

GOVERNMENT OF ODISHA
REVENUE & DISASTER MANAGEMENT DEPARTMENT

No. Regn- 31/2013- 12028 **/R&DM, dated.** 25.04.14

From

Dr. Taradatt,
Additional Chief Secretary.

To

The Inspector General of Registration, Odisha, Cuttack

Sub: Amendment of the Registration (Odisha Amendment) Act, 2013

Sir,

I am to say that the Registration (Odisha Amendment) Act, 2013 has been made to prohibit fraudulent transactions of immovable property. As per the amended provisions the registering officers shall refuse to register any instruments relating to the transfer of immovable properties by way of sale, gift, mortgage, exchange or lease. The amended Act reads as under:-

22-A (1) The registering officer shall refuse to register,-

(a) any instrument relating to the transfer of immovable properties by way of sale, gift, mortgage, exchange or lease,

(i) belonging to the State Government, or the Local Authority;

(ii) belonging to any religious institution to which the Odisha Hindu Religious Endowment Act, 1951 is applicable;

(iii) belonging to or recorded in the name of Lord Jagannath, Puri

(iv) donated for Bhoodan Yagna and vested in the Odisha Bhodan Yagna Samiti established under section 3 of the Odisha Bhoodan and Gramdan Act, 1970;

(v) belonging to Wakfs which are under the superintendence of the Odisha Wakf Board established under the Wakf Act, 1995,

unless a sanction in this regard issued by the competent authority as provided under the relevant Act or in the absence of any such authority, an authority so authorised by the State Government for this purpose, is produced before the registering officer;

Explanation – For the purpose of this section 'Local Authority means, - any Municipal Corporation, Municipality, Notified Area Council, Zilla Parishad, Grama Panchayat, Urban Development Authority and Planning Authority or any Local Self Government constituted under any law for the time being in force.

(b) the instrument relating to cancellation of sale deeds without the consent of the person claiming under the said sale deed; and

(c) any instrument relating to transfer of immovable property, the alienation or transfer of which is prohibited under any State or the Central Act.

(2) Notwithstanding anything contained in this Act, the registering officer shall not register any document presented to him for registration unless the transferor produce the record of rights for the satisfaction of the registering officer that such transferor has right, title and interest over the property so transferred.

Explanation,- For the purpose of this sub-section 'record-of-rights' means the record of rights as defined, prepared under the Odisha Survey and Settlement Act, 1958.

Therefore, you are requested to follow the instructions scrupulously by circulating to all concerned. The Registration (Odisha Amendment) Act, 2013 is enclosed for reference.

Yours faithfully,

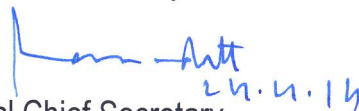
 24.4.14

Additional Chief Secretary

Speed Post

Memo No 12029 R&DM Dated 25.04.14

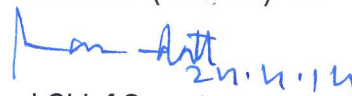
Copy forwarded to the all ADM-cum- District Registrars / All District Sub- Registrars/All Sub-Registrars for information and necessary action.

 24.4.14

Additional Chief Secretary

Memo No. 12030 /R&DM., Dt. 25.04.14

Copy forwarded Under Secretary, IMU Cell/OSD (NRLMP) for information and necessary action.

 24.4.14

Additional Chief Secretary

10 copies to Registration Branch for Guard file.

THE REGISTRATION (ODISHA AMENDMENT) ACT, 2013

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The Odisha Gazette



EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 391, CUTTACK, SATURDAY, FEBRUARY 22, 2014 / FALGUNA 3, 1935

LAW DEPARTMENT

NOTIFICATION

The 22nd February, 2014

No.2037 I-Legis-17/2013/L.—The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 15th February, 2014 is hereby published for general information.

ODISHA ACT 1 OF 2014

THE REGISTRATION (ODISHA AMENDMENT) ACT, 2013

AN ACT FURTHER TO AMEND THE REGISTRATION ACT, 1908 IN ITS APPLICATION TO THE STATE OF ODISHA

BE it enacted by the Legislature of the State of Odisha in the Sixty-fourth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Registration (Odisha Amendment) Act, 2013.

Amendment
section 22-A

2. In the Registration Act, 1908, for section 22-A, the following section shall be substituted, namely:—

“ Refusal to
register certain
documents.

22-A (1) The registering officer shall refuse to register,—

(a) any instrument relating to the transfer of immovable properties by way of sale, gift, mortgage, exchange or lease,—

(i) belonging to the State Government, or the Local Authority;

(ii) belonging to any religious institution to which the Odisha Hindu Religious Endowment Act, 1951 is applicable.

(iii) belonging to or recorded in the name of Lord Jagannath, Puri;

Odisha Act 2
of 1952.

(iv) donated for Bhoodan Yagna and vested in the Odisha Bhoodan Yagna Samiti established under section 3 of the Odisha Bhoodan and Gramdan Act, 1970;

Odisha Act 2
of 1971.

(v) belonging to Wakfs which are under the supervision of the Odisha Wakf Board established under the Wakf Act, 1995;

43 of 1995.

unless a sanction in this regard, issued by the competent authority as provided under the relevant Act or in absence of any such authority, an authority so authorised by the State Government for this purpose, is produced before the registering officer;

Explanation.— For the purpose of this section Local Authority means any Municipal Corporation, Municipality, Notified Area Council, Zilla Parisad, Grama Panchayat, Urban Development Authority and Planning Authority or any Local Self Government constituted under any law for the time being in force.

(b) the instrument relating to cancellation of sale deeds without the consent of the person claiming under the said sale deed; and

(c) any instrument relating to transfer of immovable property, the alienation or transfer of which is prohibited under any State or the Central Act.

(2) Notwithstanding anything contained in this Act, the registering officer shall not register any document presented to him for registration unless the transferor produce the record of rights for the satisfaction of the registering officer that such transferor has right, title and interest over the property so transferred.

Explanation.—For the purpose of this sub-section 'record-of-rights' means the record of rights as defined under the Odisha Survey and Settlement Act, 1958.

Odisha Act 3
of 1959.

By Order of the Governor

M. R. PARIDA

Principal Secretary to Government, I/c.