**GOVERNMENT OF MIZORAM**

****

**THE MIZORAM**

**REGISTRATION RULES, 2015**

**Inspector General of Registration**

**Government of Mizoram**

**MIZORAM REGISTRATION RULES, 2015**

**CONTENTS**

**CHAPTER I**

**Preliminary**

Rules Page number

1. Short Title, Extent and Commencement 1

2. Definitions

(i). (a) Act 1

(b) Document Sheet 1

(c) Document Write 1

(d) Form 1

(e) Government 1

(f) Indexes 1

(g) Inspector 1

(h) Lincence 1

(i) Lincencing Authority 1

(j) Register Books 2

(k) Registering Officer 2

(l) Registration Office 2

(m) Rule 2

(n) Schedule 2

(o) Section 2

(ii) Words and expressions 2

**CHAPTER II**

**Office Hours and Holidays**

3. Office Hours 2

4. Refusal to Receive Document for Registration 2

5. Holidays 2

**CHAPTER III**

**Seals**

6. Custody and use of Seals 3

**CHAPTER IV**

**Languages**

7. Languages in use in Districts 3

8. Filing of copies of documents 4

**CHAPTER V**

**Description of Property**

9. Territorial Divisions 4

10. Description where not required 4

11. Description in cases of non-testamentary documents 5

**CHAPTER VI**

**Books and Forms**

12. Form of Register Books 5

13. Supplement to Register Book No. 1 and File of Copies and Translation 5

14. Pages in Registers and File Books 6

15. Supply of document sheets 6

16. Manner of certifying and verifying pages of new Register

books and the simultaneous use there of 6

17. Opening of additional Register books for documents prepared on

printed or lithographed or typed (first copy) Forms and manner in

which copies to be pasted 6

18. Preparation of copy 7

19. Documents registered in duplicate, etc.. 8

20. Procedure on admission of document to registration and mode of

authenticating copy and filing it 8

21. Minute Book and its use 9

22. Daily Register 9

23. Register of Powers-of Attorney 10

24. Forms of Memoranda under Sections 64 to 67 10

25. Numbering of volumes of Register books 10

26. Preservation of books 10

**CHAPTER VII**

**Re-copying of Register books which are in danger of being destroyed or becoming wholly or partially illegible**

27. Direction of Registrar regarding re-copying of damaged Register books 10

28. Preservation of sheets 10

29. Numbering of new Register books and preservation of old Register books 11

30. Manner of re-copying from the original 11

31. Manner of assigning serial numbers to the entries copied in new Register

Books 11

32. Signing and dating of notes 12

33. Repairing of damaged books by use of butter paper 12

34 Reconstruction of documents destroyed 12

**CHAPTER VIII**

**Presentation and Examination of Documents, etc.**

35. Office where a document may be registered 12

36. Document relating to immoveable property wholly out of India 12

37. Manner of Registration where the jurisdiction of a territory is changed 12

38. Presentation of a document for registration 13

39. Person who may present documents for registration 13

40. Examination of a documents by the registering Officers 14

41. Manner of nothing interlineations, etc. 14

42. Manner of presentation of map, etc., with a document 14

43. Manner of registration when document is presented in duplicate 14

44. Endorsement on the document 15

45. Suspension of registration of documents 15

46. Payment of proper stamps duty 15

47. The date of execution to be noted in a document 15

48. Date of execution of document how reckoned 16

49. Registration on payment of fines 16

50. Rate of fines for delays, etc 16

51. Calculation of rate of fine in case of documents in Duplicate 17

52. Calculation of fine in certain cases 17

53. Application for condoning delay in presentation, etc 17

**CHAPTER IX**

**Visit and Commissions**

54. Issue of commission 17

55. Form and procedure of payment of commission 18

56. Report of commissioner 18

57. Fees for visit and travelling allowance 19

58. Manner of examination by the Registering Officer 19

**CHAPTER X**

**Power-of-Attorney**

59. Examination of a power-of-Attorney 19

60. Procedure regarding special or General Power of Attorney 20

61. Attestation of endorsement on a power-of-Attorney 20

62. Form of endorsement 20

63. Registration of a power-of-Attorney 20

64. Manner of registration of a power-of-Attorney 21

65. Powers of registering authorities regarding power of Attorney 21

66. Abstracts of power of Attorney 21

**CHAPTER XI**

**Presentation of Documents and Examination of parties**

67. Persons executing documents 21

68. Duties of the Registering Officer 23

69. Proof to be adduced by a representative 23

70. Procedure when the executant dies after presentation of a document 23

71. Registering Officer should take thumb impression of every person 25

72. Manner of taking the thumb impression 25

73. Separate register of thumb impression in respect of private attendance 26

74. Identification of Executants 26

75. Admitting the document for registration 27

**CHAPTER XII**

**Issue of Processes**

76. Enforcement of appearance of Executants and witnesses 27

**CHAPTER XIII**

**Wills or authorities to adopt**

77. Registration of a Will or authority to adopt 28

78. Registration of revocation or cancellation of a Will or an authority to adopt 29

**CHAPTER XIV**

**Sealed Covers Containing Wills**

79. Manner of entries of sealed covers containing wills 29

80. Deposit of wills by persons 29

81. Registration of wills sent by post 29

82. Endorsements to be made when a sealed cover containing a Will is Opened 30

83. Forwarding of a Will to Court 31

84. Manner of forwarding a Will to a Court 31

85. Procedure when a sealed cove containing a Will is Opened 31

**CHAPTER XV**

**Endorsements and Certificates**

86. Manner of endorsing and certifying by Registering Officer 31

87. Language to be used by an executing party in signing 32

88. Language to be used by Registering Officers for endorsing on document 32

89. Using a separate slip for endorsement, etc, by the Registering Officer 32

90. Endorsement by the Registering Officer on each sheet when the document

is of more than one sheet 32

91. Endorsement of the Registering Officer when the executant is a Guardian 32

92. Presentation and admission of execution of a document by a

Power of Attorney 32

93. Payment of consideration mentioned in the document 33

94. Certificate under Section 60 33

95. Endorsement when a document is presented in duplicate 33

96. Endorsement on a document execution of which is denied 34

97. Endorsement on a document registered under Section 74 34

98. Endorsement on a document presented by an order of Registrar or Court 35

**CHAPTER XVI**

**Receipts for Documents and for the Fees and Return of Documents**

99. Receipts for documents and for fees and return of document 35

100. Procedure for obtaining a registered documents 35

101. Procedure on loss of receipt 35

**CHAPTER XVII**

**Register Books**

102. Maintenance of registers 36

103. Procedure of making entry of a registered document 36

104. Procedure of registration of a document presented in duplicate 36

105. Comparing and attestation of entries in Register Books endorsements

of copying, reading and comparing, how to be made, manner of

noting and attesting interlineations, etc, 37

106. Cancellation, etc, of a registered document 37

107. Attestation of a note in case of forged documents 38

**CHAPTER XVIII**

**Indexes**

108. Manner of preparing indexes 38

109. Indexes relating to towns, etc 40

110. Description of property in indexes 40

111. Indexes of properties situated in different towns, etc 40

112. Indexes of properties situated in different districts, etc 40

113. Indexes of properties situated in different suburbs 41

114. Index relating to the appearance of executants 41

**CHAPTER XIX**

**Inspection, Searches and Grant of Certified Copies**

115. All applications to be in writing and to be numbered and filed 41

116. Inspection of documents 41

117. Application for searches 41

118. Form of application for copies, searches, inspections 42

119. Register of fees paid, etc 42

120. Endorsement of the Registering officer on copies of deeds 42

121. Forwarding of copies by post 42

122. Grant of a copy of registered documents 42

123. Levy of fees for grant of certified copies 43

124. Protests against registration of documents 43

125. Application for making a search 43

126. Affixation of Court fee stamps on application for inspection, etc. 43

127. Certificate of encumbrance 43

128. Particulars to be shown in the certificate of encumbrance 44

129. Language of the certificates of encumbrance 44

130. Contents of the certificate of encumbrance 44

131. Certificate of encumbrance in case of records of more than one office 44

132. Preparation of the certificate of encumbrance 44

133. Filing of certificate of encumbrance 44

134. Production of Register books in Court 45

135. Collection of safe custody fees from a Court 45

136. Person through whom records may be sent to Court 45

**CHAPTER XX**

**Record of Substance of Statements**

137. Recording of evidence 45

138. Administering Oath of Affirmation 45

139. Cases where record of substance of statement may be made 46

**CHAPTER XXI**

**Transmission of Memoranda and Copies**

140. Forms for taking Memoranda 47

141. Memoranda in which office to be made 47

142. Memoranda, etc., should be pasted 48

143. Memoranda when a document is registered in duplicate, etc. 48

144. Corrections in Memoranda 48

145. Copy of Memo or a Decree of a Court 48

**CHAPTER XXII**

**Errors in Registration**

146. Procedure when a document is registered in a wrong Book, etc. 48

147. Correction when Memorandum, etc., are in a wrong Book 49

148. Correction when a document is registered in a wrong office 49

149. Collection when insufficient stamp duty has been paid 50

**CHAPTER XXIII**

**Refusal to Register**

150. Reasons for refusal to register 50

**CHAPTER XXIV**

**Appeals and Enquiries**

151. Appeal against refusal 52

152. Appeal by whom to be preferred 52

153. Persons who can appear in an enquiry connected with a will or an

Authority to adopt 53

154. Applications presented without Verification 53

155. Procedure of disposing Appeal 53

156. Endorsement on passing an order 54

157. Appeal against refusal to register a will 54

158. Procedure when refusal is base on non-appearance of executants 54

159. Communication of orders passed 54

160. Registration ordered by the Registrar or a Court 54

161. Maintenance of file of appeal, orders and Judgments 55

162. Order refusing to direct registration 55

163. Order refusing to register for non-appearance of executant 55

164. Order directing registration after enquiry 55

165. Registrar has no powers to call for the description of properties 56

166. No appeal lies when a document is returned at presentant`s request 56

167. Limitation on appeals to the Registrar against the orders of the Sub-Registrar 56

**CHAPTER XXV**

**Fees and Fines**

168. Determination of Fees 56

169. Withdrawal when allowed 57

170. Refund of amounts 57

171. Application for remission or refund of fees, etc 57

172. Fees and fines to be brought to account 57

173. Remittance of collection to treasuries 57

**CHAPTER XXVI**

**Prosecutions**

174. Procedure for instituting prosecutions 58

175. Lodging of criminal complaints 58

176. Registering officer not competent to compel a party to sign 58

177. Procedure when complaint is made regarding false personation 59

**CHAPTER XXVII**

**Documents executed by Government Officers and other public functionaries**

178. Persons exempted from personal appearance 59

179. Documents sent with a covering letter 59

180. Endorsement where a document is sent with a covering letter 59

**CHAPTER XXVIII**

**Preservation of Records**

181. Preservation of Permanent Records 60

182. Collective responsibility of the staff of Sub-Registrar 60

183. Preservation or destruction of records as per rules 61

184. Registers of permanent and temporary records 61

185. Account of records in registers 61

**CHAPTER XXIX**

**Custody of Books and Documents**

186. Custody of Books and Documents 61

**CHAPTER XXX**

**Returns and Accounts**

187. Dates of closing accounts 61

188. Submission of monthly and Annual returns 62

**CHAPTER XXXI**

**Withdrawal of Sealed Covers**

189. Withdrawal of sealed covers 62

**CHAPTER XXXII**

**Inspection of Registration Offices**

190. Inspection by Registrar 62

191. Memorandum of inspection 62

192. Inspection by the inspector-General of Registration 63

193. Inspection by Inspectors 63

194. Inspection of Register books in Sub-Registrars offices and reports

regarding damaged books by the inspectors 63

**CHAPTER XXXIII**

**Destruction of Documents**

195. Destruction of unclaimed documents 63

196. Documents which are kept separate 64

197. The form of notice in case of unclaimed documents to be destroyed 64

198. Safe custody of belated Wills 65

199. Protection From suit, claim or demand 65

**Chapter XXXIV**

**Licencing of Document Writers**

200. Licence to whom granted 65

201. Disqualification 66

202. Application for licence 66

203. Application for renewal of licence 66

204. Issue of licence 66

205. Attestation of non-testamentary document 66

206. Licensing authority 67

207. Registers 67

208. Validity of the Licence 67

209. Document Writer’s Licencing Test 67

210. Cancellation or Suspension of Licence 67

**SCHEDULE-A**

Form 1. Register of non-testamentary documents relating to immovable property 68

Form 2. Record of Reason for Refusal to register 68

Form 3. Register of Wills and Authority to Adopt 69

Form 4. Miscellaneous Register 69

Form 5. Register of Deposit of wills 70

Form 6. Form of Minute Book 71

Form 7. Daily Receipt Register 71

Form 8. Register of Impounded Documents 72

Form 9. Register of Unclaimed Documents 72

Form 10. Resister of Deficient Fees and Stamp Duty 73

Form 11. Register of Power of Attorney 73

Form 12. Register of Revocation of Power of Attorney 74

Form 13. Register of Thumb Impression 74

Form 14. Receipt 75

Form 15. Form of Index No. I 75

Form 16. Form of Index No. II 76

Form 17. Form of Index No. III 76

Form 18. Form of Index No. IV 77

Form 19. Form of Index No. V 77

Form 20. Application For Search, Inspection And Grand Of Copies 78

Form 21. Register of Application for Copies, Search or Inspection 79

Form 22. Receipt Register of Application Fees For Copies,Search on Inspection 79

Form 23. Memorandum Under Sections 64,65,66 & 67 80

Form 24. Register of Records, etc, maintained in the Sub/District Registrar’s office 80

**SCHEDULE-B**

**Forms of Endorsements and Certificates**

Form 1. Forms of Endorsements and Certificates 81

Form 2. Forms of Endoresment under Section- 58 82

Form 3. Forms of Certificate under Section-60 82

Form 4. Endoresment on Copies Granted Under Section-57 82

Form 5. Certificate on Encumbrance on Property 83

Form 6. Nill Certificate on Encumbrance on Property 84

Form 7. Certificate Showing List of Documents Executed by or in

 Favour of a Person 85

**SCHEDULE-C**

Form 1. Application for Deed Writer’s Licence 86

Form 2. Application for Renewal of Deed Writer’s Licence 86

Form 3. Deed Writer’s Licence 87

Form 4. Register of Deed Writer’s Licence 87

Form 5. Register of Deed 87