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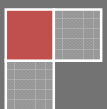
Indian Registration (Filing of True Copies) Rules, 1967

[Updated as to the amendment by G.O.(P)No.163/2018/TD, dated 15/10/2018]

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Digital Reference Series - 003

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G.O.(P)No.680/67/RD.

dated 30th December 1967

INDIAN REGISTRATION (FILING OF TRUE COPIES) RULES, 1967

*Published under as SRO.No.384/67 in Kerala Gazette Extraordinary No.242, dated 30/12/1967,
came into force on 01/01/1968.*

In exercise of the powers conferred by Section 89A of the Indian Registration Act, 1908 (Central Act XVI of 1908) the Government of Kerala hereby make the following rules, namely:—

RULES

1. These rules may be called “The Indian Registration (Filing of True Copies) Rules, 1967”.
2. They shall come into force from such date as the Government may by notification in the Gazette, appoint.
3. In these rules, unless the context otherwise requires,—
 - (a) “**Act**” means the Indian Registration Act, 1908;
 - (b) “**Kerala Registration Rules**” means the rules issued under Section 69(1) of the Act by the Inspector General of Registration with the approval of the Government, under notification dated 27/12/1958 in the Gazette extraordinary dated 27/12/1958;
 - (c) “**section**” means a section of the Act;
 - (d) “**true copy**” means the true copy referred to in Rule 4.
4. Every document, except as expressly provided hereunder, presented for registration under the Act, shall be duly accompanied by a true copy of such document without which the document shall not be accepted for registration.
5. The true copy presented with a document shall be deemed to be a copy for the purpose of Clause (c) of sub-section (1) of Section 52.

Mode of Preparing copy

6. A true copy satisfying all the following conditions shall alone be accepted as a true copy under these rules namely:—
 - ¹(i) it shall be prepared in paper supplied by Government for the purpose:
Provided, however that in the case of documents executed by or in favour of a Co-operative Society by its members, the true copy may be prepared in sheets of approved quality in which the prescribed form has been got printed by the said Co-operative Society, from an approved press.]¹

1. Substituted by Notification G.O.(Ms)No.133/74/TD, dated 31/10/1974, published in Kerala Gazette No.46, dated 12/11/1974.

Explanation.— For the purpose of this clause,—

- (a) “Sheets of approved quality” means R.A.I. Azure Laid Paper of at least 23.6 kg.
- (b) “approved press” means a press approved by the Registrar of the District within whose jurisdiction the press is situated and such an approval is valid for the calendar year.
- (c) A form shall be deemed to be ‘prescribed’ if it satisfies the following conditions, namely:—
 - (1) it shall be in ¹[R.A4 (215 millimetre × 305 millimetre)]¹ size.
 - (2) The words “FOR THE USE OF THE” shall be prefixed to the words “REGISTRATION DEPARTMENT KERALA” now printed in the form supplied by Government.
 - (3) It shall contain the number and the order by which the press was approved by Registrar and the name and other details of the press wherein the form was printed.
 - (4) It shall state the name of society for whose use it is printed.
 - (5) In all other aspects it shall be identical with the forms supplied by Government for the purpose.
- (ii) both sides of the paper shall be used for copying;

²[*Provided that sheets containing copy of map or plan shall be used on the one side leaving the other side blank;*]²
- (iii) no writing whatsoever, shall appear beyond the rectangle enclosed by the border lines;
- (iv) ¹[it may be printed in press, typewritten, manuscript or printed in dot matrix printer. Carbon or stenciled copies and inkjet or laser prints shall not be used;]¹
- (v) ³[black ink or blue-black ink shall]³ alone be used for preparing the true copy in manuscript. The writing shall be with such a distinct pressure on the pen, and the ink, shall be of such concentration that the written matter will not fade by the passage of time;
- (vi) the writing should be neat and legible, capable of easy reading and shall not create any doubt whatsoever;
- (vii) it shall not be prepared by more than one licensed Scribe:

Provided that copies of maps and plans forming part of a true copy of a document may be prepared by anyone;
- (viii) it shall be a true and exact reproduction of the original document and as such every matter from top to bottom of each page of the document shall be copied therein including the “YADASTH” notes of corrections except the signature of the parties to the document; which may be indicated as “signed”;

1. Substituted by Notification G.O.(P)No.163/2018/TD, dated 31/10/1974, published in Kerala Gazette No.2587, as SRO.720/2018, dated 15/10/2018, w.e.f.01/01/2019. *Date of effect re-notified to 01/01/2018 from 15/10/2018 vide G.O.(P)No.201/2018/TD, dt. 17/12/2018 in SRO.913/2018.*

2. Added by Notification G.O.(Ms)No.91/74/TD, dated 22/07/1974, published in Kerala Gazette No.38, dated 17/09/1974.

3. Substituted by Notification G.O.(Ms)No.91/74/TD, dated 22/07/1974, published in Kerala Gazette No.38, dated 17/09/1974.

- (ix) if any abbreviation is used in the original, it should be reproduced as such in the true copy also;
- (x) a scoring in the original document need not be reproduced in the copy; but the place in the document where such scoring exists shall be indicated in the copy by a small dash (about $\frac{1}{10}$ c.m.). The office staff will assign a letter for the dash at the time of comparison and include the same in the footnote referred to in Rule 14;
- (xi) an interlineation in the original need not be interlined as such in the copy. Requisite indication shall be given for this as provided for in Rule 128 of the Kerala Registration Rules, at the time of comparison by the office staff;
- (xii) as far as possible no blank space shall exist in between the letters or words in the copy so as to prevent the chances of unauthorized insertions subsequently;
- (xiii) a word or a figure if wrongly copied and detected subsequently shall be scored out and the correct word or figure written above the incorrect transcription which shall also be assigned serial numbers from the office at the time of comparison and a footnote regarding all such corrections shall be added at the end of the true copy by the office staff. No such number or note shall be assigned for such mistakes by the Scribe even in cases where similar scorings or interlineations are effected by the Scribe, before presentation;
- (xiv) as writing in the true copy has to be continuous, subject to Rule 14 it is not at all necessary that the true copy presented shall contain an equal number of pages as contained in the original document;
- (xv) the parties to document need not affix their signature in the true copy at the portion corresponding to each page in the original document, but instead the fact they have signed the original document shall be indicated in the true copy by the word "signed".
e.g., കൃഷ്ണൻ (ഒപ്പ്)
- (xvi) when a document is engrossed on more sheets than one, signature(s) of executant(s), witness(es) or any endorsement (such as first page, second page, etc.) that may appear on the several sheets shall also be duly transcribed in the true copy. Such portion shall be distinguished from the body of the document by drawing a line of about 3 c.m. in length before and after such portion;
- (xvii) the Stamp Vendor's endorsement and any Certificate relating to stamp that is on the document prior to its presentation for registration shall form part of the copy, and it shall therefore be copied in the true copy in continuation of the signature(s) of the parties, occurring in the last sheet after the "YADASTH" (or notes of corrections).
- ¹[The Stamp Vendor's endorsement on the original document shall be serially copied one after another in the true copy. If there be any Treasury seal, that fact shall also be indicated in the appropriate place as "Seal". The total number of stamp papers and the total value of the stamps on the document shall be noted in the copy in the words, thus:- "Five Stamps Rupees". When no stamp is used on a document the entry shall be in the words thus:- "Stamp Nil". Unused portion of the line, if any, shall be ruled over so as to prevent any addition being made;]¹
- (xviii) a line shall be left at the top of the first page of the true copy for the purpose of entering the document number and year by the Registering Officer at the time of acceptance of the document for registration;

1. Substituted by Notification G.O.(Ms)No.91/74/TD, dated 22/07/1974, published in Kerala Gazette No.38, dated 17/09/1974.

- (xix) no page number shall be assigned to the true copy by Scribe or parties. Page numbers shall be assigned by the Registering Officer himself by means of a numbering machine provided for the purpose, immediately after the document is admitted to registration. The officer who transcribes the endorsement portion of a document in the copy and the officers who compare it shall before copying and comparing the registration certificates ensure individually, that the number assigned to each of the page of the true copy filed are correct in all respects;
- (xx) note of corrections made in the copy need not be added by the Scribe as necessary notes in that regard will be added from the office after comparison;
- (xxi) after adding the details of stamps as provided for in Clause (xvii), the Scribe who prepared the copy shall add his name, signature and licence number;
- (xxii) manuscript copies of documents presented for filing shall be prepared by a Scribe holding a licence under the Kerala Document Writers Licensing Rules, 1960:

¹[*Provided that the provisions of this clause shall not apply to copies of—*

(a) *documents exempted from Rule 6(2) of the Kerala Document Writers Licensing Rules, 1960.*

(b) *maps and plans accompanying or attached to, true copies presented with document;]*¹

- (xxiii) the name and signature of the presentant of the document shall be added at the bottom of every page of the true copy in the space provided therefor in between the body of the document and the signature of the Officers who compare the true copy.

Note.— In the case of an illiterate person who cannot sign, his thumb impression shall be got affixed in token of his signature.

DUTIES OF REGISTERING OFFICER

- ²[7. As soon as a document is presented for registration, the Registering Officer shall scrutinise the original and the copy, and if it is found *prima facie* to be a true copy satisfying all the conditions contained in these rules, the document shall be accepted for registration as per the provisions contained in the Act. Immediately after the registration procedures have been completed and the document admitted to registration all the endorsements made on the document by the Registering Officer, (including the stamp certificate, if any, added from the office) shall be duly transcribed in the copy by the office staff preceded by the heading “copy of endorsements and certificates.” The above heading shall be in a separate line immediately below the entries written by the Scribe and which has ended with the signature, name and licence number of the Scribe. The copy of the document and the endorsements transcribed thereon shall then be got compared with the original document by the members of the staff.]²
- 8. If an endorsement and certificate cannot be completed in the space available below the signature of the Scribe, it shall be continued in the next page. Additional sheets if necessary for the purpose shall be obtained from the presentant at the time the document is accepted for registration.
- 9. If no space is available in the sheet in which the Scribe has affixed his signature for the copying of the endorsement and certificate, the copying of the endorsement including the certificate shall be made in additional copying sheet supplied by the presentant.

1. Added by Notification G.O.(Ms)No.91/74/TD, dated 22/07/1974, published in Kerala Gazette No.38, dated 17/09/1974.

2. Substituted by Notification G.O.(Ms)No.91/74/TD, dated 22/07/1974, published in Kerala Gazette No.38, dated 17/09/1974

10. The endorsement made by the Registering Officer by virtue of, his powers under the Kerala Stamp Act (such as endorsement certificate under Section 16 of that Act) shall be transcribed in the true copy just below the heading referred to in Rule 7 (viz., copy of ⁷[endorsements]⁷ and certificate) and prior to the copying of the endorsement made under the Indian Registration Act, 1908.
11. When a document is accepted for registration (that is, immediately after presentation endorsement is recorded) the sheet endorsement in the following form shall be made on each of the sheets in the true copy accepted for filing "Copy of document No. of of Book contains sheets sheet". This shall be attested by the full signature and designation of the Registering Officer.
12. During the time of comparison of the true copy all the corrections (such as scorings interlineations, etc.) in the original as well as in the copy shall be duly noted and letters or figures as the case may be, as provided in Rule 128 of the Kerala Registration Rules shall be duly assigned for the purpose of the footnote to be added from the office.
13. All blank spaces unnecessarily left by parties in the true copy shall be ruled across and figures shall be assigned wherever necessary at the time of comparison.
14. At the end of the true copy ¹[and the copy of the endorsements transcribed thereunder]¹ all the notes of corrections shall be added as footnote as indicated in Rule 128 of the Kerala Registration Rules.
15. Officers who compare the true copy with the original document shall ¹[write their names and]¹ affix their respective signatures in every page of a true copy (at the bottom) in token of their having done so.
16. ²[After writing the footnotes referred to in Rule 14 the person who transcribed the endorsements and the Reader and the Examiner who compared the true copy and the copy of endorsements with the original shall write their names and designation along with their respective signatures as follows:
Endorsement copied by:
True copy and endorsement — Reader
Compared by — Examiner.]²
17. The footnotes added with reference to Rule 14 shall be closed by the initials of the Registering Officer. The Registering Officer after closing the footnote, shall authenticate the entry in the true copy with his signature. He shall follow the instruction contained in Rule 134 of the Kerala Registration Rules regarding attestation of corrections and authentication.
18. Immediately after all the above procedures are duly completed, the true copy should be filed in file boards provided for the purpose, and kept under the personal custody of the Registering Officer until it is bound.

1. Added by Notification G.O.(Ms)No.91/74/TD, dated 22/07/1974, published in Kerala Gazette No.38, dated 17/09/1974.

2. Substituted by Notification G.O.(Ms)No.91/74/TD, dated 22/07/1974, published in Kerala Gazette No.38, dated 17/09/1974.

19. The binding of the true copies should be done as soon as sufficient number of pages, as prescribed by the Inspector General of Registration from time to time, are completed.
20. The pages in the true copy of the document shall be serially numbered as soon as the document is admitted to registration, with the numbering machine provided for the purpose.
21. The page numbers shall be assigned above the top-borderline, at about the centre.
22. The serial number referred to in Rule 20 shall terminate with each volume and the numbering shall be started afresh from "1" for the next volume.
23. The note of return recorded on the original document shall be duly transcribed in the true copy ¹[and attested by the Registering Officer]¹ with his initials with date.

SPECIAL PROVISIONS

24. The following procedure shall be adopted when documents in the form of an endorsement are presented:—
 - (a) When an instrument is executed in the form of an endorsement written across or at the foot or back of any instrument previously registered in the same office or in any other office which has since been abolished and whose records are kept in the office at which the endorsed deed is presented (e.g. receipt acknowledging consideration of money endorsed on the original deed), a true copy of the endorsement portion need alone be obtained. (*See Rule 137(i) of the Kerala Registration Rules*).
 - (b) In cases where the endorsement has been made on an instrument registered in another office or on an unregistered instrument the presentant of the present (endorsed) document shall be required to produce a continuous copy of both the original as well as the endorsed portion as if they are a single document; but the two documents shall be distinguished with different suitable and appropriate headings (*See Rule 137(ii) of the Kerala Registration Rules*). In such cases, the registration endorsement, if any, made on the original document need not be copied by the Scribe in the true copy. Instead they shall be copied by the office staff before copying the registration endorsement relating to the document endorsed. Appropriate distinctive headings shall be given to each of the different endorsement copied.
25. When a document is presented with duplicate(s) a true copy of the original document need alone be obtained for the purpose of filing. Soon after the document together with the duplicate is admitted to registration, the endorsements (including registration certificate) shall be copied into the true copy. After this, the notes of corrections made on the original document and in the true copy (including those in the endorsements) shall be added as a footnote and closed by the Registering Officer with his initials and date as usual. Immediately below this, a note with regard to the number of copies registered with the original shall be duly added. Thereafter, the notes made on the duplicate with reference to Rule 109 of the Kerala Registration Rules, shall be transcribed. It should be followed by the Stamp Vendor's endorsement (with stamp certificate, if any, added) on the duplicate together with the total of stamp value. Thereafter, the footnotes of correction for the duplicate shall be written and closed. The same procedure shall be adopted for each duplicate presented. After this, the signature of the Copyist, Reader and Examiner shall be furnished as indicated in Rule 16. The entries in the true copy shall be authenticated by the Registering Officer thereafter in the usual manner.

1. Substituted by Notification G.O.(Ms)No.91/74/TD, dated 22/07/1974, published in Kerala Gazette No.38, dated 17/09/1974.

26. Whenever a document has to be kept pending for admission to registration, the endorsements, if any, made on the original document need be transcribed in the true copy only after the registration procedure has been completed and the document admitted to registration. ¹[xxxx]¹.
27. As regards the under-mentioned classes of documents, the endorsements made thereon by a Registering Officer need not be embodied by the Scribe in the copy presented along with the document under these rules. Such endorsements shall be transcribed by the office staff.
- (a) Documents presented for re-registration under Section 24.
 - (b) Documents registered in wrong office and presented in the proper office as per directions of the District Registrar with reference to Rule 188 of the Kerala Registration Rules.
 - (c) Documents refused registration and re-presented under Section 75 and Rule 113 of the Kerala Registration Rules.
 - (d) Powers-of-attorney attested and thereafter presented for registration.
28. True copies shall not be obtained in the following cases:—
- (a) Powers-of-attorney presented for attestation only.
 - (b) Wills deposited in the District Registrar's Office under Section 42.
 - (c) Duplicates, etc., of original documents when such duplicates, etc., are presented along with the original.
29. In the following cases true copies shall be obtained afresh:—
- (a) A document refused registration (partially or totally) is re-presented under Section 72, 75 or 77.
 - (b) A document presented for re-registration under Section 23-A or 24; and
 - (c) A document registered in a wrong office is presented in the proper office with reference to Rule 188 of the Kerala Registration Rules.
30. When a document is refused registration *in toto* by a Registering Officer, the true copy presented with the document shall be returned along with the document.
31. When a cover deposited under Section 42 is opened under Section 45 or 46 the contents of the Will shall be copied by the office staff and filed in Book No.3. Necessary copying papers for this purpose shall be obtained from the persons who got the cover opened. The signatures of the Copyist, Reader and Examiner shall be affixed in the true copy. The true copy so prepared shall be treated as a copy of the original ordinary deed and filed accordingly after observing all the further regulations for the same.

1. Omitted by Notification G.O.(Ms)No.91/74/TD, dated 22/07/1974, published in Kerala Gazette No.38, dated 17/09/1974.

- 32.** A separate volume (with butts) of File Book I shall be maintained in which shall be filed:—
- (a)** Copies of Memoranda received under Sections 64, 65 and 66.
 - (b)** Copies of records, such as certificates, orders, decrees and demands received under Section 89.
 - (c)** Such of the papers or records for which no presentation as required by Section 32 is necessary.
- 33.** These rules shall have effect notwithstanding anything to the contrary contained in the Kerala Registration Rules or any orders issued thereunder.
- 34.** The Inspector General of Registration may, if deemed necessary, issue instructions, consistent with the provisions of the Act and these rules.



RULES

G.O.(P)No.681/67/RD.

Dated, Trivandrum, 30th December, 1967

SUPPLY AND DISTRIBUTION OF COPYING SHEETS

1. The copying paper shall be supplied by the Superintendent of Government Presses to the Inspector General of Registration in packets of 500 each affixing a label denoting the name of form, number of sheets etc. The Inspector General of Registration shall arrange to supply these forms to the Sub Registry Offices through the District Offices of the Registration Department.

SALE OF COPYING SHEETS

2. The sheets shall be sold to licensed Document-writers and Stamp Vendors in lots of 100 forms from the Sub Registry Offices and not from any other offices of the Department. The sales shall be effected between 4 p.m. and 5 p.m. on all working days.
3. The price for 100 sheets is Rs.10 (ten) only or at a rate prescribed by Government from time to time in addition to the cost, sales tax at the rates prevailing at the time of sale should also be realised.
4. The loose sheets shall also be sold to the registering parties from Sub Registry Offices during all the working hours. The price of each sheet shall be 10 paise. Sales tax will also be realised as per the rules in force.

ACCOUNTING ETC. FOR RECORDING THE SALE

5. An invoice detailing the cost of sheets and sales tax separately shall be issued while making the sales.
6. The cost of sheets shall be remitted under the head of account to be fixed by Government.
7. The Sales Tax collected shall be remitted under the appropriate head of account.
8. The remittances shall be made on days fixed for remittance of departmental collections.
9. The transactions shall be entered in the cash book.
10. An account in the form appended shall be maintained in each office.

FORM No. I

No.

Date:

Invoice

For sale of priced Forms and Books

Particulars of form or book sold	Rate Rs. P.	Quantity	Amount Rs. P.
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Total

Sales Tax

Grand Total

Signature of the Sub Registrar.

FORM No. II

Register of Priced Forms and Books

Date	Source from which received or details of sales	Number of forms received	Number of forms sold	Balance	Amount realised		Details of remittance			Initials of Head of Office	Remarks
					Cost of sheets	Sales tax collected	Date of remittance	Chalan No. for remittance of			
								Cost of forms	Sales tax		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

