

REGISTRY OF DEEDS, BENGAL ACT, 1838

ACT NO. XXX. OF 1838

(Rep., Act 16 of 1864)

[19th November, 1838.]

*Passed by the Hon'ble the President of the Council of India in Council, on the 19th November, 1838.*

**I.** IT is hereby enacted, that Sections II. and XIV. Regulation XXXVI. 1793, the Provisions of which were extended by Regulation XXVIII. Of 1795, Regulation XVII. of 1803, Section XVII. Regulation VIII. of 1805, and Section XXXII. Regulation XII. of 1805, Section IV., and Clauses 2 and 3, Section VI. Regulation XX. 1812, and Section II. Regulation IV. of 1824, of the Bengal Code, be modified.

**II.** And it is hereby enacted, that in addition to the Offices to which those Sections relate, Offices for the Registry of Deeds may be established at any Civil Stations, and may be placed by the Orders of Government under the superintendence of any Officers resident at such Stations whom Government may nominate for that purpose.

**III.** And it is hereby enacted, that the registration of Deeds at any Office of Registry authorized by this Act shall be subject to the payment of the same fees as are prescribed in Section XIV. Regulation XXXVI. 1793, for Deeds registered at an Office established at the Station of a Zillah or City Court.

**IV.** And it is hereby enacted, that Section XV. Regulation XXXVI. 1793, and Clauses 2 and 3, Section VI. Regulation XX. 1812 of the Bengal Code, shall not be held applicable to offices and persons established and appointed for the registry of Deeds under this Act.

**V.** And it is hereby enacted, that persons desirous of registering Deeds written in any European language at any Office of Registry in the Territories subject to the Presidency of Bengal, Shall be required to pay for transcribing the same according to the established rates of Section Writing, in addition to the fees prescribed by Section XIV. Regulation XXXVI. 1793.

**VI.** And it is hereby enacted, that in case of the death or absence on leave of any person appointed by Government to register Deeds under this Act, it shall be lawful for the Zillah Judge or other Officer specially authorized by Government, to appoint any person whom he may think proper to take temporary charge of the Office and to register Deeds in the same manner as if such person had been appointed to the Office by the Orders of Government.

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