

THE REGISTRATION (ODISHA AMENDMENT) ACT, 2013

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EXTRAORDINARY

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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.

Odisha Act 2
of 1952.

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

(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.