பதிவுத்துறை தலைவர் அலுவலகம்,
சென்னை – 28.

கடித எண்.24819 / சீ1 / 2021, நாள் :14/09/2022

பொருள்: தமிழ்நாடுஅரசு சட்ட எண். 41/2022, பதிவு சட்டம் 1908 பிரிவு 22(B), 77(A), 77(B), 81–A, 81–B, உட்புகுத்தி திருத்தம் வெளியிடப்பட்டது – மோசடி மற்றும் போலியான முறையில் தாக்கல் செய்து பதிவு செய்யப்பட்ட ஆவணங்களை ரத்து செய்வதற்கு மாவட்ட பதிவாளர்களுக்கு அதிகாரம் வழங்கப்பட்டது – உரிய நடவடிக்கைக்கு அனுப்பி வைத்தல் தொடர்பாக.

பார்வை : தமிழ்நாடு அரசிதழ் வெளியீட்டு எண்.428, நாள்.16.08.2022

****

பொருள் தொடர்பாக பதிவு சட்டம் 1908 –க்கு திருத்தங்கள் பிறப்பித்து, தமிழ்நாடுஅரசு சட்ட எண். 41/2022, பார்வையில் குறிப்பிடும் தமிழ்நாடு அரசிதழ் மூலம் வெளியீடு செய்யப்பட்டுள்ளது. தொடர்புடைய சட்ட திருத்தங்கள், மேற்குறிப்பிடும் அரசிதழ் வெளீயீடு தேதியான 16.08.2022 முதல் நடைமுறைக்கு வந்துள்ளது எனவும் தெரிவிக்கப்படுகிறது. தொடர்புடைய அரசிதழ் வெளீயீடு தகவலுக்காகவும் தக்க பிற்பற்றுதலுக்காகவும் இத்துடன் இணைத்து அனுப்பப்படுகிறது.

/ஆணைப்படி/

மாவட்ட பதிவாளர்(ஆய்வு)

பெறுநர் :

1. அனைத்து துணை பதிவுத்துறை தலைவர்கள்.
2. அனைத்து மாவட்டப்பதிவாளர்கள் (நிர்வாகம் மற்றும் தணிக்கை)
3. அனைத்துசார்பதிவாளர்கள்.

இணைப்புடன்

(தே. ம பா)

Verified by RealEstate™

நகல் :

1.அரசு செயலாளர்,
வணிகவரி மற்றும் பதிவுத்துறை, தலைமை செயலகம்

2. அனைத்து உயர் அலுவலர்கள், பதிவுத்துறைத்தலைவர் அலுவலகம்.
3. பதிவுத்துறைத்தலைவரின் நேர்முக எழுத்தர்.
   கண்காணிப்பாளர்கள், A, B, G, J R, and U பிரிவுகள்

4. நேர்முக உதவியாளர் (தணி),
   மாண்புமிகு வணிகவரி மற்றும் பதிவுத்துறை அமைச்சர் அவர்கள்.
5. முக்கிய ஆணைக் கோப்பு.
6. கணினி மென்பொருள் பிரிவு. – (இணையதளத்தில் மேலேற்றம் செய்வதற்கு)
7. இயக்குநர், பதிவுத்துறை பயிற்சி நிலையம், சென்னை–14

Verified RealEstate ™

©
GOVERNMENT OF TAMIL NADU
2022

[Regd. No. TN/CCN/467/2012-14.
[R. Dis. No. 197/2009.
[Price: Rs. 1.60 Paise.

TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 428] CHENNAI, TUESDAY, AUGUST 16, 2022
Aadi 31, Subakiruthu, Thiruvalluvar Aandu–2053

Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 6th August 2022 and is hereby published for general information:—

ACT No. 41 OF 2022.

An Act further to amend the Registration Act, 1908 in its application to the State of Tamil Nadu

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-second Year of the Republic of India as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Registration (Tamil Nadu Second Amendment) Act, 2021.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force at once.

Amendment of section 2.

Central Act XVI of 1908.

2. In section 2 of the Registration Act, 1908 (hereinafter referred to as the principal Act), after clause (5), the following clause shall be inserted, namely:—

"(5-A) "forged document" shall have the same meaning assigned to it in section 470 of the Indian Penal Code, 1860;".

Insertion of new section 22-B.

3. After section 22-A of the principal Act, the following section shall be inserted, namely:—

"22-B. Refusal to register forged documents and other documents prohibited by law.— Notwithstanding anything contained in this Act, the registering officer shall refuse to register the following documents, namely:—

(1) forged document;

(2) document relating to transaction, which is prohibited by any Central Act or State Act for the time being in force;

(3) document relating to transfer of immovable property by way of sale, gift, lease or otherwise, which is attached permanently or provisionally by a competent authority under any Central Act or State Act for the time being in force or any Court or Tribunal;

(4) any other document as the State Government may, by notification, specify.".

Insertion of new sections 77-A and 77-B.

4. After section 77 of the principal Act, the following sections shall be inserted, namely:—

"77-A. Cancellation of registered documents in certain cases.— (1) The Registrar, either *suo moto* or on a complaint received from any person, is of the opinion, that registration of a document is made in contravention of section 22-A or section 22-B, shall issue a notice to the executant and all the parties to the document and parties to subsequent documents, if any, and all other persons who, in the opinion of the Registrar, may be affected by the cancellation of the document, to show cause as to why the registration of the document shall not be cancelled. On consideration of reply, if any received therefor, the Registrar may cancel the registration of the document and cause to enter such cancellation in the relevant books and indexes.

(2) The power under sub-section (1) may also be exercised by the Inspector General of Registration.

77-B. Appeal.- (1) Any person aggrieved by an order of the Registrar under sub-section (1) of section 77-A may prefer an appeal to the Inspector General of Registration within thirty days from the date of cancellation of the document and the Inspector General of Registration shall pass an order confirming, modifying or cancelling the order of the Registrar.

(2) In the case of an order passed by the Inspector General of Registration under sub-section (2) of section 77-A, an appeal shall lie to the State Government within thirty days from the date of the order.".

Insertion of new sections 81-A and 81-B.

5. After section 81 of the principal Act, the following sections shall be inserted, namely:—

"81-A. Penalty for registering documents in contravention of sections 22-A and 22-B.—(1) Every registering officer appointed under this Act and every person employed in his office for the purposes of this Act, who, being charged with registering the documents presented for registration under this Act, registers documents in contravention of section 22-A or section 22-B, shall be punishable with imprisonment for a term which may be extended to three years, or with fine, or with both.

(2) Nothing contained in this section shall apply in the case of registration of a document made in good faith.

Explanation.— For the purpose of this sub-section, the expression "good faith" means any act believed or done by a person in good faith with due care, caution and sense of responsibility or by mistake of fact believing himself justified by law under section 79 of the Indian Penal Code, 1860.

Central Act XLV of 1860.

81-B. Offences by companies.—(1) Where an offence under this Act has been committed, by a company, every person who, at the time the offence was committed, was in-charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence, has been committed with the consent or connivance of, or it attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be, liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section,—

(a) "company" means any body corporate and includes a firm or other association of individuals, and

(b) "director" in relation to a firm means a partner in the firm.".

(By order of the Governor)

C. GOPI RAVIKUMAR,
Secretary to Government (Legislation),
Law Department.

PRINTED AND PUBLISHED BY THE COMMISSIONER OF STATIONERY AND PRINTING, CHENNAI
ON BEHALF OF THE GOVERNMENT OF TAMIL NADU

Verified RealEstate™