value of stamp, shall be noted in appropriate places, a note being at the same time made in the column for abstract to the effect that it is a duplicate, triplicate or other copy of power no.                      abstracted in page.

Procedure of authentication of duplicate powers-of-attorney presented with the original power-of-attorney.

363. Stamp duty on each duplicate copy is chargeable according to the provisions of the India Stamp Act (II of 1899) and registration fees will be levied at special rate laid down in Note F to Article I of Appendix V of the Manual.

Stamp duty and registration fees on the duplicate copies.

#### APPEALS AND APPLICATIONS TO THE DISTRICT REGISTRAR.....

##### UNDER SECTIONS 72 AND 73 OF THE REGISTRATION ACT

364. When application is made to a District Registrar to reverse the order of a sub-registrar refusing to admit a document to registration, the District Registrar should examine it to see, first, whether it was made within time, i.e. 50 days after the date of the order, and secondly, whether it was of the nature of an appeal under section 72, or of an application under section 73. If the application be brought within time, and be of the nature of an appeal under section 72, the District Registrar shall pass such orders thereon as seem to him proper under the circumstances. If it be made within time, and be of the nature of an application under section 73, i.e. an application to establish a right to have a document registered on account of denial of execution, the District Registrar must make the enquiries prescribed in section 74, and pass an order accordingly. This is an obligation imposed upon him by law which he is not at liberty to avoid by referring the applicant to a Civil Court.

Appeals and applications to the District Registrar under sections 72 and 73 of the Registration Act.

365. Every District Registrar rejecting an appeal made under section 72, or refusing to direct registration of a document on application made under section 73, should record his reasons for doing so in the usual manner in his book no. II.

Reasons for refusal to be recorded.

##### *Records of proceedings before the District Registrar*

366. Every record of proceedings under the Registration Act before a

District Registrar will be prepared in accordance with the General Rules (Civil) of 1926 for Civil Courts subordinate of the High Court of Judicature at Allahabad, Chapter V, for districts in the province of Agra, and in accordance with the Oudh Civil Rules, 1912, Chapter IX, for districts in the province of Oudh.

#### COPIES AND MEMORANDA OF DOCUMENTS

367. The copies and memoranda required by sections 64, 65, 66 and 67 of the Act, shall be made on form nos. 21 and 22. Appendix III. The names and additions of all persons executing and of all persons claiming under the document, the nature and value of the transaction, and a description of the property affected by such transaction sufficient for its identification, being entered in the space in the forms provided for the transaction of the copy of a document. The "addition" of the persons concerned is the "addition" as described in section 2 of the Act.

Copies and memoranda of documents how to be prepared.

368. As required by section 287(2) of the Cantonment Act, II of 1924, as amended by the Repealing and Amending Act of 1927, the District Registrar or sub-registrar of the district or sub-district, in which any cantonment is situated, shall, when any document relating to immovable property within the cantonment is registered, send a memorandum relating to the property and particulars of registration in Form 23, Appendix III, to the cantonment authority concerned or such other authority as Government may appoint in this behalf.

369. When a District Registrar receives a copy under sections 65, 66 and 67, of an English or Urdu document which requires that memoranda be forwarded to Sub-Registrars who do not understand English or Urdu the memoranda shall be prepared in Hindi in Devanagiri script and forwarded to each of the subordinate Sub-Registrars within whose sub-districts any part of the property is situated.

Hindi copies and memoranda to be sent to officer who do not understand English.

In each memorandum a description should be given of that part only of the property affected by the registered document which is situated within the sub-district to the sub-registrar of which the memorandum is sent.

370. A District Registrar receiving a copy under section 65, clause I, shall cause the necessary memoranda for transmission to sub-registrar of his district to be prepared in his own office. The preparation and submission of these

Copies of memoranda to be sent through District Registrars.

memoranda should not be required from the sub-registrar by whom the document was registered. He is only required by section 65 to furnish a copy of the document with endorsement, certificate and map, if any. Copies under section 65 for District Registrars of Districts not in Uttar Pradesh shall be forwarded through the District Registrar to whom the sub-registrar is subordinate.

371. In forwarding to District Registrars of Districts not in Uttar Pradesh vernacular copies and memoranda so received as well as those relating to vernacular documents registered by themselves under section 66, District Registrars shall send with the copies and memoranda an English translation of their contents.

Copies of memoranda for foreign District Registrars to be translated into English.

372. The date on which copies and memoranda are despatched shall be entered in the column provided for endorsements in red ink in the book in which the document has been copied or in the book in which the copy has been filed under section 65 or section 66.

Date of despatch to be noted.

373. The cost of transmitting copies and memoranda will be borne by Government. The registration fees include all charges, such as those for postage, paper, envelopes, etc. etc. for transmission either within or outside Uttar Pradesh.

Cost of transmission of copies and memoranda.

374. The power vested in every registering officer by section 63 of administering an oath shall not be exercised unless the registering officer doubts the truth of any verbal statement made to him. For the purpose of this section, an oath includes an affirmation under section 6 of Act X of 1873.

Oath or affirmation to be administered cautiously.

375. Statements made on oath under section 63 shall not be recorded on the document to which they relate, but on separate sheets of paper, which shall be filed in the office. A note to the effect that recorded evidence has been taken shall, in such cases, be endorsed on the document, and entered in the book in which it is registered, in the column provided for copies of endorsement.

Statements on oath or affirmation how to be recorded.

376. If in any special case on oath or affirmation appears necessary, it shall be administered according to the form of oath or affirmation prescribed for witnesses under the Indian Oaths Act (X of 1873) by the High Court.

Form of oath.

377. The form of oath or affirmation prescribed for witnesses by the High Court of Judicature at Allahabad is :

Form of affirmation.

*For an oath*—"The evidence which I shall give to the court shall be the truth. the whole truth, and nothing but the truth. So help me God."

*For an affirmation*—"I solemnly affirm that the evidence which I shall give to the court shall be the truth, the whole truth and nothing but the truth."

PROSECUTIONS, CANCELLATION OF REGISTERED DOCUMENTS AND  
DOCUMENT DISCREDITED BY CIVIL, COURTS

378. A preliminary report of all prosecutions instituted under Part XIV of the Indian Registration Act shall be made to the Inspector General as soon as any such prosecution is commenced setting forth briefly the circumstances which led to the prosecution. As soon as possible after decision, a full report shall be made to the Inspector General accompanied by a copy of the judgment of the court.

379. No prosecutions shall be instituted by a sub-registrar without the concurrence of the District Registrar of the district. Any offence punishable under section 82 of the Act coming to the notice of a Sub-registrar, in his official capacity, as provided in section 83, should be made the subject of a full and complete report to the District Registrar accompanied by the written statement of the principals or witnesses, if any, whose evidence would be material to the consideration or the prosecution of the case. On receipt of such a report by the District Registrar with or without further enquiry, as may be necessary the advisability or otherwise of sanctioning the prosecution will be considered : and, if prosecution is determined on the District Magistrate should be addressed in the usual way and the services of the District Government Pleader requisitioned. On the termination of the proceedings, the file of the case should be sent for the purpose, if the result has been an acquittal, of deciding whether any further action is necessary in the ends of justice or, if the result has been a conviction of preparing the final report to be made to the Inspector General with copy of the judgment.

Prosecutions to be instituted only with the sanction of the District Registrar.

380. When, under the provision of section 39 of Act I of 1877 (The specific Relief Act), any registered document is cancelled by order of court, and a copy of the decree is sent to the office in which it was registered, a note of the document cancelled, specifying the court ordering cancellation,

Cancellation of or Correction in registered documents.

and the number and date of its decree and a note should be made in the index as well. This rule, if carefully attended to, will greatly enhance the value of the registers. The note should be signed by the registering officer of the day. Similarly When a registered instrument altered by the Collector acting under the

provisions of section 9 (2) of the Bundel khand Alienation of land Act, II of 1903 is received, a note of the alteration shall be made at the foot of the copy of the instrument in book I. No alteration must on any account be made in the body of the copy. All such instrument shall be sent to the registering officer (and returned) through the District Registrar.

381. Under the orders marginally noted. Civil Courts Rule 435 of the North – will report to District Registrars when Western Province High ever they discredit a registered document. Court Rules of the 4th April, 1896 owing to faulty procedure on the part of Rule 47 of the oudh registering officers. Whenever a report is received under these orders, enquiry should be instituted, and such measures taken as may appear advisable under the circumstances of the case. The Inspector General should at the same time be informed of the measures so taken.

Registered documents discredited by Civil courts owing to faulty registration procedure.

#### *ENDORSEMENTS*

382. Endorsements shall always be written by or in the presence of the registering officer and of the parties concerned with the previous sanction of the District Registrar stamp with blank spaces may however be used for recording any of the shorter endorsement forms. It should be used affixed by or in presence of the registering officer. When a person who cannot write or sign his name by means of a mark his name shall be recorded at length. And the registering officer shall also sign his own name in attestation that the said mark was affixed in his presence. When there is no room on a document for the necessary endorsements. They shall be made on a separate sheet on foolscap paper. And attached to the document a note being at the same time made on the document itself and signed by the registering officer Every piece of paper so added must bear the seal of the registering officer and be signed and dated by him. The 'addition' of the persons concerned is the "addition" as described in section 2 of the Act. And the word is to be so interpreted where used throughout these rules.

Endorsements how made.

383. Section 58 does not apply to certified copies of decrees and orders of courts or to copies filed under section 89 in file book no. 1 such as copies or orders granting loans under the Land Improvement Loans Act or the Agriculturist Loans Act. Copies of certificates of sale etc the endorsement required by section 52 and the certificate required by section 60 being all that

Endorsement and certificates required on copies of decrees and orders of courts.

should be recorded on such copies

384. The following forms of endorsement shall be adhered to as far as the circumstances of each case will permit:

Forms of  
endorsements.

*A- Forms of endorsements to be recorded on every document presented for registration under section 52.*

(1) When presented by (name and addition) at the office of the (District Registrar or sub-registrar) of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ between the hours of \_\_\_\_\_ and \_\_\_\_\_

**Signature of Registering officer and presenter.**

Note- When the document is presented by a representative or agent or assign, this should be stated in addition to his name and addition and the name of his principal also inserted.

*B- Forms of endorsements to be recorded under section 58 on every document admitted to registration other than a copy of a decree or order, or of a certificate sent under section 89.*

(1) When the person purporting to have executed the document is personally known to the registering officer and admits the execution of the document and the receipt (if any) of the consideration stated in it: -

Execution admitted and receipt of consideration acknowledged (if so) by A.B.(profession) son of \_\_\_\_\_ (caste \_\_\_\_\_) resident of mauza \_\_\_\_\_ pargana \_\_\_\_\_ zila \_\_\_\_\_, who is personally known to the registering officer.

*Signature of A.B*

(2) When the person purposing to have executed the document is not personally known to the registering officer, but admits the execution of the document and the receipt (if any) of the consideration stated in it:-

Government  
notification no  
1144/VII -15  
dated the 20th  
August, 1914

(i) Execution admitted and receipt of consideration acknowledged (if so) by A.B. (profession). Son of \_\_\_\_\_ caste \_\_\_\_\_ resident of mauza \_\_\_\_\_ pargana \_\_\_\_\_ zila \_\_\_\_\_

(ii) The said A,B, identified by C,D, (profession) son \_\_\_\_\_ caste \_\_\_\_\_ resident of mauza \_\_\_\_\_ pargana \_\_\_\_\_ zila \_\_\_\_\_ and by E.F. (profession) son of \_\_\_\_\_ caste \_\_\_\_\_ resident of mauza , pargana \_\_\_\_\_ Zila \_\_\_\_\_

(iii) The witnesses, or either of them (as the case may be) being personally known to the registering officer, or in the case of either or both of the witnesses not being personally known to the registering officer, the thumb impression or impression of such person or person should be taken and underneath should immediately be written:-

"The above impression is the thumb impression on C.D. and E.F. who is of apparent respectability has/have been duly taken"

(3) When the person admitting execution is a duly authorized agent of the executants, this should be state along with his name and addition. if the agent is acting under a duty authenticated power-of-attorney, particulars thereof should be stated. e.g. date of authentication and office at which authenticated.

(4) A note is to be added to the endorsement when ever-

- (a) payment of money or delivery of goods is made before the registering officer;
- (b) receipt of consideration, in whole or part is admitted. The amount to be stated in (a) and (b)
- (c) receipt of consideration in whole or part , is denied;
- (d) execution is admitted , but the admitter refuses to sign the endorsement.

(5) When the executant is dead:

Execution by (*executants*) deceased, admitted by \_\_\_\_\_ (*name and addition*), who is personally known to the registering officer

Date \_\_\_\_\_ Signature of Registered Officer. etc

(6) When the document is one executed by any of the officer mentioned in section 88:

Having satisfied myself that this document was executed by A.B. official trustee (or as the case may be ) in his official capacity, hi attendance and signature are dispensed with and this document is admitted to registration"

Date \_\_\_\_\_ Signature of Registering Officer

(7) When the document I one executed by a *pardanahin* Lady rule (306)

The terms of the document have been read out and explained to

Government  
notification no.  
1074/VIII-225-

Muammat A.B. wife widow or if unmarried daughter of C,D, 1909 dated the 11  
profession \_\_\_\_\_ on of \_\_\_\_\_ caste \_\_\_\_\_ resident of th November  
mauza \_\_\_\_\_ pargana \_\_\_\_\_ zila 1999.

She admitted execution and acknowledge receipt of consideration (if so) with her own lip. The said Musammat A. N. is identified by inspection behind the pardah by E,F, (profession)son of \_\_\_\_\_ caste \_\_\_\_\_ resident of mauza \_\_\_\_\_ pargana \_\_\_\_\_ zila \_\_\_\_\_ who is her \_\_\_\_\_ (relationship to be stated ) and by G.H. (profession) son of \_\_\_\_\_ caste \_\_\_\_\_ resident of mauza \_\_\_\_\_ pargana \_\_\_\_\_ zila who is her \_\_\_\_\_ (relationship to be stated) .

These witnesses or either of them (as the case may be) being personally known to the registering officer."

In the case of either or both the witnesses being not personally known to the registering officer substitute in respect of such of such witness or witnesses for the last sentence above.

The thumb – impression of E.F.G.H. who is/are of apparent respectability have been duly taken"

*Signature of Registering officer.*

C- Forms of endorsements for authenticating powers of attorney under section 33.

(1) When the principal attends at the registration office:

"This power of attorney has been executed before me- by (name and addition), who is a resident of my district (or sub-district) and is personally known to me or about whose identity I have satisfied myself and I accordingly authenticate it under section 33 of the Indian Registration Act, XVI of 1908, and record it as no. \_\_\_\_\_ of 19 \_\_\_\_\_ on page \_\_\_\_\_ volume \_\_\_\_\_ of book VI."

Date \_\_\_\_\_ *Signature of Registration Officer*

(2) When the registering officer visits the principal at his residence or jail:

"I have satisfied myself by personal visit that this power-of- attorney has been voluntarily executed by etc ," as before.

(3) When a commission is issued to obtain evidence as to the



voluntary nature of the execution

"I have satisfied myself through (name) to whom a commission was issued for the purpose, that this power of attorney was voluntarily executed by (name and addition), who is a resident of my district (or sub-district), and I accordingly authenticate it under section 33 of the Indian Registration Act, VI of 1908 and record it a no \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_\_ on page \_\_\_\_\_ volume \_\_\_\_\_ of book VI"

Date \_\_\_\_\_ Signature of Registering officer

*D- Form of endorsement after return of a commission issued under section 38 to obtain evidence as to the execution of a document.*

"From the above report I am satisfied that this document has been voluntarily executed by \_\_\_\_\_ and I accordingly order it to be registered.

Date \_\_\_\_\_ Signature of Registering officer

*E- Forms of endorsement to be recorded on wills in deposit the sealed covers of which have been opened under section 45 or 46.*

(1) When the will is opened on application after the death of the testator, under section 45-

"Having satisfied myself that the testator hereof is dead, this will has been opened on the application and in the presence of (name and addition) this \_\_\_\_\_ day of \_\_\_\_\_."

**Signature of District Registrar and applicant**

*(2) When a will is removed into court under section 46 \_\_\_\_\_ 'opened and removed into the court of \_\_\_\_\_ pursuant to order dated \_\_\_\_\_.*

Date \_\_\_\_\_ Signature of District Registrar

F.- Form of endorsement to be recorded under section 60 on every document registered, including wills which have been opened and copies into book no. III, under sections 45 and 46 copies and memoranda received under the provisions of sections 64 to 67 and the documents referred to in rules 359-361.

*(1) "Registered as no \_\_\_\_\_ in book no. \_\_\_\_\_ volume \_\_\_\_\_ on page (or page) (or pages) \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_"*

\_\_\_\_\_."

*Signature of Registering Officer.*

NOTE– Endorsement under section 60 is not required on powers –of attorney authenticated.

*G– Form of endorsement as to figure and amount entered in document to be recorded on every document registered under the final endorsement:-*

*"In the tenth line the words–biswas, and in the fifteenth line the words one thousand rupees (according to circumstances) occur."*

**Signature of Registering Officer**

*H– Forms of endorsements to be recorded on documents ordered to be registered under sections 75 to 77.*

Draft of forms in question is given below :

(1) Execution and payment of consideration (if any) proved in case no.        of        19 and registration ordered by the District Registrar or the Munsif or the Civil Judge of dated I accordingly admit the deed to registration under section 72, 75 or 77, Act XVI of 1908.

Where executants appears under section 75 (2) the above form should be altered thus: -

"Execution proved in case no.        of        19 dated        before the District Registrar (or the Munsif or Civil Judge) of and receipt of consideration acknowledged (if so) by residence        , who appeared before me under section 75 (c) and who is known to me or [as in the case of form B(2) paragraph 3]. I accordingly admit the deed of registration under section 72, 75 or 77 Act XVI of 1908 .

*I– Form when a will or authority to adopt is admitted to registration after the death of a testator or donor the endorsement should be :*

"Admitted to registration under section in 41 (2). Registration Act on my being satisfied (1) that this will or authority was executed by the testator or donor, (2) that the said testator or donor is dead and (3) that        son of        the presenter, is entitled to present it under section 40 of the Act".

## CHAPTER IV

### INSPECTION

385. By section 68 of the Indian Registration Act the District Registrar of the district is invested with superintendence and control over sub-registrars; and to enable him to exercise such supervision and control in an efficient manner, it is essential that he should examine the register and other records therein as often as possible. offices of all sub-registrars at the headquarters of a registration district shall be frequently inspected by District Registrar , and other registration offices once at least in each year by visiting such offices or by calling for and inspecting the books and indices , etc. which should be brought by the departmental sub-registrars in person and not by his clerk. Work must necessarily be stopped while the books are away, and this arrangements would enable the District Registrar to personally see the departmental sub-registrar and test his physical fitness, etc. The result of all inspections should be recorded in the inspection book of the office, and a copy sent to the Inspector General within 15 days from the date of inspection. In submitting the results of inspection. In submitting the results of inspection, the purpose of the orders issued should invariably be noted thereon before they are transmitted to the Inspector General.

District  
Registrar's  
inspections

386. To save probable inconvenience and disappointment to the public from the outlying office being closed owing to the absence of a sub-registrar at headquarters for inspection or other purposes for three or four days at a time under rule 385, District Registrars should give fifteen day's notice of the date on which the office will be closed to the public.

387. When the examination of the registers takes place at headquarters the points on which the District Registrar's attention should be chiefly directed are:

Examination of  
registers.

(1) Whether the books have been neatly and cleanly kept, all the entries numbered consecutively, and properly authenticated by the registering officer, and all corrections verified by his initials. Are the registers firmly bound and in good condition?

(2) Whether all the documents registered were dully stamped.

(3) Whether the document had been copied into their proper register

books, and whether the registering officer had jurisdiction.

(4) Whether the document was brought within time and was presented by a person entitled to do so, and whether the endorsement of presentation prescribed in section 52 of the Act was correctly recorded.

(5) Whether the executant admitted execution and had been properly identified and whether the endorsement recording such admission and identification as well as any payment of money or delivery of goods, or admission of receipt of consideration in whole or in part made in the registering officer's presence, prescribed in section 58, had been properly made.

(6) Whether the certificate of registration prescribed in section 60 correctly describes the registration number, book, volume, and page of the register, and is duly dated.

(7) In cases of refusal to register, whether the reasons of such refusal have been clearly recorded in book no. II and are sufficient.

(8) Whether copies and memoranda received for registration from other offices are duly filed in the file book no. 1 and are properly numbered.

(9) Whether the descriptions entered in book no. VI of powers-of-attorney authenticated show that authority was given to present documents for registration, and in the case of special powers. The offices where such powers were intended to be used. He should also see whether the endorsement shows that the power-of-attorney was executed before the sub-registrar.

(10) Whether the proper fees have been levied in each case and are entries in the registers, cheque –book, fee-book and dakhila, made in English as well as or instead of vernacular figures and do all agree.

(11) Register no VII showing visits and commissions should also be scrutinized. Does the sub-registrar go himself Is distance correctly shown and proper travelling allowance charged.

388. When the District Registrar examines an offices in situated he should also see-

(1) The office accommodation;

(2) the almiraahs, whether in good order with locks and whether they are sufficient : he should also examine the condition of the registers and records.

(3) Whether the miscellaneous papers are properly classified and kept in order and with method;

(4) Whether weeding has been punctually and properly done;

(5) Whether the indents are correctly prepared and the stock of blank forms neither excessive nor deficient;

(6) Whether the staff is maintaining its efficiency- keeping proper hours and conducting the business of the office with punctuality, accuracy and despatch;

(7) Whether the sub-registrar or clerks carry on any other business such as that of document –writing stamp vending, petition – writing etc.

389. Besides the registrars, the indices and other subsidiary books and records will require attention. The chief points to be looked to are-

Examination of indices and subsidiary books

(1) whether the current indices are clearly written and brought up to date. A few index entries here and there should be tested to see that they have been correctly prepared. It should also be seen that the indices of past years have been properly bound.

(2) As to the fees book, whether the entries correspond with the registers, and whether the entries correspond with the registers, and whether the daily collections are promptly paid into the treasury.

(3) The receipt book should be examined to see whether the procedure prescribed in rules 284-349 has been carried out, and whether there has been any undue delay in returning documents after registration Enquiry should also be made as to whether any documents remained undelivered at time of inspection, and the reason thereof.

(4) The minute book, order file and the miscellaneous records prescribed in rules 385 to 389.

390. It must be clearly understood that the appointment of inspectors does not relieve District Registrars of the duty of inspecting registration offices under the instructions contained in rules 385 to 389.

391. Sub- registrars shall allow the inspecting officers free access to all registers and papers in their offices and shall give them all information which they may require and afford them every facility for the due performance of their duties. Inspecting officers should report any case in which this rule is not observed.

Inspecting officers to have free access and necessary assistance.

## LIST OF APPENDICES

- I— Forms of registers and books—
1. Book No. I.
  2. Book No. II.
  3. Book No. III.
  4. Book No. IV.
  5. Book No. V.
  6. Book No. VI.
  7. Book No. VII.
  8. Receipt Book.
  9. Register of applications for copies.
  10. Register of searches.
  11. Register of inspections.
  12. Register of inspections of registration offices.
  13. Register of fees.
  14. Minute book.
  15. Register of documents impounded.
  16. Objection slips.
  17. Register of approved candidates.
  18. Book No. VIII.
  19. Stock book of forms.
  20. Catalogue of registers and books.
  21. Register of documents returned by post.
  22. Register of saleable forms.
- II— Forms of indexes—
1. Index No. I.
  2. Index No. II.
  3. Index No. III.
  4. Index No. IV.
- III— Forms of periodical and other returns—
1. Weekly reports of documents and copies undelivered.
  2. Statement of registrations, receipts and expenditure.
  3. Half-yearly certificate of District Registrars.
  4. Quarterly District Registrars. Budget Allotments.
  5. Annual return of temporary appointment.
  6. Annual return of sub-registrars and District Registrar.
  - 7.–10. Deleat.
  11. Annual Statement of inspections (District Registrars).
  12. Annual return of officers over 55 years of age in pensionable service.
  13. Annual indent for forms, registers, etc.
  14. Annual budget estimates.
  15. Invoice of unclaimed documents.
  16. List of records for destruction.
  17. Form of app

18. Application for leave, ministerial officers.
  19. Form of application for leave, sub-registrars.
  20. Chalan or invoice of cash remitted to treasury.
  21. List of Registers, etc. sent by Sub-Registrar to the Central Record Office.
  22. Copies of document forwarded under sections 64 to 67.
  23. Form of memorandum of document forwarded under sections 64 to 67.
  24. Form of memorandum of document forwarded to the cantonment authority under the Cantonment Act II of 1924.
  25. Receipt for copy of memorandum of document forwarded under sections 64 to 67.
  26. Form of application for registers.
  27. Diary of the Inspectors of Registration Offices.
  28. Inspection report of the Inspector.
  29. Form of application for copy.
  30. Certificate of search.
  31. Form of application for general inspection or search.
  32. Form of application for search or inspection of a single entry or document.
  33. Establishment Order Book.
  34. Register of unclaimed documents.
  35. List of unclaimed documents.
  36. Weekly report of unclaimed documents.
- IV– List of permanent advances to meet contingent expenses of District Registrars.
- V– Table of Registration fees.
- VI– List of registration District and Sub-Districts.
- VII– Questions for guidance of Inspectors.
- VIII– Extracts from the Civil Services (Classification, Control and Appeal Rules) with extracts from United Provinces Government Notifications.
- IX– Deleted.

**APPENDIX I**  
**FORMS OF REGISTERS AND BOOK**  
**FORM NO. 1**  
**(RULE 228)**

**BOOK NO. I – SERIAL NUMBER OF DOCUMENT**

Name of District	Name of Tahsil and Pargana	Name of Village	Other details of the property under section 21 Act XVI of 1908 and date of execution	Nature and value of transaction	Value of Stamps	Copies of endorsements under sections 52 and 58 with the date and signature of registering officer under section 59 and copy of the certification mentioned in section 60
Copy of document						

**FORM NO. 2**

**(RULE 248)**

**BOOK NO. II – REGISTER OF REASONS FOR REFUSAL TO REGISTER**

Serial number of document	Name of person presenting the document	Date, Day and hour of presentation	Date of Execution of document	Nature and value of transaction	Name of applicant for copies of order of refusal and date of application	Date of grant of copy
Reason for refusal to register or to direct registration.						



**FORM NO. 3  
BOOK NO. III  
(RULE NO. 250)**

***SERIAL NUMBER OF DOCUMENT***

<b>Date, day and hour of presentation</b>	<b>Names, father's name, profession, caste (if any), and residence of applicant for opening the sealed cover (section 45), or of person applying for registration of a will or authority to adopt (section 40)</b>	<b>Name of person presenting the sealed cover (in cases where the sealed cover is filed) with serial number, volume and page of Book No. V</b>	<b>Description of document</b>	<b>Name, father's name, occupation, caste (if any) and residence of persons giving evidence : 1- (In case under section 45) as to the death of the testator. 2- (In case of a will or authority to adopt presented by another than the testator or donor) as to— (a) the execution of the will or authority to adopt by the testator or donor ; (b) the death of the testator or donor; (c) the title of the presenter to present the will or authority</b>	<b>In the case of registration of an authority to adopt or a will presented to open for registration. Copy of the endorsement mentioned in section 58, with the date and signature of registering officer under section 59 and copy of the certificate mentioned in section 60</b>
<b>Copy of the document</b>					

**FORM NO. 4  
(RULE NO. 254)**

**BOOK NO. IV – SERIAL NUMBER OF DOCUMENT**

Nature and value of transaction and date of execution of the document	Value of Stamps	Copies of endorsements under sections 52 and 58, with the date and signature of registering officer and copy of the certificate mentioned in section 60
Copy of the document		

**FORM NO. 5  
(RULE NO. 256)**

**BOOK NO. V – REGISTER OF DEPOSIT OF WILLS**

Deposit of sealed cover						With drawal of cover	Opening of sealed cover					
Serial Number	Year, month, date, day and hour of presentation of sealed cover (section 43)	By whom deposited [i.e. whether by testator or by duly authorized agent (section 42)]	Name, father's name, profession, caste (if any) and residence of depositor of the sealed cover	Name, father's name profession caste (if any) and residence of persons testifying to the identity of the depositor	Copy of the superscription on the sealed cover [i.e. the name of testator and of his agent (if any) and nature of the document (section 42)]	Inscription (if any) on the seal of the cover	Signature of District Registrar	Date of application (if any) for withdrawal by depositor (section 44)	Receipt of depositor for cover withdrawn	Date of application to open the sealed cover (section 45), with name, father's name, profession, caste and residence of applicant	Name, Father's Name, profession, caste and residence of persons testifying to the death of testator (section 45)	Serial number of instrument as entered in Book No. III and page or pages of the volume of that book no which entered

**FORM NO. 6  
(RULE NO. 259)**

**BOOK NO. VI – REGISTER OF POWERS-OF-ATTORNEY AUTHENTICATED**

Serial number	Name of execution	In whose favour executed	Abstract	Date of execution and authentication	Description of power-of-attorney general or special	Certificate of authentication

**FORM NO. 7**  
**(RULE NO. 260)**

**BOOK NO. VII – REGISTER OF VISITS AND COMMISSIONS**

Serial Number	Name of applicant	Date of application	Name of person executing commission or visit and date	Name of person to be examined	Section under which exempted	Ground of exemption	Residence of person to be examined	Distance from registration office (both ways)	Amount of travelling allowance	Signature of registering officer

**FORM NO. 8**  
**(RULE NO. 212)**

**RECEIPT BOOK**

Number (Block Part)	Number (To be refixed to block)	Number (To be retained by presenter or applicant)
<p>Date of presenting document or application for copy or search certificate.</p> <p>Name of presenter or applicant.</p> <p style="font-size: 2em; vertical-align: middle; margin-left: -10px;">{</p> <p style="margin-left: 10px;">1. Registration fee.....</p> <p style="margin-left: 10px;">2. Copying fee.....</p> <p style="margin-left: 10px;">3. Inspection or search fees.</p> <p style="margin-left: 10px;">4. Fees for authentication of powers-of- attorney.</p> <p style="margin-left: 10px;">5. Commission fees.....</p> <p style="margin-left: 10px;">6. Miscellaneous.....</p> <p style="margin-left: 10px;">7. Travelling allowance.</p> <p style="margin-left: 40px;">Total of 1 to 6</p> <p>Date of realization of fees.....</p> <p>Date when document, copy or search certificate will be ready for return.</p>	<p>(Receipt under section 52, Act XVI of 1908).</p> <p>Name of presenter or applicant for copy or search certificate.</p> <p>Name of executant</p> <p>Nature of document.</p> <p>Amount of consideration, Date of presentation or application.</p> <p>Date when document, copy or search certificate will be ready for return.</p> <p>Signature of registering officer.</p> <p><i>(On reverse of this part)</i> <i>The document, copy or search certificate is to be returned to——.</i></p> <p>Signature of presenter or applicant for copy or search certificate——</p> <p>Signature of recipient and date of return of receipt.</p>	<p>(Receipt for fees realized) Name of presenter or applicant.</p> <p>Nature of document.</p> <p>Amount of consideration .</p> <p style="font-size: 2em; vertical-align: middle; margin-left: -10px;">{</p> <p style="margin-left: 10px;">1. Registration fee.....</p> <p style="margin-left: 10px;">2. Copying fee.....</p> <p style="margin-left: 10px;">3. Inspection or search fees.</p> <p style="margin-left: 10px;">4. Fees for authentication of powers-of- attorney.</p> <p style="margin-left: 10px;">5. Commission fees.....</p> <p style="margin-left: 10px;">6. Miscellaneous.....</p> <p style="margin-left: 10px;">7. Travelling allowance.</p> <p style="margin-left: 40px;">Total of 1 to 6</p> <p>Date of realization of fees, Signature of registering officer.</p>

**FORM NO. 9  
(RULE NO. 336)**

***REGISTER OF APPLICATIONS FOR COPIES***

Serial Number	Date of application	Name of Application	Particulars of papers of which copy is required and number of words	Amount of —		Date of —			Signature of recipient of copy or of dispatching officer if sent by post, and date	Remarks (Here state reason for compliance with application and date of intimating postponement or refusal to applicant)
				Stamp duty	Copying fees	Payment of fees for copy and amount paid	Order for granting copy	Completion of copy		
1	2	3	4	5	6	7	8	9	10	11

**FORM NO. 10  
(RULE NO. 336)**

**REGISTER OF SEARCHES**

<b>Serial Number</b>	<b>Date of application</b>	<b>Name of applicant or court</b>	<b>Register, index or other miscellaneous proceedings of which search is desired</b>	<b>Year of years of which books searched</b>	<b>Fees levied</b>	<b>Date of payment</b>	<b>Date of intimation of result to applicant</b>	<b>Remarks (Here state briefly reasons for refusing or postponing compliance with application and date of intimating postponement or refusal to applicant)</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>

**FORM NO. 11  
(RULE NO. 336)**

**REGISTER OF INSPECTIONS**

Serial Number	Date of application	Name of applicant	Register, index or other miscellaneous proceedings of which search is desired	Year in the books of which inspection is required	Fees levied	Date of payment	Remarks (Here state briefly reasons for refusing or postponing compliance with application and date of intimating postponement or refusal to applicant)
1	2	3	4	5	6	7	8

**FORM NO. 12  
(RULE NO. 391)**

**REGISTER OF INSPECTIONS OF THE OFFICE OF THE SUB-REGISTRAR OF-----  
-----DISTRICT-----**

Date of Inspection	Remarks with signature and designation of Inspection Officer

**FORM NO. 13**  
**(RULE NO. 211)**

**REGISTER OF FEES IN THE OFFICE OF THE SUB-REGISTRAR OF**

Date of receipt of Document or application and number of counter of 1 receipt	Serial number of document in register (ecti n 53)	Book with other registered	Nature of document or other transaction and name of presenter or applicant	Amount of consideration	Fees realized				Date of completion of copying into register	Date of return of document to recipient
					For registration	Charge for copying into register	Other receipts including fees for authentication, etc.	Total		
1	2	3	4	5	6	7	8	9	10	11
				Rs.	Rs. a.p.	Rs. a.p.	Rs. a. p.	Rs. a. p.		
11th May, 1904	39	1	Mortgage Deed A.B.	275	2 0 0	0 4 0	.....	2 4 0	11th May, 1904	17th May, 1904
Ditto .....	...	...	Copying fee C.D....	...	...	.....	0 8 0	0 8 0	.....	.....
Ditto .....	18	1	Will E. F. ....	...	2 0 0	0 8 0	.....	2 8 0	12th May, 1904	1st June, 1904
Ditto .....	...	...	Authentication of special power-of-attorney G.H.	...	.....	.....	1 0 0	1 0 0	.....	.....
			Total .....	...	4 0 0	0 12 0	1 8 0	6 4 0	Sub-Registrar	11th May, 1904
After closing of the treasury on 11th May, 1904.	40	1	Deed of gift I.J.....	400	2 0 0	0 8 0	.....	2 8 0	12th May, 1901	21st May, 1904
Ditto .....	...	...	Search fees K.L.....	...	.....	.....	2 0 0	2 0 0	.....	.....
Ditto .....	40	1	Perpetual lease M.N.	336	0 8 0	0 4 0	.....	0 12 0	12th May, 1904	15th May, 1904

12th May, 1904...	....		Copying fee P.Q. ....	Yr .	.....	.....	0 8 0	0 8 0	.....	
Ditto .....	56	IV	Bond R.S. ....	99	0 8 0	0 8 0	.....	1 0 0	12th May, 1904	12th May, 1904
Ditto .....	405	I	Security deed T.U.	84	0 8 0	0 12 0		1 4 0	Ditto	16th May, 1904
Ditto .....	....	....	Inspection fees V.W.			.....	2 0 0	2 0 1		.....
			Total .....	....	3 8 0	2 0 0	4 8 0	0 0 0	Sub-Registrar	12th May, 1904
Ditto .....	....	....	Sale of forms of application for copies.	....	.....	.....	0 4 0	0 4 0	.....	.....
Ditto .....	....	....	Sale of forms of application for general inspection or search.	....	.....	.....	0 2 0	0 2 0	.....	.....
Ditto .....	....	....	Sale of forms of application for search of inspection of a single entry or document.	....	.....	.....	0 6 0	0 6 0	.....	.....
			Total	....	.....	0 12 0	0 12 0	0 12 0	Sub-Registrar	12th May, 1904

- NOTES—**
- (1) *The number and date of the treasury chalan should be noted against the total of the day.*
  - (2) The monthly totals under each head of receipts, and the monthly grand total of receipts should be given for each month up to the date on which the treasury accounts close.



**Form No.14**

(RULE 280)

*Minute Book*

Annual Serial Number	Reference number and number of book and serial number of document (if any)	Note of proceedings
1	2	3

**Form No.15**

(RULE 291)

*Register of documents impounded*

Serial number	Date of presentation of the document	Nature and value of the document	Name of presenter	Stamp duty due	Stamp duty paid	Brief reason for impounding document with date	Final order of the collector	Remarks
1	2	3	4	5	6	7	8	9

**Form No.16**  
(RULE 282)

*Objection Slip*

Date of presentation of document	The document is returned for the following reasons	Reply
	<i>Minute Book</i> <i>Entry No.</i>	

*Dated : .....*

*Signature of Sub-Registrar*

Form No.17

(RULE 97)

*Register of approved candidates for clerk and muharrir maintained  
in the office of the District Registrar of \_\_\_\_\_*

Serial number	Name	Age	Residence	If a pensioner			If not a pensioner		Date of admission as candidate	Remarks
				Amount of pen	Appointment last held	Cause of retirement	Educational qualifications	Recommendations (if any)		

Form No.18  
(RULE 261)

*Book no. VIII-Register of thumb-impression*

Serial Number	Particular of registration					Name of executant of witness	Thumb Impression
	Book	Volume	Page	Register Number	Date		

*Signature of Registering Officer.*

Form No.19  
(RULE 166)

*Stock book of forms*

Date	Number of copies received	Number issued	Balance	To whom issued	Purpose for which issued	Signature of person receiving

Form No.20  
(RULE 179)

*A catalogue of registers and books and other records of the  
Sub-Registrar's office of \_\_\_\_\_ in the \_\_\_\_\_ District*

<b>Serial Number</b>	<b>Name of district or sub-district to which the books relate</b>	<b>Name of record</b>	<b>Number of volume</b>	<b>From -- To --</b>	<b>Period or transfer or destruction</b>	<b>Dates of transfer or destruction</b>	<b>Full signature of person transferring or destroying</b>	<b>Remarks as to state of register at the time of transfer</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>

Form No.21  
(RULE 322)

*Register of documents returned by post*

<b>Serial Number</b>	<b>Date of dispatch with number of post office receipt</b>	<b>Number of document and book</b>	<b>Name of parties and nature of the document</b>	<b>Address of the claimants</b>	<b>Date on which addressee's acknowledgement was received by sub-registrar</b>	<b>If returned unclaimed date of receipt by sub-registrar</b>	<b>Remarks</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>

Form No.22  
(RULE 329)

*Register of saleable form*

<b>Date</b>	<b>Previous balance</b>	<b>From whom received</b>	<b>Number of forms received</b>	<b>Total</b>	<b>To whom sold/issued*</b>	<b>Whether licensed stamp vendors and deed writers or not</b>	<b>Number of forms sold/issued*</b>	<b>Price received</b>	<b>Balance of forms</b>	<b>Number and date of receipt</b>

**Note:** the account of each kind of saleable form should be opened on a separate page, a sufficient number of blank pages being left after each class for future entries.

In the case of forms issued to sub-registrar from the District Registrar's office.

## APPENDIX II FORMS OF INDICES

FORM No. I

(RULE 266)

*Index no. I*

Name of Office \_\_\_\_\_

Name with rank or title, father's name, profession, caste (if any) and residence	Description of document	Amount of consideration expressed in the document	Connexion with the document of the person whose name is entered in column I	Date of execution	Date of registration	Number of volume, Book I	Page	Serial Number in Book I
1	2	3	4	5	6	7	8	9

Form No.2

(RULE 267)

*Index no. II*

Name of office \_\_\_\_\_

Situation and description of property referred to in the instrument				Name of parties to instrument		Description of document and the amount of consideration	Date of Execution	Date of Registration	Number of volume, book I	Page	Serial number in book I
Name of town, mohalla or village	Pargana	District	Other particulars required by section 21, Act XVI of 1908	Names with father's name and caste (if any) of executants of the documents	Names with father's name and caste (if any) of the persons in whose favour the document is executed						
1	2	3	4	5	6	7	8	9	10	11	12

FORM No.3  
(RULE 268)  
*Index no. III*

Name of office \_\_\_\_\_

<p>name of testator or donor of authority to adopt or executor or (after the death of the testator) the claimant under the document or applicant under section 45, with rank or title father's name, profession, caste (if any) and residence</p>	<p>Description of document whether a will or authority to adopt</p>	<p>Connexion in the document of the person whose name is entered in column I, i.e. whether testator or donor of authority to adopt or executor or (after the death of the testator) the claimant under the document or applicant under section 45</p>	<p>Date or registration</p>	<p>Amount of fees paid</p>	<p>Number of volume, book III</p>	<p>Page</p>	<p>Serial number in Book III</p>

FORM No.4  
(RULE 269)

Name of office \_\_\_\_\_

<p><b>Name with rank or title father's name; profession, caste (if any) and residence</b></p>	<p><b>Description of document</b></p>	<p><b>Connexion with the document of the person whose name is entered in column I</b></p>	<p><b>Date of registration</b></p>	<p><b>Number of volume, book IV</b></p>	<p><b>Page</b></p>	<p><b>Serial no. in Book IV</b></p>



**APPENDIX III**  
**FORMS OF PERIODICAL AND OTHER RETURNS**

FORM No. I  
(RULE 325 AND 135)

*Weekly report of documents and applications for which remained incomplete for three days from the date of presentation during the week ending \_\_\_\_\_*

<b>Document</b>		<b>Application for copies</b>		<b>Remarks</b>
Number	Date of presentation	Number	Date of presentation	Explanation of delay in registering or returning documents or delay in the issue of copies

Office \_\_\_\_\_  
District \_\_\_\_\_

*Sub-Registrar*  
Dated : \_\_\_\_\_

ON INDIA GOVERNMENT'S SERVICE

To,  
THE DISTRICT REGISTRAR,  
DISTRICT

Form No.2  
(RULE 137 and 141)

*Statement showing registrations, receipts and expenditure for the  
.....19*

Office	Total number of documents presented for registration			Total number of documents registered			Total receipts	Total expenditure	Remarks
	Compulsory	Optional	Total	Compulsory	Optional	Total			
1	2	3	4	5	6	7	8	9	10

Dated \_\_\_\_\_

District Registrar.

\_\_\_\_\_

Form No.3  
(RULE 185)

*Half-yearly certificate of District Registrar*

I do hereby certify that the iron safe in this office for the custody of sealed wills was opened by \_\_\_\_\_ on the \_\_\_\_\_ 19 and that its contents were correct and in good condition.

District Registrar

Dated \_\_\_\_\_

Form No.4  
(RULE 128 and 142)

*Quarterly statement showing the budget allotments and expenditure in the  
Registration Department \_\_\_\_\_ District for the quarter  
ending \_\_\_\_\_ 19.*

<b>Particulars</b>	<b>Travelling allowance</b>	<b>Rents</b>	<b>Office expenses and miscellaneous (contract)</b>	<b>Refunds</b>	<b>Remarks</b>
Sanctioned grant for 19	Rs.	Rs.	Rs.	Rs.	
Additional grant for 19					
Total .....					
Expenditure up to the close of the quarter.					
Amount of work bills to the close of the quarter.					
Balance available					

*District \_\_\_\_\_  
The \_\_\_\_\_ 19.*

*District Registrar*

Form No.5  
(RULE 82)

*Annual return of temporary appointments made under sections 10, 11 and 12 Act XVI of 1908 for the year ending .....19*

Name of office	Name of absentee	Cause of absence	Name of persons appointed	Official designation (if any) of the person appointed	Period during which the appointment was held by the person appointed			Remark
					From (month and date)	To (month and date)	Total number of days	
1	2	3	4	5	6	7	8	9

District \_\_\_\_\_  
The \_\_\_\_\_ 19.

*District Registrar*

Form No. 6  
(Rule 142 and 143)

Annual Return – Statement of Instruments registered and of the value of the property transferred by registered documents together with the fees thereof and miscellaneous receipt in the District of ..... for the year 19.

2	3	Registration District		Sale or exchange of any value		Mortgage		Others registered under section 17(1), clauses (b), (c) and (e)		Leases [under section 17(1). clause (d)]		Total compulsory registrations affecting immovable property.			Lease			Other registered under section 18, clauses (a) and (b).		Awards below Rs.100 in value		registrations other than certified copies of decrees and orders of		Certified copies of decrees and orders of courts		Total optional registrations affecting immovable property.			Total (compulsory and optional) affecting immovable property column 15 to 17 and 29 to 31)					
		Name of Registration Office		Number	Aggregate value	Number	Aggregate value	Number	Aggregate value	Number	Aggregate value	Number	Value of annual rent	Amount of premia	Number	Aggregate value	Fees	Number	Aggregate Value of rents	Amount of premia	Number	Aggregate Value	Number	Aggregate Value	Number	Aggregate Value	Number	Aggregate Value	Number	Aggregate Value	Fees	Number	Aggregate Value	Fees

District .....

Dated .....

Registrar

Note : (1) Columns 6 and 7 should show all the instruments of sales of value below or over Rs.100.

(2) Columns 8 and 9 should show all the instruments of mortgage of value below or over Rs.100.

(3) Columns 12, 13 and 14 should show perpetual leases and other leases as have been compulsorily registered under section, 17 clause (d) of the Registration Act 1908, or under section 107 and 117 of the Transfer of property Act, 1882, as amended by section 5 and 6 of act VI 1904.

(4) Columns 18 to 20 should shown instruments of lease for one year or less [section 18 clause (c) of the Registration Act, 1908 and those exempted under the proviso to section 17 of the Act or exempted under proviso in section 107 of the transfer of property Act, 1882, as amended by section 5 of Act VI of 1904.



FORM NOS. 7-10 [Deleted]

Form No.11

(RULE 151)

*Statement showing number of inspections of registration offices by Inspector General of Registration, District Registrars and Inspectors of registration offices during the year ending 31st December, 19.*

District	Office	Date of inspection			Letter forwarding the inspection note to the Inspector General		Explanation of absence of inspection
		By Inspector General of Registration	By District Registrars	By Inspectors of registration offices	Number	Date	

District \_\_\_\_\_  
The \_\_\_\_\_ 19.

District Registrar

Form No.12

(RULE 147)

*List of non-gazetted officers in superior pensionable service who are over or will be 55 years of age in the coming year with recommendation of the District Registrar, concerning their superannuation or retention.*

District	Name of officer	Designation	Salary	Age on 31st March last			Length of service on 1st December last			Remarks and recommendations as to retention or retirement by the District Registrar
1	2	3	4	5			6			7
			Rs.	Y.	M.	D.	Y.	M.	D.	

District \_\_\_\_\_  
The \_\_\_\_\_ 19.

District Registrar

Form No.13  
(RULE 158)

*Indent for registration books and forms required for offices in the registration district of \_\_\_\_\_ for the year ending 31st December, 19*

Registered number of forms	Description of forms	Average annual consumption for the last indent	Number of copies received on last indent	Number at present in stock	Number now indented for	Remarks
1	2	3	4	5	6	7
1.	Register no. I, bound book of 400 pages (Hindi)					
2.	Register no. II, bound book of 400 pages (Hindi)					
3.	Register no. III, bound book of 100 pages (Hindi)					
4.	Register no. IV, bound book of 100 pages (Hindi)					
5.	Register no. V, bound book of 50 pages (Hindi)					
6.	Register no. VI, bound book of 25 pages (Hindi)					
7.	Register no. VII, bound book of 25 pages (Hindi)					
8.	Register no. VIII, bound book of 200 pages (Hindi)					
9.	Additional Book no. I, file book of 100 butts (Hindi)					
10.	Additional Book no. I, file book of 25 butts (Hindi)					
11.	Additional Book no. IV, file book of 100 butts (Hindi)					
12.	File Book No. I (Hindi)... ..					
13.	Receipt Book, bound book of 100 pages (Hindi)					
14.	Register of applications for copies, bound book of 200 pages (Hindi).					
15.	Register if inspection, bound book of 200 pages (Hindi)					
16.	Register of searches, bound book of 200 pages (Hindi)					
17.	Inspection Book, bound book of 20 pages (Hindi)					
18.	Register of fees, bound book of 200 pages (Hindi)					
19.	Minute Book, bound book of 200 pages (Hindi)					



*Form No.13 – (Continued)*  
(RULE 158)

*Indent for registration books and forms required for offices in the registration district of \_\_\_\_\_ for the year ending 31st December, 19*

Registered number of forms	Description of forms	Average annual consumption for the last indent	Number of copies received on last indent	Number at present in stock	Number now indented for	Remarks
1	2	3	4	5	6	7
20.	Register of documents impounded by Sub-Registrar, 200 pages (Hindi)					
21.	Register of documents returned by post, 100 pages (Hindi)					
22.	Objection slip (Hindi)					
23.	Register of establishment order book 100 pages (Hindi)					
24.	Index no. I loose sheets (Hindi)					
25.	Index no. II ditto (ditto)					
26.	Index no. III ditto (ditto)					
27.	Index no. IV ditto (ditto)					
28.	Weekly report of documents and copies undelivered (Hindi)					
29.	Quarterly statement showing registration receipts and expenditure (Hindi)					
30.	Quarterly statement showing the budget allotment and expenditure (Hindi)					
31.	Annual return of appointments (Hindi)					
32.	Annual statement nos. I to V (Hindi)					
33.	Annual statements showing the number of inspection of registration offices (Hindi)					
34.	Annual statement of non-gazetted officers of superior pension able service who are over 55 years of age (Hindi)					
35.	Indent for registration books and forms (Hindi)					
33 R	Stock book of forms form no.33-R Manual of Government Order.					

Form No.13 – (Continued)  
(RULE 158)

*Indent for registration books and forms required for offices in the registration district of \_\_\_\_\_ for the year ending 31st December, 19*

Registered number of forms	Description of forms	Average annual consumption for the last indent	Number of copies received on last indent	Number at present in stock	Number now indented for	Remarks
1	2	3	4	5	6	7
36.	Catalogue of registers and books of the sub-registrar's office bound book of 100 pages (Hindi)					
37.	Register of saleabe forms, 100 pages (Hindi)					
38.	List of unclaimed documents (Hindi)					
39.	Register of unclaimed documents, 100 pages (Hindi)					
40.	List of unclaimed documents to be hung on notice board (Hindi)					
41.	Weekly report of unclaimed documents (Hindi)					
42.	Registration budget (Hindi)					
43.	List of records for destruction (Hindi)					
61.	Form of applications for leave by ministerial officers (Hindi)					
62.	Form of application for leave by Sub-Registrar (Hindi)					
44.	Chalan or invoice of cash remitted to treasury (Hindi)					
45.	List of registers, books, etc. sent by Sub-Registrar to District Registrar for deposit in the Central Office of Records (Hindi).					
46.	copy of registered document forwarded under section 65 to 67 (Hindi)					
47.	Memorandum of registered documents forwarded under sections 64 to 67 (Hindi)					
48.	Memorandum of registered documents forwarded under section 287(2) of the Cantonment Act, 1924 as amended and rule 368 of the registration Manual, (Hindi).					

Form No.13 – (Continued)  
(RULE 158)

Indent for registration books and forms required for offices in the registration district of \_\_\_\_\_ for the year ending 31st December, 19

Registered number of forms	Description of forms	Average annual consumption for the	Number of copies received on last indent	Number at present in stock	Number now indented for	Remarks
1	2	3	4	5	6	7
49.	Receipts for memorandum of copy of document forwarded under sections 64 to 67 (Hindi).					
50.	Application for registers (Hindi) .. ....					
51.	Application for copy (Hindi) .. ....					
52.	Certificate of search .. ..... ....					
63.	Forms of security bond of Sub-Registrar (Hindi)					
	<b>Provincial Forms</b>					
57	Docket forms, quarto post, provincial form no. 57.					
56.	Letter forms, foolscap size, provincial form no. 56					
71.	Envelopes provincial form no. 71 (Hindi)					
73.	Ditto ... ..no. 73 (Hindi)					
76.	Ditto ... ..no. 76 (Hindi)					
53.	Quarterly statement showing the operations of the registration department (Hindi)					
54.	Diary of the Inspectors of Registration offices (Hindi)					
55.	Inspection reports of the Inspectors of Registration offices (Hindi).					
56.	Inner Sheet .... ..					
57.	Form of licence for deed writers (Hindi)					
58.	Application for general inspection or search (Hindi)					
59.	Application for search or inspection of a single entry or document (Hindi)					

No. \_\_\_\_\_, dated \_\_\_\_\_ 19 .

FORWARDED to the Inspector General of registration, Uttar Pradesh, Allahabad.

District Registrar

Form No.14  
(RULE 152)

Budget estimate of the \_\_\_\_\_ district for the year \_\_\_\_\_

RECEIPTS-HEAD XV

Number	Particulars	Actual of 19	Budget estimates		Compared with 19		Explanation of increase or decrease
			19 As sanctioned	19	Increase	Decrease	
1.	Fees for registering documents ...						
2.	Fees for copies of registered documents.						
3.	Miscellaneous –						
	(a) Fees for the authentication of powers of attorney.						
	(b) Other items ... ..						
	Total, Receipts ... ..						

N.B. – The classifications laid down in rule 206 should be followed.

EXPENDITURE-HEAD 15

Number	Particulars	Actual of 19	Budget estimates		Compared with 19		Explanation of increase or decrease
			19 As sanctioned	19	Increase	Decrease	
	District Charges						
	Salaries						
	Number						
	19						
	19						
	Sub-Registrars:						
	Total :						

Form No.14 (continued)  
Expenditure – Head 15 – (continued)

Number	Particulars		Actual of 19	Budget estimates		Compared with 19		Explanation of increase or decrease
				19 As sanctioned	19	Increase	Decrease	
	Establishment Number							
		19	19					
1.	District Registrar							
	Clerks							
	Servants							
2.	Sub-Registrar							
	Clerks							
	Servants							
	Total							
	Allowance Number							
		19	19					
1.	Commission to Sub-Registrar							
2.	Travelling allowances							
	Total							

Form No.14 (continued)  
Expenditure – Head 15 – (Concluded)

Number	Particulars	Actual of 19	Budget estimates		Compared with 19		Explanation of increase or decrease
			19 As sanctioned	19	Increase	Decrease	
	Contingencies						
1.	Purchase of furniture ... ..						
2.	Rents ... ..						
3.	Office expenses and miscellaneous (Contract)						
	(a) Postage charges						
	(b) Telegram charges						
	(c) Country stationery						
	(d) Rates and taxes						
	(e) Hot and cold weather charges.						
	(f) Purchase and repair of furniture						
	(g) Carriage of Stationery						
	(h) Cloth for bastahs						
	(i) Other petty contingencies and miscellaneous.						
	Total						
	Total District Charges						
	Refunds						
	Registration Refund						

District \_\_\_\_\_  
Dated \_\_\_\_\_ 19

District Registrar

Form No.15  
(Rule 197)

Serial Number	Office of Registrati on	Claimants	Executant	Nat ure of doc uments	Book in which registered	Date of completi on of registrati on	Date of refusal of registrati on	Date of return of the docum ent	Date of sanc tion to dest ructi on	Name and address of person entitled to receive the document
1	2	3	4	5	6	7	8	9	10	11

District \_\_\_\_\_

Dated \_\_\_\_\_

Registrar

Form No.16  
(Rule 200)

List of records proposed for destruction in the office of the Sub-Registrar of \_\_\_\_\_,

District \_\_\_\_\_ for the year \_\_\_\_\_

Serial Number	Description of record	Year to which the records relate	Number of Nathi bundle	Number of papers in each Nathi or bundle	Total number of records of papers	Subject or nature of correspondence	Order of District Registrar or destruction
1	2	3	4	5	6	7	8

Signature of Registering Officer

Dated \_\_\_\_\_ 19.

Form No.17  
Application for leave

(To be used by Ministerial Officer only)

Name and designation of the applicant	Necessity for leave	Period and kind of leave required	Date and amount of leave last enjoyed	Name and qualification of the officer proposed to act.	Name of other officer on leave	Recommendation of immediate head of office	Others
1	2	3	4	5	6	7	8

Signature of Applicant.

District \_\_\_\_\_

Dated \_\_\_\_\_ 19.





Form No.18

(Rule 80)

(To be used by Sub-Registrar only)

Application for leave of absence under Rule of the Fundamental  
Arti Civil Service

Rules  
Regulations

Name of officer and appointment he holds	Period and nature of leave applied for	Last leave enjoyed
1	2	3

*N.B.- The article of the Civil Service regulations or the fundamental Rule under which leave is claimed should always be noted in the heading*

*Signature of applicant*

District \_\_\_\_\_  
Dated \_\_\_\_\_ 19.

(In case of Privilege leave)

I, do hereby declare that I have no intention of retiring from the service or of taking, special leave subsidiary leave on private affairs, or leave on Medical Certificate within six months of my return to duty from the leave now applied for.

*Signature of Applicant*

*Recommendation of District Registrar with suggestions as to arrangement for absetness's work.*

\_\_\_\_\_ 1 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

No.

FORWARDED TO THE INSPECTOR GENERAL OF REGISTRATION , UTTAR PRADESH

District \_\_\_\_\_  
Dated \_\_\_\_\_ 19.



**FORM No. 20**  
**(RULE 183)**

*List of registers, books and all other papers, sent by the Sub-Registrar of \_\_\_\_\_, district \_\_\_\_\_ - to the District Registrar for deposit in the central record office*

1	2	3	4	5	6	7	8	9
Serial number	Description of books or paper	Number of pages in each book	From what number to what number and from what date to what date	Whether bound or unbound	Injured pages (if any)	Blank pages (if any)	Missing pages (if any)	Remarks giving particulars of injuries such as what pages are damaged and how, whether the content's are legible or not, etc.

District \_\_\_\_\_  
Dated \_\_\_\_\_, 19

Signature of sub-Registrar

**FORM No. 21**  
**(RULE 367)**

*Copy of a document registered in the office of \_\_\_\_\_ Registrar of \_\_\_\_\_, district \_\_\_\_\_, forwarded to the District Registrar of \_\_\_\_\_, district \_\_\_\_\_, under sections 64, 65, 66 and 67, Act XVI of 1908*

Book No. I- SERIAL NUMBER OF DOCUMENT \_\_\_\_\_

Territorial description of property mentioned in the document (section 21)				Nature and value of transaction	Value of stamps	Copies of endorsement-under section 52 and 58, with the date and signature of registering office under section 59, mentioned in section 60.
Name of district	Name of Tahsil and Pargana	Name of village	Other details of the property under section 21, Act XVI of 1908			
Copy of document						

FORM No. 22

(RULE 367)

Memorandum of document registered in the office of the \_\_\_\_\_, Registrar of  
 \_\_\_\_\_ district \_\_\_\_\_ forwarded to the \_\_\_\_\_, Registrar of  
 \_\_\_\_\_, district \_\_\_\_\_, under sections 64, 65, 66 and 67, Act XVI of 1908.

Date of Execution		Names and addition of executant	Names and addition of the persons in whose favour executed	Territorial description of property mentioned in document (section 21, Act XVI of 1908)				Particulars of registration				Remarks
Nature and value of transaction	Value of stamps			Name of district	Name of tahsil and nargana	Name of village	Other details of the property under section 21	Presented by	Date of presentation and date of registration	Execution (and receipt of consideration) admitted by	Registered in Book Volume Page register no. date	
1	2	3	4	5	6	7	8	9	10	11	12	13

Sub-Registrars

Dated \_\_\_\_\_, 19

**FORM No. 23**  
**(RULE 368)**

*Memorandum of document registered in the office of the \_\_\_\_\_ Registrar of district  
\_\_\_\_\_ forwarded to the Cantonment authority of the district \_\_\_\_\_  
under the Cantonment Act II of 1924, as amended.*

Name and additions of executants	Name and additions of the person or persons in whose favour executed	Nature of transaction and value	Territorial description of property as mentioned in document (section 21 of Registration Act XVI of 1908)		Particulars of registration			Remark	
1	2	3	4		5			6	
			Situation and boundaries of properties and other details	Nature of title whether free hold or occupancy right	Presented by	Date of presentation and date of	Execution admitted by (receipt of consideration, if any)	Registration	
								Book____ Vol.____ Page____ Register no.____ Date_____	

**FORM No. 24  
(RULE 367)**

*Receipt for memorandum or copy of document forwarded to the office of  
\_\_\_\_\_ Registrar of \_\_\_\_\_ from the office of \_\_\_\_\_ Registrar of  
19, under sections 64 to 67 of Act XVI of 1908.*

Serial number	Register number with page, volume and number of register of re date of rgistration	Date of despatch	Date of arrival	Signature of receiving officer	Remarks (if any)
1	2	3	4	5	6

N.B.- This receipt should be returned to the despatching officer after filling the columns 4, 5 and 6, inclusive.

**FORM No. 25  
(RULE 162)**

Application for Registers

*Office of Sub-Registrar \_\_\_\_\_  
Volume \_\_\_\_\_ book \_\_\_\_\_ 82235246 2086472913 nearly filled, volume  
\_\_\_\_\_ is required*

Dated \_\_\_\_\_, 19.

Sub-Registrar

Office of Sub-Registrar \_\_\_\_\_  
Volume \_\_\_\_\_ book \_\_\_\_\_ is this day forwarded. Its receipt should be acknowledged.

Dated \_\_\_\_\_, 19.

Sub-Registrar

Office of Sub-Registrar \_\_\_\_\_  
Volume \_\_\_\_\_ book \_\_\_\_\_ has this day been received.

Dated \_\_\_\_\_, 19.

Sub-Registrar



**FORM No. 26  
(RULE 33)**

*Diary of the Inspector of Registration Offices \_\_\_\_\_ Circle, for the month of \_\_\_\_\_ 19.*

Date	Journeys performed and business transacted	
Summary		
Name of offices inspected	Number of days taken in inspecting each office	
Number of days on tour during the year		
Up to the end of the previous month	During the month	Total
Forwarded to the Inspector General of Registration, Uttar Pradesh.		

Dated \_\_\_\_\_

Inspector of Registration

The \_\_\_\_\_ 19.

Offices \_\_\_\_\_ Circle

**FORM No. 27  
(RULE 42)  
Inspection Report  
Registration Department  
I- Office inspected**

District	Office	Sub-Registrar's name and date of appointment and date of posting to present office	Registration clerk's names, salaries and date of appointment

II- Date of Inspections

<b>Present inspection</b>	<b>Last inspection by-</b>		
	<b>Inspector</b>	<b>District Registrar</b>	<b>Inspector General of Registration</b>

III- Statistics of business during the past two years and in the current year to date of inspection.

<b>Year</b>	<b>Book I</b>	<b>Supplementary Book I</b>	<b>Book II</b>	<b>Book III</b>	<b>Book IV</b>	<b>Book VI</b>	<b>Book VII</b>	<b>Book VIII</b>

<b>Year</b>	<b>Copies</b>		<b>Inspections</b>		<b>Searches</b>		<b>Total income</b>	<b>Total expenditure</b>	<b>Total number of document impounded</b>
	<b>Number</b>	<b>Income</b>	<b>Number</b>	<b>Income</b>	<b>Number</b>	<b>Income</b>			

Question number	IV- Remarks on registers I to IV and VI to VIII
Question number	V- Remarks on the indexes and subsidiary books
Question number	VI-General remarks

**FROM No. 28**  
**(Rule 332)**  
Application for copy

1. Date of application
2. Name of applicant, father's name, caste and residence, with the name of post office.
3. Name of office of registration.
4. Name of mauza, pargana and district to which the document appertains.
5. Name of document.
6. Name of the person claiming under the document.
8. Date of execution.
10. Number and value of stamps filed with the application (if any).
11. Whether applicant desires the copy to be sent by post, or whether he will attend in person to receive it or will receive it through another person nominated by him in that behalf.

**FORM NO. 29**  
**(RULE 327)**  
Certificate of Search

Serial number	Date of application	Name of degree holder and judgment-debtor or of application	Register or index of which search was made	Year for which search was made	Mauza in Index II searched	Share of Judgment – debtor or of application in these mauza, trapp and P rganas	Result of search for encumbrances, if any	Date of search	Signature of Sub-register	Remarks
1	2	3	4	5	6	7	8	9	10	11

**FORM NO. 30**

**(RULE 328**

**APPLICATION FOR GENERAL INSPECTION OR SEARCH**

Office of \_\_\_\_\_ Registrar of \_\_\_\_\_

1. Date of application \_\_\_\_\_
2. Name of applicant with his address \_\_\_\_\_
3. Whether applicant desires the result of \_\_\_\_\_  
search of certificate of encumbrances to  
be sent by post or whether he will attend  
in person or will receive it through  
another person nominated by him in that  
behalf.
4. Number of case with name of court and \_\_\_\_\_  
names of parties to the case (to be filled,  
where necessary).
5. Year or years in the book of which \_\_\_\_\_  
inspection or search is to be made.
6. Information showing title of the applicant \_\_\_\_\_  
to inspect or have a search made, in case  
of documents entered in Book no. III or  
IV.

7.	Description of property or properties	Name of present owner or joint owner	Remarks
(i)	_____	_____	_____
(ii)	_____	_____	_____
(iii)	_____	_____	_____
(iv)	_____	_____	_____

Certified that the above information is correct to the best of my knowledge.

Signature of applicant

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N.B.- A separate fee is leviable in respect of each property unless documents have been executed by one and the same persons or in favour of one and the same person. In the latter case the name of such person and his relation to the document should be stated.

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**FORM NO. 31**

**(RULE 328)**

*APPLICATION FOR SEARCH OR INSPECTION OF A SINGLE  
ENTRY OR DOCUMENT*

Office of \_\_\_\_\_

1. Date of application \_\_\_\_\_
2. Name of applicant with his address. \_\_\_\_\_
3. Whether applicant desires the result of search \_\_\_\_\_  
to be sent by post or whether he will attend in  
person or will receive it through another person  
nominated by him in that behalf.
4. Description of document with the name and \_\_\_\_\_  
address of the executants and of the claimant,  
as far as known.
5. Situation of property or properties, viz village \_\_\_\_\_  
and pargana, town or mohalla and city.
6. Year or years in the book of which inspection \_\_\_\_\_  
or search is to be made.
7. Information showing title of the applicant to \_\_\_\_\_  
inspect or have a search made, in case of  
documents entered in Book no. III or IV.

**FORM No. 32**  
(Rule 109)  
Establishment Order Book

Sl. No.	Name of outgoing man and his pay	Nature of vacancy	Period	Proposals	Orders passed by District Register	Date of charge taken or made over	Remarks
1	2	3	4	5	6	7	8
1	X Rs. 100	Leave on average pay.	4 Months	Y or Z	Y appointed	October	
After 2 months Y is found unfit and is reverted							
3.	Z Rs. 100	Substantive pay	Nil	Z	Z appointed	December 6	Link arrangement serial no.
4.	Z Rs. 100	Ditto	Nil	X		February	Ditto

Note – Reversion of unclaimed or reduction will always be a fresh entry.

**FORM No. 33**  
(Rule 109)

Register of unclaimed documents for the office of the District/Sub-  
Registrar of District

Date of entry in the register	Name of the document with number, book volume and year of the document	Name of the Parties executants and claimants	Name of the Presenter	Date of			Signature of District/Sub-Registrar	Removal from the list		Amount of unclaimed for levied	Signature of District/Sub-Registrar
				Registration section 60	Refusal to register	Return by post after registration		Date of	Reason for		
1	2	3	4	5	6	7	8	9	10	11	12

This column should also be fill when an unclaimed document is sent to the District Registrar for the safe custody in his fire-proof safe.

FORM No. 34

(Rule 195 and 196)

List of unclaimed document to be posted on the notice board

Serial No.	Name of the presenter	Name of the executant	Name of the claimant	Nature and consideration of the document	Date of registration, refusal to register or return by post after registration.
1	2	3	4	5	6

FORM No. 35

(Rule 196)

Weekly report of unclaimed documents of the Sub-Registrar's office  
for the week ending

Serial no.	Number, book, volume and year of the document	Name of the executant	Name of the claimant	Nature and consideration of the document	Date of registration, refusal to register or return by post after registration	Remarks
1	2	3	4	5	6	7

Office \_\_\_\_\_  
District \_\_\_\_\_

Sub-Register \_\_\_\_\_  
Dated \_\_\_\_\_

**APPENDIX IV**  
List of permanent advances to meet contingent expenses of  
District Register, Uttat Pradesh

Registration Districts		Amount Sanctioned					
		Rs.					
1.	Saharanpur	..	..	..	..	..	50
2.	Meerut	..	..	..	..	..	50
3.	Aligarh	..	..	..	..	..	08
4.	Bulandshahr	..	..	..	..	..	50
5.	Agra	..	..	..	..	..	20
6.	Farrukhabad	..	..	..	..	..	30
7.	Mainpuri	..	..	..	..	..	50
8.	Moradabad	..	..	..	..	..	20
9.	Budaun	..	..	..	..	..	20
10.	Bareilly	..	..	..	..	..	35
11.	Pilibhit	..	..	..	..	..	15
12.	Shahjahanpur	..	..	..	..	..	15
13.	Kanpur	..	..	..	..	..	50
14.	Banda	..	..	..	..	..	20
15.	Allahabad	..	..	..	..	..	30
16.	Jhansi	..	..	..	..	..	50
17.	Jaunpur	..	..	..	..	..	50
18.	Mirzapur	..	..	..	..	..	20
19.	Varansi	..	..	..	..	..	50
20.	Ghazipur	..	..	..	..	..	20
21.	Gorakpur	..	..	..	..	..	20
22.	Azamgath	..	..	..	..	..	20
23.	Almora	..	..	..	..	..	20
24.	Garhwal	..	..	..	..	..	20
25.	Naini Tal	..	..	..	..	..	50
26.	Lucknow	..	..	..	..	..	5
27.	Unnao	..	..	..	..	..	50
28.	Bara Banki	..	..	..	..	..	20
29.	Hardoi	..	..	..	..	..	50
30.	Sitapur	..	..	..	..	..	20
31.	gonda	..	..	..	..	..	20
32.	Faizabad	..	..	..	..	..	20
33.	Rae-Bareli	..	..	..	..	..	20
34.	Rampur	..	..	..	..	..	20
35.	Basti	..	..	..	..	..	10
36.	Tehri-Grahwal	..	..	..	..	..	20
37.	Muzaffarnagar	..	..	..	..	..	20
38.	Etah	..	..	..	..	..	20
39.	Mathura	..	..	..	..	..	20
40.	Bijnor	..	..	..	..	..	20
41.	Balia	..	..	..	..	..	10
42.	Pithoragarh	..	..	..	..	..	20
43.	Chamoli	..	..	..	..	..	10
44.	Kheri	..	..	..	..	..	20
45.	Baharich	..	..	..	..	..	10
46.	Sultanpur	..	..	..	..	..	20



**APPENDIX V**  
**TABLE OF REGISTRATION FEES**  
**PREPARED UNDER SECTION 78, Act XVI OR 1908**

(1) All non-testamentary instruments relating to Books I and IV including sale certificates presented for registration in original :

		Rs.
I.	(a) When the value or consideration does not exceed Rs. 50	1.50
	(b) When the value or consideration exceed Rs. 50, but does not exceed Rs. 100	3.00
	(c) When the value or consideration exceed Rs. 50 but does not exceed Rs. 1,000- For the first Rs. 100.....	3.00
	For every Rs 100 or part thereof exceeding Rs. 100	2.00
	(d) When the value or consideration exceeds Rss. 1,000 For the first Rs. 1,000	21.00
	For every Rs. 500 or part thereof exceeding Rs. 1,000	5.00
	(e) For the value or consideration is only partly expressed an additional fee of	10.00
	(f) When the value or consideration is not expressed	40.00
	(g) For filing a copy of order received under sub-section (a) or (3) of section 89 of the Indian Registration Act, 1908, a fixed fee of Rs. 4.00 shall be deposited to treasury under the Head "XV- Registration Fees" by the person to whom loan is granted and the treasury chalan filed before the Officer granting the loan for being forwarded to the Registering Officer along with the said copy of order.	
	(h) For shifting a copy of a certificate of sale under sub-section (2) or (4) of section 89 of the Indian Registration Act, 1908 a fee equal to one-half of the Stamp Duty paid on the original certificate of sale subject to a minimum of Rs. 4.00 shall be deposited in the Treasury under the Head "XV-Registration Fees by the auction purchase and	

the treasury chalan filed before the Court or the Revenue Officer for being forwarded to registering Officer along with the aforesaid copy of sale certificate.

(2) In the case of a lease or surrender of lease the value of the document for charging registration fee shall be-

- (1) The total rent for the whole term when the lease is for one year or less.
- (2) The average annual rent when the lease is for a definite period exceeding one year;
- (3) Three years rental, when the lease is not for any definite term or is for a term exceeding 20 years;
- (4) One-fifth of the aggregate rent payable for the first fifty years when the lease is perpetual or purpose to confer hereditary rights, on a tenant or is for a term exceeding 90 years;

Provided that where the lease is granted for a fine or premium or for money advanced in addition to the rent reserved that amount shall also be included in the value .

Provided further that when the subject-matter of the document is capable of valuation and relates to Book I, but the parties refuse to express the value the Registering Officer shall, subject to the control and supervision of the District Registrar, ascertain the approximate value of the property dealt with from the records maintained in the tahsil, local bodies or in his own office and levy proper fee on the value so ascertained.

		Rs.
II.	(1) Written authorities to adopt not conferred by wills	40.00
	(2) Wills-	
	(a) For deposit of sealed cover under section 45 of the Indian Registration Act. 1908	10.00
	(b) For withdrawal of sealed cover under section 44 of the Indian Registration Act, 1908	10.00
	(c) For opening a deposited sealed cover under section 45 of the Indian Registration Wills-	10.00
	(d) For the Registration of Wills-	

(1)	When the valuation of the property bequeathed does not exceed Rs. 1,000	12.00
(2)	When the valuation exceeds Rs. 1,000 ad valorem fee prescribed in this Article shall be levied subject to a maximum of Rs. 40.00	40.00
(3)	When the value of the property bequeathed is not exceed	50.00
III.	Sale Custody (a) For sale custody of any non-testamentary document in the iron safe of a District Registrar	5.00
	(b) For withdrawal of any such document as noted above -	5.00
IV.	Powers of Attorney, etc.- For the registration of a Special Power of Attorney	15.00
	For the registration of an adoption deed	30.00
	For the registration of any other document which cannot be brought under the advalorem scale prescribed by the preceding clauses of this table, i.e which is incapable of valuation	10.00
V.	(a) For an appeal under section 72, or an application under section 73 and enquiry under section 74 of the Indian Registration Act. 1908, or for an enquiry made by a Registering Officer about the fact of execution, etc. when any document, will or authority to adopt is presented after the death of the executant or the testator.	10.00
	(b) For an application filed under section 25, section 34 or under section 36 of the Indian Registration Act. 1908	1.00
	(c) A fixed fee of fifty naye paise shall be levied for every application (save an application for copy) filed before a Registering Officer relating to any official matter or registration business or proceeding. But if he sits as a Court the provisions of the Court Fees Act, 1870 shall apply	01.50

## **NOTES**

### **NOTE A**

The fee on any instrument, comprising or relating to several distinct matters, shall be the aggregate of fees with which separate instruments each comprising or relating to one of such matters, would be chargeable.

A deed should be considered to relate to distinct matters, when the only apparent reason for there being one instead of more deeds is the desire to save Stamp. Duty and registration fees. Registering officers should allow Stamp Law in dealing with this class of cases.

### **NOTE B**

Subject to the preceding note, an instrument so framed as to come within two or more of the descriptions given in the Indian Stamp Act, 1899, shall, when the fees chargeable there under are difference, be chargeable only with the highest of such fees.

### **NOTE C**

In the case of period payments other than leases, the amount payable for one year in addition to any fine or premium, in the case of a bond (including an Annuity Bond) or mortgage, the amount secured and in the case of a deed of partition, the value of the separated share or shares on which stamp duty is payable, in each case, is taken as the value or consideration for charging the registration fees.

### **NOTE D**

No fees shall be leviable upon a mortgage deed executed by an officer of Government in Civil or Military employ for securing the re-payment of an advance received by him from the Government for the purpose of constructing or purchasing a dwelling house for his own use. Similarly, on the re-payment of the advance, if a borrower desires to get an instrument of reconveyance executed by Government in his favour no fees shall be charged.

### **NOTE E**

The registration fee leviable upon a document purporting to give collateral or auxiliary or additional or substituted security, or by way of further assurance, where the principal or primary mortgage is proved to the satisfaction of the Registering Officer to have been duly registered, shall be the same as for the principal or primary mortgage if the same does not exceed Rs. 10.00 otherwise it shall be Rs. 10.00.

#### **NOTE F**

When exact copies of a document are presented for registration at the same time as the original, the registration fee for each of such copies shall, if the original document be also registered, be a fixed fee of Rs. 3.00 only and no additional fee shall be charged on such copies under Article II.

The supplementary document referred to in rule 351 of the Registration Manual, part II shall be liable to the same registration fee as the original document subject to a (maximum) of Rs. 2.25 only.

#### **NOTE G**

The registration fee leviable upon an agreement for sale, shall be Rs. 6.00 if no earnest or advance money is paid and ad valorem under Article I on the earnest or advance paid subject to a maximum of Rs. 23.00

#### **NOTE H**

Registration fee leviable on an agreement modifying the rate of interest or the mode of payment in a previous mortgage deed shall be ad valorem or Rs. 23.00 whichever is less.

#### **NOTE I**

No registration fee shall be leviable on documents connected with the transfer of the plots of land, not exceeding 2½ acres in any case, acquired by the District Planning Committees for the construction of Panchayatghars.

#### **NOTE J**

If a patta or lease be given to a tenure-holder and the kabulyat or counterpart of such patta or lease be brought for registration at the same time as the patta or lease, the fees chargeable in respect of the two documents shall not be greater than the fees which would have been charged on the patta or lease alone.

[Government Finance (AST) Department, notification no. AST-2358/X-221-57, dated July 30, 1957, read with Finance (AST) Department, notification no. AST-3038/X-221-57, dated July 24, 1958.]

### **NOTE K**

The ad valorem rates of registration fees leviable on hypothecation bonds of proprietary firms and partnerships shall be subject to a maximum of Rs. 25.00.

[Government Finance (AST) Department, notification no. AST-3297/X-U-07-241-58, dated September 29, 1957.]

### **NOTE L**

No registration fees shall be leviable from displaced persons on documents relating to transfer of property other than by public auction. Executed under the provisions of the Displaced Persons (Compensation and Rehabilitation) Rules 1955.

[Government Finance (AST) Department, notification no. AST-3297/X-U-07-241-58, dated September 29, 1958.]

### **Article II**

In addition to fees for registration leviable under Article I, copying fees shall be levied at the following rates on every document copied in Book I, III or IV;

For all document written in any language:

	<b>Rs. P</b>
Where the number of words does not exceed 500	1 50
For every 300 words or part thereof in excess of 600	0 75

Provided that if an applicant require such copies to be furnished on the day of application or, if he demands precedence over the documents presented for registration on the date of such application, an expedition fee of two rupees, or if the number of words in the copies exceed 1.200 words, of fifty naye paise for every 300 words or part thereof shall be charged on all copies so furnished,. In charging the expedition fee, all the words in the marginal endorsements shall be taken into account along with the contents of documents copied in the register book. Notwithstanding the payment of such a fee, copies exceeding 3,600 words will only be furnished within a period calculated by taking 3,600 words for each working day.

### **NOTE A**

No fees are payable for copying into the registers the registration endorsements or certificates prescribed by law or rule.

### **NOTE B**

Fees on the foregoing scale will also be charged on all copies of documents made for despatch to another office under sections 65 and 66 of the Indian Registration Act, 1908. In addition to this a fixed fee of Rs. 1 shall be charged in respect of each memoranda to be prepared under sections 64, 65, 66 and 67 of that Act.

### **NOTE C**

The number of words charged for and the amount of copying fees levied shall be entered on the document itself as well as at the foot of the copy in the register.

### **NOTE D**

It is sufficient to give the number of words approximately; for instance, the number of lines may be multiplied by the average number of words in each line, calculated by counting the number of words in three or four ordinary consecutive lines in the middle of the entry.

### **NOTE E**

In addition to the fees for registration leviable under Article I, a fee of ten naye paise shall be charged for comparing each folio of one hundred words of printed documents presented for registration.

### **Article III**

For authentication of a power-of-attorney under section 33 of Indian Registration Act, 1908:

	Rs.	P
If such power be General	5	0
If special	2	50

Notes- (1) A single fee shall be levied for the authentication of a power-of-attorney whatever may be the number of signatories to it, provided that all of them appear simultaneously for examination. When they do not so appear, a separate fee shall be levied for each set of persons appearing at one and the same time.

(2) The duplicate or triplicate of a power-of-attorney presented for authentication shall be treated as a treated as a separate

#### Article IV

On discretionary registration by a District Registrar under section of the Indian Registration Act, 1908, an additional fee of Rs. 10.

*Note: This additional fee is not payable on the deposit of wills, nor shall it be levied when the instrument is taken for registration to the District Registrar in consequence of the Sub-Registrar being unacquainted with the language in which it is written; nor when a deed is registered by the District Registrar in consequence of the Sub-registrar being a party interested in the transaction to which such deed relates. When the additional fee is not realized a note should be made in column 7 of the register of fees showing the reason for non-realization.*

#### ARTICLE V

	Rs. P
For filing a translation	2 0

#### ARTICLE VI

The following is the scale of fees leviable on account of searches or inspection of records made under the provisions of section 57 of Indian Registration Act. 1908 :

(1) Search for, or inspection of, a single entry or document :

	Rs. P
(a) For the first year the books of which are examined for each entry or document.	1 50
(b) For every other year the books of which are examined for each entry or document	0 75

(2) General search and inspection in any office, for any number of documents or any number of entries concerning documents relating to one and the same property or executed by one and the same individual or in favour of one and the same individual.

	Rs. P
(a) For the first year the books of which are examined	1 50
(b) For every other year the books of which are examined	0 75

Provided that the maximum fee levied under the article on one application shall not exceed Rs. 50 in any case.



Notes – (1) For searches or inspection made for bona fide public purpose or the application of the Head of a Government Office or Court, see rule 348 of the Registration Manual for Uttar Pradesh, Part II.

(2) No search fee shall be charged in respect of a document of which a copy is applied for when the names of the claiming and executing parties, the nature and the date of the document and the date of registration, are correctly shown in the application for copy. The failure of the applicant to supply a portion of such particulars will not however in all case necessitate a search and unless a search is necessary the copying fee only will be charged. The Registering Officer, must, in such cases, use its discretion in distinguishing between searching for an entry and merely turning up in his books an entry the whereabouts of which is readily ascertainable from the application.

(3) For issuing a 12 years search certificate in connection with the execution of a decree under rule 327 of the Manual a fixed fee of Rs. 12 shall be charged when the valuation of the decree for which the certificate is issue does not exceed Rs.3,000.when the evaluation of the decree exceedsRs.3,000afee at the rate of one rupee per thousand shall be levied subject to a maximum of Rs. 50(including Rs.12for the first Rs.3,000)

Provided that only one fee shall be charged for one search certificate irrespective of the number of judgment-debtors and the properties to be searched.

Provided further that for the issue of a supplementary search certificate for a period shorter than 12years proportionate fee shall be charged :

Provided also that when a decree-holder requires a search certificate to betaken up in preference to other application for which ordinary search fee has been paid, such certificate shall be issued on payment of an extra fee of Rs. 3 within two day so its receipt.

### ARTICLE VII

For the attendance by a registering office under sections 31, 33, or 38 at a private residence or a jail or for the issue of a commission under sections 33 or 38of the Indian RegistrationAct,1908

	Rs. p
(a) When the person to be examined is confined in jail, a fee of	7 0
(b) When the person to be examined is exempt from personal appearance under section 133 of the Code of Civil Procedure, 1908 a fee of	22 50
(c) In all other cases	30 00

#### **NOTE A**

In addition to this fee, traveling allowance is also to be levied in respect of the journeys which the registering officers may be required to undertake for the aforesaid purpose at the rates ordinarily admissible to them for journeys on tour under the Travelling Allowance Rules contained in the Financial Handbook, Volume III.

Provided the respect of journey performed within headquarters, the Inspector General may authorize a special rate not exceeding Rs. 1.00 for the first Kilometers and Rs. 0.45 for each succeeding kilometers.

#### **NOTE B**

The costs of a visit, or of a Commission, for the examination of a person exempted under section 133 of the Code of Civil Procedure, 1908, shall be paid by him, unless the party requiring his evidence pays such costs.

#### **NOTE C**

The distance for which travelling allowance is charged shall be calculated according to the table which is drawn up in the collector's office for the service of processes, where such a table is available or in other cases by estimation with the aid of a map if available, of the sub-district, which shall, as far as possible, be supplied to each office not at the headquarters of a tahsil, offices at the headquarters of a tahsil will use the map at the tahsil, Inspecting offices will satisfy themselves by actual check and measurement on the map of a certain number of items that the distances charged for are approximately correct.

#### **NOTE D**

For every attendance at a private residence by a nurse or female assistant, if required, to accompany a registering officer for taking the thumb-impression of one or more female executants who are pardanashin or of high birth an extra fee of Rs. 5 shall be charged irrespective of the number of documents registered at such meeting.

#### **ARTICLE VIII**

When under section 36 of the Indian Registration Act, 1908 application is made to the officer or Court appointed by the State Government to issue a summons, the process fee ordinarily payable on the issue and service of a summons, by such officer or Court is to be realized from the person at whose instance the application is made and forwarded along with that application.

## **ARTICLE IX**

The enumeration of witnesses is to be fixed by the registering officer with reference to the rule for the time being in force under the Code of Civil Procedure, 1908, and must be forwarded with the application for the issue of summons. When, however, the person summoned is the person who has executed the instrument, no remuneration shall be allowed to him.

## **ARTICLE X**

The charges for certified copies of each document in Books I, III and IV, entry in Book II, Paper in file Book (except a map or plan), entry other book and indices (except a map or plan) deposition, statements, order or other miscellaneous papers issued by registering officers shall be the same as the charges under Article II:

Provided that when an applicant requires a copy to be taken up in preference to other application for which ordinary copying fee has been paid, such copy will be issued on payment of double the copying fee chargeable under this article.

### **NOTE A**

The Registering Officer shall, subject to the control of the District Registrar, fix the fee payable for a copy of a map or plan with reference to the difficulty or intricacy of the work to be done. When a copy of a map or plan is made by a person unconnected with the Registration Department, the fee realized may be paid to such person.

### **NOTE B**

When application for a copy under section 57 of the Indian Registration Act. 1908 necessitates a search, the fee prescribed by Article VI shall, subject to Note (2) thereof, be levied in addition to the fee chargeable under this article.

### **NOTE C**

The amount of copying fee levied shall be entered at the foot of the copy.

### **NOTE D**

In charging fees under article, the registration endorsements and certificates prescribed by law or rule shall be reckoned as part of the document.

## **ARTICLE XI**

Unclaimed document deposited by a District Registrar in the iron safe shall be surrendered only on payments of a fee of 7 naye paise for every fifteen days or part thereof during which they have been held in custody.

The fee for the safe custody of a document which remains unclaimed after it has been registered, or after registration has been refused, shall in no case exceed Rs. 10, and a District Registrar is empowered in its discretion to remit, in whole or in part, any fee leviable under this article by himself or by a registering officer subordinate to him, if he has reason to believe that its payment would be productive of injustice on hardship.

## ARTICLE XII

Under sub-section (2) of section 28 of the Co-operative Societies Act, 1912 (II of 1912), the State Government is pleased to remit the following fees payable under the law of registration for the time being in force, namely:

- (a) all fees payable by or on behalf of any co-operative society for the time being registered under that Act; and
- (b) all fees payable in respect of any instrument executed by any officer or member of such a society and relating to the business thereof.

NOTE – When such a document is desired to be returned by post the presenter should be asked to deposit the fee to cover the cost of postage as prescribed in rule 322.

[Government Finance (AST) Department, notification no. AST-3573/X-136(c)-55 dated October 1, 1958.]

## APPENDIX VI

### *list of registration Districts and Sub-Districts*

Name of Registration District	Limits of Registration district	Name of Sub-District	Limits of Sub-district	Remarks
Sharanpur	The revenue district of Dehradun and Sharanpur	Dehra (Mussorrie)	The Tahsil of Dehra.	Joint office, Ex-office, Joint office, Ex-office.
		Chakrata Cantonment Sharanpur	The whole of the pergana Jaunsar Bawar The Tashil of Sharanpur (Sadar Tahsil)	
		Deoband	The Tashil of Deoband	
		Roorkee	The Tashil of Roorkee excluding Pargana Jwalpur	
		Haridwar	The whole Jwalapur	

Meerut	The revenue district of Meerut	Nakur Meerut	Pargaana of Tahsil Roorkee The Tashil of Nakur The Tashil of Meerut Sadar Tashil
		Ghaziabad Mawana Baghpat Sarhana Hapur Muzaffarnagar	The Tashil of Ghaziabad Ditto Mawana Ditto Baghpat Ditto Sarhana Ditto Hapur The Tashil of Muzaffarnagar (Sadar Tashil)
Aligarh	The revenue district of Aligarh	Kairana Jansath Budhana Aligarh	The Tashil of Kairana Ditto Jansath Ditto The Tashil of Aligarh (Sadar Tashil)
		Atrauli Khair Hathras Sikandra Rao Iglas Etah	The Tashil of Atrauli Ditto Khair Ditto Hathras Ditto Sikandra Rao Ditto Iglas The Tashil of Etah (Sadar Tashil)
Bulandshahr	The revenue district of Bulandshahr	Aliganj Kashanj Jalesar Bulandshahr	Ditto Aliganj Ditto Kashanj Ditto Jalesar The Tashil of Bulandshahr (Sadar Tashil)
		Anupshahr Khurja Sikandrabad Khurja	The Tashil of Anupshahr Ditto Khurja Ditto Sikandrabad The Tashil of Agra (Sadar Tashil)
Mathura	The revenue district of Agra	Etamadpur Ferozabad Kirole Khairagarh Mathura	Ditto Etamadpur Ditto Ferozabad Ditto Kirole Ditto Khairagarh The Tashil of Agra (Sadar Tashil)
		Chhata Mat Sadabad- Mahaban Farrukhabad	Ditto Chhata Ditto Mat Ditto Sadabad-Mahaban The Tashil of Farrukhabad (Sadar Tashil as reconstituted)
Farrukhabad		Kannauj	The Tashil of Kannauj

Mainpuri		Chhibramau	Ditto Chhibramau
		Kaimganj	Ditto Kaimganj
		Mainpuri	Ditto Mainpuri
		Bhogaon	Ditto Bhogaon
		Shikohagad	Ditto Shikohagad
		Jasrana	Ditto Jasrana
		Etawah	Ditto Etawah
		Bharthana	Ditto Bharthana
		Bidhuna	Ditto Bidhuna
		Auraiya	Ditto Auraiya
Bareily		Bareily	The Tashil of Bareily (Sadar Tashil)
		Baheri	Ditto Baheri
Pilibhit		Faridpur	Ditto Faridpur
		Aonla	Ditto Aonla
		Nawabganj	Ditto Nawabganj
		Pilibhit	The Tashil of Agra (Sadar Tashil)
Rampur		Bisalpur	Ditto Bisalpur (including the Municipal limits of Bisalpur).
		Rampur	Ditto Rampur
		Bilaspur	Ditto Bilaspur
		Milak	The Tashil of Milak as reconstituted i.e old Tahsils of Milak and Sadabad which formed part of the Rampur State prior to merger with U.P.
Moradabad		Moradabad	The Tashil of Moradabad (Sadar Tahsil) and Thakurdwara
		Chandausi	The Tashil of Bilari
Bijnor		Bilari	Joint Office
		Sambhal	The Tashil of Sambhal
		Amroha	Ditto Amroha
		Hasanpur	Ditto Hasanpur
		Bijnor	Pargana of Bijnor, Daranagar and Manawar of Tahsil Bijnor.
Baduan	The revenue district of Baduan	Chandpur	Pargana Chandpur, Bashta of Tahsil Bijnor and Pargana Burhpur of Tahsil Dhampur
		Najibabad	The Tahsil of Najibabad
		Nagina	Ditto Nagina
		Dhampur	Ditto Dhampur
		Baduan	Ditto Baduan (Sadar Tahsil)
		Bisauli	Ditto Bisauli
		Gunnaur	Ditto Gunnaur
Sahaswan	Ditto Sahaswan		
		Dataganj	Ditto Dataganj

Shahjahanpur	The revenue district of Shahjahanpur	Shahjahanpur	Ditto Shahjahanpur (Sadar Tahsil)
		Jalalabab	Ditto Jalalabab
		Tilhar	Ditto Tilhar
		Pawayan	Ditto Pawayan
Kanpur	The revenue district of Kanpur and Fatehpur	Kanpur	Ditto Kanpur (Sadar Tahsil)
		Akbarpur	Ditto Akbarpur
		Derapur	Ditto Derapur
		Dilhaur	Ditto Dilhaur
		Bhognipur	Ditto Bhognipur
		Ghatampur	Ditto Ghatampur
		Fatehpur	Ditto Fatehpur Tahsil as reconstituted)
Banda	The revenue district of Banda and Hamirpur	Khajuha at Bindvi Banda	Ditto Khajuha The Tashil of Banda (Sadar Tashil)
		Baderu	Ditto Baderu
		Karwi	Ditto Karwi
		Hamirpur	Ditto Hamirpur
		Naraini	Ditto Naraini
		Rath	Ditto Rath
		Mahoba	Ditto Mahoba
		Maudaha	Ditto Maudaha
		Charkhari	Ditto Charkhari
Allahabad	The revenue district of Allahabad	Allahabad	Ditto Allahabad (Sadar Tashil)
		Sirathu	Ditto Sirathu
		Manjhanpur	Ditto Manjhanpur
		Soraon	The Tahsil of Soraon
		Phulpur	Ditto Phulpur
		Handia	Ditto Handia
		Karchhana	Ditto Karchhana
		Meja	Ditto Meja
Jhansi	The revenue district of Jhansi	Jhansi	The Tahsil of Jhansi (Sadar Tashil)
		Uoth	Ditto Uoth
		Mau	Ditto Mau
		Garotha	Ditto Garotha
		Lalitpur	Ditto Lalitpur
		Jalaum	Ditto Jalaum
		Orai	Ditto Orai
		Konch	Ditto Konch
		Kalpi	Ditto Kalpi
Varanasi	The revenue district of	Varanasi	The Sadar Tahsil of Varanasi [excluding

	Varanasi		paragana Kaswar Raja and Kaswar Sarkar and the old district of Ramnagar which formed part of the Banaras State (administration) order, 1949.
		Chandauli	The Tahsil of Chandauli [excluding paragana Ralhupur and Mawai.
		Gangapur	Paragana Kaswar Raja and Kaswar Sarkar Sarkar of Tahsil Varanasi
		Ram Nagar	Pargana Ralhupur and Mawai of Tahsil Chandauli and the old district of Ramnagar which formed part of the Banaras State as defined in the Banaras State (Administration) Order, 1949).
		Chakia	The Sub-Division of Chakia.
		Gyanpur	The Sub-Division of Gyanpur.
Mirzapur	The revenue district of Mirzapur	Bhadohi	Joint Office
		Mirzapur	The Tahsil of Mirzapur (Sadar Tashil)
		Chunar	Ditto Kalpi
		Robertsganj	The tahsil of Robertsganj (excluding pargana Singraulil (including Dudhi) and tappa Kon of Pargana Agori, of the Robertsganj Tahsil
Jaunpur	The revenue district of Jaunpur	Dudhi	The Tahsil of Dudhi
		Jaunpur	Ditto Jaunpur
		Mariahu	Ditto Mariahu
		Macjjlishahr	Ditto Macjjlishahr
		Shahganj	Ditto Shahganj
		Kirakat	Ditto Kirakat
		Ghazipur	The Tashil of Ghazipur (Sadar Tashil as reconstituted)
		Muthammadabad	Ditto Muthammadabad
		Saidpur	Ditto Saidpur
		Zamania	Ditto Zamania
Ballia	The revenue district of Ballia	Ballia	Ditto Ballia (Sadar Tashil)
		Rasra	Ditto Rasra
		Bansdih	Ditto Bansdih



Gorakpur	The revenue district of Gorakpur	Gorakpur	The Tashil of Gorakpur (Sadar Tashil)	
		Bansgaon Maharajganj Pharenda Deoria Salempur	The Tashil of Bansgaon Ditto Maharajganj Ditto Pharenda Ditto Deoria Ditto Salempur (as reconstituted in notification no. 546/B- 1, dated October 4, 1941.	
		Padrauna	Ditto Padrauna (as reconstituted in notification no. 546/B- 1, dated October 4, 1941.	
		Hata	Ditto Hata (as reconstituted in notification no. 546/B- 1, dated October 4, 1941.	
Basti	The revenue district of Basti	Basti	The Tashil of Gorakpur (Sadar Tashil)	
		Domariaganj Bansi Haraiya Naugarh Khalilabad	Ditto Domariaganj Ditto Bansi Ditto Haraiya Ditto Naugarh Ditto Khalilabad	
Azamgarh	The revenue district of Azamgarh	Azamgarh	Ditto Azamgarh	
		Lalganj Phulpur Sagri Ghosi	Ditto Lalganj Ditto Phulpur Ditto Sagri Ditto Hata (as reconstituted in notification no. 1962/ 1, dated July 19, 1904.	
Naini Tal	The revenue district of Naini Tal	Muhammadabad Naini Tal	Ditto Lalganj The revenue District of NaniTal	
Almora	The revenue district of Almora	Kashipur Haldwani Almora	Ditto Ditto The Whole of Almora revenue district except the tashil of Ranikhet.	Joint Office Ditto
		Champawat	The revenue district of Champawat	Ex-office
		Ranikhet	The Whole tashil of Ranikhet	
Pithoragarh	The revenue district of Pithoragarh	Pithoragarh	The revenue district of Pithoragarh	

Garhwal	The revenue district of Garhwal	Pauri	The revenue district of Garhwal
Chamoli	The revenue district of Chamoli	Lansdowne Chamoli	The Tashil of Lansdowne The revenue district of Chamoli
Tehri-Garhwal	The revenue district of Tehri-Garhwal	Tehri	The sub-division of Pratapnagar
Lucknow	The revenue district of Lucknow	Uttarkashi	The sub-division of Uttarkashi Rewain
		Deoprayag	The sub-division of Deoprayag
		Lucknow	Areas comprised in the Municipal and Cantonment Boards and Pargana Lucknow.
		Malihabad	The tahsil of Malihabad and pargana kakori of tahsil Lucknow
Unnao	The revenue district of Unnao	Mohanlalganj	The tahsil of Mohanlalganj and Bijnor of tahsil Lucknow
		Unnao	The tahsil of Unnao and pargana Khera, Ghatampur, Bhagwatnagar, Patan and magrayar of Purwa tahsil
		Safipur Purwa	The tahsil of Safipur The tahsil of Safipur Purwa, Maurawan, Pauhan and Magrayar of Purwa tahsil
Bara Banki	The revenue district of Bara Banki	Mohan Nawabganj	The tahsil of Mohan Ditto Nawabganj
		Ramsanehighat	Parganas Surajpur, Mawi, Maholara, Basorhi and Daryabad of tahsil Ramsanehighat Ditto Nawabganj Ditto Hardoi
Hardoi	The revenue district of Hardoi	Fatehpur Hardoi	Ditto Hardoi
Sitapur	The revenue district of Sitapur	Shahabad Bilgram Sandila Sitapur	Ditto Shahabad Ditto Bilgram Ditto Sandila Ditto Sitapur
		Biswan Sidhauli	Ditto Biswan Ditto Sidhauli

Kheri	The revenue district of Kheri	Misrikh Lakhimpur	Ditto Misrikh Ditto Lakhimpur
Gonda	The revenue district of Gonda	Nighasan Muhambi Gonda	Ditto Nighasan Ditto Muhambi Ditto Gonda
		Tarabganj Uttraula	Ditto Tarabganj The tahsil of Uttraula comprising pargana of Uttraula, Sadullanagar Burhapair, Babhnipur and Mankapur.

### **AAPENDIX VII (Rule 40)**

The following question have been drawn up as a guide to the inspection of registration office by Inspectors appointed under section 8 of the Indian Registraion Act :

#### **Registers I to VII to VIII**

1. Are all the prescribed registers maintained? (Rule 222)
2. Have the registers been examined as to the correctness of the number of pages and the numbering of pages, and has the result been noted on the title pages? (Rule 223)
3. Has the certificate as to the number of entries during the year been recorded after the last entry in completed volumes? (Rule 224)
4. Has the certificate as to the number of entries made in currednt volumes and the number of pages on which they are written been recorded at the close of the year after the last entry for the year? (Rule 224)
- 5- Do the consecutive number of entries in each year begin and terminate with the calendar year i.e Ist January to 31st December? (Rule 225)
- 6- If two concurrent number of any register are kept up are the documents registered in the manner prescribed ? (Rule 226)
- 7- Has the keeping up of concurrent volumes been sanctioned by the District Register? (Rule 227)
- 8- Have the entries in the register been correctly and neatly made and properly authenticated? Are corrections made in red ink? (Rule 264)\*
- 9- Have the documents been presented in the proper office and the proper time? Does the sub-registrar fully and thoroughly understand the law as to jurisdiction as explained in rule 286,

and as to the time within which registration can be affected as explained in Rule 288 and 294-299?

10. Have the documents been presented by persons competent to do so? Does the sub-registrar fully understand the directions in Rules 300-304.
11. Have fees (including penalty for extension of time under sections 25 and 34) been correctly levied and at the proper time? (Appendix V)
12. Have all the executants by whom the document purports to have been executed appeared in time? (Rule 295)
13. In case of documents executed by several persons jointly where some appear and admit execution and some neglect to appear in spite of summons having been duly served on them has the procedure described in rules 248 and 249 been correctly followed?
14. In cases where documents prescribed have been written in a language not commonly used in the district and not understood by the sub registrar have they been accompanied by a true copy and a translation or transliteration in the language commonly in use? (Rule 202)
15. Have the documents been copied into the proper books? (Rule 323)
16. Has the endorsement of presentation, identification and admission of receipt of consideration (if any) and the certificates of registration been recorded in the prescribed forms? (Rule 381)
17. Do the certificate of registration prescribed section in section 60 correctly describe the registration number book, volume and page of the register and is it invariably dated? (Rule 324)
18. Is the record of every document compared with the original by some person other than the copyist and have both copyist and examiner appended their signature to the entries in the registers. (Rule 263)
19. Have interlineations blanks erasures or alterations in original documents been attested with the signature or initials of executing parties ? (Rule 289)
20. Is the certificate as to figures and amounts mentioned in documents invariably recorded? (Rule 227)
21. When an instrument striper ding canceling or rectifying an original registered document is registered is the fact of the subsequent registration noted on the margin of the copy of the earlier documents. (Rule 230)
22. Does the sub-registrar fully understand the distinction between "searches" and "inspections"? (Rule 326)
23. Does the sub-registrar fully understand the direction between in rule 326 a to 344?

24. Does the sub-registrar understand the procedure to be followed when a court sends a copy of a decree directing cancellation of a registered document? (Rule 380)
25. Have civil court sale certificate been presented for registration by holders of certificates and have they been dealt with as laid down in rule 361?
26. Does the sub-registrar understand the correct method of dealing with deeds of transfer or hypothecation of standing of courts? (Rule 282 and 233)
27. Are instruments evidencing sale or exchange of immovable property of a value less than Rs. 100 registered in book no. 1 and classed as "compulsory" in the accounts?
28. Is sufficient care taken to ascertain that the witnesses as to identification of executants in registration proceedings are really able to identify the person to be identified? (Rule 305)
29. Is the procedure laid down for the identification of pardalmashin ladies strictly followed? (Rule 306)
30. When patwaris attend the office for the purpose of identifying a person executing a document is a note made in their roznamchas of the fact and cause of attendance under the signature of the sub-registrar?
31. Are there any documents in hand awaiting registration or return to owner? If so, how many and what is the cause of delay?
32. Have all completed registers of over twelve years' standing been transferred to the central office of record? If not, why not? (Rule 181)
33. Are the registers in good condition, or do any require rebinding, and how many?
34. Are there any spare blank volumes of registers in hand? (Rule 162)

## **II- Special points as to Registers I to IV to VIII**

### **Book I**

35. Has any document registerable in another sub-district been inadvertently registered in the sub-district under inspection? If so, has the defect been remedied, and now?
36. Does the document contain a description of the immovable property to which it relates sufficient of identify the same? (Rule 229)
37. Are copies of documents in foreign languages translations, transliterationis, maps or plans presented with documents duly filed? Have they been numbered and dated? (Rule 236)
- 38- In the case of documents in which the immovable property affected by the document is not wholly situated within the sub –district has a copy of the document or memorandum been sent to the District Registrar of the district for transmission to the proper office? (Rule 369 to 371)

39. Have copies of decrees and orders received been properly certified, and do they contain a sufficient description of the property to which they relate?
40. Have copies and memorandum received from other offices, been properly numbered and filed? (Rule 236)

### **Book II**

41. Are the reasons for refusals to register clearly and briefly recorded and in accordance with Rule 239?
42. Does the sub-registrar refuse to register a document properly because the executant is unwilling that the document should be registered although execution is not denied?
43. Is the procedure followed in cases where registration is admitted as to some of the parties to a document, but refused to as to the rest in accordance with rule 248?

### **Book III**

44. Does the sub-registrar understand the distinction between a "will" and an "authority to adopt"? (Rule 253)

### **Book IV**

45. Are gifts of movable property where the property is not delivered to the donee, registered in this book? (Rule 255)

### **Book VI**

46. Do the abstracts of power-of-attorney authenticated, show that authority was given to present documents for registration, and in the case of special powers, the offices where such powers are intended to be used? (Rule 258)
47. Does the sub-registrar understand that all powers of attorney to be authenticated must be signed and executed in his presence? (Rule 258)

### **Book VII**

48. Does the sub-registrar issue commissions instead of himself attending to requisitions under section 31, 33 or 38? If so, in how many cases have the clerks of the office been so employed? (Rule 98 and 315)
49. Have the travelling expenses been correctly levied? (Rule 260)

## **Book VIII**

50. Is the method of securing the identification of executants by means of thumb-impressions in force in the office? If so, are the rules understood and are the impressions clear and satisfactory? (Rule 308)
51. Is the apparatus for taking impression in working order and clearly kept? (Rule 308)

### **III- Indexes and subsidiary books** **Indexes**

52. Have the indexes for previous years been properly arranged in alphabetical order, and are the volumes firmly bound? (Rule 3270)
53. Are the current indexes clearly written and up to date? If in arrears, for what period?
54. Are the indexes correctly prepared and the rules fully understood? A few of the entries in each index should be tested? (Rule 271 to 277)
55. Are certified copies of decrees, orders of court, memoranda and sale certificates properly indexed? (Rule 266 to 275)
56. Are name of persons claiming under wills or authorities to adopt indexed after the death of the testator or donor? (Rule 268)
57. Are all entries respecting documents recorded in file book no. 1 indexed in red ink? (Rule 278)
58. Are indexes of joint offices promptly submitted to chief offices, and are they correctly placed with the index sheets of the chief office? (Rule 173)

### ***Subsidiary books*** ***Register of fees***

59. Have the proper fees been levied in each case, and do the entries on account of fees in the registers, receipt-book, fees book, and treasury chalan agree?
60. Are all fees paid at once brought to account? (Rule 205)
61. Is the book totaled daily as well as monthly and are the totals verified by the signature of the sub-registrar? (Rule 211)
62. Are the amounts written in English figures?
63. Are all payments of fees endorsed on the document on account of which they have been received?
64. Are the receipts of the office brought to the credit of Government on the dates prescribed? (Rule 208 and 209)
65. Are all credits supported by treasury chalans? Have the credits been classified in the chalans as laid down in rule 206.

### ***Receipt books***

66. Are the books numbered consecutively by the calendar year? (Rule 214)
67. Are receipts granted for all fees paid? (Rule 212)
68. Have all the returned receipts been pasted on to their respective counterfoils, and do they bear the signatures of the persons entitled to receive back the documents? (Rule 214)
69. Does the sub-registrar take care that the date of return do document on the receipt is written by the recipient of the deed, and not by the muharrir, and that wrong dates are not entered on receipts to cover delay in returning documents? (Rule 214)
70. Does the number of unreturned documents presents in the office correspond with the number of absent counterfoils?
71. Are documents promptly returned after registration?

### **Register Of Copies Grated And Register Of Searches**

72. Do all applications for copies bear court-fee stamps of four annas? (Rule 328.) Have the stamps been punched? (Rule 336.)
73. Does the sub-registrar understand that all inspections of books and indexes of which inspection is allowed are to be made in his presence? (Rules 250 and 254.)
74. Are restrictions as to grant of copies and reach for entries in Books III and IV carefully observed? (Rules 250 and 254.)
75. Are proper stamps used for all copies ranted? (Rules 346.)
76. Are the copying fees and search fees realized noted on the applications for copies and searches, with dates showing when application was received and when satisfied? (Rule 347.)
77. Are application for copies, inspection and searches presented on the prescribed printed form and the sale proceeds of these forms duly accounted for?
78. Does the number of saleable forms shown as received in the register (form no. 22, Appendix I) tally with the number in the verified quarterly statements prescribed under rule 164?
79. Is the amount of sale proceeds duly credited to the treasury under proper head under rule 207?
80. Are applications for search or for copy filed in annual bundles? (Rules 347.)
81. Has there been any marked increase or decrease in the receipts on account of copies and searches? If so is there any reason for it?

### ***order file***

82. Is the order file kept up and property arranged? Have the orders emanating from the Inspector General and the District Registrar been property pasted in? Are any lying loosely



about the office? Are list of contents prepared yearly, and have they been properly prepared? (Rules 278.)

83. Have all correction slips to the Manual been properly pasted in? (Rules 279.)

***Minute book***

84. Are notes of all suspensions of ordinary procedure of acceptance for and admission to registration made by the sub-registrar with his own hand? (Rules 280 and 281.)

85. Are entries confined to the points specified in the Manual, and do the entries relating to each clearly show the proceedings from the initiation of the case until its disposal? Have reference numbers been properly given? (Rule 281.)

86. In cases where documents are returned to parties for correction of errors or for completion of description of immovable property, does it appear by reference to the error or completion that what was necessary could not have been done there and then?

***IV-Miscellaneous***

87. Is the office accommodation suitable and sufficient? If not, what improvements are necessary and desirable ?

88. Do the clerks sit in the immediate presence of the sub-registrar, or in such a place that their movements and work can be always easily controlled by that officer?

89. Does the sub-registrar personally receive all documents and fees, write the endorsements and return all documents after registration? If not, which of these duties have been delegated and to whom?

90. Does the sub-registrar, or do his clerks, draw up or engross documents or engage in other business?

91. Are there any unpaid apprentices in the office? If so, how many; and has the District Registrar's authority to their employment been obtained? Are they in any way related to the sub-registrar or his clerks; and if so how?

92. Is the staff maintaining its efficiency, keeping proper hours and conducting the business of the office with punctuality, accuracy and dispatch?

93. Is the direction in rule 284 understood by the sub-registrar and complied with?

94. Is a catalogue of registers, books, etc. maintained? Is it complete and fairly and neatly written?

95. Are the almirahs in good order and the locks service able? Are they sufficient or too numerous? Are the contents neatly and methodically arranged?

96. Is the table of fees exposed to public view? In offices held by ex officio sub-registrars are certain portions of each day set apart for registration business? Is a notice of hours for receiving and returning documents exposed to public view?

97. Are the miscellaneous papers properly classified and kept in order and with method? Are papers of a transitory character destroyed at fixed intervals?
98. Is the general weeding of records to date?
99. Are the rules regarding the disposal of unclaimed documents properly understood and carried out? Are there any in the office that should have gone to District Registrar?
100. Do invoices accompany all unclaimed documents sent to the District Registrar for safe custody? Are they properly receipted and recorded?
101. Are dispatch and receipt registers kept up for correspondence? If not, what record is kept.
102. Is the stock of blank forms neither excessive nor deficient?
103. Have English inspection notes been translated for sub-registrar unacquainted with English?
104. Is the seal of the office correct? Is it clean and in good order? Is care taken to obtain good impression?
105. Are the annual returns written up monthly?
106. Is there any material increase or decrease in registrations? If so, under what class of documents, and what is the cause of it? Is there any reason for thinking that it is due to delay and inconvenience caused to parties by the sub-registrar?
107. Have all directions on previous inspection notes been carried out? If not, who is responsible for the omission?
108. How many documents were impounded by the sub-registrar and with what results? Is there any reason to believe that any of them were not impounded in good faith?

## **APPENDIX VIII**

### ***Copy of rule 55 of the Civil Services (Classification, Control and Appeal) Rules.***

Without prejudice to the provisions of the Public Servants Inquiries Act, 1850, no order (other than an order based on facts which had led to his conviction in a criminal court or by a court martial) of dismissal, removal or reduction in rank (which includes reduction to a lower post or time scale, or to a lower stage in a time-scale but excludes the reversion to a lower post of a person who is officiating in a higher post) shall be passed on a person who is a member of a civil service or holds a civil post under the State unless he has been informed in writing of the grounds on which it is proposed to take action and has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced in the form of a definite charge or charges which shall be communicated to the person charged and which shall be so clear and precise as to give sufficient indication to the charged government servant of the facts and circumstances against him. He shall be required within a reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires, or if the authority concerned so directs, an oral inquiry shall be held in respect of such of the allegations as are not admitted. At that inquiry such oral evidence will be heard, as the inquiring officer considers necessary. The person charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the officer conducting the inquiry may for sufficient reason refuse to call a witness. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof. The officer conducting the inquiry may also, separately from these proceedings, make his own recommendation regarding the punishment to be imposed on the charged government servant.

This rule shall not apply where the person concerned has absconded, or where it is for other reasons impracticable to communicate with him. All or any of the provisions of the rule may for sufficient reasons to be recorded in writing be waived, where there is difficulty in observing exactly the requirements of the rule and those requirements can in the opinion of the inquiring officer be waived without injustice to the person charged.

This rule shall also not apply where it is proposed to terminate the employment of a probationer whether during or at the end of the period of probation, or to dismiss, remove or reduce in rank a temporary government servant, for any specific fault or on account of his unsuitability for the service. In such cases, the probationer or temporary government servant concerned shall be apprised of the grounds of such proposal, given an opportunity to show cause against the action to be taken against him, and his explanation in this behalf, if any, shall be duly considered before orders are passed by the competent authority.

55-A. After the inquiry against a government servant has been completed, and after the punishing authority has arrived at provisional conclusion in regard to the penalty to be imposed, the government servant charged shall, if the penalty proposed is dismissal, removal or reduction, be supplied with a copy of the proceeding prepared under rule 55 excluding the recommendations if any, in regard to punishment, made by that officer conducting the inquiry and asked to show cause by a particular date, which afford him reasonable time, why the proposed penalty should not be imposed on him.

Provided that, if for sufficient reasons, the punishing authority disagrees, with any part or whole of the proceedings prepared under rule 55, the point or points of such disagreement, together, with a brief statement of the ground thereof, shall also be communicated to the government servant charged along with the copy of the proceedings under rule 55.

Rule 55-B (a) wherever the punishing authority is satisfied that good and sufficient reasons exist for adopting such a course it may impose the penalty of –

- (i) Censure, or
- (ii) Stoppage at an efficiency bar:

Provided that it shall not be necessary to frame formal charges against the government servant concerned or to call for his explanation.

(b) In all cases where a punishing authority imposes the penalty of –

- (i) Withholding increments in the time scale at stages where there is no efficiency bar, or
- (ii) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders.

Formal proceedings embodying a statement of the offence or fault, the explanation of the person concerned, and the reasons for the punishment shall be recorded:

Provided that it shall not be necessary to record such proceedings in cases where a government servant's increment in the time –scale of his pay, at any stage other than an efficiency bar, is stopped due to his integrity remaining uncertified.

*Extract From Government (Appointment Department) notification no. 2627/II-264, dated August 3, 1932, as subsequently amended.*

In exercise of the power conferred by rule 51 of the Civil Service (Classification, Control and Appeal) Rules made by the Secretary of State in Council under section 96- B (2) of the Government of India Act which were published with the Government of India. Home Department. Notification no. F 9/3/30 dated. June 19, 1930 and reproduced in part I of the United Provinces Gazette, dated June 28. 12930, the Government of the United Provinces hereby delegate, without prejudice to the

provisions of any law for the time being in force power to inflict the following punishments on members of the subordinate service to every officer who is competent under existing orders to appoint them with or without reference to or without the sanction of higher authority:

- (i) Censure
- (ii) Withholding of increments including stoppage at an efficiency bar:
- (iii) Reduction to a lower post or time-scale or to a lower stage in a time-scale;
- (iv) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders;
- (v) Suspension;
- (vi) Removal from the civil service of the State which does not disqualify from future employment or
- (vii) Dismissal from the civil service of the State, which ordinarily disqualifies from future employment.

### ***Explanation***

- (a) The power delegated by this rule is subject to the provisions of clause (1) of Article 311 of the Constitution of India under which no offer may be removed or dismissed by an authority subordinate to the authority which appointed him.
- (b) The discharge-
  - (i) of a person appointed on probation during or at the end of the period or probation, in accordance with the terms of appointment and the rules governing the probationary service, or
  - (ii) of a person appointed , otherwise than under contract , to hold a temporary appointment , on the expiration of the period of appointment , or
  - (iii) of a person engaged under contract, in accordance with the terms of his contract does not amount to removal or dismissal within the meaning of this rule 5 (i)

I-A government servant against whose conduct an inquiry is contemplated, or is proceeding. May be placed under suspension pending the conclusion of the inquiry in the discretion of the appointing authority:

provided that in the case of any government servant of class of government servants, not belonging to a State service the appointing authority may delegate its power under this rule to the next Lower authority.

N.B. – As a rule, suspension should not be resorted to unless the allegations against the government servants are so serious that in the event of their being established; they may ordinarily be expected

to warrant his dismissal, removal or reduction. Suspension, where deemed necessary, should as far as possible, immediately precede the framing of charges and their communication to the government servant charged.

I-B Where, in the case of a government servant placed under suspension, as provided hereinbefore, the inquiry into his conduct results in his dismissal or removal from service, the order of dismissal or removal shall take effect from date on which the suspension had come into effect. In other cases in which the inquiry does not result in the removal or dismissal of the government servant concerned, his suspension will be deemed to have been covered under clause (v) of Rule 1.

2. The Government further delegate the power to inflict all the punishments mentioned in paragraph 1, except removal or dismissal on members of a subordinate service. who were appointer by the Government , to the Commissioner with regard to Revenue officials and to the head of the department with regard to others.

4. (i) – The procedure laid down in rule 55 of the Civil Services (Classification, Control and Appeal) Rules as amended by notification no. O- 227/IIB –12953, dated january 30, 1953, shall be followed. Before any of the punishments mentioned in that rule are imposed:

Provided that where it is proposed to terminate the employment of probationer whether during or at the end of the period of probation for any specific fault or on account of his unsuitability for the service the probationer shall be appraise of the grounds of such proposal, given an opportunity to show cause against it (and his explanation in this behalf, if any shall be duly considered) before orders are passed by the authority competent to terminate the employment.

5. These rules do not apply to the police officers appointed under section 7 of the police Act, not to the subordinate establishment in the jail Department, which is governed by rules framed under the Prisons Act.

5.A After the inquiry against a government servant has been completed, and after the punishing authority has arrived at provisional conclusions in regard to the penalty to be imposed, the government servant charged shall, if the penalty propose it dismissal, removal or reduction, be supplied with a copy of the proceedings prepared in accordance with the procedure laid down under rule 55 of the Civil Services (Classification Control and Appeal) Rules, excluding the recommendations, if any, in regard to punishment, made by the officer conducting the inquiry, and asked to show cause by a particular date, which affords him reasonable time, why the proposed penalty should not be imposed on him:

Provided that, if for sufficient reasons, the punishing authority disagrees with any part or whole of the proceedings prepared as aforesaid, the point or points of such disagreement, together with a brief statement of the growth thereof, shall also be communicated to the governments servant charged along with the copy of the proceedings.

5-B (a) whenever the punishing authority is satisfied that good and sufficient reasons exist for adopting such a course, it may impose the penalty of –

- (i) Censure, or
- (ii) Stoppage at an efficiency bar:

Provided that it shall not be necessary to frame formal charges against the government servant concerned or to call for his explanation.

(b) in all cases where a punishing authority imposes the penalty of –

- (i) withholding increments in the time- scale at stages where is no efficiency bar, or
- (ii) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders,

Formal proceedings embodying a statement of the offence or fault, the explanation of the person concerned, and the reasons for the punishment shall be recorded:

Provided that it shall not be necessary to record such proceedings in cases where a government servant's increment in the time- scale of his pay, at any stage other than an efficiency bar is stopped due to his integrity remaining uncertified.

Extract from Government (Appointment Department) notification no. 2628/II-264. Dated August 3.1932.

Every member of a subordinate service against whom an order inflicting any of the following penalties is imposed shall be entitled to appeal as herein after provide-

- (i) Reduction to a lower post or time-scale, or to a lower stage in a time-scale.
- (ii) Removal from the service of the State which does not disqualify from future employment and
- (iii) Dismissal from the service of the State, which ordinarily disqualifies from future employment.

Provided that in the case of the other penalties specified in rule I of the rules notified with notification no. 2627/II-264. Dated August 3, 1932, as amended by notification no. O-228/ IIB – 1953. Dated January 30,1953, the absence of a right of appeal shall not debar the punished government servant from making a representation against the imposition of any one of these penalties to the authority. If any, next higher to the punishing authority:

'Provided that a probationer shall have no right of an appeal against the orders of his discharge if he has been given an opportunity to show cause against the discharge and his reply duly considered as required by the provision to rule 4 of the rules published with notification no. 2627/II-264, dated August 3,1932".

2. If the appellate authority enhances the punishment inflicted. An appeal shall lie to the next higher authority; provided that- no member of a subordinate service may

It is hereby enacted as follows:

Short title, application and commencement.

1. (1) This Act may be called the U.P. Disciplinary proceedings (Summoning of witnesses and production of Documents) Act , 1953.

(2) It shall extend to the whole of Uttar Pradesh,

Definations

(3) It shall come into force at once .

2. This Act shall apply to all departmental enquiries against persons appointed to public services and posts in connection with the affairs of Uttar Pradesh.

3. In this Act, unless there is anything repugnant in the subject or context:

(a) ' Administrative Tribunal' means the Tribunal constituted under the Disciplinary Proceedings (Administrative Tribunal) Rules, 1947.

(b) "Government" means the Government of Uttar Pradesh .

Powers of inquiring officer and penalty for disobedience to process.

(c) "Departmental Enquiry ' means an enquiry held against a person under and in accordance with any law or rule made under Article 309 or any rule contained under Article 313 of the Constitutions of India.

(d) " Inquiring officer" means an officer appointed by the Government or by an officer or authority Subordinate to the Government to conduct a departmental inquiry into the conduct of a person and includes any officer otherwise entitled as such to conduct the enquiry.



4. (1) Any inquiring officer or the Administrative Tribunal shall have the same powers in the matter of summoning of witnesses and compelling the production of documents as are conferred upon Commissioner under section 8 of the Public Servants (inquiries) Act, 1850. Rules.

(2) The provisions of section 9 of the said Act providing for penalty for disobedience to process issued by an inquiring officer or the Administrative Tribunals as they apply to such process issued by the Commissioners aforesaid.

5. The State Government may make rules for the purposes of giving effect to the provisions of this Act

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