



The Registration (Gujarat Amendment) Act, 1982

Act 7 of 1982

Keyword(s):

Registration, Immovable Property, Instruments, Inspector General of Registration

Amendments appended: 18 of 1990, 14 of 2008

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Separate paging is given to this Part in order that it may
be filed as a separate compilation.

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the
President on the 20th February, 1982 is hereby published for general information.

K. M. SATWANI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 7 OF 1982.

(First published, after having received the assent of the President in the
"Gujarat Government Gazette" on the 23rd February, 1982).

AN ACT

further to amend the Registration Act, 1908 in its application to the
State of Gujarat.

It is hereby enacted in the Thirty-second Year of the Republic of India as
follows:—

1. (1) This Act may be called the Registration (Gujarat Amendment)
Act, 1982.

(2) It shall be deemed to have come into force on the 18th December, 1981

Short title
and comme-
ncement.

Amendment
of section
17 of Act
XVI of
1908.

2. In the Registration Act, 1908, in its application to the State of Gujarat, in section 17, —

XVI of
1908.

(1) in sub-section (1), after clause (a), the following clause shall be inserted, namely :—

“(aa) instruments which purport or operate to effect any contract for transfer of immovable property;”;

(2) after sub-section (1), the following sub-section shall be inserted, namely :—

“(1A) The provisions of section 23 shall apply to an instrument referred to in clause (aa) of sub-section (1) and executed before the commencement of the Registration (Gujarat Amendment) Act, 1982 as if in that section for the words “from the date of its execution” the words, figures, and letters “from the 1st March, 1982” had been substituted.”

(3) in sub-section (2), the explanation shall be deleted.

Repeal
and saving.

3. (1) The Registration (Gujarat Amendment) Ordinance, 1981 is hereby repealed.

Guj.
Ord.
12 of
1981.

(2) Notwithstanding such repeal anything done or any action taken under the Registration Act, 1908, as amended by the said Ordinance, shall be deemed to have been done or taken under that Act as amended by this Act.



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PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and
 Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the
 President on the 21st September, 1990 is hereby published for general information.

R. M. MEHTA,
 Secretary to the Government of Gujarat,
 Legal Department.

GUJARAT ACT NO. 18 OF 1990.

(First published, after having received the assent of the President in the
 "Gujarat Government Gazette" on the 5th October, 1990.)

AN ACT

further to amend the Registration Act, 1908, in its application to the State
 of Gujarat.

It is hereby enacted in the Forty-first Year of the Republic of India
 as follows :—

1. (1) This Act may be called the Registration (Gujarat Amendment)
 Act, 1990.

(2) It shall come into force on such date as the State Government
 may, by notification in the *Official Gazette*, appoint.

2. In the Registration Act, 1908, in its application to the State of
 Gujarat (hereinafter referred to as "the principal Act"), in section 30,—

Short
 title and
 commence-
 ment.

XVI
 of
 1908.

Amendment]]
 of
 Section 30 of
 XVI of 1908

- (1) in sub-section (1), the brackets and figure "(1)" shall be deleted ;
 (2) sub-section (2) shall be deleted.

Deletion of
 section 67 of
 XVI of
 1908.

3. In the principal Act, section 67 shall be deleted.

Insertion of
 new section
 80A in
 XVI of
 1908.

4. In the principal Act, after section 80, the following section shall be inserted, namely:—

Recovery of
 deficit
 amount
 or regi-
 stration
 fee as
 arrear of
 land
 revenue
 and
 provision
 for
 refund.

"80A. (1) If, on inspection or otherwise, it is found that the fee payable under this Act in relation to any document which is registered has not been paid or has been insufficiently paid, such fee may (after failure to pay the same on demand within the period specified therein), on a certificate of the Inspector General of Registration, be recovered from the person who presented such document for registration under section 32 as an arrear of land revenue. The certificate of the Inspector General of Registration shall be final and shall not be called in question in any court or before any authority :

Provided that no such certificate shall be granted unless due inquiry is made and such person is given an opportunity of being heard.

(2) Where the Inspector General of Registration finds that the amount of fee in excess of that which is legally chargeable, has been charged and paid under the provisions of this Act, he may, upon an application in writing or otherwise, refund the excess."



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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 16th May, 2008, is hereby published for general information.

H. D. VYAS,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 14 OF 2008.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 5th June, 2008).

AN ACT

*further to amend the Registration Act, 1908 in its application
to the State of Gujarat.*

It is hereby enacted in the Fifty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Registration (Gujarat Amendment) Act, 2008. Short title and commencement.
(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

- XVI of 1908. 2. In the Registration Act, 1908 in its application to the State of Gujarat, in section 17, in sub-section (1), after clause (e) and before the proviso, the following clauses shall be inserted, namely :- Amendment of section 17 of XVI of 1908.
“(f) power of attorney relating to transfer of immovable property possession whereof has been or is handed over to the purported attorney holder;
(g) instrument relating to the mortgage by deposit of title deeds:”.