

**GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1708
ANSWERED ON:06.03.2000
AMENDMENT TO INDIAN REGISTRATION ACT
V.S. SIVAKUMAR

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Tamil Nadu Government has made an amendment to the section 28 of the Indian Registration Act, 1908 by virtue of which every document registered outside the State of Tamil Nadu and Kerala shall be null and void:

(b) if so, the details thereof:

(c) whether people residing in the border areas of Tamil Nadu and Kerala have properties both in Tamil Nadu and Kerala and for them the amendment creates untold miseries and hardships; and

(d) if so, the steps proposed to be taken to alleviate the sufferings of such people?

Answer

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHAMALANI)

(a) Yes Sir.

(b), (c)&(d): Since section 28 of the Registration Act, 1908 (Central Act XVI of 1908) provides for the presentation of document for registration in the office of a Sub-Registrar, within whose sub-district, the whole or some portion of the property to which the document relates is situate, a large scale registration of documents effecting properties in Tamil Nadu are resorted to in Sub-Registrars Office In the neighbouring States by including in the document a small piece of immovable property situated in the neighbouring States, with the obvious reason of getting the property registered in the said neighbouring States at a lower rate of stamp duty. This practice was adopted with the fraudulent intention to evade stamp duty payable in State of Tamil Nade. In order to plug this loophole, the Government of Tamil Nadu sent the Registration (Tamil Nadu Amendment) Bill, 1997 to the Ministry of Hoem Affairs on 21.2.1997. The said Bill has been assented by the President on 27.3.1997 as Act No. 19 of 1997.