By e-mail

Government of Odisha

Board of Revenue, Odisha, Cuttack

(Rajaswa Bhawan, Chandini Chowk, Cuttack-2 : email:igrodisha2012@yahoo.com)

(Registration Wing)

No. IX-91 /2021 4692 /Regn., dated 23.09.2021

From

Dr. Smita Mohanty, OAS (I)
Under Secretary (Regn.)

To

All Registering Officers.

Sub: Strict compliance of the order No.02 Dt.09.07.2021 of Hon'ble High Court of Orissa, Cuttack in WP(C) No. 6294 of 2021 in the matter of Ananta Dalei versus State of Odisha.

Ref : IGR, Odisha, Cuttack L. No. IX-91/2021 3495/ Regn. Date 19.07.2021

Madam/Sir,

In continuation to the letter dtd. 19.07.2021 under reference on the subject noted above, I am directed to say that while implementing the order dt.09.07.2021 passed by the Hon'ble Court in not orally or verbally rejecting any document tendered for the purpose of registration, the due process of law as provided under the Registration Act, 1908 and its corresponding Rules, 1988 as outlined hereunder is required to be followed scrupulously.

1. Upon presentation of any document as per section 32 read with section 52 of the Registration Act, the document shall have to be accepted / received at first if the requirements under rule 147 and clauses 1,2 and 3 of the rule 25 are found to have been complied. If not complied or refused to be complied, the document shall be returned at once to the presentant, with the endorsement "Registration Refused" with an entry being made at the same time in Book 2 Register clearly recording the "Reason of Refusal" to register, as per rules 144 and 145 of the Rules, 1988.
2. However, on compliance to the requirements under the above rules, it shall be examined in regard to the requirements in clauses 4 to 12 of the rule 25 and clauses 1 to 12 of the rule 148 read with the relevant guidelines of IGR prescribed for the Registering Officers vide L. No. 2915/VIII-4/13/ Regn. Date 02.08.2017. But in case the parties fail to comply the statutory requirements or to pay proper registration fees, the same aforesaid process for a written order of refusal shall be made as per the same said Rules, 1988.
3. It goes without stating therefore that rejection to registration of document can not be made orally or verbally as the rule 144 read with rule 145 of the Rules, 1988 have clearly provided for written and recorded orders for refusal to registration.

This is for your information and necessary action.

Yours faithfully

Under Secretary (Registration)
22/9/2021

Memo No 4693 / Regn. Date 23.09.2021

Copy forwarded to the Additional Secretary to Government in Revenue & DM Department, Bhubaneswar for kind information and necessary action with reference to the Government L. No.28769/R&DM dated 21.09.2021.

Under Secretary (Regn.)
22/9/2021