



(C)

सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. LXI]

FRIDAY, JUNE 19, 2020 / JYAISTHA 29, 1942

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the President on the 28th May, 2020 is hereby published for general information

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 4 OF 2020.

(First published, after having received the assent of the President, in the "Gujarat Government Gazette", on the 19th June, 2020.)

AN ACT

further to amend the Registration Act, 1908 in its application to the State of Gujarat

It is hereby enacted in the Sixty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Registration (Gujarat Amendment) Act, 2018. **Short title and commencement.**
- (2) It shall come into force on such date, as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 17 of XVI of 1908. 2. In the Registration Act, 1908, in its application to the State of Gujarat XVI of 1908. (hereinafter referred to as "the principal Act"), in section 17,-

(i) in sub-section (1), -

(a) for clause (f), the following clause shall be substituted, namely:-

Guj.16 of 2016. "(f) power of attorney intending to administer, manage and/or alienate immovable property in any manner, executed on or after the commencement of the Registration (Gujarat Amendment) Act, 2016;"

(b) after clause (j), the following clause shall be added, namely:-

"(k) sale certificate issued by any competent officer or authority under any Central Act or State Act for the time being in force.";

(ii) in sub-section (2), clause (xii) shall be deleted.

Amendment of section 32 of XVI of 1908. 3. In the principal Act, in section 32, the following Explanation shall be added at the end, namely:-

"Explanation.- For the purpose of this section the term "document" shall include the document presented by an electronic means."

Amendment of section 34 of XVI of 1908. 4. In the principal Act, in section 34, -

(i) after sub-section (1), the following sub-section shall be inserted, namely:-

"(1A) The registering officer may refuse to accept the non-testamentary documents relating to immovable property mentioned in sub-section (1) of section 17, if they are not accompanied by the -

- (a) proofs of identity of executing and claiming parties and witnesses;
- (b) proofs of authorization when the executant or claimant thereunder is representative or agent authorized by the person or entity whose document is to be registered;

- (c) sign or thumb impression/finger print (if the person is unable to sign) of one person from both executing and claiming parties, affixed on each and every page of the deeds submitted for registration;
- (d) proof that the principal is alive; in cases where the document is executed by the power of attorney holder on behalf of the principal.”;

(ii) the following Explanation shall be added at the end, namely:-

“Explanation.- For the purpose of this section the term “document” shall include the document presented by an electronic means.”.

5. (1) In the principal Act, in section 35, the following Explanation shall be added at the end, namely:-

Amendment of section 35 of XVI of 1908.

“Explanation.- For the purpose of this section the term “document” shall include the document presented by an electronic means.”.

6. In the principal Act, in section 69, in sub-section (1), after clause (j), the following clause shall be added, namely:-

Amendment of section 69 of XVI of 1908.

“(k) regulating the procedure for presentation of document, appearance for admission, endorsement, manner of affixing signature and seal, mode of payment of registration fees and other fees and such other process when the document is presented by electronic means.”.

7. In the principal Act, after section 89, the following sections shall be inserted, namely:-

Insertion of new sections 89A, 89B, 89C and 89D in XVI of 1908.

Copies of court decrees, attachment orders, etc., to be sent to Registering Officers and filed in registers.

“89A. (1) Every court passing,-

- (a) any decree or order creating, declaring, transferring, limiting or extinguishing any right, title or interest to or inimmovable property in favour of any person, or
- (b) an order to interim attachment or attachment of immovable property or for the release of any