

ABSTRACT

Registration – Tamil Nadu e-Registration Rules, 2019 – Approved – Orders – Issued.

COMMERCIAL TAXES AND REGISTRATION (J2) DEPARTMENT

G.O.(Ms.)No.106

Dated : 25.07.2019

விகாரி, ஆடி - 09

திருவள்ளூர் ஆண்டு, 2050

Read:

- 1) From the Inspector General of Registration, D.O. letter No.55969/CS1/2013, dated 26.09.2018.
- 2) From the Inspector General of Registration, letter No.55969/CS1/2013, dated 25.10.2018.

ORDER:

The Inspector General of Registration in his letter read above has conveyed that Government Process Re-engineering (GPR) was done on many age old procedures to simplify, authentic and to reach the services on time in a transparent manner to the citizen. Accordingly, the new web based software Project STAR 2.0 incorporating the new re-engineered process, inaugurated by Hon'ble Chief Minister on 12.02.2018 is working stable with hassle free registration.

2. The Inspector General of Registration is of the view that any e-Governance initiative must be well within the Act and Rules. Re-engineered processes must have the legal authentication to sustain the credibility of the software application among the citizen. Hence, he has sought for approval of the Government on the Tamil Nadu e-Registration Rules, 2019.

3. Under sub-section (2) of section 69 of the Registration Act, 1908 (Central Act XVI of 1908), the Governor of Tamil Nadu hereby approves the Rules made by the Inspector General of Registration as annexed to this order.

4. The Inspector General of Registration, Chennai – 600 028 is requested to arrange to notify the Tamil Nadu e-Registration Rules, 2019 in the Tamil Nadu Government Gazette.

(BY ORDER OF THE GOVERNOR)

Ka. BALACHANDRAN
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Inspector General of Registration, Chennai-28.

✓ The Accountant General (Accounts and Entitlements/ Audit),
361, Anna Salai, Teynampet, Chennai-18.
Stock file/Spare copy.

// FORWARDED / BY ORDER //


SECTION OFFICER.
26/7/19

ANNEXURE.

NOTIFICATION.

In exercise of the powers conferred under clause (j) of sub-section (1) of section 69 of the Registration Act, 1908 (Central Act XVI of 1908) the Inspector General of Registration, with the prior approval of the Government of Tamil Nadu as required under sub-section (2) of section 69 of the said Act hereby makes the following Rules, namely:-

1. Short title.- These Rules may be called as the Tamil Nadu e-Registration Rules, 2019.
2. Definitions:- (I) In these rules, unless the context otherwise requires,-
 - (a) "Abstract of Documents" means an option available in the e-Registration module developed by the Registration Department for online submission of the basic details of documents purported to be registered for the purpose of verification before registration;
 - (b) "Act" means the Registration Act, 1908 (Central Act XVI of 1908);
 - (c) "Creation of Documents" means an option available in the e-Registration module developed by the Registration Department for creating documents online which are purported to be registered;
 - (d) "e-payment" means an option available in the e-Registration module for making online/offline payments;
 - (e) "e-Registration module" means a web-based software application developed by the Registration Department for registration of documents;
 - (f) "Token" means a facility in the e-Registration module developed by the Registration Department for booking of appointment for registration of documents;
 - (g) "Website of the Registration Department" means the website developed, hosted and maintained by the Registration Department, Government of Tamil Nadu;
- (II) The words and expressions used but not defined herein shall have the same meaning as are respectively assigned to them in the Act and the Information Technology Act, 2000 (Act 21 of 2000).
3. Users will be allowed to access the e-Registration module through the website of the Registration Department for creation of documents. On completion of data entry, the document so created will be displayed on the screen. Corrections (or) amendments can be made in the document if required at that stage. No corrections (or) amendments shall be possible after the document is taken up by the office of the Sub-Registrar concerned for processing.

4. If the document is created in Tamil, then the abstract of the document will be created automatically by the e-Registration module. If the document is created in English, then necessary details shall also be entered in Tamil simultaneously in the said module. From the Tamil version of the details submitted, the abstract of the document will be created automatically by the e-Registration module.
5. Users will also be allowed to use their self drafted documents provided the users enter the abstract of the documents in Tamil in the e-Registration module prior to the submission of the document for registration.
6. Users may submit their e-mail IDs and mobile phone numbers for correspondences and notifications. In case of sale documents submission of mobile phone number of the claimants and either presentant or person nominated by the presentant for claiming back the document are mandatory. In case of other documents the submission of mobile phone number of the presentant and person so nominated for claiming back the document is mandatory.
7. For the purpose of Section 21 of the Act, property details shall be provided village wise. If a property spread over in two villages, the property shall be described as two properties village wise. Users may enter Geo-coordinates of the property also. In case of urban properties, user shall provide the details of Ward, Block and Town Survey Number as maintained by the concerned urban local bodies.
8. Token shall be booked in the e-Registration module by selecting the date and time for the registration of documents. Registration process will not be initiated unless all the mandatory information is duly filled in the e-Registration module.
9. Document creation by online (or) entering the abstract of the document by online can be made at all times, but the time for presentation of document for registration shall be the office working hours.
10. A duly executed document created by online (or) abstract of document entered by online may be presented for registration by the competent person for registration within 30 (thirty) days from the next day of document created or first data entry is made. If a document is not submitted within 30 (thirty) days, then fresh data entry has to be made.
11. A duly executed document may be presented for registration only at the booked date and time. If the document is not presented at the booked date and time, then a token for another date and time shall be booked afresh.
12. The details submitted either on creation of documents (or) on submission of abstract of documents shall be used for the verification of details of parties and properties. Likewise Identity card details submitted shall also

be subjected to online verification of its correctness with the database of the Identity card issuing authority concerned for the purpose of section 34 of the said Act and the property details submitted by the user shall be subjected to online verification of its correctness with the database of the Revenue Department for the purpose of section 21 of the said Act.

13. In cases of deeds of sale having value not less than Rs.10,00,000/- (Rupees ten lakhs only), if any one of the parties to the document is not having a PAN number, then such person shall duly fill in the 'Form 60' in English in the e-Registration module.
14. While accepting the document for registration, the Registering Officer shall ascertain that,—
 - (a) The document is in conformity with the provisions contained in the said Act and Rules, orders/circulars framed there under and also that it conforms to the provisions contained in any other enactment which has bearing on the registration of a document.
 - (b) The Stamp duty, Registration Fees and any other amount legally chargeable in respect of the document has been duly paid.
 - (c) The registration of the document is not prohibited by any existing law (or) order of the Court (or) order of any Competent Authority.
15. During the process of registration of a document, fingerprint of the executant will be obtained and compared electronically with his fingerprint already captured and stored in the database in respect of previously registered antecedent document and only upon satisfaction that both the fingerprint matches, the process of registration of the document will be started. In cases where the fingerprints do not match, in order to allow the registration, the registering officer has to satisfy himself whether the mismatch is due to deformities such as injury of finger (or) for any other reason such as capture of wrong finger etc...
16. Photo of presentant, executant and claimant if any shall be captured using web camera and fingerprint shall be obtained using biometric devices and endorsement will be generated with other certificates using e-Registration module for the purpose of section 32A of the said Act. The endorsement and certificates prescribed in chapter XV of the Registration Rules, 1949 shall be printed in separate paper or back side of the document by the registering officer, signed by presentant, executant and claimant if any and certified by the registering officer. It shall be attached with the document and scanned by using electronic devices.
17. Once the document is registered, the registering officer shall cull out necessary details and prepare the indexes in Tamil using e-Registration module from the abstract created by the user through document creation or abstract creation method for the purpose of chapter XVIII of the Registration Rules, 1949.

18. On scrutiny of a document if it is found that, there is no *prima facie* impediment for registration of the document, it shall be registered by adhering to the due procedures laid down in law and Index No. It shall be caused to be available for online search. A copy of such registered document may also be forwarded to the e-mail address provided by the relevant persons to the document.
19. On scrutiny of any document presented for registration, if it is found that there are certain impediments for registration of the document such impediments may be conveyed to the parties by way of check slip as per Rule 27 (ii) of the Registration Rules, 1949. After the impediments so pointed out have been removed and such compliance is found satisfactory, the registering officer shall act upon the document in accordance with law.
20. Payment of Stamp Duty for insufficiently stamped documents, Registration Fee, any other Fees and Charges may be paid by using e-payment provision of e-Registration module.
21. Presentant may appoint another person as nominee for claiming back the registered document by entering nominee's details in the portal while creation of document or while submitting the abstract of document. In such cases the nominee shall be present in the office at the time of registration of document and his fingerprint will also be captured through the electronic devices during the process of registration of the document.
22. In order to obtain the delivery of a document, the person entitled under rule 103 of Registration Rules, 1949 shall produce the receipt, and the registering officer shall thereupon direct to obtain the entitled person's fingerprint in the e-Registration module for the comparison of the fingerprints electronically and upon comparison and matching, the registering officer may return the document.
23. If matching of fingerprints could not be made owing to reasons such as deformities caused due to injury of finger or for any other reason such as capture of wrong fingers etc., or death of the presentant etc., the fingerprints of his legal heirs shall be captured through the e-Registration module and send the same for the approval of concerned District Registrar. After the approval of the District Registrar the document shall be returned.
24. When an application for attendance at a private residence is given under Rule 38 of the Registration Rules, 1949, the registering officer may get a number generated for this purpose in the e-Registration module. The user by using this number shall create the document online or submit the abstract of the document online in e-registration module before making attendance.
25. User shall enter abstract of Power of Attorney in e-Registration module for authentication or registration (or) both. If special power of attorney is

authenticated, the special power of attorney shall be scanned in the e-Registration module for the purpose of rule 52 (i) of the Registration Rules, 1949.

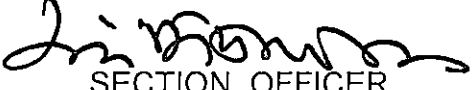
26. On registration of a document which revokes the power of attorney registered a note shall be prepared and the note shall be scanned as a link page with main document by the registering officer who registers the document for the purpose of rule 52 (ii) (a) of the Registration Rules, 1949. If such revocation document relates to a power of attorney registered in other sub-district, relevant revocation note to the previous document shall be added by the registering officer who registered the revocation document using e-Registration module.
27. User shall enter the abstract of the document in e-Registration module for adjudication of a document.
28. Memorandum of registered documents required for transmission under section 64 to 66 of the Act shall be automatically prepared by e-Registration module and the same will be intimated to the registering officer concerned through e-Registration module.
29. On registration of a document which revokes, (or) cancels or rectifies an error in or modifies the terms of a document previously registered (or) of a document received and scanned (or) filed under section 89 of the Act or on the receipt of a communication from a revenue officer or from a court which intimates a similar revocation, cancellation, rectification (or) modification, a note shall be prepared as provided in rule 116 (a) of the Registration Rules, 1949 and the note shall be scanned as a link page with the main document by the registering officer who registers the document or who receives the communication. If a revocation, cancellation, rectification or modification document is registered rectifying/ratifying a document registered in other sub-district, the rectification/ratification note to the previous document shall be added by the registrar who registered the rectification/ratification document using e-Registration module.
30. In the event of a document being registered in a wrong register book and District Registrar orders it to be entered in the correct book under Rule 159 of the Registration Rules, 1949, it may be entered in the correct register book with the current registration number in e-Registration module. District Registrar order shall be scanned as a reference document in both the previous document and later document. The indices entered in the wrong register book shall not be shown and mutated in e-Registration module. District Registrar shall order jumping of running number and the order shall be scanned in the jumped number.
31. If any document is scanned inadvertently in the place of other document (or) in wrong place, Additional Inspector General of Registration may order to delete (or) enter it to correct place if concerned District Registrar and Deputy Inspector General of Registration recommends for it.

The letter of District Registrar and Deputy Inspector General of Registration shall be scanned as a reference document.

32. When registration is refused under section 71 (1) of the said Act, the reason for refusal shall be generated in e-Registration module. The signed copy shall be scanned in the book No.2 of e-Registration module and sent to the presentant.
33. Request for encumbrance certificate or certified copies of the registered documents for the purpose of section 57 (1) and 57 (5) of the said Act, shall be made through online in the website of Registration Department. The necessary fees required to be paid shall be made through online through the e-Payment provision of e-Registration module (or) any other mode of payment as prescribed by the Inspector General of Registration in this behalf. The encumbrance certificate (or) certified copies of the registered documents shall be delivered through email of the applicant after appending digital signature of the registering officer.
34. During search if any village or survey number is required to be added by the staff of a Sub-Registrar office, due to village split, survey number merge etc collection of additional fee is not required.

Ka. BALACHANDRAN
PRINCIPAL SECRETARY TO GOVERNMENT

// TRUE COPY//


SECTION OFFICER.
26/9/19