

**KARNATAKA LEGISLATIVE ASSEMBLY****SIXTEENTH LEGISLATIVE ASSEMBLY****SIXTH SESSION****THE REGISTRATION (KARNATAKA AMENDMENT) BILL, 2025****(LA Bill No. 13 of 2025)**

A Bill further to amend the Registration Act, 1908 (Central Act 16 of 1908) in its application to the State of Karnataka.

Whereas it is expedient further to amend the Registration Act 1908 (Central Act 16 of 1908) in its application to the State of Karnataka for the purposes hereinafter appearing;

Be it enacted by the Karnataka State legislature in the seventy sixth Year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Registration (Karnataka Amendment) Act, 2025.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 17.- In the Registration Act, 1908 (Central Act 16 of 1908) (hereinafter referred to as the Principal Act), in section 17,-

(i) in sub-section (1), after clause (e), before the proviso, the following shall be inserted, namely:-

“(f) power of attorney authorizing transfer of immovable property with or without consideration.”

(ii) in sub-section (2), clause (vii) and the entries relating thereto shall be omitted.”

3. Amendment of section 33.- In the Principal Act, in section 33, in sub-section (4),-

(i) for the words “may be proved”, the words “shall be proved” shall be substituted; and

(ii) after sub-section (4) as so amended, the following proviso shall be inserted, namely:-

“Provided that a proof to the effect that the person executing the power of attorney is alive shall be produced as specified in the rules made under this Act.”

4. Amendment of Section 89.- In the Principal Act, in section 89, after sub-section (4), the following shall be inserted, namely:-

“(5) The documents executed by the Government Officers or certain public functionaries as notified under section 88, shall send the documents electronically to the Registering Officer within whose jurisdiction, the whole or any part of the immovable property comprised in the documents is situated, and such officer shall file the said document electronically in his appropriate Book number and shall get the same preserved electronically.”

STATEMENT OF OBJECTS AND REASONS

It is considered necessary further to amend the Registration Act, 1908 (Central Act 16 of 1908) in its application to the state of Karnataka to,-

- (1) compulsorily register power-of-attorney authorizing transfer of immovable property with or without consideration;
- (2) compulsorily register documents relating to any grant of immovable property by the Government;
- (3) compulsorily prove any power-of-attorney by producing it;
- (4) send the documents electronically to the registering officers by the Government Officers or certain public functionaries as notified under section 88; and
- (5) Certain other consequential amendments also made.

Hence, the Bill.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

KRISHNA BYREGOWDA
Minister for Revenue

M.K. VISHALAKSHI
Secretary
Karnataka Legislative Assembly

ANNEXURE
EXTRACT FROM THE REGISTRATION ACT, 1908
(CENTRAL ACT 16 OF 1908)

xxx

xxx

xxx

17. Documents of which registration is compulsory.-(1) The following documents shall be registered, if the property to which they relate is situate in a district in which, and if they have been executed on or after the date on which, Act No. XVI of 1864, or the Indian Registration Act, 1866, or the Indian Registration Act, 1871, or the Indian Registration Act, 1877, or this Act came or comes into force, namely :-

(a) Instruments of gift of immovable property;

(b) other non-testamentary instruments which purport or operate to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of the value of one hundred rupees and upwards, to or in immovable property;

(c) Non-testamentary instruments which acknowledge the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any such right, title or interest; and

(d) leases of immovable property from year to year, or for any term exceeding one year, or reserving a yearly rent;

(e) non-testamentary instruments transferring or assigning any decree or order of a Court or any award when such decree or order or award purports or operates to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of the value of one hundred rupees and upwards, to or in immovable property.

Provided that the State Government may, by order published in the Official Gazette, exempt from the operation of this sub-section any lease executed in any district, or part of a district, the terms granted by which do not exceed five years and the annual rents reserved by which do not exceed fifty rupees.

XXX **XXX** **XXX**
(2) Nothing in clauses (b) and (c) of sub-section (1) applies to –

XXX **XXX** **XXX**
(vii) any grant of immovable property by Government; or

XXX **XXX** **XXX**
33. Power-of-attorney recognizable for purposes of section 32.-(1)

XXX **XXX** **XXX**
(4) Any power-of-attorney mentioned in this section may be proved by the production of it without further proof when it purports on the face of it to have been executed before and authenticated by the person or Court hereinbefore mentioned in that behalf.

XXX **XXX** **XXX**
89. Copies of certain orders, certificates and instruments to be sent to registering officers and filed.— (1) Every officer granting a loan under the Land Improvement Loans Act, 1883 (19 of 1883), shall send a copy of his order to the registering officer within the local limits of whose jurisdiction the whole or any part of the land to be improved or of the land to be granted as collateral security, is situate, and such registering officer shall file the copy in his Book No. 1.

(2) Every Court granting a certificate of sale of immovable property under the Code of Civil Procedure, 1908 (5 of 1908), shall send a copy of such certificate to the registering officer within the local limits of whose jurisdiction the whole or any part of the immovable property comprised in such certificate is situate, and such officer shall file the copy in his Book No. 1.

(3) Every officer granting a loan under the Agriculturists' Loans Act, 1884 (12 of 1884), shall send a copy of any instrument whereby immovable property is mortgaged for the purpose of securing the repayment of the loan, and, if any such property is mortgaged for the same purpose in the order granting the loan, a copy also or that order, to the registering officer within the local limits of whose jurisdiction the whole or any part of the property so mortgaged is situate, and such registering officer shall file the copy or copies as the case may be, in his Book No. 1.

(4) Every Revenue Officer granting a certificate of sale to the purchaser of immovable property sold by public auction shall send a copy of the certificate to the registering officer within the local limits of whose jurisdiction the whole or any part of the property comprised in the certificate is situate, and such officer shall file the copy in his Book No. 1.

XXX **XXX** **XXX**