

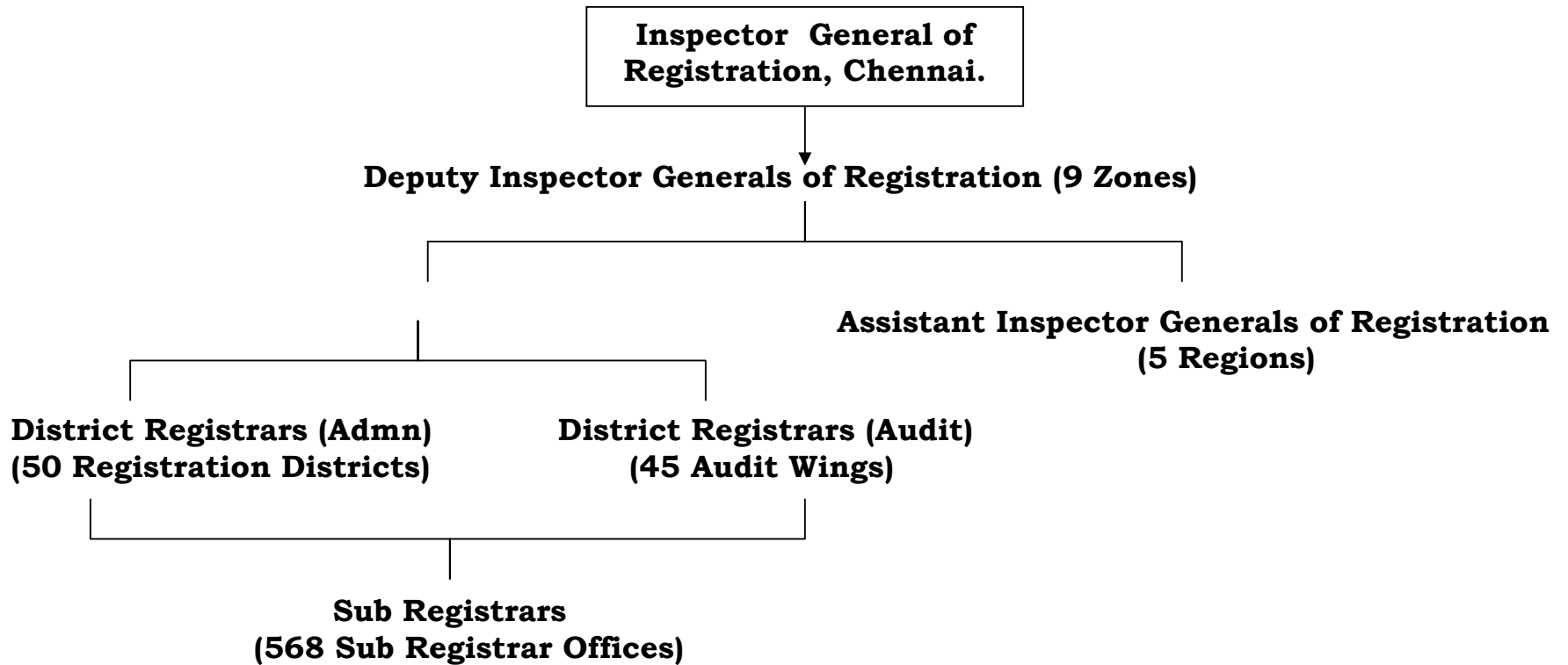
Chapter-I
Organisation of the Registration Department

Mission Statement

To Make the interface with Registration Department a Pleasant Experience.

STAR Project

Simplified and Transparent Administration of Registraton.



Functions and Duties of the Registration Department

➤ **REGISTRATION OF DOCUMENTS.**

- To register a document.

Before deciding to purchase a property, ascertain the transactions effected in respect of the property proposed to be purchased by getting the encumbrance certificate.

➤ **TO GET ENCUMBRANCE CERTIFICATE (EC):**

- Applications are available free of cost, in Sub-Registrar Office and also available on the website as downloads.
- Give all the particulars of the property in the application and tender the required fee for getting Encumbrance Certificate across the counter.
- You can also apply online for Encumbrance Certificate in respect of 300 Sub Registrar offices, Encumbrance Certificate will be delivered at your doorsteps on collection of fee & delivery charges.

FEES

E.C. Application fee: Re.1/-
 Search Fee for the 1 year Rs.15/-
 Search Fee for every additional year Rs.5/-
 Additional Fees in STAR Offices Rs.100/-

Urgent EC in Non Computerization Offices Double the required fee

➤ **GUIDELINE VALUE:**

- Statewide Guideline values are available on the Website.
- Guideline value register is also available with the Registering officer

➤ **VALUATION OF PROPERTY:**

- The Website enables you to ascertain the stamp duty / registration fees payable for a particular property transaction.

OR

- Ascertain the guideline value of the property and the stamp duty, registration fees etc, to be paid for a document from the Registering officer.
- Stamp duty rates/Registration fee rates are available in the website.

➤ **PAYMENT OF STAMP DUTY:**

- A list of licensed stamp vendors, is displayed on the Notice Board of every Sub Registrar office. The list is also available on website.
- They are licensed to sell stamps at the face value.
- If any extra demand is made, he is liable for criminal prosecution under the Act, besides rendering his license cancelled.
- The Sub Registrars, Treasuries, and Assistant Superintendent of Stamps, Chennai also sell stamp papers.
- In Chennai a Stamps Sales Depot is functioning in the campus of Deputy Inspector General of Registration office, Chennai-1.
- In select 15 offices, franking machines have been installed to facilitate payment of stamp duty.
- Stamp duty may also be paid in cash or Demand Draft or treasury challan.

PREPARATION:

➤ **DRAFTING OF DEEDS BY:**

- Executants of the document.
- Advocates.
- Licensed Document Writers – Fees to be paid to the Document writer/Copy writer is prescribed by Government. Details available in the Notice Board of Sub Registrar office and in the website. Lodge complaints if fees are demanded more than the prescribed rate.

Model draft deeds are available with registering officers and on the website (www.tnreginet.net).

You can also prepare the deed using model deeds.

➤ **DETAILS TO BE GIVEN IN THE DOCUMENT:**

- Name and Address of the Executants & Claimants of the document.
- Consideration received for the sale.
- Full Details of the property including Building
- The executants should sign on each page and two witnesses should also affix signatures at the end of documents.
- “In respect of sale deeds both seller and buyer should sign the documents and appear before the registering officer for registration of the document.”
- Identity proof shall be given to the registering officer.

➤ **PREPARATION OF COPY OF DOCUMENT BY:**

- Licenced Copywriters.
- Licenced Typewriting copywriters.
- Copy of the document should be prepared in the copy sheets sold by the Department at a cost of Re.1/-
- In computerised offices, you need not bring copy of document.

Document Writing Fees:

Fees for drafting/ copying various kinds of deeds by the licenced writers is prescribed by the Government Demand receipt for all the fees paid.

PRESENTATION:

❖ **When to be presented for registration:**

- Within FOUR Months from the date of execution, the document should be presented.
- The District Registrar may condone delay upto four months beyond the period of four months from the date of execution.”
- No time limit for executed Wills.

• **FINE**

- Delay upto 1 week – 25% of the registration fee
- Delay above one week and not exceeding one month – 50% of the registration fee
- Delay above one month and not exceeding 2 months – 75% of the registration fee
- Delay above 2 months and not exceeding 4 months – 100% of the registration fee

This is in addition to the required registration fees.

❖ **Where to be presented for registration:**

- In the Sub-Registrar's office under the jurisdiction of which the property is situate,

OR

- In the District Registrar's office.

"Documents pertaining to properties in Tamil Nadu, if registered outside the State, have been declared as null and void with effect from 29-3-1997."

REGISTRATION AT PRIVATE RESIDENCE:

WHEN?

- On application
- Before or after office hours

FOR WHOM?

- Sick people
- persons in the jail
- persons exempted from appearance in public place, Court etc.,
- Ladies exempted from appearance in public place by convention

Fees: Rs.200/- plus T.A. as under: Officer Minimum

officer	minimum Rs.	Maximum (perKM) Rs.	Fixed Fee Rs.
District Registrar	3.00	1.00	25.00
Sub-Registrar	2.00	0.60	15.00

If conveyance provided by the party, no TA is levied.

HOLIDAY REGISTRATION:

WHEN?

On application with fee of Rs. 200/- in special urgency, the holiday registration will be made

COMPULSORY REGISTRATION:

WHEN?

Executant refuses to appear for admission of execution of document.

PROCEDURE:

Enquiry will be conducted and if the executant admits the execution the registering officer will register otherwise, the registration will be refused.

APPEAL:

Against this refusal order, an appeal may be preferred within 30 days to District Registrar concerned, who will pass firm.

REQUIREMENTS➤ **PRESENTATION OF DOCUMENTS.**

- Executed document.
- Copy of document in the registration copy form. (In case of ‘STAR’ office, this is not required).
- Pass port Size Photo
- Patta Transfer application with court fee table of Re. 1/-
- Details of PAN/GIR number of the Seller in case the value of the property stated in the document exceeds Rs.5 lakhs.

OR

- Form 60 Statement in case PAN/GIR Number not provided in the document.
- Patta Pass Book- for agriculture property in notified 9 Districts.
- Registration fees. – by cash or Demand draft.
- Sub-division fees etc – by cash or Demand draft.
- You must insist on receipts for all amounts paid.
- Giving insufficient / incorrect information to avoid payment of higher duty may invite prosecution.

➤ **RETURN OF DOCUMENTS**

- Within one hour.

❖ **Exceptions:**

- ✓ If inspection of land and building is required for arriving at the value of the property – 15 days.
- ✓ For want of required certificates from the parties, at the instance of party.
- ✓ Non-payment of required duty or fee.
- ✓ For want of clarification on the nature of documents – 15 days.

- ✓ Reference u/s 47 A of the Indian Stamp Act or under S.O.744 – within 21 days from the date of presentation.

➤ **LAND INSPECTION. WHEN?**

- Guideline value not available in the register.
- Change of usage of land from agricultural to house site is suspected.
- particulars survey number and value not available in the guideline register,
Site rate or agricultural value not avail register. The Guideline Committee will fix the value after inspection.

➤ **BUILDING INSPECTION WHEN**

- When value of the building as stated by the parties exceeds Rs.50,000/-
The Sub-Registrars will inspect the building and asses the value. If any difference in value is found out, the different and a compounding fee will be collected. If not prepared for compounding, criminal prosecution will be instituted Suppressions of building details in order to evade payment of Stamp Duty may invite criminal proceed.
- Giving insufficient/incorrect information to avoid payment of higher duty may invite prosecution.
- Buildings with value not exceeding Rs.50,000/- are not liable for inspection before registration. However there may be post inspection on random basis.
- Assessment of value based on PWD schedule of rates.
- PWD Assistant Executive Engineers attached with Registration Department is entrusted valuation of special type of building and valuation of building exceeds Rs.25 lakhs.
- Plant and Machinery will be valued by listed valuers for which the fee prescribed shall be paid.

➤ **REGISTRATION AT PRIVATE RESIDENCE:**

❖ **For whom?**

- Sick people,
- Persons in the jail,
- Persons exempted from appearance in public place, Court etc.,
- Ladies exempted from appearance in public place by convention.

❖ **When?**

- On application and payment of additional fees.
- Before or after office hours.
- REGISTRATION ON HOLIDAYS – ONLY IN CASE OF URGENCY

➤ **COMPULSORY REGISTRATION:**

❖ **When?**

- Executant fails to appear for admission of execution of document.

❖ **Procedure:**

- Enquiry will be conducted by the registering officer before registering the document.
- Registration will be refused if the executant denies execution.

❖ **Appeal:**

- Against this refusal order, an appeal may be preferred within 30 days to the District Registrar.

➤ **REGISTRATION OF WILL:**

- Wills can be registered in any registration office.
- No time limit for presentation to register.
- Wills can be kept in a sealed cover and deposited with the District Registrar for safe custody.
- The Person authorized may after the death of the testator, apply with the copy of death certificate for opening the will and get it registered.

DEPOSIT OF WILLS

Will can be kept in a sealed cover and deposited with the District Registrar for safe custody. Person authorised may after the decease of the testator apply for opening the will and get it registered.

➤ **CERTIFIED COPIES:**

- Anybody can apply for, pay the required fee and get certified copy of documents registered like Sale, Exchange, Mortgage etc.,
- Copy of Will registered can be obtained only by the testator.
After his demise, anybody can apply and get copy on production of death certificate of the testator.
- Copy of Power of Attorney document can be given only to the parties to the document.
- Certified copies may be obtained at doorstep by submitting online application. The required fees will be collected at the time of delivery.

FEES

Application fee: Re. 1/-

Search Fee for the 1st year Rs. 10/

Copying Fees

Through xerox Machine Rs. 5/- per page

Through computer Rs. 10/- per page

Additional Fees in STAR Offices Rs 100/-

➤ **REGISTRATION OF MARRIAGES:**

❖ **Hindu marriages**

□ ***Requirements:***

- Bridegroom/Bride should have completed 21/18 years respectively.
- Both of them should be Hindus.
- Marriages solemnized under Hindu customs/ non-customary can be registered.

- Proof of marriage, age, residence, date of birth etc.,
Any one of the following may be produced as proof:

i) Wedding card

ii) Recognised Temple receipt

- ✓ Election Commission Identification Card
- ✓ Passport
- ✓ Driving Licence
- ✓ Ration Card
- ✓ Birth Certificate
- ✓ School or College Certificate

Place of Registration.

- Any one of the following place should fall within the jurisdiction of the Registering officer.
 - ✓ Residence of bride.
 - ✓ Residence of bridegroom.
 - ✓ Place of Solemnization.

FEES

Marriage Registration Rs.100/-

Copy Rs.10/-

Application Fee: Re. 1/-

Search Fee per year: Re.1.00/-

Private attendance Fees: Rs.200.00+10 (To be appropriate by the R.O)

Special marriages:□ ***Requirements:***

- Marriages solemnized before the Registering officer or in any other form.
- Bridegroom/Bride should have completed 21/18 years respectively.

Any one of the following may be produced as proof:

- ✓ Election Commission Identification Card
- ✓ Passport
- ✓ Driving Licence
- ✓ Ration Card
- ✓ Birth Certificate
- ✓ School or College Certificate

Place of Registration.

- Any one of the following place should fall within the jurisdiction of the Registering officer.
 - ✓ Residence of bride.
 - ✓ Residence of bridegroom.
 - ✓ Solemnization place.
 - ✓ *Notice of intended marriages will be published.*
- If no objection for the marriage is received within 30 days from the date of notice, marriage will be solemnized /registered.

Marriages shall be solemnized/registered within 3 months from the date of Notice. Otherwise fresh notice should be given.

FEES

Notice for filing Rs.3/-

Regulation of Marriage Rs.10/-

Marriage Certificate Rs.2/-

Search Fees Re.1/-

Private attendance Fee Rs.15/-

Protest Fee Rs.2/-

Enquiry for protest Rs.50/-

➤ **Indian Christian Marriage:**

- Solemnized by Priests, Licencees and Marriage Registrars.
- Extract of marriages registered by licenced Marriage Registrars, Priests is given in the office of the Inspector General of Registration, Chennai 28.

FEES

Application fee	Re .5/-(Court fee label)
Search Fees	Rs.10/-
Copy Fees	Rs.10/-

➤ **BIRTH, DEATH CERTIFICATES**

- Registration of Births & Deaths are done by the Local Bodies concerned.
- Births and Deaths registers in respect of Villages are preserved in the Sub-Registry Offices concerned.
- Extracts of Birth or Death from these registers may be obtained on payment of fees.

FEES

Application fee :	Rs.5/- (Court Fee Label)
Search fee per year:	Rs.2/-
Copy fee :	Rs.5/-

CHITS:

- Citizens are cautioned, before subscribing to a chit, to ascertain whether the chit group is a registered one.
- Prior sanction order, commencement order are issued across the counter in District Registrar offices.
- List of Chit Companies and Chits sanctioned by the Registrars are available on the website <http://www.tnreginet.net>.
- You have a duty to pay subscription in time.
- You have the right to demand the following from the foreman.
 - ✓ Registrars' prior sanction for the conduct of chit - for perusal
 - ✓ Copy of bylaws.
 - ✓ Participation in the auction and bid for the chit.
 - ✓ Receipt of prize amount within 7 days of bid after furnishing the surety required.
 - ✓ Receipt of dividend after payment of subscription periodically.

➤ **SOCIETIES:**

- Registration of society is compulsory where the total members are not less than 20 and the average annual Income or Expenditure is not less than Rs.10000/-.
- Registration of Society can be done in one hour.
- Registered societies have certain legal requirements to be fulfilled within the time prescribed.
 - ✓ Filing of annual returns.
 - ✓ Filing of change of members/members of Committee.
 - ✓ Filing of change of place.
 - ✓ Filing of Special Resolutions.
 - ✓ Filing of Mortgage or charge created over the property of the society.
 - ✓ Filing of satisfaction of mortgage or charge so created.

If the above mentioned requirements are not fulfilled, the registration is liable to be cancelled.

- The Funds of the Association/Society can be utilized only for the objects set forth in the Memorandum.
- If a registered society is not functioning properly, the Government has the right to dissolve the committee and appoint Special Officer to administer the societies.
- “Details of Registered Societies and their latest status are available on the website.”

FEES

Registration Fees	Rs. 500/-
Filing Fees	Rs. 5/-
Registration Certificate	Rs. 50/-

➤ **FIRMS:**

- Registration of firms having partners not less than two may be done with the District Registrars.
- In the application for registration, an Advocate or Chartered Accountant shall attest the signature of each partner.
- Applications for Registration of firms may be submitted through post also.
- The registered firm shall file an annual declaration to the effect that the firm was in existence during the previous financial year.

FEES

Registration Fees	: Rs. 50/-	-
Filing Fees	: Rs. 5/-	
Form IIA Fees	: Rs. 50/-	
Delay condonation Fee	Rs.25/-	
	(for every completed three months)	

DOWRY PROHIBITION:

Under the Dowry Prohibition Act, demanding or accepting dowry, directly or indirectly is an offence

Fine of Rs.5000/- or imprisonment upto 6 months or both

District Registrars are also authorised to sanction prosecution

Registrants may lodge complaints with the District Registrar.

➤ **KEEPING CITIZENS INFORMED:**

- The exclusive website <http://www.tnreginet.net> contains the latest information on every aspect of registration department.
- Notice Board containing all details is displayed in all the Sub Registrar Offices.
Sub Registrars are serving as guide to the registrant public.
- Suggestion boxes are provided in each Sub Registry office.
- All District and Zonal officers remain in office on all working Mondays to redress grievances of the public.
- A Cell is functioning in the Head Quarter with a Public Relations Officer to redress the grievances of the public. In each registration office, one Senior Assistant has been identified as Public Relations Officer who will answer the queries of registrants.
- All the certified copies of extracts can be obtained at the doorsteps by submitting a request online.
- Demand receipt for all kinds of payments made for securing services of the department.

Under the “Project STAR” registration offices are being computerised and connected through reginet. An interactive Website www.tnreginet.net is available to serve the needs of citizens.

Citizens may mail their queries through the e-mail box available on the website.

➤ **WHEN THINGS GO WRONG:**

- If any one fails to get a proper reply for his query.

OR

- delay is caused for any of the time bound services inspite of fulfilling all the requirements of law;
- he may contact personally or through correspondence, the District Registrar concerned or the Zonal Deputy Inspectors General of Registration, or the Inspector General of Registration at Chennai.

OR

- Lodge his complaint in the suggestion box.

OR

- e-mail to: igregn@tnreginet.net

*The dedicated network **REGINET** has enabled online monitoring of services in Sub Registrar offices which are connected through web based model.*

➤ **STATUTORY REMEDIES:**

- When registration of a document is refused, one can file an appeal before the District Registrar concerned within one month.
- The District Registrar, on appeal, can condone delay in presentation of document up to a period of 4 months on payment of fine.
- If any one is aggrieved by the orders of the District Registrar demanding deficit stamp duty and penalty imposed, he may prefer an appeal before the Inspector General of Registration, who is the Chief Controlling Revenue Authority.
- If the party is not inclined to accept the guideline value maintained in the Registration offices, his document will be referred to the Special Deputy Collector (Stamps) for determination of market value.
- If the difference of duty fixed by the Special Deputy Collector(Stamps) is not paid within 2 months from the date of order, 2% interest is chargeable from the date of default.
- Appeal against the final order of the Special Deputy Collector (Stamps) may be preferred to Chief Controlling Revenue Authority (Inspector General of Registration) Chennai, 28 within 2 months from the date of order passed by Special Deputy Collector(Stamps).
- An appeal provision is also available against the orders of a Collector on the application of refund of spoiled or unused stamps, before the Inspector General of Registration.

- Appeal against the orders of Registrar on the cancellation of Registration of a Society, refusal of registration or declaration of society as defunct may be made to the Inspector General of Registration.

For further details – visit us at <http://www.tnreginet.net>

Mechanism Available for monitoring the service delivery and public grievance resolution

All the District Registrars, Assistant Inspector Generals of Registration, Deputy Inspector Generals of Registration are conducting surprise inspection periodically under their control.

Whenever the Complaints are received from the Public, are forwarded to the concerned District Registrar or Deputy Inspector General of Registration or Vigilance Cell for enquiry by the Inspector General of Registration. On receipt of report necessary followup action is being taken by the Inspector General of Registration.