

प्रति,

- १) सर्व नोंदणी उपमहानिरीक्षक
- २) सर्व सह जिल्हा निबंधक
- ३) सर्व सह दुय्यम निबंधक/ दुय्यम निबंधक
- ४) सर्व कार्यासन अधिकारी, नोंदणी महानिरीक्षक कार्यालय, पुणे

विषय - महाराष्ट्र ई-रजिस्ट्रेशन आणि ई-फाईलिंग नियम २०१३.

संदर्भ — नोंदणी महानिरीक्षक कार्यालयाची अधिसूचना क्र.कार्यासन
क्र.४/प्र.क्र.२६९८/२०१३, दिनांक २८/०३/२०१३.

नोंदणी (महाराष्ट्र सुधारणा) अधिनियम २०१० (२०१२ चा महाराष्ट्र १०) अन्वये नोंदणी अधिनियम
१९०८ मध्ये करण्यात आलेल्या सुधारणा या दिनांक ०१/०४/२०१३ पासून अंमलात येणार आहेत.

त्याअनुषंगाने, नोंदणी अधिनियम १९०८ चे कलम ६९ अन्वये असलेल्या अधिकारातून शासनाच्या
पूर्वमंजूरीने विहित करण्यात आलेली विषयांकित नियमाची संदर्भित अधिसूचना यासोबत आपणांकडे योग्य त्या
पुढील कार्यवाहीसाठी पाठविण्यात येत आहे.

नोंदणी उपमहानिरीक्षक यांना कळविण्यात येते की, त्यांनी सदर पत्र व अधिसूचना अधिनस्त सह जिल्हा
निबंधक व दुय्यम निबंधक यांना त्वरित पाठवावी.

नोंदणी उपमहानिरीक्षक (मुख्यालय)
महाराष्ट्र राज्य, पुणे.

NOTIFICATION
Office of the Inspector General of Registration,
Maharashtra State, Pune.
Dated:- 28/03/2013.

The Registration Act, 1908.

No. Desk 4/C.R.No.2698/2013 .- In exercise of the powers conferred by clause (k) of sub-section (1) of section 69 of the Registration Act, 1908 (16 of 1908) (hereinafter referred to as "the said Act"), the Inspector General of Registration, Maharashtra State, with prior approval of the Government of Maharashtra as required under clause (2) of section 69 of the said Act, makes the following rules, namely:-

1. Short title and commencement:-

- (a) These rules may be called as " the Maharashtra e-Registration and e-Filing Rules, 2013 ".
- (b) They shall come into force on the 1st day of April 2013,

2. Definitions – (I) In these rules, unless there is anything repugnant in the subject or context,-

- (a) "Act" means the Registration Act, 1908;
- (b) "e-Filing" means online or electronic filing of notices of intimation of mortgage of property specified in section 89B of the Act filed through e-Filing module;
- (c) "e-Filing Module" means a software module developed by the Inspector General of Registration for filing of notices of intimation of mortgage of property specified in section 89B of the Act, under these rules;
- (d) "e-Registration" means online or electronic registration of documents;

(e) "e-Registration Module" means a software module developed by the Inspector General of Registration for registration of documents, under these rules.

(f) "Inspector General of Registration" means the Inspector General of Registration appointed under section 3 of the Act.

(II) The words and expressions used but not defined herein shall have the same meaning as are respectively assigned to them in the Act and the Information Technology Act, 2000 (21 of 2000).

3. The documents notified under the proviso to sub-section (1) of section 7 of the Act and a notice of intimation of mortgage of property specified in section 89 B of the Act may be registered or filed, respectively, online by using e-Registration Module and e-Filing Module.

4. The parties will not be allowed to attach any external file in the body of the document. On completion of the data entry, the document so created will be displayed on the screen. The parties if require may edit the document, at the stage of submission. No editing shall be possible after submission.

5. For the purposes of e- Registration under these rules, -

(a) appending of electronic signature or biometric thumb print and capture of digital photo through the software module, shall be mandatory for all executants whenever and wherever necessary; and also appending of electronic signature and capture of digital photo and biometric thumb print of the attesting witnesses through the software module shall be necessary, wherever required by law;

(b) PAN Card Number or Unique Identification Number or any other identification or document number regarding each executing party shall be mandatory to prove his identity.

(C) The parties may submit their e-mail ids and mobile numbers for correspondence and notifications.

6. The registration process will not proceed unless all mandatory information is filled in while registering the specific document.

7. The online submission can be made 24X7 hours, but the time for registration shall be office working hours.

8. A document may be completed and submitted within 30 days from the next day of first data entry made. If document is not submitted within 30 days, then fresh data entry has to be made. The Stamp duty, Registration fees and any other charges if already paid, shall be adjusted up to six months from the date of payment.

9. (1) Every party shall be responsible for cross verification of the identity of the other parties. It shall be always presumed that, the parties appending the signatures are known to each other and have themselves confirmed that, each party has valid authority and right to sign the document.

(2) For the purpose of these rules, it shall always be construed that, appending signature to the document shall mean executing, accepting and admitting the document,

10. For online registration, stamp duty and registration fees shall be paid online to Government of Maharashtra through Government Receipt Accounting System (GRAS) (Virtual Treasury) by electronic transfer of funds or any other mode of payment prescribed by the Government.

11. While accepting the document for registration the Joint Sub-Registrar shall ascertain that,

(a) the document fulfills the conditions, specified under the Act, rules and orders framed there under;

(b) the stamp duty and Registration fees and other charges are duly paid;

(c) the registration of the document is not prohibited by any existing law, order of the Court or order of any Competent Authority.

12. If on scrutiny of document it is found that, there is no *prima facie* objection for registration of the document, it shall be registered and made available online for downloading. It may also be forwarded to the e-mail address provided by the parties.

13. If on scrutiny of document it is found that, there is anything objectionable for registration of the document, the objection will be conveyed on the e-mail address provided by the parties, within the next working day after submission. The parties will then have to comply the objection raised. If the compliance is satisfactory, the document will be registered and conveyed to the parties as provided in the above rules.

14. If the parties fail to make a satisfactory compliance within 30 days of raising objection, the e-Registration shall be rejected.

Explanation.- For the purpose of this rule, while counting the Period of thirty days, the day on which objection is raised shall be excluded.

For the purpose of e-Filing of documents under these rules, -

- (a) appending of electronic signature or biometric thumb print and capture of digital photo through the software module, shall be mandatory for the person filing the notice;
- (b) PAN Card Number or Unique Identification Number or any other identification or document number regarding each executing party shall be mandatory, to prove his identity;
- (c) the parties may submit their e-mail ids and mobile numbers for correspondence and notifications.

16. (1) The person who has filed the notice under section 89B online shall be solely responsible to prove the correctness of the contents of the notice.

(2) Any stamp duty or filing fees, if any, shall be paid online only.

(3) The record copies if required shall be available online and may be supplied on request and payment of fees online.

17. Request for e-Search or record copies of e-Registration or e-filing shall be made online, through the website of the Stamps and Registration Department. The necessary fees required to be paid shall be paid online, through the Government Receipt Accounting System (GRAS) (Virtual Treasury) or any other mode of payment prescribed by the Government in this behalf. The search and the copies will be made available online only.

18. The Sub-Registrar at the end of the day shall create an abstract of the documents registered; the Government receipts and put his electronic signature on it, in token of acknowledgment of the same.

19. Discrepancies, if any, regarding payment of fees, stamp duty or other charges shall always be subject to recovery by the appropriate authority.

20. All the provisions of the Act, and of the Maharashtra Stamp Act shall apply to the documents registered under these rules also.

21. The stamp duty or Registration fees for e-registration or e-filing shall be the same as, provided under the Maharashtra Stamp Act and the fee table prescribed under section 78 of the Act, respectively.

pune

Date 28/3/2013



(S. Chockalingam)

Inspector General of Registration,
Maharashtra State, Pune.