

[ TO BE INTRODUCED IN THE SENATE ]

A  
BILL

*further to amend the Registration Act, 1908*

WHEREAS it is expedient further to amend the Registration Act, 1908 (XVI of 1908), for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. **Short title and commencement.**—(1) This Act may be called the Registration (Amendment) Act, 2008.

(2) It shall come into force at once.

2. **Amendment of section 17, Act XVI of 1908.**— In the Registration Act, 1908 (XVI of 1908), hereinafter referred to as the said Act, in section 17, in sub-section (1), after the word “registered”, the comma and words “, through an advocate” shall be inserted.

3. **Amendment of section 18, Act XVI of 1908.**— In the said Act, after the word “registered”, occurring for the second time, the commas and words “, through an advocate,” shall be inserted.

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STATEMENT OF OBJECTS AND REASONS

The Registration Act, 1908, *inter alia*, makes provision for registration of documents so as to give information to public regarding legal rights and obligations arising or affecting a particular property and to perpetuate documents which may be of legal importance and also to prevent fraud. The documents requiring registration being of legal importance demand that they should be registered through an advocate. To great extent this would prevent the cases of fraud committed in the registration of immovable property.

2. The Bill is designed to achieve the aforesaid object.

  
MINISTER-IN-CHARGE

**ORIGINAL SECTIONS OF THE REGISTRATION ACT, 1908,  
WHICH THE REGISTRATION (AMENDMENT) BILL, 2008,  
SEEKS TO AMEND.**

**17. Documents of which registration is compulsory.-** (1) The following documents shall be registered, if the property to which they relate is situated in a district in which, and if they have been executed on or after the date on which, Act No.XVI of 1864, or the Indian Registration Act, 1866, or the Indian Registration Act, 1871 or the Indian Registration Act, 1877, or this Act, came or comes into force, namely:-

(a) instruments of gift of immovable property;

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**18. Documents of which registration is optional.-** Any document not required to be registered under section 17 may also be registered under this Act.

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