

Government of Jammu and Kashmir
Office of the Inspector General of Registration, J&K
Jammu/Srinagar

Subject:- Scrutiny of documents for registration.

Reference: Letter No. Rev-Regt/74/2023(C.7361101) dated 18.03.2024 of the Revenue Department.


Circular No. 02-Reg of 2024
Dated: 22.04.2024

The registration of documents across the Union Territory of Jammu & Kashmir is governed principally by the provisions of the Registration Act, 1908, the Stamp Act Svt.1977, and other statutory notifications, orders and circular instructions issued from time to time. Adherence to due procedure is imperative for leading accuracy, transparency and securing legal compliance to document registration.

It has been brought to the notice of this office that certain Sub-Registrars do not properly scrutinize the contents of the deed documents uploaded by the parties leading to the registration of defective deeds in certain instruments/articles pertaining to Book 4.

The matter has been considered.

A Registering Officer is required to conduct registrations in accordance with the provisions of the Registration Act, 1908 and collect the accurate stamp duty and registration fee prescribed for different Articles/ Instruments under the Stamp Act Svt.1977 and S.O 243 dated 04.08.2020 respectively. Careful scrutiny of the contents of a deed document is essential for determining the correct title of the Article / Instrument and the duty leviable. It is imperative for a Sub Registrar to carefully relate the contents of the deed document/averments with the data entry and the title of the document to arrive at a conclusion as to whether the document purports to create/extinguish any right/interest/liability which in turn would guide the determination of the correct title and computation of stamp duty and registration fee payable. Over-reliance on the data entry made by a citizen and title of the document without proper scrutiny of the contents of the document/averments made may have the potential to lead to a defective registration/ title and avoidable



litigations besides loss of revenue to the government exchequer.

It would be pertinent to point out that the need for determining the correct title with reference to the contents of the deed document has been further emphasized in the recently held Conferences of Sub Registrars in collaboration with the Jammu and Kashmir Judicial Academy.

Accordingly, all the Sub Registrars are hereby impressed upon to carefully scrutinize the contents of the deed documents uploaded by the parties before effecting registration to avoid any error and evasion of stamp duty. It is further impressed upon all the Sub Registrars to ensure that while effecting registration of Agreements/Memorandums, contents of the documents should be properly scrutinized/ examined to guard against any defective registration. Further, the Agreements/Memorandums registered shall be inscribed with the water mark (*Not for Mutation*).

The above instructions are brought to the notice of all the Sub Registrars for compliance.

Sd/-


Inspector General of Registration, J&K

No.IGR/Gen/35/2024/38

Dated: 22.04.2024

Copy to:

1. Secretary to the Government, Revenue Department for kind information.
2. Secretary to the Government, Department of Law, Justice and Parliamentary Affairs for kind information.
3. Additional Inspector General of Registration Kashmir/ Jammu.
4. Registrars (All)
5. Sub Registrars (All) for compliance.
6. In-charge website/e-office for necessary action.
7. Circular file.


Chief Accounts Officer
O/o Inspector General of Registration,
J&K