



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 494]

CHENNAI, TUESDAY, JULY 25, 2000

Aadi 10, Vikkrama, Thiruvalluvar Aandu-2031

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Ordinance which was promulgated by the Governor on the 21st July 2000 is hereby published for general information:—

TAMIL NADU ORDINANCE No. 2 OF 2000.

An Ordinance further to amend the Registration Act, 1908, in its application to the State of Tamil Nadu.

WHEREAS the Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for her to take immediate action for the purposes hereinafter appearing ;

AND WHEREAS the instructions of the President have been obtained in pursuance of the proviso to clause (1) of Article 213 of the Constitution ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance :—

1. (1) This Ordinance may be called the Registration (Tamil Nadu Second Amendment) Ordinance, 2000.

Short title,
extent and
commencement.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force at once.

Central Act
XVI of 1908.

2. In section 2 of the Registration Act, 1908 (hereinafter referred to as the principal Act), in clause (2), the following expression shall be added at the end, namely :—

Amendment of
section 2.

“and the information storage devices like floppy disk, hard disk or compact disk or any other electronic media ;”.

Amendment of section 16. 3. In section 16 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :—

“(2-A) The State Government shall also provide for the office of every Registering Officer notified by the State Government under sub-section (1) of section 70-B, the information processing and storage devices like computer and scanners along with the software prescribed by the Inspector-General, from time to time, necessary for the purposes of this Act.”.

Amendment of section 51. 4. In section 51 of the principal Act, in sub-section (1),—

(1) for the expression “The following books”, the expression “The following books and the information storage devices” shall be substituted ;

(2) the following shall be added at the end, namely :—

“C—In the office of the Registering Officer notified by the State Government under sub-section (1) of section 70-B—

Information storage devices as specified in sub-section (2-A) of section 16.”.

Amendment of section 61. 5. In section 61 of the principal Act, in sub-section (1), the following proviso shall be added, namely :

“Provided that in the office of the Registering Officer notified by the State Government under sub-section (1) of section 70-B, the copying of the items referred to above may be done using electronic devices like scanner.”.

Insertion of Part XI-A. 6. After PART-XI of the principal Act, the following PART shall be inserted, namely :—

“ PART XI-A

REGISTRATION OF DOCUMENTS BY MEANS OF ELECTRONIC DEVICES.

70-A. *Application of this Part.*—This Part shall apply to the areas only in respect of which a notification is issued by the State Government under sub-section (1) of section 70-B.

70-B. *Documents scanned by electronic devices in areas notified by the State Government.*—(1) The State Government may, by notification, in the *Tamil Nadu Government Gazette*, direct that in any office as may be specified therein, the process of registration of any category or categories of documents may be completed and copying done with the help of the electronic devices like computers, scanners and compact disks and copies preserved on such devices and retrieved when required.

(2) Notwithstanding anything contained in this Act, or any other law for the time being in force, a copy of any document registered and scanned using the electronic devices and certified or attested by the Registering Officer in-charge of the office shall also be received in evidence of any transaction as is described in the said document.

70-C. *Saving*.—Nothing in this Part shall apply,—

(i) to any document which in the opinion of Registering Officer is not in a condition fit to be processed by means of electronic devices ;

(ii) in the case of unforeseen eventuality like breakdown of the computerised system of registration :

Provided that the Registering Officer shall record the reasons in writing therefor :

Provided further that the Registering Officer shall ensure that the data and images of the documents registered due to a breakdown of the computerised system, are duly incorporated into the computer system, after the same is restored, in the manner prescribed by the Inspector-General.”.

7. In section 89 of the principal Act,—

Amendment of
section 89.

(1) in the marginal heading, after the expression “and filed”, the expression “or scanned” shall be inserted ;

(2) after the expression “in his Book No. 1” wherever it occurs, the expression “or get it scanned” shall be inserted.

21st July 2000.

M. FATHIMA BEEVI,
Governor of Tamil Nadu.

EXPLANATORY STATEMENT.

In the State of Tamil Nadu, it is proposed to computerise the activities relating to registration of documents. As a first step towards such modernisation, the Government have decided to preserve copies of registered documents in Compact Disk in the Sub-Registrar Offices, where computers are provided, to retrieve the same when required and to receive such copies in evidence of any transaction as is described in the said document. Accordingly, the Government have decided to amend the Registration Act, 1908 (Central Act XVI of 1908), suitably.

2. The Ordinance seeks to give effect to the above decisions.

(By order of the Governor)

K. PARTHASARATHY,
Secretary to Government,
Law Department.