

**GOVT OF WEST BENGAL  
DIRECTORATE OF REGISTRATION AND STAMP REVENUE  
WRITERS' BUILDINGS, BLOCK-F, KOLKATA**

**ADMINISTRATIVE REPORT 2006-2007**

Prior to 1993, the Registration Directorate was under the administrative control of the Judicial Department. The Directorate of Registration was brought under the administrative control of the Finance Department in the year 1993 and was renamed as the Directorate of Registration and Stamp Revenue.

**1. ORGANIZATIONAL SET-UP :**

Directorate of Registration and Stamp Revenue is headed by Inspector General Of Registration and Commissioner Of Stamp Revenue, West Bengal . A senior member of the Indian Administrative Service in the rank of the Special Secretary., usually hold the post.

Other posts at the Directorate are :

- i) Additional Inspector General Of Registration & Additional Commissioner Of Stamp Revenue, West Bengal
- ii) Joint Commissioner Of Stamp Revenue, West Bengal
- iii) Joint Inspector General Of Registration, West Bengal
- iv) Deputy Inspector General Of Registration (HQ), West Bengal
- v) Deputy Commissioner Of Stamp Revenue (Legal), West Bengal
- vi) Assistant Commissioner Of Stamp Revenue, West Bengal

All the above posts are held by the members of the West Bengal Registration and Stamp Revenue Service on the basis of the seniority-cum-merit.

- vii) Deputy Commissioner of Stamp Revenue(Audit)/Joint Commissioner of Stamp Revenue (Audit) :  
This single post is held by a member of the State Audit & Accounts Service, West Bengal
- viii) Administrative Officer
- ix) Personal Assistant to the Inspector General Of Registration & Commissioner Of Stamp Revenue, West Bengal

The last two posts are filled up on promotion from the members of the staff of this Directorate.

The Directorate core establishment is comprised of :

- i) Head Assistant – 4
- ii) U.D. Asstt. – 18
- iii) Stenographer - 3 out of which 1 is lying vacant
- iv) L.D.ASSTT- 18 out of which 4 are lying vacant
- v) Typist - 8 (Typist Supervisor-1, Grade-I typist – 3  
Typist –4)
- vi) Group – D - 16

There are 9 Range Deputy Inspector General Of Registration .s in the whole of West Bengal with the jurisdiction of one or more district .

<u>Range</u>	<u>Headquarters</u>	<u>Jurisdiction</u>
I	Alipore, South 24 Pgs.	South 24 Parganas & Kolkata
II	Barasat, North 24 Parganas	North 24 Parganas & Nadia
III	Chinsurah, Hooghly	Hooghly & Howrah
IV	Burdwan , Burdwan	Burdwan
V	Medinipur, Paschim Medinipur	Paschim Medinipur & Purba Medinipur
VI	Berhampore, Murshidabad	Murshidabad and Birbhum
VII	Malda, Malda	Malda, Uttar Dinajpur, Dakshin Dinajpur
VIII	Jalpaiguri, Jalpaiguri	Jalpaiguri, CoochBehar, Darjeeling
IX	Bankura, Bankura	Bankura & Purulia

The main functions of these DIGRs is to inspect the registration offices in his range and act as Collector under sec.47A of the Indian Stamp Act,1899. Members of the public may prefer an appeal to the DIGR concerned, if they do not agree on the market value of the property which is the subject matter of a particular document, determined by the District Sub-Registrar/Additional District Sub-Registrar /Sub-Registrar concerned.

REGISTRAR OF ASSURANCES, KOLKATA :

Registrar of Assurances, Kolkata has a separate establishment at 5 & 6, Government Place (North), Kolkata-1. Under sec.30A of the Registration Act,1908, R.A., Kolkata may receive and register any document referred to in sec.28 of the Registration Act, 1908 without regard to the situation of the property in any part of West Bengal to which the document relates. Under sec.30B of the said Act, R.A., Kolkata enjoys power in registration of mortgage deeds and reconveyance deeds in connection with house-building advances of Govt. employees without regard to the situation of the property in any part of India outside the State of West Bengal.

Registrar Of Assurances, Kolkata is the head of the office. One member of the West Bengal Registration and Stamp Revenue Service in the rank of DIGR holds the post.

Other posts in the office:

- i) Addl Registrar Of Assurances-I
- ii) Addl. Registrar of Assurances-II
- iii) Addl. Registrar of Assurances-III

Members of the West Bengal Registration & Stamp Revenue Service in the rank of District Registrar hold the post.

- iv) Addl. District Sub-Registrar (Record)

A member of the Registration & Stamp Revenue Service in the rank of ADSR holds the post.

Core Establishment of the Registrar of Assurances office is as follows :-

Sl.No.	Name of the post	Sanctioned Post	Existing Strength	Vacant Posts
1.	Head Assistant	1	1	Nil
2.	UDC	48	35	13
3.	LDC	51	1	*50
4	Muharrir	5	2	3
5.	Group-D	15	12	3

\* Selection process for recruitment of 25 LDCs is going on.

DISTRICT ESTABLISHMENT :

In all the districts, District Magistrates are the ex-officio Addl. IGR of the district and Addl. District Magistrates are the ex-officio Jt. IGR for the district . District Registrar is the head of the registration establishment of the district. All the registering officers posted in the districts perform their duties under the supervision and control of the District Registrar concerned.

District Sub-Registrar has got no separate establishment. He belongs to the establishment of District Registrar. Documents relating to immovable property belonging to any part of the district concerned may be presented for registration in the office of the District Sub-Registrar concerned. District Sub-Registrar may in his discretion receive and register any document which might be registered by any Addl. District. Sub-Registrar /Sub-Registrar subordinate to him.

Establishment of District Registrar consists of following sanctioned posts :

- 1) Head Assistant – One post in each district ( the said post in the district of Purba Medinipur and Darjeeling has not yet been sanctioned)
- 2) Head Clerk- one post for every ADSR/SR office
- 3) U.D.A.- according to the volume of work
- 4) L.D.A.- - do -
- 5) Typist - one post each in 8 districts
- 6) Group-D – one peon & one nightguard in every ADSR/SR office

2. STAFFING PATTERN AND PRESENT STAFF STRENGTH:

<u>Sl.no.</u>	<u>Name of Post</u>	<u>Sanctioned Strength</u>	<u>Present Strength</u>	<u>Existing Vacancy</u>
1	DIGR Range	9	7	2
2	District Registrar	21	19	2
3	District Sub-Registrar	26	25	1
4	Addl. Dist. Sub-Registrar	192	179	13
5	Sub-Registrar	31	31	Nil

A) Statement of the existing clerical staff strength in the whole of West Bengal as on 31.3.07

<u>Sl No.</u>	<u>Name of the District</u>	<u>Sanctioned Post</u>	<u>Existing Strength</u>	<u>Vacant Post</u>
1	Howrah	103	51	52
2	R.A., Kolkata	103	39	64
3	Nadia	122	70	52
4	South 24 Pgs.	291	152	139
5	Hooghly	152	102	50
6	Cooch Behar	96	36	60
7	Birbhum	112	47	65
8	Purulia	74	53	21
9	Jalpaiguri	92	43	49
10	Darjeeling	30	14	16
11	U. Dinajpur	82	22	60
12	D. Dinajpur	74	41	33
13	Malda	111	51	60
14	Murshidabad	266	140	126
15	North 24 Parganas	293	166	127
16	Paschim Medinipur	279	132	147
17	Purba Medinipur	272	141	131
18	Bankura	102	61	41
19	Burdwan	242	121	121
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	TOTAL	2896	1482	1414

PRESENT POSITION OF GROUP 'D' STAFF IN THE REGISTRATION OFFICES  
AS ON 31.3.07

SI No..	DISTRICTS	SANCTIONED		EXISTING		V ACANT	
		PEON	N.G.	PEON	N.G.	PEON	N.G.
1.	COOCHBEHAR	16	11	14	10	2	1
2.	JALPAIGURI	16	17	9	6	7	11
3.	DARJEELING	4	3	3	1	1	2
4.	U. DINAJPUR	11	8	8	6	3	2
5.	D. DINAJPUR	12	8	10	1	2	7
6.	MALDA	14	9	8	3	6	6
7.	MURSHIDABAD	24	19	15	5	9	14
8.	NADIA	21	14	16	12	5	2
9.	NORTH 24 PGS.	27	19	27	2	NIL	17
10.	SOUTH 24 PGS.	39	22	34	22	5	NIL
11.	KOLKATA	15	1	12	1	3	NIL
12.	HOWRAH	14	10	13	3	1	7
13.	HOOGHLY	19	15	17	10	2	5
14.	PASCHIM MEDINIPUR	27	17	16	7	11	10
15.	PURBA MEDINIPUR	18	17	16	14	2	3
16.	BANKURA	16	11	15	8	1	3
17.	PURULIA	11	7	11	5	1	2
18.	BURDWAN	25	19	11	16	14	3
19.	BIRBHUM	16	10	8	6	8	4
	T O T A L	345	237	263	138	83	99

Additional District Sub-Registrar/Sub-Registrar :

Additional District Sub-Registrar/Sub-Registrar holds the office in a sub district which is equal to the jurisdiction of one or more police stations. Every document relating to immovable property can be presented for registration in the office of a Addl. District Sub-registrar/Sub-registrar within whose sub-district the whole or some portion of the property, to which such document relates, is situated.

### 3.OBJECTIVES / NATURE OF WORKS / RESPONSIBILITIES :

This Directorate controls and supervises the activities of the registration offices of the State. The Registering Officers posted in such offices or in the district as has been stated in the organizational set-up are the members of the West Bengal Stamp Revenue & Registration Services recruited through Group 'A' West Bengal Civil Services and Certain Other Allied Services Examination conducted by Public Service Commission, W. Bengal. The main function of such Registering Officers are to register the documents under Registration Act, 1908. The registration system in this presidency is more than two hundred years old which is meant to safeguard the civil rights of the citizens regarding registration of a document establishing such right.. The Registering Officers are the custodians and repositories of the property rights of the citizens.

Stamp duties appear to have been first imposed on instruments in India in 1797 and the present Stamp Act of 1899 is a fiscal measure enacted to secure revenues for the State on certain classes of instruments. The Registration Act and Stamp Act are made interlinked and the Registering Officers are entrusted to collect such revenue under different articles of Schedule 1A of the Indian Stamp Act, 1899 and the registration fees are collected under the Table of Fees of West Bengal Registration Rules, 1962. Prior to 1994 such duty and fees were collected on the consideration/value set forth in the instruments. On 31<sup>st</sup> January,1994 West Bengal Stamp (Prevention of Under-Valuation of Instruments) Rules, 1994 has been implemented and the registering officers are to determine the market value of the properties which are the subject matter of the deed of sale, gift, exchange, partition, settlement and certain other classes of instruments.

The collection of revenue in the form of stamp duties and registration fees for the State Exchequer grew from Rs. 236 crores in 1994-95 to Rs.1168.54 crores in the financial year of 2006-2007 .

The responsibility of the Registering Officers have become much more onerous as they are supposed to guard against drainage of revenue by determining proper market value of the properties and at the same time, he is to remain alert that the assessment made by him is proper, justified and transparent in every respect. The citizens should not be victim of arbitrariness for reasons beyond control of the Registering Officers. He has to maintain a balance in the application of his mind most judiciously to prevent loss of revenue of the State and at the same time to make due and proper justice to the citizens.

This Directorate keeps watch upon such activities of the Registering Officers (DSR, ADSR & SR) through the DIGR- Ranges and District Registrars of the districts.

#### 4. ACTS ADMINISTERED BY THE BRANCH / DIRECTORATE / CELL / UNIT

This Directorate primarily administers the following Acts and Rules:

1) The Registration Act, 1908 (Act XVI of 1908)

The earliest record of systematic registration in this Presidency is found in the “Rule, Ordinance and Regulations” passed in council on 9<sup>th</sup> January, 1781 and registered in the Supreme Court of Judicature in Bengal on 1<sup>st</sup> February, 1781 for establishing certain regulations “for the better management of the affairs of the East India Company as well in India as in Europe.” The objects of this Regulation of 1781 were to supply the want of registry of houses, lands and estates within that settlement and to prevent fraud. Mr. Edward Tire Ta was appointed the first surveyor and was entrusted with the duties as a surveyor and Registrar of lands, houses etc. in the settlement and also as a Registrar of the memorials of deeds affecting such lands etc.

By Act VIII of 1871, the office of the Registrar General was abolished under the altered designation of “Inspector General Of Registration” as an office of record and registry and the limitation of the duties to inspection and general superintendence.

After several amendments, the present Registration Act(XVI of 1908) came into force on 1<sup>st</sup> January 1908. The provisions relating to the registration of documents were scattered about in seven enactments and the object of passing of this Act was to collect these provisions and incorporate them in one Act. Even after that it has gone through several amendments and the Registration Act,1908 was adapted with some changes finally.

The objects of the law of registration are :

- (a) to provide conclusive guarantee of the genuineness of document ;
- (b) to afford publicity to transactions;
- (c) to prevent frauds;
- (d) to afford facility of ascertaining whether a property has already been dealt with; and
- (e) to afford security of title deeds and facility of proving titles in case the original deeds are lost or destroyed.

But registration does not effect to the following :-

- (a) Registration is not by itself absolute proof of the execution of a document
- (b) mere registration does not prove title nor prove bonafides;
- (c) registration does not confer validity upon an instrument which is otherwise ultra vires or illeval or fraudulent. There are XV parts and 91 sections in the Registration Act, which deals with the Registration Establishment, registrable documents – compulsory & optional registration, time for presentation of

documents; presenting documents for registration, enforcing the appearance of the executants and witnesses, presenting wills and authorities to adopt, deposit of wills, effects of registration and non-registration, the duties and powers of Registering officers, refusal to register etc.

Sec. 30 regarding registration by Registrars in certain cases has been omitted and in West Bengal section 30A and 30B have been inserted for registration by Registrar of Assurances, Kolkata in respect of properties situated in any part of West Bengal and in any part of India in cases of deed of mortgage and reconveyance deed executed by an employee of a Government, a statutory body or a local authority.

Section 32A has been inserted by Act, 48 of 2001 (w.e.f. 24.9.2001) or compulsory affixing photographs and fingerprints to the documents.

## 2) The Indian Stamp Act, 1899

The Indian Stamp Act, 1899 as amended by the Union Legislature is in force in the whole of India except the State of Jammu & Kashmir. The revenue derived from stamp duties forms a considerable part of the revenues of the states. Under the constitution, the entire proceeds of the duties are assigned to the States in which they are levied though for the sake of ensuring uniform rates of duty on the instruments of commercial nature, the power to prescribe the rates of duties on them is vested in the Union Legislature and the power to prescribe the rates of duties on other instruments is vested in the State

Legislature. In West Bengal various sections have been amended and new sections as applicable to the State have been added. Amongst such amendments, the amendment of section 47A for the purpose of determination of market value of properties which are the subject matter of the Instruments of gifts, partition, conveyances, exchange, settlement, transfer of lease by way of assignment, agreement relating to sale of an immovable property and in certain cases the power of attorney, is worthy to be mentioned.

There are several provisions in the Indian Stamp Act, 1899 as to :- Stamp duties, adjudications as to stamps, Instruments not duly stamped. Allowances for stamps in certain cases, criminal offences and procedures.

Schedule 1A, as amended in West Bengal, prescribes stamp duty on certain instruments and there are, as many as, 65 articles for rates of proper stamp duties on such type of instruments.

The existing rate of stamp duty on some important Article of Schedule 1A of the Indian Stamp Act are mentioned below :



<u>Sl.</u>	<u>No.&amp; Name of Articles</u>	<u>Rate of Stamp Duty</u>
1.	4 Affidavit	Rupees Ten
2.	5 Agreement (d) if relating to sale of immovable property (e) Others	The same duty as conveyance for market value (no. 23) Rupees Ten
3.	15 Bond	4% of value secured
4.	23 *Conveyance	5% on market value in Panchayat Area 6% on market value in Municipal Area and Corporation Areas, Development Authority Areas ( Additional stamp duty of 2% for KIT and HIT areas has been abolished since 1.8.2006)
5.	31 Exchange of Property	* Addl. 1% for properties having market value over 25 Lakhs Same duty as Conveyance (no.23) on market value of the property of greatest values
6.	33 Gift i)when made to a member of a family (ii) when made to any other person	One half of one per centum of the market value of the property same duty as conveyance (no.23) on market value
7.	35 Lease  (a)only rent is fixed (i) less than one year (ii) 1-5 years (iii) 5-10 years (iv) upto 20 years (v) upto 30 years (vi)upto 100 years	Same as Bottomry Bond for whole amount payable under the document same duty as a Bottomry bond for the amount of average annual rent same duty as conveyance for average annual rent (same as conveyance) twice the average annual rent (same as conveyance) three times of the average annual rent (same as conveyance) four times of the average annual rent (same as no.23)

	(b) granted for fine or	same as conveyances for the fine or premium.
	© Where the lease is granted for fine or premium in addition to rent	same as (a) + (b)
8.	45 Partition	one half of one per centum of the market value of the separated share or shares of the property
9.	46 Partnership	
	Capital (a) upto Rs.500/-	Rs.20.00
	(b) upto Rs. 10,000	Rs.50.00
	( c )upto Rs.50000	Rs. 100.00
	(d) exceeding Rs.50,000/-	Rs.150.00
9.	58 Settlement	The same duty as a conveyance (No.23) on market value of the immovable property for the settlement thereof, for the purpose referred to in sub-clause(b) of clause (24) of section 2 and the same duty as bottomry bond (16) for the settlement of any other property for other purposes for a sum equal to the market value of the property – the subject matter of such settlement.

### 3) The West Bengal Registration Rules, 1962

The West Bengal Registration Rules, 1962 has come into force by the notification no.541-Regn. dated 26<sup>th</sup> april, 1963. There are nineteen chapters for the procedures to be adopted in the registration offices for different purposes in connection with the registration of the documents. It covers amongst different procedures – the manner of maintenance of Register books, papers and documents in registration offices and their custody and also destruction of documents, authentication of Register-Books, procedure prior to acceptances of documents for registration, fines to be imposed, procedure on acceptance of documents for registration, procedure on the admission of a document to Registration, memorandum

and copies of documents, special provisions as to Power of Attorney, procedure with regard to wills, office procedures etc.

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4) The West Bengal Stamp Rules, 1994

Government of West Bengal by notification no. 151 FT dt. 17.1.94 has made the said rules in supersession of all previous rules and orders on the subject issued by the Government of Bengal.

Some of the important provisions of the said rules are :-

- (a) Description of stamps – impressed stamps and adhesive stamps
- (b) Impressed Stamps – Proper Officer, mode of affixing and impressing labels etc.
- (c) Use of adhesive stamps – on certain instruments, court fee stamps in certain cases, mode of cancelling “share transfer” stamps, special adhesives stamps to be used in certain cases etc.
- (d) Refund or renewals – Contents of application, Register of application, procedure after receipt of application, powers of the Collector to examine such applications, procedures when stamp is purchased in different districts, circumstances under which application may be struck off and the stamps destroyed, cancellation of stamps after grant of refund etc.

The West Bengal ( Prevention Of Under-Valuation of Instruments) Rules, 2001

The West Bengal Stamp ( Prevention of Under-Valuation of Instruments) Rules, 1994 came into force on 31<sup>st</sup> January, 1994 regarding the manner of determination of market value and furnishing the particulars relating to any property under notification no. 248-FT dated 31<sup>st</sup> January, 1994. In supersession of the said notification the West Bengal Stamp ( Prevention of Under-Valuation of Instruments) Rules, 2001 was made by notification no. 821 FT dt. 1.3.2001 in exercise of the power conferred by clauses 16B of sec.2, sec. 27, sec. 47A and sec. 75 of the Indian Stamp Act, 1899.

It states the manner of determination of market value by the registering officers when any person presents an instrument of (i) agreement relating to sale of immovable properties (ii) conveyance (iii) exchange of property (iv) gift (v) Partition (vi) Power Of Attorney in certain cases (vii) Settlement (viii) transfer of lease by way of assignment – for registration and shall issue notice to the person by whom stamp duty is payable under sec.29 of the Indian Stamp Act, 1899 for the payment of deficit stamp duty and registration fees, if the market value determined by the Registering Officer is higher than the consideration set forth in the instrument. The person executing such instruments shall furnish the particulars of the properties in the Form I, II, III & IV prescribed for such purpose and applicable to that document.

If any person does not offer to pay the deficit stamp duty, so determined by the R.O., the matter may be referred to the Collector under sub-section

(3) of sec,47A. This power of the Collector, is, at present enjoyed by the Deputy Inspector General Of Registration of the concerned ranges . On

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such references, the Collector shall determine the market value of the properties after giving the person an opportunity of being heard.

If any person is aggrieved by an order passed by the Collector, he may prefer an appeal to the Commissioner of the respective Division.

There is also provision for suo motu revision by the Chief Controlling Revenue Authority.

5) The West Bengal Registration ( Filing of True Copies) Rules, 1979

The West Bengal Registration ( Filing of True Copies) Rules, 1979 was published in the Calcutta Gazette Extraordinary dated 1<sup>st</sup> December, 1982 and subsequently amended and extended to the whole of West Bengal.

Every document that is presented for registration shall be accompanied by a true copy thereof prepared in the manner specified in the rules.

Except in the districts of Burdwan, Purba Medinipur, Paschim Medinipur, Malda, Uttar Dinajpur and Dakshin Dinajpur such true copies are prepared by the licenced copywriters in a standard form and in the manner as prescribed in these rules. In the above-noted six districts xerox copies of the documents are presented along with the documents presented for registration.

6) The West Bengal Registration (Deed-Writers') Rules, 1999

In supersession of all previous notifications on the subject, the said rules have been made by Inspector General Of Registration , West Bengal under sec.80G of the Registration Act, 1908(XVI of 1908) under notification no. 2335 dt. 4<sup>th</sup> April, 2000. It has been provided that no person who is not a licensed deed-writer under these rules shall engage himself in the profession of a Deed-Writer, provided that an advocate or pleader practicing before any court in the State or a solicitor, need not obtain a license under these rules.

The said rules has further laid down the procedure for :- (a) persons eligible for licence (b) disqualification for granting licence to a person (c) competent persons for writing different kinds of Instruments (d) application for licence (e) Renewal of licence ( f ) conditions for renewals ( g ) Appeal for refusing renewal of licence (h) conditions attached to Deedwriters' licenses (i) Issue of duplicate licence (j) Cancellation of

Deed-writers' licence (k) suspension of deed-writers' licence – authority and procedures thereof (l) jurisdiction etc.

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Fees to be charged by licensed Deed-Writers have been laid down in rule 30 of the said rule as follows :-

- |  |             |            |
|--|-------------|------------|
| (1) (a) Where the market value of the property does not exceed Rs.5,000/-                        | ..... Rs.   | 50.00      |
| (b) Where the market value of the property exceeds Rs.5,000/- but does not exceed Rs.10000/-     | ..... Rs.   | 100.00     |
| (c) Where the market value of the property exceeds Rs.10,000/- but does not exceed Rs.15,000/-   | ..... Rs.   | 150.00     |
| (d) Where the market value of the property exceeds Rs.15,000/- but does not exceed Rs.25,000/-   | ..... ..Rs. | 250.00     |
| (e) Where the market value of the property exceeds Rs.25,000/- but does not exceed Rs.50,000/-   | ..... Rs.   | 40         |
| (f) Where the market value of the property exceeds Rs.50,000/- but does not exceed Rs.1,00,000/- | .....Rs.    | 600.00     |
| (g) Where the market value of the property exceeds Rs.1,00,000/- but does not exceed Rs.2,00,000 | .....Rs.    | 1000.00    |
| (h) Where the market value of the property exceeds Rs.200000/- but does not exceed Rs.500000/-   | ..... Rs.   | 1500.00    |
| (i) Where the market value of the property exceeds Rs.5,00,000/-                                 | .....       | Rs.2000.00 |
- Where, in the case of any instrument, the market value is not stated,
- the remuneration shall be Rs.30.00, provided the number of words of the document does not exceed six hundred. For each additional one hundred words or part thereof, Rs.4.00 may be charged.
- (3) For taking delivery of documents when authorized by the party under sec.52 of the Act ..... Re. 1.00 per document
- (4) For writing application-
- |                         |       |                        |
|-------------------------|-------|------------------------|
| (a) in the printed form | ..... | Re.1.00 for each form  |
| (b) in manuscript form  | ..... | Rs. 2.00 for each form |
- (c) for filling up each of the Forms I, II, III and IV prescribed under rule 3(3) of the West

Bengal(Prevention of Under-Valuation of Instruments) Rules,1994 in duplicate ..... Rs. 5.00 for each form

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- (5) For writing summons and filing the same ..... Rs.2.00 per summons
- (6)For writing notices in the printed form under the West Bengal Land Reforms Act, 1955 (West Bengal Act X of 1956) ..... Rs.1.00 for each notice
- (7) For making searches of index or inspection of volumes ..... Rs.2.00 per year, subject to the maximum of Rs.10.00 for each of the items of search of indexes or inspection of volumes.

#### 7) The West Bengal Registration (Copy-Writers’) Rules, 1999

In exercise of power conferred under sec. 80GG of the Registration Act, 1908 (Act XVI of 1908) and in supersession of all previous notifications on the subject, the Inspector General of Registration, West Bengal has made the said rules.

The procedures for the persons eligible for licence, disqualification of copywriters’, Renewal of licences, conditions attached to copywriters’ licenses, issue of duplicate licence, cancellation & suspension of copywriters’ licence etc. has been laid down in the said rules.

The rate of remuneration of a copy-writer shall be as follows :-

- (i) for copying 100 words or part thereof - Rs.6.00 subject to a minimum of Rs.30.00
- (ii) for preparing typed copy by licenced copywriters, the charge shall be same as in clause (i)
- (iii) for comparing 100 words or part thereof each comparer shall get Rs.4.00 subject to a minimum of Rs.20.00

#### 5. CURRENT POLICY OF THE DIRECTORATE

a) Digitization of market value : The process of determination of market value of properties which is the subject matter of a deed presented before Registering Officer for registration is to some extent subjective at present. In order to remove this subjectivity

and bring in complete transparency, the Directorate adopted the policy of digitization of market value for computerization of all the registration offices of the State. Webel Technology Ltd. was engaged as a vendor for the job throughout the State of West

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Bengal through a tender process. In this process the market value of all plots in every mouja had been determined on the basis of the principles laid down in the West Bengal (Prevention of Under-Valuation of Instruments) Rules, 2001. The past sale records for the last five years in each office were also taken into consideration to form the basis of determination of the market value of all the plots of a mouja. The nature of land of all plots in a mouja were collected from the office of Block Land And Land Revenue Officer which were shortlisted considering the nature of registrable lands .Again such registrable lands had been grouped in certain groups considering the similarity of market value for each group. A conversion ratio for each office had been determined to convert the market value of one group of land to another group of land in order to facilitate in determining the market value of the nature of the properties in the particular jurisdiction of the registering officer concerned.. This whole exercise had been completed for every registration office in West Bengal and a market value database had been prepared for each office which had been linked with the CORD software.

b) Upgradation and Modernization of Infrastructure : Office space in the Directorate is not sufficient for the accommodation of all the members of the staff. It is not congenial for controlling the functions and management of the offices under its control all over the State from the existing office.

Most of the registration offices in the State are functioning in rented buildings which are old, dilapidated in many cases and unfit to cope with the upgradation and modernization of offices. As such the Directorate has taken steps to shift such offices to better buildings available in the locality. For this purpose we have classified the offices in three categories considering the volume of works performed in such offices and looking for the space required for the offices according to its category. Since 2004-2005, it has been possible to shift a good number of offices to better accommodation. After that the renovation, repairing, reconstruction of the following PWD building cases have been sanctioned by the Govt.

2005 –2006	-	7 cases
2006- 2007	-	19 cases

Shifting of rented building had been done in 88 number of cases as on 30<sup>th</sup> June, 2007.

c) REMISSION SCHEME :

The Finance (Revenue) Department has, from time to time, issued orders allowing remission of stamp duty to the extent of 50% / 40% on the pending documents to extend relief to the registrant public since 2004. The benefit was in vogue for the last time upto 31<sup>st</sup> December, 2006

d) Use of franking machines : The use of franking machines for payment of stamp duty has been introduced under Finance Deptt. no. 563-FT dt. 25.2.2002 for franking impression of different kinds of stamps either by proper officers or by the Authorized Users. We have authorized Centurion Bank, Standard & Chartered Bank, Alliance Bajaj Ltd., among others till date 44 different financial institutions have been authorized to frank their documents.

e) Manner of payment of stamp duty : The Directorate has issued notification for the use of serialized authenticated bank receipts introducing another mode of payment of stamp duty with the help of SABR in lieu of non-judicial stamp paper valued above Rs.5000/-. The SABR will be supplied by the State Bank of India's different branches to the registrant public.

f) Website :The Directorate has provided information for the members of the public regarding the procedure for the registration of a document as per sections and articles of the Registration Act & Indian Stamp Act in the website [www.wbfin@nic.in](http://www.wbfin@nic.in).

#### 6. E-GOVERNANCE INITIATIVE :

State Govt. started computerization of registration offices on 1<sup>st</sup> January, 2001 and in the process 11(eleven)such offices, one at Bidhannagar, two in Kolkata, five at Alipore and three at Barasat were computerized in a phased manner. Even in such computerized offices, the market value of the properties are determined by registering authority manually.

In order to remove all such difficulties, to render better services to the registrant public and preserve valuable records by scanning through computers, the State Govt. has undertaken to roll out a programme with the aim of spreading the benefits of e-governance to citizens in all parts of the State. For this purpose the offices of ADSR, Srirampur and Chandannagar, Janai, Singur and Chinsurah Sadar in the district of Hooghly had been fully computerized under the pilot project and the market value of the properties in those offices are now determined automatically through the market value software. The Directorate has started to replicate the experience of the pilot project to remaining 233 registration offices across the state. State-wide roll out of the project involves enormous investment and massive volume of work. So the roll out project are being implemented in Public Private Partnership model. Accordingly M/s. WTL, M/s. CMS Computers Ltd and M/s. CMC Ltd. had been selected as the private partners for Presidency, Burdwan and Jalpaiguri zones respectively through the evaluation of Request For Proposal. Deptt. of Information Technology, Govt. of India had also approved the project for roll-out in the whole of West Bengal. Pricewaterhouse Coopers has been engaged as the consultant of this project . Time line for implementation of different



phases of the computerization programme had been drawn up for the year 2007-08. Within 30<sup>th</sup> June, 2007, thirty registration offices had been computerized under PPP

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model and it is expected that all the registration offices of the State will be computerized by December, 2008.

## 8 MAINTENANCE OF ACCOUNTS AND AUDITS :

The Directorate maintains its own accounts and it is audited by Accountant General of West Bengal in each year. The Directorate has also a system of internal audit by an officer of this Directorate, namely the Jt. Commissioner Of Stamp Revenue(Audit). Personal Assistant to Inspector General of Registration acts as the Drawing and Disbursing Officer of the Directorate.

In the district headquarter District Sub-Registrars are the Drawing and Disbursing Officers for the establishment of District Registrar. All Additional District Sub-Registrars and Sub-Registrars are the drawing and disbursing officers for his own establishment. They perform all duties and enjoy all financial powers as heads of offices. The accounts of the District Registrars , Addl. Dist. Sub Registrars and Sub-Registrars are audited by Accountant General of West Bengal.

Head of Account of the Directorate Establishment :

Major Head	
Receipt	0030-Stamp & Registration
Expenditure	2030-Stamp & Registration

### Expenditure of the Directorate :-

2000-01	Rs. 33,57,97,399.00
2001-02	Rs. 35,39,53,960.00
2002-03	Rs. 32,98,51,559.00
2003-04	Rs. 32,82,23,452.00
2004-05	Rs. 34,97,05,799.00
2005-06	Rs. 48,37,72,000.00
2006-07	Rs. 32,64,98,000.00

Statement of Expenditure Vis-a-Vis Collection :-

Year	Collection	Expenditure	% of exp. over collection
2002-03	683,38	32.99	4.83%
2003-04	766.90	32.82	4.28%
2004-05	964.28	34.97	3.63%
2005-06	1087.02	48.38	4.45%
2006-07	1277.26	32.65	2.56%

REVENUE COLLECTION AND ACHIVEMENT DURING THE LAST FIVE YEARS  
(02-07)

YEAR	TARGET	REVENUE COLLECTION	GOWTH RATE IN %	ACHIEVEMENT IN %
2002-03	700	683.38	45.66	97.62
2003-04	800	766.90	12.22	95.86
2004-05	867	964/28	25.74	111.21
2005-06	1055	1087.02	12.73	103.03
2006-07	1405	1277.25	17.50	90.19

**PROCEDURE OF SEARCH, INSPECTION AND  
GETTING CERTIFIED COPIES.**

Section -55 of the Registration Act, 1908 clearly states that – Indexes to be made by Registering Officers and their contents – ( 1) Four such indexes shall be made in all registration offices and shall be named respectively; Register, Index No. I, Index No. II, Index-III and Index No.IV.

- (2) Index No.-I shall contain the names and additions of all Persons executing and of all Persons claiming under every document entered or memorandum filed in Book No.I.
- (3) Index No.-II shall contain the description of Property and maps or Plan relating to every such documents.
- (4) Index No.-III shall contain the names and additions of all Persons executing every ‘Will’ and authority entered in Book No.3.....
- (5) Index No.-IV shall contain the names addition of all Persons executing and of all Persons claiming under every document entered in Book No.4.

And –

As Per Section 57 of the Registration Act, 1908 & Rules 109 (1) & (2) of the West Bengal Registration Rules, 1962.

Registering Officers to allow search and inspection of certain books and indexes and to give certified copies of entries on payment of requisite fees payable in that behalf.

Name of the Parties/or Schedule of Property are required for search & inspection of certain books and indexes to ascertain transfer of any property.

- 1) Application to make a search of Index or to inspect any entry in a register-Book shall be in **Form No. -36.**
- 2) Application for a copy of any document or of an entry in any book shall be in **Form No.37.**

## Registration Manual of West Bengal

**FORM NO. 36****Form of Application for Search or Inspection**

[See Rule 109(1)]

No.....		
Date of application	<b>1</b>	
Name and residence of applicant.	<b>2</b>	
Year to which the search of inspection relates	<b>3</b>	
Name of persons or places to be searched	<b>4</b>	
Nature of document in respect of which search of inspection is required.	<b>5</b>	
Number of the index to be searched (whether I, II, III or IV).	<b>6</b>	
In the case of search of Index III or IV or inspection of register book III or IV, applicant's interest in the document (whether executant, claimant or their representative or agent).	<b>7</b>	
In the case of application for inspection reference to the previous application for search and the number and the year of the document to be inspected with the number of the volume and the pages of the register book in which copied.	<b>8</b>	
Name of the office where the document has been registered , or (in case of other records) to which it relates.	<b>9</b>	
Fees paid	<b>10</b>	F(1)(i) F(1)(ii) F(2)
Remarks -  (Number of the document and the number of the volume and pages in which registered, to be noted here if the search is successful.)	<b>11</b>	

Allow Search/Inspection

Signature of applicant.

Sub-Register of.....

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The West Bengal Registration Rules, 1962

**FORM NO. 37**  
**Form of Application for copy**  
[See Rule 109(2)]

No.....	
Date of application ..... 1	
Name and residence of applicant. .... 2	
Reference to previous application for inspection of register book or other records. .... 3	Application for inspection No..... dated.....
Nature of document and the office to which it relates. .... 4	
Number with year of the document and the volume and pages of the book in which copied ..... 5	Deed No.....registration Book.....Volume.... Pages.....for.....
Fees paid ..... 6	G(a) G(b)
Remarks ..... 7	

Give copy.

Signature of applicant.

Sub-Register of .....

**Directorate of Registration &  
Stamp Revenue, West Bengal.**

**O R D E R**

Under the Right to Information Act, 2005 so long the Directorate had been receiving queries either directly or from the State Public Information Officer of the Finance (Revenue) Department.

The Directorate had so long been complying with the provisions of the Act by utilizing the services of only one State Assistant Public Information Officer.

Since the number of queries is growing and also in order to serve the purpose of the Act in better manner, it is felt that more officers should be designated under Section 5(1) & 5 (2) of the Right to Information Act, 2005.

Hence, in exercise of the powers conferred by the Sub-section (1) of Section 5 of the Right to Information Act, 2005 the Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal hereby designates the Additional Inspector General of Registration and Additional Commissioner of Stamp Revenue, West Bengal of this Directorate as the State Public Information Officer of the Directorate of Registration and Stamp Revenue, West Bengal. He will on receipt of a request shall, within the time prescribed, take necessary action for disposal of the request under Section 7 of Right to Information Act, 2005.

In terms of sub-section (2) of the section 5 of the Right to Information Act, 2005, the undersigned hereby designates Assistant Commissioner of Stamp Revenue, West Bengal of this Directorate as the State Assistant Public Information Officer of the Directorate of Registration and Stamp Revenue, West Bengal to receive the application for information under the Right to Information Act, 2005 and forward the same forthwith to the State Public Information Officer for compliance under the said Act.

In terms of sub-section (2) of the section 5 of the Right to Information Act, 2005, the undersigned further designates the Registrar of Assurances, Kolkata and all the District Registrars under this Directorate as the State Public Information Officer within their respective jurisdiction. They will, in turn, designate some other officer subordinate to them, as State Assistant Public Information Officer within their respective jurisdiction to receive the applications for information under the Right to Information Act, 2005 and forward the said applications forthwith to the State Public Information Officer (Registrar of Assurances, Kolkata / District Registrar).

An exhaustive list of the designated officers is given in the annexure.

Sd/-  
Inspector General of Registration

& Commissioner of Stamp Revenue AND  
OSD and ex-officio Spl. Secy., Fin. Deptt.  
West Bengal

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Memo No.1523(23)/1M-275/06 (Pt.I).

Dated : 09.05.2008.

Copy forwarded to the :

1. Sri B. Maiti, Joint Secretary, Finance Department, 1st Floor, G-Block, Writers' Buildings..
  2. Sri N. C. Basak, Deputy Secretary, Finance (Revenue) Department, 1st Floor, G-Block, Writers' Buildings.
  3. Addl. Inspector General of Registration and Addl. Commissioner of Stamp Revenue, West Bengal, Office of the Directorate of Registration and Stamp Revenue, West Bengal, F-Block, Top Floor, Writers' Buildings.
  4. Assistant Commissioner of Stamp Revenue, West Bengal, Office of the Directorate of Registration and Stamp Revenue, West Bengal, F-Block, Top Floor, Writers' Buildings.
  5. Registrar of Assurances, Kolkata, 5, Govt. Place, North
  6. District Registrar, \_\_\_\_\_, P.O. : \_\_\_\_\_.
- District \_\_\_\_\_.

Sd/-  
Inspector General of Registration  
& Commissioner of Stamp Revenue AND  
OSD and ex-officio Spl. Secy., Fin. Deptt.

**List of designated Officers.**

**A.**

At the Directorate Level	Designation of Officer	Address	Designation under the Right to Information Act, 2005
Additional Inspector General of Registration and Additional Commissioner of Stamp Revenue, W.B.	AIGR & ACSR, W.B Phone No. 2214-3407.	Directorate of Registration and Stamp Revenue, F-Block, Top Floor, Writers' Buildings.	State Public Information Officer, Directorate of Registration and Stamp Revenue, West Bengal.
Assistant Commissioner of Stamp Revenue, W.B.	ACSR, WB Phone No. 2214-1568.	Directorate of Registration and Stamp Revenue, F-Block, Top Floor, Writers' Buildings	State Assistant Public Information Officer, Directorate of Registration and Stamp Revenue, West Bengal

**B.**

At the District Level	Designation of Officer	Address	Designation under the Right to Information Act, 2005
District Registrar, South 24-Parganas, Alipure	District Registrar	South 24-Parganas Alipure, Kol.-27	State Public Information Officer.
District Registrar, North 24-Parganas, Barasat	District Registrar	North 24-Parganas, Barasat	State Public Information Officer.
District Registrar, Nadia, Krishnagore,	District Registrar	Nadia, Krishnagore	State Public Information Officer
District Registrar, Murshidabad, Berhampur	District Registrar	Murshidabad, Berhampur	State Public Information Officer
District Registrar, Bankura, P.O. & Dist.- Bankura	District Registrar	Bankura, P.O. & Dist.- Bankura	State Public Information Officer
District Registrar, Burdwan, P.O. & Dist.- Burdwan	District Registrar	Burdwan, P.O. & Dist.- Burdwan	State Public Information Officer
District Registrar, Birbhum, P.O.- Suri, Dist.- Birbhum	District Registrar	Birbhum, P.O.- Suri, Dist.- Birbhum	State Public Information Officer.



District Registrar, Purba Medinipur, P.O.-Tamluk, Dist.- Purba Medinipaur	District Registrar	Purba Medinipur, P.O.-Tamluk, Dist.- Purba Medinipaur	State Public Information Officer.
District Registrar, Paschim Medinipur, Collectorate Compound, P.O.- Medinipur, Dist. Paschim Medinipur	District Registrar	Paschim Medinipur, Collector Compound, P.O.- Medinipur, Dist. Paschim Medinipur	State Public Information Officer.
District Registrar, Purulia, P.O. & District- Purulia	District Registrar	Purulia, P.O. & District- Purulia	State Public Information Officer.
District Registrar, Hooghly, P.O.-Chinsurah, Dist. Hooghly	District Registrar	Hooghly, P.O.- Chinsurah, Dist. Hooghly	State Public Information Officer.
District Registrar, Howrah, P.O. & Dist. Howrah	District Registrar	Howrah, P.O. & Dist. Howrah	State Public Information Officer.
District Registrar, Malda, P.O. & Dist. Malda	District Registrar	Malda, P.O. & Dist. Malda	State Public Information Officer.
District Registrar, Uttar Dinajpur, P.O.-Karnajora, Dist.-Uttar Dinajpur	District Registrar	Uttar Dinajpur, P.O.-Karnajora, Dist.-Uttar Dinajpur	State Public Information Officer.
District Registrar, P.O.- Balurghat, Dist.- Dakshin Dinajpur	District Registrar	Dakshin Dinajpur, P.O.-Balurghat, Dist.-Uttar Dinajpur	State Public Information Officer.
District Registrar, Jalpaiguri, P.O. & Dist.- Jalpaiguri	District Registrar	Jalpaiguri, P.O. & Dist.- Jalpaiguri	State Public Information Officer
District Registrar, Coochbehar, P.O.& Dist.- Coochbehar	District Registrar	Coochbehar, P.O.& Dist.- Coochbehar	State Public Information Officer
District Registrar, Darjeeling, P.O. & Dist.- Darjeeling	District Registrar	Darjeeling, P.O. & Dist.- Darjeeling	State Public Information Officer
Registrar of Assurances, Kolkata, 5, Government Place (North), Kolkata-1.	Registrar of Assurances, Kolkata.	5, Government Place (North), Kolkata-1.	State Public Information Officer

Sd/-  
Inspector General of Registration  
& Commissioner of Stamp Revenue AND  
OSD and ex-officio Spl. Secy., Fin. Deptt.  
West Bengal.