



**COMMERCIAL TAXES AND
REGISTRATION DEPARTMENT**

**DEMAND NO.11
STAMPS AND REGISTRATION**

**POLICY NOTE
2018-2019**

**K.C. VEERAMANI
MINISTER FOR COMMERCIAL TAXES**

**(C)
GOVERNMENT OF TAMIL NADU
2018**

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INTRODUCTION

Registration Department has the proud legacy of being one of the ancient departments in the administrative setup of the State. Its origin dates back to the colonial rule in India in the year 1864. Among the departments functioning under the Government, Registration Department, by harnessing new Technology, has developed in delivering services to the public and it has evolved as the face of the Government. Registration Department apart from being an important department having direct contact with public, has traversed a long and pleasant journey with the public.

The role of Registration Department is inevitable in getting a pleasant experience by the common man in various acts of his entire life. Registration department acts as a custodian of records relating to transfer of properties, Marriage Registration and Births and Deaths Registration. Copies of scanned documents provided by the Registration department have the genuineness of being submitted as evidence in the Courts and it also prevents grabbing properties by fake documents. Registration of a document is a notice to the public by way of definite recorded information and it enables them to verify their right, title and obligations, if any, on any immovable property. Hence the act of registering property transaction, Marriage, Society, Chit and Birth and Death becomes an inevitable event in the life of an individual. Registration department

stands next to the Commercial Taxes department in generating revenue to the State.

The rapid movement towards modernization of the Department, as a pioneer in computerization, digitalisation and a trend setter in delivering uninterrupted services to the public during their interface with the department has made a great leap.

In order to ensure ease and transparency in services to the Public and also to facilitate the property owners to check the status of their property from anywhere in the world, user friendly options are enabled in the department website.

During the year 1865-66, Registration Department had collected a revenue of Rs.1.43 lakh by registering 1.25 lakh documents. It has leaped to the collection of

revenue of Rs.9121.53 crore by registering 22.11 lakh documents in the financial year 2017-18. This stands as the testimony for the growth and development of the department.

2. ORGANISATIONAL SET UP

The Department is headed by Inspector General of Registration whose office is located at Santhome, Chennai. Inspector General of Registration is assisted by four second level officers whose designation and subjects handled by them are indicated below:

- Additional Inspector General of Registration (Stamps and Registration)-Indian Stamp Act, Registration Act related subjects and Computerisation.

- Additional Inspector General of Registration (Guidelines) - Guideline value revision, cases under section 47A(5), 47A(6) and 56(2) of the Indian Stamp Act, 1899.
- Additional Inspector General of Registration (Intelligence) – Marriage Registration, audit objections, building inspections and inquiries regarding complaints against department Staff etc.
- Additional Registrar of Chits – Chits, Societies and infrastructure of the department.

In order to facilitate the public and to ensure easy accessibility, the department has a large number of field offices which are organized under different Registration Zones.

2.1 Registration Zones

The State is divided into Registration districts and several such Registration districts are grouped together into a zone headed by a Deputy Inspector General of Registration. There are 9 Registration Zones as listed below:-

Sl. No.	Registration Zone	Registration Districts Comprised in the Zone
1.	Chennai	Chennai (North), Chennai(South), Chennai (Central), Chengalpattu and Kancheepuram.
2.	Vellore	Vellore, Cheyyar, Arakkonam and Thiruvannamalai.
3.	Cuddalore	Cuddalore, Villupuram, Kallakurichi, Chidambaram, Tindivanam and Virudhachalam.

4.	Salem	Salem(East), Salem(West), Krishnagiri, Namakkal and Dharmapuri.
5.	Tiruchirapalli	Tiruchirappalli, Ariyalur, Karur and Pudukottai.
6.	Thanjavur	Thanjavur, Nagapattinam, Mayiladuthurai, Pattukottai and Kumbakonam.
7.	Coimbatore	Coimbatore, Tiruppur, Udhagamandalam, Erode and Gobichettipalayam.
8.	Madurai	Madurai(North), Madurai(South), Dindigul, Palani, Periyakulam, Ramanathapuram, Sivagangai, Virudhunagar and Karaikudi.

9.	Tirunelveli	Tirunelveli, Palayamkottai, Tenkasi, Thoothukudi, Kanyakumari, Cheranmahadevi and Marthandam.
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2.2 Assistant Inspector General of Registration Offices

Chennai, Coimbatore, Madurai and Tiruchirappalli zones have Assistant Inspector General of Registration to assist the Deputy Inspector General of Registration in discharging his duties.

2.3 Registration Districts

The State is divided into 50 registration Districts, of which 13 districts having heavy registration work load are upgraded and are headed by officers in the rank of Assistant Inspector General of Registration. The remaining 37 registration

districts are headed by officers in the rank of District Registrars. The Assistant Inspectors General of Registration / District Registrars also act as Registrar of Societies, Deputy Registrar of Chits, Registrar of Marriages and Registrar of Partnership Firms in their respective jurisdictions. They also issue licenses to the stamp vendors.

2.4 Audit Units

Since the Registration Department is a major revenue earning department, it is very important to have a strong audit wing which conducts regular audit of the work done by the field offices. The audit wing of the department consists of 45 audit units, each headed by an officer in the rank of District Registrar. These audit units conduct cent percent audit on all the documents registered. These units point out any defect

and detect revenue losses. They play a vital role in recovering the losses. The Deputy Inspector General of Registration in each Zone is responsible for monitoring the work of the District Registrar (Audit).

2.5 Sub Registrar Offices

When compared to other States of similar size and population, Tamil Nadu has the large number of Sub Registrar offices and this provides easy accessibility to the general public. There are 578 Sub Registrar Offices spread all over the State of which 3 are camp offices (Kulathur linked with Mettur SRO, Kolli Hills linked with Sendhamangalam SRO and Padukkapathu linked with Kommadikottai SRO). The concerned Sub Registrar from the main office visits these camp offices on Tuesdays and

Thursdays and carries out the work at the main offices concerned in other days.

Responsibilities of the Sub Registrar include, registration of documents, registration of marriages under various Marriage Registration Acts. Apart from this, the Sub-Registrar is the custodian of birth and death registered records for town and village panchayats and also act as Assistant Registrar under the Chit Funds Act, 1982.

2.6 Intelligence Cell

While executing a document, information regarding existence of building in the immovable property has to be mentioned. The building portion is also liable for levy of Stamp Duty and Registration fees and in order to ensure proper collection of Stamp Duty and Registration fees on the value of buildings, an Intelligence Cell is

functioning in the department. This cell is headed by Additional Inspector General of Registration (Intelligence) with two Assistant Executive Engineers for ensuring proper valuation of buildings.

2.7 Registration Training Institute

The Registration Department is administering a large number of Acts and thorough understanding of various provisions of these Acts and other related procedures are essential for the officers and staff of the department. To suit the transformation in the legal system, various amendments are carried out to these Acts periodically. In addition, there is substantial use of information technology in the day to day functioning of the department. Hence, to update the knowledge, there is a need to

impart proper in-service training to the officers and staff of the department.

For this purpose, Registration Training Institute at Chennai has been established and it is functioning since 1996. This institute is headed by a Deputy Inspector General of Registration. Since the trainees participating are from all the districts in the State, hostel facility is provided for them. A recurring expenditure of Rs.30 lakh has been sanctioned for modernisation and upgradation of the Institute.

3. ACTS ADMINISTERED BY THE DEPARTMENT

The Registration Department is administering thirteen Acts as below:-

(a) Fully administered Acts:

1. The Indian Stamp Act,1899 (Central Act 2/1899)

2. The Registration Act, 1908 (Central Act 16/1908)
3. The Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27/1975)
4. The Chit Funds Act, 1982 (Central Act 40/1982)

(b) Partially administered Acts:

1. Indian Christian Marriage Act, 1872 (Central Act, 15/1872)
2. The Births, Deaths and Marriages Act, 1886 (Central Act, 6/1886)
3. The Parsi Marriage and Divorce Act, 1932 (Central Act 2/1932)
4. The Indian Partnership Act, 1932 (Central Act 9/1932)
5. The Special Marriage Act, 1954 (Central Act 43/1954)
6. The Hindu Marriage Act, 1955 (Central Act 25/1955)

7. Dowry Prohibition Act, 1961 (Central Act 28/1961)
8. Births and Deaths Act, 1969 (Central Act 18/1969)
9. The Tamil Nadu Registration of Marriages Act, 2009 (Tamil Nadu Act 21/2009)

4. DOCUMENTS REGISTERED AND REVENUE EARNED

Stamp Duty and Registration fees are collected for registering documents like Conveyance, Exchange, Gift, Mortgage etc. Moreover revenue is also earned through registration of Hindu Marriages, Special Marriages, Chits and Societies, Partnership firms, for issuing encumbrance certificates, Birth and Death certificates.

Details of Documents registered and Revenue earned from the year 2007-2008 are as follows:-

Year	Revenue (Rs. in crore)	Growth rate	No. of docu- ments	Growth rate
2007-08	4232.36	24.21%	2691002	7.97%
2008-09	4099.54	-3.14%	2832686	5.27%
2009-10	3818.25	-6.86%	2731026	-3.59%
2010-11	5020.50	31.49%	3280503	20.12%
2011-12	6619.98	31.86%	3518435	7.25%
2012-13	7455.41	12.62%	2690351	-23.54%
2013-14	8055.74	8.05%	2653291	-1.38%
2014-15	8279.64	2.78%	2573931	-2.99%
2015-16	8562.38	3.41%	2528561	-1.76%
2016-17	7007.74	-18.16%	2027916	-19.80%
2017-18	9121.53	30.16%	2210595	9.01%

4.1 Performance of District Revenue Officer (Stamps)/ Special Deputy Collector (Stamps)

Documents pertaining to Sale, Exchange, Gift and Settlement of immovable properties are to be registered, adopting market value as per section 47A(1) of the Indian Stamp Act. If the Registering Officer has reason to believe that the value of any document presented is lesser than the prevailing Market value, he has to refer the same under section 47A(1) of Indian Stamp Act for fixation of correct market value by the District Revenue Officer (Stamps)/Special Deputy Collector (Stamps) after registration of the document. He shall conduct spot enquiry and determine the Market value of the property. Deficit stamp duty, if any, is collected by the District Revenue Officer (Stamps)/Special Deputy Collector (Stamps) accordingly and if the registrant fails to pay

the deficit stamp duty within 2 months from the date of final order issued to him, the document is referred for recovery of deficit stamp duty under the Revenue Recovery Act.

Registrants aggrieved over the orders of the District Revenue Officer (Stamps) / Special Deputy Collector (Stamps) shall prefer an appeal against the same to the Inspector General of Registration under section 47A(5) of the Indian Stamp Act and then to the High court under 47A(10) of the said Act. The Inspector General of Registration can also take up "suo-motu" review of the orders passed by District Revenue Officer (Stamps) / Special Deputy Collector (Stamps) under section 47A(6) of Indian Stamp Act.

Collection under 47A(1) of the Indian Stamp Act for the year 2017-2018:-

Documents referred to Special Deputy Collector (Stamps)	10831
Number of final orders passed	20100
Number of cases in which collection of deficit Stamp duty was made	10866
Amount of Deficit Stamp duty collected	Rs.92.33 Crore

4.2 Market Value Guidelines

The Market Value Guidelines are implemented from 1.4.2012. The Market Value Guidelines for 3.97 Crore survey Numbers and 1.84 lakh streets are available in the department website, <https://tnreginet.gov.in>.

Inspector General of Registration is the chairman of the Central Valuation Committee and District Collectors are the chairman of the Valuation Sub-committees and they ensure the correctness of the Market value guidelines. They periodically take necessary steps to rationalize the Market Value Guidelines.

Anomalies are rectified for the benefit of the public and regular spot inspections with local body authorities and revenue authorities are being conducted.

In order to reflect the common opinion of the public to rationalize the Market Value Guidelines, the Valuation Committee effected uniform 33% reduction in the Market Value Guidelines throughout the State with effect from 9.6.2017. This initiative has received wide acclaim from the public. Registration

fees in respect of instruments of Sale, Gift, Exchange and Settlement among Non family members was revised from 1% to 4% with effect from 9.6.2017.

5. TRANSFER OF SURCHARGE ON STAMP DUTY TO LOCAL BODIES

Surcharge on stamp duty is transferred to the local bodies. During the year 2017-18, Rs.1345.49 crore was collected as surcharge. Out of this, Rs.40.36 crore (3%) has been retained by the Registration Department as collection charges and the remaining Rs.1305.13 crore (97%) which is the share of local bodies has been transferred.

6. REGISTRATION ACT, 1908

6.1 Prohibition of Registration of Government properties and unapproved layouts

Section 22A was inserted in the Registration Act, 1908 and it contains suitable provisions prohibiting registration of document relating to sale of unapproved plots and sale of properties belonging to Government or religious institutions as mentioned below:-

- (i) Lands belonging to the State Government, Local Authority, HR&CE, Bhoodan, Wakf Board.
- (ii) Agriculture lands converted as House sites without the permission from Planning Authority; provided that the house sites without such permission may be registered if it is shown that

the same house site has been previously registered as house site.

- (iii) Cancellation of sale deeds without the consent of the purchaser.

7. ANCILLARY FUNCTIONS

7.1 Societies

The Tamil Nadu Societies Registration Act, 1975 provides for registration of literary, science, religious, charitable, sports and other categories of societies in the State. Prior to the enactment of this Act, societies were governed by Societies Registration Act, 1860 and as per the provisions of the Tamil Nadu Act, all the societies that were registered under the Central Act were deemed to be registered under the State Act. At present as on 31.3.2018, there are

1,67,100 registered societies functioning in the State.

Every society is required to have a committee of not less than three members for managing the affairs and the term of office of the members cannot exceed three years from the date of their appointment. Every society shall conduct at least one general body meeting every financial year. Every society is required to obtain the approval of its annual returns within six months from the general body on completion of every financial year and to file with the concerned District Registrar within six months from the date of general body meeting.

7.2. Chits

Functioning of chits and chit groups in the State is governed by the Chit Funds Act,

1982. As per the provisions of the Act, the Inspector General of Registration is the Registrar of Chits. At the State level, work relating to chits is monitored by Additional Registrar of Chits. There are 3 Chit Arbitrators, one at Chennai (North and South), another at Chennai (Central) and Coimbatore. These Chit Arbitrators hear and pass decrees on the disputes arising in the functioning of chits and chit groups. In other areas, District Registrar (Administration) discharge the duties of Chit Arbitrator. Appeal against the orders of the Chit Arbitrator lies with the State Government.

As on 31.3.2018, there are 2,555 chit companies functioning in Tamil Nadu which are running 65,477 chit groups.

7.3. Partnership Firms

As per the provisions of the Indian Partnership Act 1932, the District Registrar (Administration) is the Registrar of Partnership Firms. Partnership Firms may be registered with him. Change of constitution of a registered firm should be filed under the Act. Every Registered firm shall file with the Registrar a declaration within 3 months from the date of closing of the financial year.

As on 31.3.2018, there are 5,77,025 registered partnership firms in Tamil Nadu.

7.4 Stamp Vendors

In order to serve the public, the stamp vendors have been appointed in the ratio of at least one stamp vendor for every 10,000 population. 3421 stamp vendors are in the State as on date.

Reconciliation of the accounts of the Stamp Vendors with that of the Treasuries and Pay and Accounts Offices is done by the District Registrars every month and by the Sub Registrars every week to improve the functioning of stamp vendors.

Stamp Duty can also be paid by Demand Draft, e-Stamping and On-line payment.

7.5 Document writers

Document Writers play a vital role in drafting of documents. Document Writers license has been issued for those who have passed the examination conducted by the Government as per the provisions of the Tamil Nadu Document Writers License Rules, 1982. Licenses are issued under 3 categories. They are: State level licence,

District level licence, and Sub-District level licence.

Number of Document Writers at present
(as on 31.3.2018)

Document writers with State level Licence	2765
Document writers with District level Licence	2046
Document Writers with Sub- District level licence	324
Total Licensed Document Writers	5135

Documents can be prepared by Advocates and Licensed Document Writers. Model forms and drafts available in the Department website can be downloaded and the Public can use these model forms for preparing documents by themselves.

7.6 Marriage Registration

Tamil Nadu Registration of Marriages Act, 2009 has made the registration of all marriages solemnized in the State compulsory, regardless of the religion professed by the bride and the bridegroom. During 2017-2018, a total of 81,781 marriages have been registered under the said Act. During 2017-18, 74,657 marriages have been registered under Hindu Marriage Act, 1955 and 8,702 marriages have been registered under the Special Marriage Act, 1954. The Department has collected a fee of Rs.1.88 Crore on registration of the marriages. During 2017-18, under the Indian Christian Marriages Act, 1872, 5,101 certified copies of marriages have been issued and an amount of Rs.2.04 Lakh as fees has been collected.

8. EVOLUTION OF INFORMATION TECHNOLOGY IN THE DEPARTMENT

8.1 Development of Comprehensive Web based software

Registration Department - a pioneer in computerisation, initiated a new approach to migrate to an end-to-end completely web based environment to improve quality of service through optimized services delivery by the department to the Citizen. It includes the features like seamless online interactions, e-payment, online checking of revenue records, online issue of Certified Copies with digital signature, uniform upgradation of software throughout the State.

A System Integrator has been appointed and authorized for the development of comprehensive web based software with the supply of hardware,

installation, networking, outsourcing of few activities in the Sub Registrar offices and maintenance of the hardware and software for a period of five years after commencement (Go live) of the Project.

The Hon'ble Chief Minister has inaugurated the Star 2.0 (STAR – Simplified and Transparent Administration of Registration) project on 12.2.2018.

8.1.1 The following paramount features highlight about STAR 2.0 (<https://tnreginet.gov.in>)

- Public and Sub Registrar direct interface increased thereby avoiding middlemen:
- a. In order to facilitate furnishing of important information of their

property in possession/ to be possessed, without any intermediary. Citizen login and Document writers login have been created separately.

- b. Pre appointment with the concerned Sub Registrar office has been integrated thereby saving of time, energy and paves way for chronological queuing of registrations, systematic registration is encouraged.
- c. Data since 1975 are available in the central server and encumbrance certificates with digital signature are issued.
- d. Getting of certified copies for the computerized period via online has been made possible.
- e. At the time of registration, thumb

impressions of the executants, claimant, witnesses and the person to whom document to be returned is taken and stored. Safe collection of documents by the registrant public is ensured. Sending of SMS to the previous document's Claimant by an alert message has been facilitated.

- f. Payment of departmental charges through banks i.e., e-payment integration has been made.
- g. Online sending of patta transfer forms relating to rural areas to the concerned Taluk / VAO office and sending this information through SMS along with the acknowledgement from Taluk office to the registrant is facilitated.
- h. Easy knowing of building inspection,

land evaluation details through SMS facilitated.

- i. Sending SMS for various stages of registration viz., from registration to return of documents, pending documents, EC/CC stages, undervalued documents sent to SDC etc.,
- j. Public can convey their grievances for remedies / queries for clarifications through Toll free no.1800-102-5174.
- k. Suggestions for improvement and fine tuning of the software may be sent to the mail id star2.0suggestions@tnreginet.net
- l. Work flow based system.
- m. Storage of data at three places Viz.
(1) State Data Centre - Perungudi,

(2) Inspector General Registration office - Santhome and (3) Disaster Recovery Centre at Pune.

8.2 IP camera

In order to monitor the functioning of the Sub Registrar offices during document and Marriage Registration processes from Headquarters and respective Zonal offices, IP cameras have been installed. Two IP cameras installed in each Sub Registrar office, one focussing the seat of the Sub Registrar and the other focussing the entrance.

8.3 e-Payment through banks

In order to provide an easy method of paying the departmental charges, e-Payment system has been implemented as an additional option by which online/offline

payment can be made through 11 approved Banks.

Upto 31.3.2018, 10,76,214 transactions have been done through this mode and an amount of Rs.1338.12 crore has been collected.

8.4 Free EC Viewing

To bring transparency and to facilitate the property owners to check the status of their property at any point of time, the department has launched anywhere/anytime online free viewing facility of Encumbrance Certificate (EC) for properties registered in Tamil Nadu.

Details of documents registered from 1987 to till date have been digitized and a facility to download EC free of cost for the above period had been provided. Now, the

details from 1975 to till date has been digitized and the facility to download EC free of cost has been extended for the above period.

As on 31.3.2018, 1,12,35,922 visitors have downloaded Encumbrance Certificate (EC) free of cost.

8.5 e-visit

As a part of the simplification in Registration process, an Online Appointment System – “e-Visit” – a web based module for fixing appointment with the Registering officer has been integrated in the STAR 2.0. As on 31.3.2018, 2,83,912 beneficiaries have utilized this service.

8.6 e-Stamping

As per Government of India guidelines, e-stamping method was

introduced as an alternative method of payment of stamp duty through M/s SHCIL (Stock Holding Corporation of India Limited).

e-Stamping is a physical "stamp certificate" with security features for any value as a single certificate, which can be used in lieu of stamp paper for execution of any type of document like sale, mortgage etc., and has a unique number generated by the system.

e-Stamping has been implemented as a Pilot Project in 9 Sub Registrar Offices in Chennai with effect from 2010 and it was extended to remaining Sub Registrar offices in Chennai zone with effect from 2011. Introduction of e-Stamping facility in 56 Sub Registrar offices in all the Corporation areas of Tamil Nadu is in progress.

e-Stamps are available at the offices of M/s SHCIL and at the Banks appointed as Authorized Collection Centres (ACC).

e-Stamping collection details:

Year	No. of e-Stamp issued	Amount (Rs. in crore)
2010-11	1206	24.11
2011-12	6478	113.74
2012-13	11924	180.90
2013-14	32121	253.90
2014-15	67062	236.94
2015-16	82384	347.78
2016-17	100587	246.02
2017-18	120029	216.68

8.7 Web camera and Bio metric device

During Registration process, Registrants photo and thumb impression are electronically captured. It enables prevention

of human errors, impersonation, malpractices during registration. Web camera and biometric device have been installed in all Sub Registrar Offices and in use.

8.8 CUG connection

Closed User Group connections have been provided to all the officers of the Registration Department to share the information in a secured manner at the right time in a quick way.

9. IMPROVEMENT OF INFRASTRUCTURE AND AMENITIES

9.1 Construction of buildings

Construction of own buildings for all offices functioning in the Registration Department is the policy of the Government. 17 integrated Registration complexes,

consisting of 29 Sub-Registrar Offices and 100 individual Sub Registrar Offices at a cost of Rs.74.90 crore were built in the years 2011-2013. Construction of 8 integrated complexes consisting of 21 Sub Registrar Offices and 60 individual Sub Registrar Offices at a cost of Rs.51.62 crore is under progress in the first phase and action is being taken to construct 17 Sub-Registrar Offices at a cost of Rs.14.58 crore in the second phase.

9.2 Provision of Fire Safety Equipments

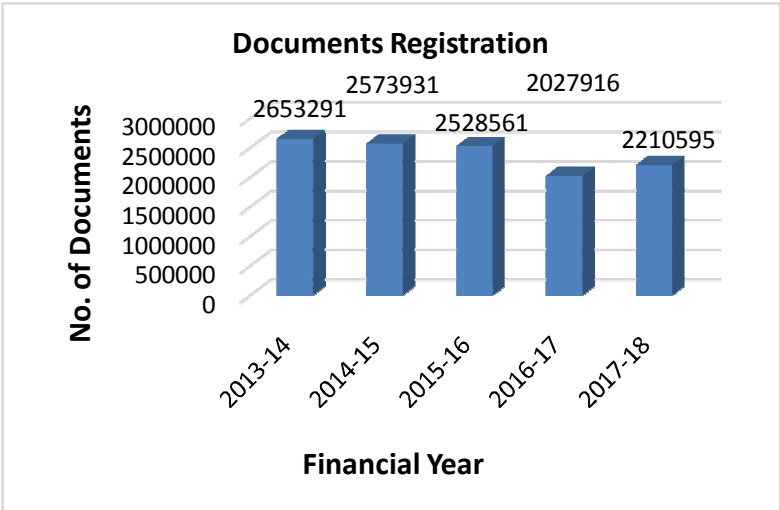
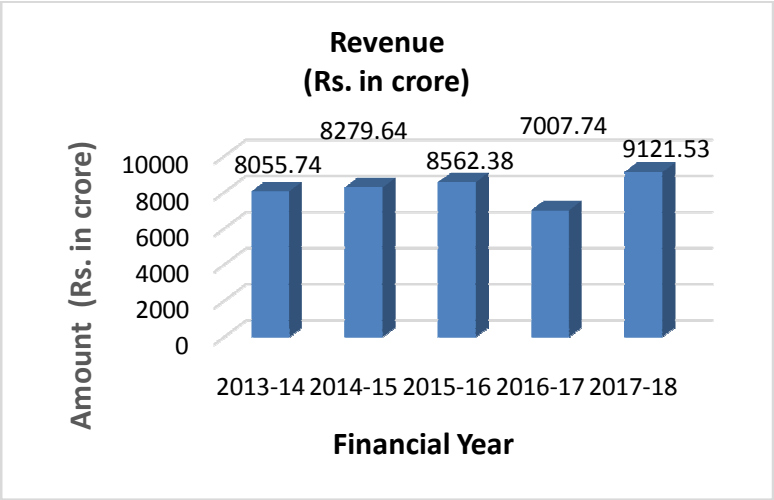
As the records maintained by the Registration Department are permanent in nature, protection of these records from fire accidents is a must. Hence procurement of fire extinguishers for the 9 Deputy Inspector General of Registration offices, 50 District Registrar offices, 575 Sub-Registrar offices,

11 District Revenue Officer (Stamps)/ Special Deputy Collector (Stamps) offices and the Chennai Registration Training Institute has been made and Registration department officials are trained on fire safety.

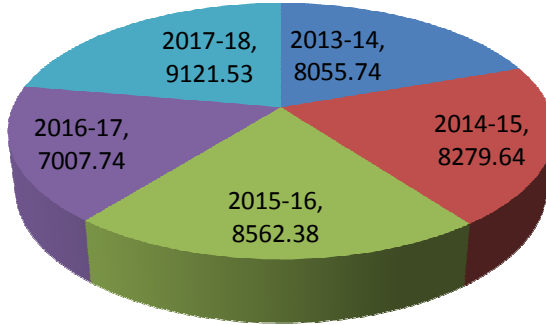
10. Right to Information Act, 2005

During the year 2017, the department received 15,679 Applications under Right to Information Act and Information / necessary replies have been furnished and collected an amount of Rs.1,63,898/- as fee.

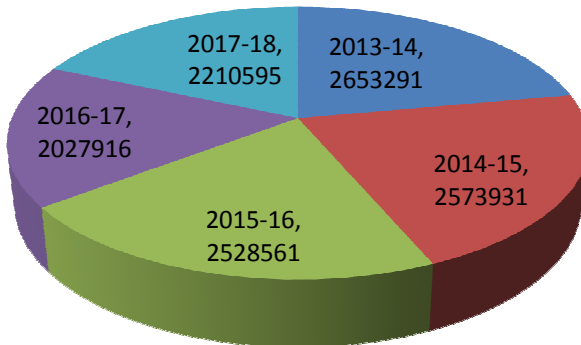
K.C. VEERAMANI
MINISTER FOR COMMERCIAL TAXES



Revenue
(Rs. in crore)



Document Registration





Hon'ble Chief Minister of Tamil Nadu on 12.02.2018 inaugurated the comprehensive Web based Software Project STAR 2.0 (Simplified and Transparent Administration of Registration) and the improved Website www.tnreginet.gov.in, developed for Registration Department



Hon'ble Chief Minister inaugurated Ramanathapuram District
Paramakudi Sub Registrar Office



Bio-Metric capture in paramakudi Sub Registrar
Office during Document Registration



Hon'ble Chief Minister inaugurated Cuddalore District Bhuvanagiri Sub Registrar Office



Bio-Metric capture in Bhuvanagiri Sub Registrar Office during Document Registration



Hon'ble Chief Minister inaugurated Thiruvallur District Pallipattu Sub Registrar Office



Bio-Metric capture in Pallipattu Sub Registrar Office during Document Registration