রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ গেজেট

অতিরিক্ত সংখ্যা

কর্তৃপক্ষ কর্তৃক প্রকাশিত

সোমবার, অক্টোবর ২৭, ২০১৪

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

আইন, বিচার ও সংসদ বিষয়ক মন্ত্রণালয়

আইন ও বিচার বিভাগ

NOTIFICATION

তারিখ, ১১ কার্তিক ১৪২১ বঙ্গাব্দ/২৬ অক্টোবর ২০১৪ খ্রিস্টাব্দ

S. R. O. No. 252-Law/2014—The following rules have been made by the Inspector-General of Registration, Bangladesh, and approved by the Government under section 69 of the Registration Act, 1908 (XVI of 1908).

These rules shall come into force with effect from the 16th November, 2014 and supersede the rules at present in force with effect from the said date.

Preliminary

Short title.

1. These rules may be called the Bangladesh Registration Rules, 2014.

Definitions.

2. In these rules, unless there is anything repugnant in the subject or context, —

(i) "the Act" means the Registration Act, 1908;

(ii) "appendix" means an Appendix to these rules;

(iii) "registering officer" includes both a Registrar and a Sub-Registrar;

মূল্য ঃ টাকা ৮০.০০

(iv) "registration office" includes both a Registrar's and Sub-Registrar's office;

(v) "rule" means a rule made under the Act and for the time being in force;

(vi) "section" means a section of the Act; and

(vii) "treasury" includes branches of Sonali Bank, established under the Bangladesh Banks (Nationalization) Order, 1972, having authority to take deposit in Government account.

CHAPTER I

Maintenance of register books, papers and documents in registration offices and their custody

and also destruction of documents.

Forms of Register Books Nos. 1 to 5.

3. Register books Nos. 1, 3 and 4 prescribed by section 51 of the Act, shall be kept in Form No. 1 in Appendix I. Register books Nos. 2 and 5 prescribed by the same section shall be kept in Forms Nos. 2 and 3 respectively, in Appendix I.

Register books how to be kept.

4. In the left-hand margin of the Register books Nos. 1, 3 and 4 there shall be copied in red ink the value of the stamp or stamps on each document registered, the certificate of admissibility in respect thereof referred to in rule 42A, and all the endorsements relating thereto made in the office, including the serial number in the Register of thumb impressions (Form No. 4 in Appendix I) of each thumb impression, if any, has been taken; in the centre, the document itself shall be copied in black ink, and below the copy of each document itself the stamp-vendor's endorsement shall be copied in red ink, and the right-hand margin shall be left vacant for notes under sub-section (2), of section 20, which also are to be made in red ink.

Separate volumes for Register books.

5. (1) Several volumes of Register books Nos, 1 and 4 may, if necessary, be kept in use simultaneously when the documents registered are so numerous as to make this course necessary.

(2) Register books Nos. 2, 3 and 5 shall be continued from year to year until they are full and the same volume of Register books Nos. 1 and 4 may where necessary, be used for more than one year:

Provided that Register book No. 3 shall in every case be closed after five years of its opening whether completed or not.

File books to be kept.

6. (1) In addition to the bound volume of Register book No. 1, every Sub-Registrar shall keep two file books as part of Register book No. 1.

(2) In one of such file books, he shall file the memoranda of registered documents which have been forwarded to his office under sections 64 and 65.

(3) In the other file book he shall file the following documents received by him under section 89:–

(i) Copies of sale certificates from Civil Courts and from any officer having authority to issue such sale certificates under any law for the time being in force;

(ii) Copies of instruments and orders issued under the Land Improvement Loans Act, 1883; and

(iii) Copies of instruments and orders sent under the Agriculturist's Loans Act, 1884; the Bangladesh Krishi Bank Order, 1973 and by a Co-operative Society.

(4) Every Registrar shall keep three separate file-books, as parts of Register book No. 1, one for memoranda, one for copies of documents and copies of maps or plans (if any) received under sections 65, 66 and 67, and one for the copies of sale certificates and the copies of instruments and orders referred to in sub-rule (3) and received by him.

(5) The documents referred to in sub-rules (2), (3) and (4) shall be bound into volumes of convenient size at the end of the year. They shall be numbered consecutively, but in a series different from that used for the registration of original documents in Register book No. 1. The volumes shall be numbered in one series with the volumes of Register book No. 1. The pages in each volume shall be consecutively numbered.

Additional records to be kept in all registration offices.

7. Besides the Register books Nos. 1 to 4 mentioned in rule 3, the file books prescribed by rule 6 and the guard-file mentioned in rule 60, the following books and registers shall be kept in all registration offices, namely –

(1) Catalogue of books (Form No. 22 in Appendix I).

(2) Stock book of furniture (Form No. 25 in Appendix I).

(3) Cash book (Form No. 24 in Appendix I).

(4) Fee book (Form No. 11 in Appendix I).

(5) Receipt book under clause (b) of sub-section (1) of section 52 (Form No. 8 in Appendix I).

(6) Miscellaneous receipt book for fees and travelling allowance for visits and commissions or for any fee realised subsequent to registration or for any other kinds of receipt such as sale-proceeds of old stores (Form No. 10 in Appendix I).

(7) Register of fines under sections 25 and 34 (Form No. 28 in Appendix I).

(8) Register of applications for search and copy (Form No. 18 in Appendix I).

(9) Register of visits and commissions (Form No. 9 in Appendix I).

(10) Chalan book (Form No. 23 in Appendix I).

(11) Register of refunds (Form No. 29 in Appendix I).

(12) Register of powers-of-attorney (Form No. 17 in Appendix I).

(13) Register of thumb impressions (Form No. 4 in Appendix I).

(14) Register of documents pending admission to registration (Form No. 27 in Appendix I).

(15) Register of documents impounded (Form No. 7 in Appendix I).

(16) Register of copies, memoranda, sale certificates and short notes received from other offices (Form No. 31 in Appendix I).

(17) Register of copies, memoranda and short notes despatched to other offices (Form No. 26 in Appendix I).

(18) Register of processes and court-fees (Form No. 30 in Appendix I).

(19) Register of letters received (Form No. 34 in Appendix I).

(20) Register of letters issued (Form No. 35 in Appendix I).

(21) Register of the recopied books (Form No. 39 in Appendix I).

(22) Register of market valuation list of mouza-wise private immovable property prepared annually under the 'Sampattir Sarbonimna Bazarmulya Nirdharan Bidhimala, 2010 (সম্পত্তির সর্বনিম্ন বাজারমূল্য নির্ধারণ বিধিমালা, ২০১০)'.

(23) Register of collection of registration fee by pay-orders.

Additional records to be kept in Registrar's Offices.

8. In addition to Register book No. 5 prescribed by section 51, and the books and registers referred to in rule 7 the following registers shall be kept in the offices of all Registrars:–

(1) Register of unclaimed wills, deposited under rule 102 (Form No. 5 in Appendix I);

(2) Register of appeals under section 72 (Form No. 32 in Appendix I);

(3) Register of applications under section 73 and proceedings under section 74 (Form No. 33 in Appendix I); and

(4) Register of market valuation list of mouza-wise private immovable property prepared annually under the 'Sampattir Sarbonimna Bazarmulya Nirdharan Bidhimala, 2010. (সম্পত্তির সর্বনিম্ন বাজারমূল্য নির্ধারণ বিধিমালা, ২০১০)'.

Central office of records in each district.

9. Each Registrar's office shall be a central office of records for the district, where all the books and records transferred to it from time to time under rule 10 together with the books and records of the Sadar office shall be deposited.

Transmission of records to the district office.

10. In January of each year the following records of the previous year shall be transferred from Sub-Registry offices to the Registrar's office, namely:–

(a) Completed or closed volumes of Register book No. 3 and completed volumes of Register books Nos. 1, 2 and 4; registers of power-of-attorney and file-books containing the memoranda and copies referred to in rule 6;

(b) Indexes Nos. I, II and IV and loose sheets of Index No. III (vide rule 89);

(c) Files of translation and copies filed under section 62; and

(d) Completed registers of thumb impressions:

Provided that the Registrar may, by general or special order, direct that the records of any subordinate office where there is no proper accommodation for their safe custody, or for any other reason, shall be transferred to his office at such times as he may consider necessary or expedient.

Records to be permanently preserved in Registrar's offices.

11. The following records shall be permanently preserved in all Registrar's offices, namely:–

(1) Catalogues;

(2) Kazi's records under Regulation XXXIX of 1793;

(3) Register books (except the register of refusals) and their indexes prescribed by, and translations and true copies filed under the various Registration Acts (Acts XVI of 1864, XX of 1866, VIII of 1871, III of 1877 and XVI of 1908);

(4) Register books of documents and their indexes kept prior to Act XVI of 1864;

(5) Lists of records destroyed and reports of destruction of records;

(6) Lists of unclaimed documents destroyed and reports of destruction;

(7) File books of copies, memoranda and sale certificates;

(8) Registers of unclaimed wills deposited in Sadar offices under rule 102;

(9) Register of the recopied books;

(10) Records under under section 12 of the Muslim Marriages and Divorces (Registration) Act, 1974; and

(11) Records under sub-section (3) of section 11 of the Hindu Marriages Registration Act, 2012 (হিন্দু বিবাহ নিবন্ধন আইন, ২০১২).

Records to be permanently preserved in other Registration Offices.

12. The following records shall be permanently preserved in other registration offices, namely : -

(1) Catalogues;

(2) List of records destroyed;

(3) Lists of unclaimed documents destroyed;

(4) The Register of the recopied books.

Responsibility for safe custody of records.

13. Every registering officer shall be responsible for the preservation and safe custody of all registration records, including those of previous years, which have accumulated in, or have been transferred to, his office.

Note of destruction of unclaimed documents under section 85.

14. (1) When a registered document or a document the registration of which has been wholly refused, has remained unclaimed in any registration office for a period exceeding two years and is destroyed under section 85, a note to that effect shall be made in the margin opposite to the copy in the book in which the document is registered or against the appropriate entry in Register book No. 2, as the case may be, as well as in the fee-book. The note should invariably be initialled and dated by the registering officer;

(2) Before any document is destroyed, an endeavour shall always be made by the registering officer in whose office the document is kept, to induce the presentant thereof to take it back, and, for that purpose, a list of the documents to be destroyed shall be hung up in the office with a notice that unless the presentants thereof appear within one month to take back the deeds and pay any fees due on them, the deeds will be destroyed.

CHAPTER II

Authentication of Register Books.

Certificate to be given in Register Books.

15. When a Register book is opened, the pages therein shall be counted and a certificate showing their number shall be entered at the top of the first page by the Sub-Registrar in the form: "This book contains ..... pages consecutively numbered". When a Register book is closed, a certificate in the form: "This book is closed" shall be appended to the last page at the end of the written portion of the book and a further certificate showing the number of pages written upon and left blank or cancelled, if any, and the number of copies of documents, maps, or plans, if any, contained in it, together with the number of the pages in which such maps or plans have been pasted shall be entered at the top of the written portion of the first page of the book in the following form with such modifications as may be necessary : "Certified that..... documents have been copied on ..... pages of this book and that pages.....are blank or cancelled and.....maps or plans have been pasted at pages..... ."

Authentication of copies and notes.

16. (1) The registering officer shall authenticate by his initials all corrections in the copy of every document admitted to registration which, by clause (c) of sub-section (1) of section 52, is required to be made in the Register book and all notes in such copy which may be made under sub-section (2) of section 20.

(2) He shall also affix his initials to each page of such copy, and shall certify with his full signature that each copy is a true copy, and shall date such certificate with his own hand.

(3) All interlineations and corrections in the Register books shall be made in red ink when entries are made in black ink, and in black ink when entries are made in red ink.

Marginal note to be made of cancellation of document by order of a Court.

(4) When a Court forwards a copy of the decree cancelling a registered instrument under section 39 of the Specific Relief Act, 1877, the registering officer shall note, on the margin of the copy in the book in which it has been registered, the fact of the cancellation of the instrument.

(5) If a registered document is declared by a court to be a forgery or to have been registered by false personation, a note of the fact shall, on receipt of a copy of the decree from the court concerned, be made in the margin of the copy in the Register book and also on the document itself, if available.

Mode of making corrections.

17. (1) The practice of wiping out incorrect words and figures in Register books or scratching or erasing them out is prohibited in all registration offices.

(2) Corrections in such books shall always be made with a pen, they shall not be made by altering one word or figure into another, but the pen shall be drawn through the erroneous words or figures, and the correct ones shall be clearly written near or above those struck out or opposite to them in the right-hand margin.

(3) All corrections and interlineations in such books shall be attested by the registering officer's initials, which shall be affixed on each side of the erroneous words or figures or the words or figures interlined.

Procedure of recopying the Register books which are in danger of being destroyed or becoming illegible.

17A. (1) In terms of section 51(5), when a book is in danger of being destroyed or becoming illegible wholly or partially or when a book shows signs of crumbling in respect of any page or part thereof or signs of fading in respect of any entry or part thereof, the entire book with all the entries made therein including both the affected and unaffected portions shall, with the previous sanction of the District Registrar, be recopied into a new book which shall be opened for the purpose.

(2) The entries shall be recopied into the new book in the order in which they appear in the original book and the reproduced copies shall be duly compared.

(3) The entries shall be faithfully reproduced as they appear in the original book and any missing or undecipherable letters, words or figures shall not be filled up or supplied by guessing from the context:

Provided that the missing or undecipherable letters, words or figures may be filled up or supplied where the same can be ascertained by reference to the relevant original documents, if available, or by reference to relevant entries in the appropriate Index Book.

(4) Both in the cases where the missing or undecipherable portions have been supplied in the manner as laid down in the proviso to sub-rule (3) of rule 17A and also in the cases where such portions could not be supplied in the manner as aforesaid, the fact shall be mentioned in a foot-note in respect of each of such cases in the new book under the signature of the registering officer. The missing or undecipherable letters, words or figures when supplied shall be underlined in red ink.

(5) Each entry as recopied in the new book shall be authenticated as true copy from the original, by the registering officer with seal, signature and date. Each page of the reproduced entry in the new book shall also be initialled by him.

(6) Initialled or un-initialled interlineations, etc., appearing in the original entries shall be noted by the copying clerk while recopying them and these notes shall be attested by the registering officer.

(7) In cases where, through inadvertence, copying clerk makes wrong entry while recopying in the register book, correction of such wrong entry shall be made by him in such manner as laid down in sub-rule (3) of rule 16 and sub-rules (2) and (3) of rule 17.

(8) The new book and the original book should be placed together in the Record-Room for facility of reference.

(9) When a new book is opened under sub-rule (1) of rule 17A, it should be assigned, as usual, a new catalogue number in the current catalogue of books. In the remark column thereof, a reference to the catalogue No., etc., of the original book for which the entries are transferred to the new book should be briefly noted in red ink. Similar reference in respect of the new book should be made in the remark column of the catalogue in which the original book has been entered.

(10) After the entire book has been recopied, a new label should be pasted over the cover of the original book and also over that of the new book with a note in red ink of the fact that the entries from the one have been recopied into the other. A cross-reference should also be made in red ink on the first page and on the last page of both the books in the following form:–

"This book under Cat. No.____ of the year____ of the _____ office bearing book No._____Vol. No._____for the year_____ has been recopied into/from the book under Cat. No._____of the year _____ of the_____ office_____bearing book No._____ Vol. No. _____ for the year _____ , under the order of the District Registrar of _____ as per his memo No. _____ , dated _____ ."

Sub-Registrar of _____ .

(11) The new book in which entries are recopied shall be prefaced with a table of contents, in plain sheets of paper, showing the pages on which each entry of document has been recopied therein together with the pages on which each such entry was copied in the original. A copy of such table of contents shall also be kept with the original book. The table of contents shall be prepared in Form No. 38 in Appendix I.

The Register of recopied books to be permanently preserved.

17B. A register of the books which will be recopied under rule 17A and rule 89A shall be permanently maintained in the registration office in Form No. 39 in Appendix I.

CHAPTER III

Languages to be deemed to be commonly used in different districts.

Languages to be deemed to be commonly used in different districts.

18. Bangla and English shall be deemed, for the purpose of section 19, to be the languages commonly used in the whole of Bangladesh.

CHAPTER IV

Territorial Divisions.

Territorial divisions.

19. The territorial divisions to be recognized under sub-section (3) of section 21 shall be –

(a) registration districts and registration sub-districts;

(b) upazillas, thanas or police-stations, mauzas with khatian, plot, revenue Jurisdiction List (JL) numbers, where they exist; and

(c) collectorate districts, if these are different from registration districts.

CHAPTER V

Procedure prior to acceptance of documents for registration.

Conditions of admissibility.

20. On the presentation of a document for registration the registering officer shall satisfy himself –

(a) that it has been presented at the proper office (sections 28 and 29);

(b) that it is duly stamped or is exempt from, or does not require stamp duty;

(c) that if it is written in a language which he does not understand and which in not commonly used in the district as prescribed in rule18, it is accompanied by a translation into a language commonly used in the district and also by a true copy (section 19);

(d) that it contains no unattested interlineation, blank, erasure or alteration which in his opinion requires to be attested or to be entered in a duly attested note or "Kaifiyat" at the end of the document (section 20);

(e) that if the document is non-testamentary and relates to immovable property it contains a description of such property sufficient to identify the same as laid down in section 21 or in the rule made under section 22;

(f) that if the document is non-testamentary and contains a map or plan, it is accompanied by as many true copies of the map or plan as are equal to the number of copies of the document required to be forwarded under sections 65 [section 21(4)];

(g) that if the document is one other than a will it has been presented within the time prescribed by sections 17A and section 23 to 26;

(h) that the document has been presented by some person entitled to present it (section 32 or section 40);

(i) that the instrument of any transfer contains the particulars necessary to convey the intention of the parties, complete description of the properties to be transferred and nature of transaction [section 22A(1)];

(j) that the recent passport size photographs of both the parties have been pasted on the instrument and the parties have put their signatures and left thumb impressions across their photographs in the instruments. [section 52A (2)];

(k) that in the case where the instrument is executed by the constituent attorney on behalf of the parties, the attorney has put his signature and left thumb impression across his photograph in the instrument;

(l) that the instrument has been presented in the format prescribed by under sub-section (3) of section 22A (Form No. 40 in Appendix I);

(m) that the seller has submitted the latest khatian of the property prepared under the State Acquisition and Tenancy Act, 1950, in the name of the seller, if he is owner of the property otherwise than by inheritance [section 52A(a)];

(n) that the seller has submitted the latest khatian of the property prepared under the State Acquisition and Tenancy Act, 1950, in the name of the seller or his predecessor, if he is owner of the property by inheritance [section 52A(b)];

(o) that the seller has submitted an affidavit affirming that he has lawful title to and possession in the property and the property has not been transferred earlier in any manner and not vested to the Government [section 52A(g)]; and

(p) that in the case of a sale deed the following particulars have been included in and attached with, as the case may be –

(i) nature of the property,

(ii) price of the property,

(iii) map of the property together with the axes and boundaries, and

(iv) description of the ownership of the property for last 25(twenty five) years. [section 52A(c), section 52A(d), section 52A(e) and section 52A(f)].

Procedure in cases when document is inadmissible.

21. (1) If any of the conditions indicated in clauses (c) to (p) of rule 20 have not been complied with, or if the presentant refuses to pay the proper registration fee, duty and tax, the document shall be returned at once to the presentant with the endorsement "Registration refused" and an entry to that effect being made at the same time in Register book No. 2:

Provided that action under this rule may be deferred at the request of the parties in order to enable them to comply with the requirements of the law within the time prescribed by section 17A or sections 23 to 26 for presentation of documents.

(2) If the date of execution is not stated in a document or it is altered or if a document bears an impossible or a fictitious date anterior to the date of purchase of stamp on which the document or any portion of it is written and the correct date cannot be ascertained the document shall not be accepted for registration unless the executant enters the correct date within the time limit prescribed by section 17A, section 23, section 25 or section 26 as the case may be for the presentation of documents.

Explanation: For the purposes of this rule –

(i) the date of execution of a document is the date on which it is signed by the person executing it and the date which a document bears at its head is not necessarily the date of its execution though it is prima facie so;

(ii) the date on which a certificate of sale by a Civil or Revenue Court was signed by the Court shall be deemed to be the date of its execution by the Court; and

(iii) an alteration in the date of execution of a document made ostensibly for the purpose of evading payment of the penalty leviable under sections 25 and 34 shall not be recognized and the document shall be deemed to have been executed on the date originally entered therein.

Receiving documents for registration.

22. (1) Documents presented for registration shall be received ordinarily in the order of presentation, and each shall be examined and endorsed in the same order as far as practicable. No document shall ordinarily be received for registration after the hours fixed for presentation.

(2) If the party who presented a document for registration wishes in writing to withdraw it, it shall be returned to him with the endorsement in red ink, "Returned unregistered at the written request of AB who presented it", the fact of the return being noted in the diary of the registering officer, provided that such withdrawal shall not be permitted after the registration of the document has been proceeded with.

Registration of document affecting immovable property situated in an area transferred after its presentation.

23. A registering officer having jurisdiction to accept a document affecting immovable property for registration at the time of its presentation to him shall complete its registration, notwithstanding the fact that the village in which the immovable property affected is situated has been transferred from his jurisdiction subsequent to the presentation of the document but before the completion of its registration; but a memorandum (Form No. 6 in Appendix I) shall be sent, without levy of any fee, to the office to the jurisdiction of which the village has been transferred for the purpose of being filed in that office.

When, however, after refusal to register by a registering officer, the village in question is transferred, whilst the document is on appeal before a Registrar or in a suit before a Civil Court, to the jurisdiction of another Sub-Registrar, the document if the Registrar or the Court orders that it shall be registered, shall be represented for registration to the registering officer, in whose sub-district the village has been transferred.

Procedure in case of unavoidable delay.

24. (1) When a document is presented under sub-section (1) of section 25, to a Sub-Registrar, he shall after examining it with regard to the particulars mentioned in rule 20, record on the document the endorsement under clause

(a) of sub-section (1) of section 52 and also the endorsement under section 58, if the executant is present, and shall forward the application referred to in sub-section (2) of section 25 explaining the cause of delay, to the Registrar of the district with any remarks which he may wish to make in favour of or against the acceptance of the deed.

(2) A receipt in Form No. 8 in Appendix I with the columns filled in as far as practicable, shall be granted for the document from a separate receipt book maintained in accordance with clause (b) of sub-section (1) of section 52 and the document shall be kept pending for admission to registration in Form No. 27 in Appendix No. I.

(3) If the Registrar passes an order that the document may be accepted for registration, the Sub-Registrar shall send a notice to the presentant requiring him—

(i) to appear on or before a date to be specified in the notice with the receipt which was given to him under sub-rule (2) and to pay the necessary fine and fee ; and also

(ii) to take steps for the registration of the document if the admission of execution has not already been recorded ; on his complying fully with the above requirements, the registration of the document shall be proceeded with.

(4) The said fine and fee may be taken either from the presentant if he appears or from any person nominated in writing in that behalf on the receipt referred to in sub-rule (2) or from the claimant if he was not himself the presentant. The requisite entries shall then be made in the fee book and in the receipt.

When the fees are paid by the claimant as aforesaid and the original receipt is not produced, a receipt shall be given to him in Form No.10 in Appendix I.

(5) If the presentant or any of the persons mentioned in sub-rule (4) fails to pay the necessary fine and fee on or before the date specified in the notice referred to in sub-rule (3), the registration of the document may be refused, provided that the registering officer is satisfied beyond doubt that the said notice has been received by the person to whom it was issued.

Attestation of interlineations, blanks, erasures and alterations.

25. (1) When the executant of any document appears personally, he shall be required to attest all interlineations, blanks, erasures and alterations as prescribed by section 20.

(2) When he appears by a representative or agent, the attestation of such representative or agent shall be accepted, if the interlineations, blanks, erasures or alterations are of an unimportant character, or if due cause for such acceptance is shown.

Documents presented at wrong office.

26. (1) When a document is presented to a registering officer whose office is not the proper office for its registration, he shall return it to the presentant with the endorsement "Returned for presentation at the proper office".

(2) When a document is returned under sub-rule (1), no entry shall be made in Register book No. 2.

Documents not duly stamped to be impounded.

27. (1) Whenever it appears to a registering officer that a document presented for registration is not duly stamped, he shall not return it to the presentant but shall impound the same at once under section 33 of the Stamp Act, 1899, and shall enter it forthwith in the register of impounded documents (Form No. 7 in Appendix I).

(2) In such a case the registering officer shall not realize any fee but shall grant a receipt to the presentant out of the separate book of receipts referred to in sub-rule (2) of rule 24 with the columns filled in as far as practicable. The words "Document impounded" shall be recorded in red ink on the receipt.

(3) Before forwarding the document to the Collector, the registering officer shall record on it —

(i) the endorsement "Impounded and forwarded to the Collector under sub-section (2) of section 38 of the Stamp Act, 1899";

(ii) the endorsement required by clause (a) of sub-section (1) of section 52; and

(iii) the endorsements required by section 58, if possible.

Procedure after impounded document is returned by the Collector.

28. (1) When an impounded document is received back from the Collector with his certificate that it is duly stamped or is not chargeable with duty, or that the proper or deficit stamp-duty has been paid, the registering officer shall send a notice to the presentant requesting him —

(a) to appear on or before a date to be specified in the notice, with the receipt which was given to him on presentation of the document ;

(b) to pay the necessary fees on or before a date to be specified in the notice; and

(c) to take steps for the registration of the document if the admission of the execution was not recorded before proceeding under rule 27;

and on his complying fully with such request, the registration shall be proceeded with.

(2) The said fees may be taken either from the presentant if he appears, or from the person nominated in writing in that behalf on the receipt, or from the claimant if he voluntarily tenders it, and the requisite entries shall then be made in fee-book and in the receipt.

(3) When the fees are paid by the claimant, a receipt shall be given to him in Form No. 10 in Appendix I.

(4) If the presentant or any of the persons mentioned in sub-rule (2) fails to pay the necessary fees on or before the date so specified, registration may be refused for non-payment of fees, provided that the registering officer is satisfied that the notice referred to has been received by him.

Procedure when stamp vendor's endorsement is in a language not understood by the registering officer.

29. If the stamp-vendor's endorsement on a document is in a language not understood by the registering officer, and which is not commonly used in the district, the presentant shall be required to file a translation which shall be certified to be a true translation and attested by the presentant.

Procedure on presentation of document in which registering officer is personally interested.

30. (1) If any document in which a registering officer is personally interested, either directly or indirectly is presented to him for registration or if he is asked to authenticate a power-of-attorney granted for the registration of any such document he shall register the document, or authenticate the power, as the case may be, shall report the facts to the Registrar to whom he is subordinate.

Procedure regarding acceptance of documents relating to property partly in Bangladesh and partly out of it.

31. A document relating to property, partly situate in Bangladesh and partly out of it, may be accepted for registration by the Sub-Registrar within whose sub-district some portion of the property lies; but in such a case the certificate of registration shall show that the registration has been effected only as regards that portion of the property which lies within Bangladesh.

CHAPTER VI

Visits and Commissions

Payment to accompany applications for visits or commissions.

32. All applications for visits under the proviso to section 31, sub-section (3) of section 33, or sub-section (2) of section 38, or for the issue of commissions under sub-section (3) of section 33, or sub-section (2) of section 38, shall be accompanied by the amount of the fee or fees chargeable as well as the amount of travelling allowance claimable by the registering officer or commissioner, and shall be entered in the register (Form No. 9 in Appendix I) prescribed by rule 7. No visit shall be paid or commission issued until the said fee or fees and travelling allowance have been paid by the applicant.

Receipt for payment for visit under section 31 or section 33.

33. When the amounts referred to in rule 32 are paid in respect of a visit under the proviso to section 31, or under sub-section (3) of section 33, the registering officer shall grant a receipt therefor in Form No. 10 in Appendix I.

Form of endorsement of commission.

34. Every commission shall be in Form No. 5 in Appendix II, and shall be endorsed on the document in respect of which it is issued.

Commission to whom to be issued.

35. (1) A registering officer may issue his commission to some salaried member of his establishment, not below the rank of a permanent Muharrir:

Provided that if the person to be examined resides in another district or sub-district, the commission may be issued to the registering officer concerned. On receipt of the commission, the registering officer may, if he cannot attend personally, direct a salaried member of his establishment to execute the commission, the form of endorsement referred to in rule 34 being used by him.

(2) When a registering officer sends a commission to another officer under the proviso to sub-rule (1), he shall at the same time, transfer the travelling allowance (if any) paid in respect of the commission but shall credit the commission fee in his own accounts. The cost of remitting the travelling allowance shall be borne by the applicant.

(3) A registering officer may also issue commission to an Assistant or a Muharrir of his permanent establishment for examining any person residing in another district or sub-district, by obtaining prior permission from the District Registrar, to whom he is subordinate.

Examination of commissioner by registering officer.

36. A registering officer may examine a commissioner personally, in the office of the registering officer touching any of the circumstances connected with the discharge of his commission and, in particular, with reference to the voluntary nature of the admission of a document.

Procedure after execution of commission.

37.(1) When any commission has been executed, the commissioner shall return the document to which it relates, to the office of issue with a report endorsed on the document in Form No. 6 in Appendix II with such modification as may be necessary in cases where the executant cannot be found or where he otherwise evades making any statement.

(2) The registering officer, on receipt of the report, shall make an endorsement below such report in Form No. 7 in Appendix II.

CHAPTER VII

Fines to be imposed under sections 25(1) and 34(1).

Scale of fine.

38.(1) Fines under sub-section (1) of section 25, and the proviso to sub-section (1) of section 34 shall be imposed according to the following scale –

	Period of delay.	Amount of fine.
(a)	When the delay does not exceeds seven days.	A fine equal to twice the amount of the proper registration fee.
(b)	When the delay exceeds seven days, but does not exceed one month.	A fine equal to four times the amount of the proper registration fee.
(c)	When the delay exceeds one month but does not exceed four months.	A fine equal to ten times the amount of the proper registration fee.

(2) The said fines shall be inclusive of the proper registration fees. The fines, when realised, shall be noted on the document with the number and date of the order of the Registrar directing the acceptance or registration of the document.

Calculation of fine for delay in appearance on second and subsequent occasions.

39. The fine for delay in appearance leviable under the proviso to sub-section (1) of Section 34, on the second, third and subsequent occasions in respect of one and the same document shall be the difference, if any, between the total amount leviable up to the second, third and subsequent occasions and the fine or fines previously levied.

Calculation of fines when two or more copies are presented.

40. When two or more copies of a document, executed by the same parties, are presented for registration at the same time, the fines leviable under sub-section (1) of section 25, or under the proviso to sub-section (1) of section 34, shall be calculated as for one document only, irrespective of the number of copies of the document which may be registered.

Remission of fines.

41. (1) Applications for the remission of such fines under section 70 may be filed with the registering officer, but no such application shall be accepted until the fine has been paid.

(2) When any such application has been accepted, it shall be forwarded to the Inspector-General through the Registrar with any remarks which the registering officer may wish to make.

CHAPTER VIII

Procedure on acceptance of document for registration.

Registering officer not concerned with validity of documents.

42.(1) Registering Officers should bear in mind that they are in no way concerned with the validity of document brought to them for registration, and that it would be wrong for them to refuse to register the document on any such grounds as the following, e.g., that the executant was dealing with a property not belonging to him or that the instrument infringed the right of third persons not parties to the transaction or that the transaction was fraudulent or opposed to public policy or that the document was antedated or that the registration of the document would involve the breach of the peace. These and similar matters are for decision, if necessary, by competent courts of law, and registering officers, as such, have nothing to do with them. If the document is presented in a proper manner by a competent person at the proper office within the time allowed by law and if the registering officer is satisfied that the alleged executant is the person he represents himself to be, and if such person admits execution, the registering officer is bound to register the document without regard to its possible effects.

What persons are to be considered to be executants of documents.

(2) The expression "a person executing a document" shall be held to include –

(a) Any person who becomes surety for the repayment of a loan or the fulfillment of a contract and in that capacity affixes his signature to a document.

(b) Any person who endorses a negotiable document.

(c) Any person who signs a receipt or a discharge endorsed on a document.

(d) Any person who signs a document as an executant in token of his assent to the transaction and not merely as a witness, even though he may not be described as an executant in the body of the document.

(3) If a person executing a document admits that he has executed it but takes occasion to deny the receipt of consideration in whole or in part, the registration of the document shall not on that account be refused but the denial of receipt of consideration shall be mentioned in the endorsement.

Certificate of admissibility.

42A. If the requirements of the law have been complied with in respect of all the particulars indicated in Rule 20, a Certificate of admissibility in Form No. I in Appendix II shall be endorsed on the document and shall be signed and dated by the registering officer.

Documents on more than one sheet of paper.

43. When a document occupies more than one sheet of paper, the seal and the initials of the registering officer and the date shall be affixed to every sheet at the time of presentation

Receipt of fee and fine.

44. (1) After endorsing on a document the certificate of admissibility referred to in rule 42A, the registering officer shall receive the prescribed fees and the fine, if any, payable under sub-section (1) of section 25, and shall enter the respective amounts thereof on the document close to the said certificate, and at the same time the requisite entry shall be made in the fee book.

(2) The amounts of the fee and fine (if any) paid shall be respectively endorsed on the receipt given under clause (b) of sub-section (1) of section 52, in Form No. 8 in Appendix I.

Endorsement how to be made.

45. (1) The endorsements required by section 52 and section 58 shall be recorded respectively, in Form No. 2 and Form No. 3 in Appendix II.

The endorsement of admission to registration of a will or an authority to adopt under sub-section (2) of section 41 shall be in Form No. 11 in Appendix II.

The endorsement of admission to registration of a document, the registration of which is ordered by a Registrar or a Civil Court shall be in Form No. 12 in Appendix II.

(2) All endorsement under section 52, section 58 and section 60 or otherwise shall be made in red ink and signature thereto shall be in black ink.

(3) Every endorsement made by registering officer shall be written in his own handwriting. Rubber stamps for the formal parts of endorsements may, however, be used in all registration offices unless otherwise ordered by the Inspector-General of Registration in special cases.

The Inspector-General may also authorise a registering officer to have the endorsements written by, or where endorsements stamps are used, to have the blanks filled in by such clerical officers or Sub-Registrars, attached to his office as the registering officer may appoint in this behalf.

Identification of executants.

46. (1) When the registering officer is not personally acquainted with the executants of a document presented for registration, he shall require them to furnish the best testimony obtainable to establish their identity, such as that of persons known to the registering officer or that of persons of apparent responsibility.

(2) The registering officer shall satisfy himself that the indentifier is really acquainted with the person or persons whom he proposes to identify, and the indentifier shall be asked to state the name of the person to be indentified, and also whether such person is really the person whom he professes to be.

Signature of illiterate person.

47. When a person who cannot write, signs his name by means of a mark or by touching the pen, his name shall be recorded at length and the writer of the name shall also sign his own name in attestation that the mark was affixed or the pen touched in his presence.

Thumb impressions.

48. (1) When the executant of a document –

(i) is unable to write, or

(ii) is not personally known to the registering officer, he shall, in addition to signing his name (in the manner indicated in rule 47 if he is unable to write) imprint the mark of his left thumb on the document to be registered and also in the book of thumb impressions to be kept in Form No. 4 in Appendix I:

Provided that, if the left thumb of the executant be defective or injured, the right thumb or any other digit may be used, but in that case or in the case of an executant suffering from small-pox, leprosy or other contagious disease, a note of the fact shall be made in the space reserved for impression, in the book and also on the document mentioning the particular digit used, and explaining why, in the case of contagious disease, no impression could be taken. When no impression is taken, no serial number should be given in the space reserved for impression in the book. But in such cases, the column meant for name and signature of the executant or the identifier in the book and also the column reserved therein for noting book number and document number, should be duly filled in for facilitating the identification of the document from the book of thumb impressions and vice versa.

(2) The said mark shall be made by a slightly rolled impression of the executant's left thumb (or other digit, as the case may be) taken in printer's ink on a flat piece of tin properly prepared for the purpose.

(3) Each impression in the register of thumb impressions shall be initialled by the registering officer, as well as by the officer taking the impression or, in cases of Pardanashin women, by their identifiers.

(4) When several documents executed by the same person are admitted to registration, a separate thumb impression need not be taken in the thumb impression register in respect of each document.

(5) Notwithstanding anything hereinbefore contained, a registering officer may, in his discretion ,dispense with the taking of impressions in the case of persons of position regarding whose identity there can be no doubt or room for suspicion , even if the executant is not personally known to him, and in such cases a note to that effect shall be endorsed on the document.

(6) The provisions of this rule shall apply mutatis mutandis in the case of illiterate identifiers of executants.

Further provisions in regard to thumb impressions.

49. Thumb impressions of executants or their identifiers shall be taken in the presence of the registering officer. They shall be taken in the printed form of book prescribed for this purpose by sub-rule (1) of rule 48. The serial number of the thumb impression taken in the book shall be quoted against the impression on

the back of the deed. A separate book for thumb impressions shall be kept for cases of visits and commissions in the aforesaid form wherein a column headed "Signature of Commissioner" should be struck in rubber stamp in the space between the column "Initials of the person taking the thumb impression" and the column "Initial of the Registering officer".

Registration of documents executed by several persons.

50. (1) In the case of a document executed by several persons, who all appear before the registering officer, if any of the executants deny execution, the deed shall be refused registration in respect of him and registered in respect of those who admit. If some of the executants appear and admit execution and others do not appear, endorsement under section 58 shall be recorded in respect of those who admit execution, and the document shall be kept pending for registration in respect of others who do not appear, till the expiry of the statutory period. Upon expiry of the statutory period the document shall be registered in respect of those who admit, and registration shall be refused as regards others.

(2) Where some of the representatives of a deceased executant deny execution while others admit it, registration of the document shall be altogether refused, subject to the provision of section 73.

Procedure on failure of the executant to appear within the period prescribed by section 17A or section 23.

51. (1) When a document has been presented to a Sub-Registrar for registration within the period prescribed by section 17A or section 23, namely, thirty days or three months from the date of its execution, and the executant fails to appear to admit execution within the period, the Sub-Registrar shall, immediately after the expiration of the said period, record a formal refusal to register, leaving it to the parties to appeal to the Registrar under section 72 within 30 days if they think proper:

Provided that the Sub-Registrar shall not record such an order if the person presenting the document or claiming under it has, before the expiration of the said period, initiated proceedings under section 36 to procure the appearance of the executant, or under section 38 for his examination, but in that case the Sub-Registrar shall report the matter to the Registrar for orders at the end of the said period.

(2) In the case of an appeal under section 72, mentioned in sub-rule (1), the Registrar shall not pass an order directing the Sub-Registrar to register the document unless it is shown, on the appearance of the executant before the

Registrar, that his non-appearance before the Sub-Registrar, within the period prescribed by section 17A or section 23, was due to urgent necessity or unavoidable accident. If the Registrar passes such an order, a fine shall be imposed as provided in the proviso to sub-section (1) of section 34.

(3) In the case referred to in the proviso to sub-rule (1):

(a) the Registrar shall, on receipt of the Sub-Registrar's report, direct the document to be kept pending the disposal of the proceedings initiated under section 36 or sections 38, but not for a period exceeding four months after the expiry of stipulated period prescribed by section 17A or section 23. If the executant refuses or neglects to appear either on service of summons or when the Registering officer or the Commissioner, as the case may be, visits the executant's residence, the Sub-Registrar shall refuse under section 35 to register the document;

(b) if the executant appears on the service of the summons under section 36 or is examined under section 38 and admits execution, his admission shall be recorded and he shall be called upon to submit an application to the Registrar for a direction under the proviso to sub-section (1) of section 34, explaining the cause of the delay in his appearance. When such an application is received, the Sub-Registrar shall forward it to the Registrar with any remarks he may wish to make and await orders;

(c) the Registrar shall consider the cause shown for the delay in appearance of the executant and may pass an order directing the Sub-Registrar to register the document on payment of a fine as prescribed by the proviso to sub-section (1) of section 34;

(d) if the Registrar is unable to accept the cause shown for the delay, he shall direct the Sub-Registrar to refuse to register the document;

(e) if the executant refuses or is unable to show cause for the delay, the Sub-Registrar shall also report the case to the Registrar for orders;

(f) in the case mentioned in clause (e), the Registrar shall direct the Sub-Registrar to refuse to register the document;

(g) the Sub-Registrar, on receipt of the Registrar's order under clauses (d) and (f), shall record an order of refusal under section 34 for non-appearance of the executant within the period prescribed by section 17A or section 23.

Procedure on failure of the executant to appear after payment of a fine and within the extended period prescribed by section 25.

52. (1) If the time for accepting a document for registration has been extended under section 25, and the executant fails to appear to admit execution within four months after the expiration of stipulated period under section 17A or section 23, the Sub-Registrar shall immediately after the expiration of the said period, record a formal refusal to register leaving it to the parties to appeal to the Registrar under section 72 within thirty days if they think proper:

Provided that the Sub-Registrar shall not record such an order if the person presenting or claiming under the document has, before the expiration of the said period, initiated proceedings under section 36 to procure the appearance of the executant, or under section 38 for his examination, but in that case the Sub-Registrar shall report the matter for the orders of the Registrar on the expiration of the said period.

(2) In the case of an appeal under section 72, mentioned in sub-rule (1), the Registrar shall not pass an order directing the Sub-Registrar to register the document, unless it is shown, on the appearance of the executant before the Registrar, that his non-appearance before the Sub-Registrar within the period extended under section 25 was due to urgent necessity or unavoidable accident. If the Registrar passes such an order, a fine shall be imposed as provided in the proviso to sub-section (1) of section 34, in addition to the fine already imposed under sub-section (1) of section 25.

(3) In the case referred to in the proviso to sub-rule (1) —

(a) the Registrar shall, on receipt of the Sub-Registrar's report, direct the document to be kept pending the disposal of the proceedings initiated under section 36 or section 38, but not for a period exceeding eight months after the expiry of stipulated period prescribed by section 17A or section 23. If the executant refuses or neglects to appear either on service of summons or when the Registering officer or the Commissioner, as the case may be, visits the executant's residence, the Sub-Registrar shall refuse under section 35 to register the document;

(b) if the executant appears on the service of the summons under section 36 or is examined under section 38 and admits execution, his admission shall be recorded and he shall be called upon to submit an application to the Registrar for a direction under the proviso to sub-section (1) of section 34, explaining the cause of the delay in his appearance. When such an application is received, the Sub-Registrar shall forward it to the Registrar with any remarks he wish to make and await orders;

(c) the Registrar, after considering the cause shown for the delay in the appearance of the executant, may pass an order directing the Sub-Registrar to register the document on payment of a fine as prescribed by the proviso to sub-section (1) of section 34, in addition to the fine already imposed under sub-section (1) of section 25 ;

(d) if the Registrar is unable to accept the cause shown for the delay, he shall direct the Sub-Registrar to refuse to register the document ;

(e) if the executant refuses or is unable to show cause for the delay, the Sub-Registrar shall also report the case to the Registrar for orders ;

(f) in the cases mentioned in clause (e) the Registrar shall direct the Sub-Registrar to refuse to register the document ;

(g) the Sub-Registrar, on receipt of the Registrar's order under clauses (d) and (f), shall record an order of refusal under section 34 for non-appearance of the executant within the prescribed period extended by the proviso to sub-section (1) of section 34.

Willful refusal or neglect to attend and admit execution.

53. A registering officer shall record his order of refusal to register a document under section 35 as soon as he is satisfied that the summons has been served according to law and the executant has refused or neglected to appear on the appointed date.

Application of rule 51 to documents executed out of Bangladesh.

54. (1) The procedure prescribed by rule 51 shall apply also in the case of documents referred to in section 26, with this exception only, that the period referred to in sub-rule (3) of the said rule and any extended period allowed under the proviso to sub-section (1) of section 34 shall be reckoned from the date of the arrival of such documents in Bangladesh, and not from the date of their execution.

(2) Such documents shall not, under any circumstances, be admitted to registration more than eight months from the date of their arrival in Bangladesh.

Procedure regarding documents executed partly in Bangladesh and partly out of it.

55. In the case of a document executed by some of the parties in, and by others out of Bangladesh, the party presenting the document may proceed at his option under section 23 or section 25 instead of under section 26, and if he does so, the provisions of those sections shall apply.

Registration of a document, more than the period as provided under section 17A or section 23 as the case may be, after its execution.

56. (1) When a document is presented for registration or the execution thereof is admitted more than the period as provided under section 17A or section 23, as the case may be, after execution, and the Registrar decides that the document should be admitted to registration, he shall direct the registration of the document on payment of fine under section 25 or the proviso to sub-section (1) of section 34, as the case may be, by any Sub-Registrar in whose office it could have been registered if presented within the period as provided under section 17A or section 23, as the case may be.

(2) In such cases the date on which application was made to the Registrar for his decision shall be regarded as the date of presentation.

Record of reasons for refusal to register.

57. (1) When a registering officer records, under section 71 or section 76, his reasons for refusal to register a document, the record shall be made in Register book No. 2 (Form No. 2 in Appendix I) with his own hand, the reasons being fully and clearly stated.

(2) If the reasons include the fact that one out of several executants declines to comply with the requirements of the law, his name shall be given, and if the Registering officer is doubtful as to the identity of a party admitting execution, the grounds of his doubt shall be stated.

CHAPTER IX

Administration and Record of Oaths.

Oath when to be administered.

58. The discretion reposed on the registering officer by section 63 to administer an oath shall not be exercised unless he doubts the truth of any verbal statement made to him.*

Form of oath or affirmation.

59. An oath or affirmation administered by a registering officer under the provisions of section 63 shall be administered according to the form of oath or affirmation prescribed by the High Court Division for witnesses under section 7 of the Oaths Act, 1873 (X of 1873), reproduced in Appendix III.

* *Note*: By virtue of section 3(36) of the General Clauses Act, 1897, "Oath" includes affirmation and declaration in the case of persons by law allowed to affirm and declare instead of swearing. As to who may affirm, *see* section 6 of Oaths Act, 1873.

Oath to be recorded separately.

60. Statements made on oath shall not be recorded on the document to which they relate, but shall be recorded by the registering officer in his own hand in separate sheets and placed in a guard file, and a note to the effect that the statements have been so recorded shall be endorsed on the document itself.

CHAPTER X

Procedure on the admission of a document to registration.

Document when to be copied.

61. When all the persons executing a document or their representatives, assigns or agents, have appeared and admitted its execution and all other requirements of law have been complied with, the document shall be copied into the appropriate book.

Procedure of registration of documents presented in duplicate, triplicate, etc.

62. When two or more copies of the same documents are admitted to registration at the same time, each copy shall be separately numbered in the fee and the Register books. All endorsements shall be written upon each copy, but it shall not be necessary to copy the documents more than once in the Register book. So far as the duplicate, triplicate or other copies are concerned, only the endorsements (including the stamp vendor's endorsement) and the kaifiyat, if any, on them shall be copied. A note in the form below, shall be made in the central portion of the book reserved for the copy of a document, showing the number, volume and page of the register in which the original has been copied:

"Original document No.....copied on page No....., volume..... for the year ....."

Copies of maps or plans to be attested.

63. The copies of maps or plans which are required by sub-section (4) of section 21 to accompany documents shall be attested as true copies by the signatures of the persons executing such documents, or by the signatures of their agents. The original maps or plans contained in the documents, shall, on acceptance of the documents, be signed, dated and sealed by the registering officer.

Copies of maps or plans contained in a document brought for re-registration

64. When a document containing a map or plan is presented for re-registration under section 24, the parties need not deposit fresh copies of the map or plan under sub-section (4) of section 21; but the registering officer shall certify, on re-

registration against the copy of the document made in the register book that the map or plan attached to it is the same as the copy of the map or plan which was filed with the document on its first presentation.

Procedure of re-registration of documents.

65. A document presented for re-registration shall be treated in all respects as if it were a new document. It shall be recopied in its altered form and full fees shall be levied. If there be insufficient room on the back of the document for the new set of endorsement required, they shall be written or continued on a separate piece of paper as provided in rule 72; only the fresh endorsements, together with the certificate of admissibility under rule 42 on each registration, shall be copied on the left-hand margin of the book, previous endorsements already made on the document being copied in red ink in the body of the copy in the order in which they appear on the original deed.

Translations and copies.

66. (1) The translations and copies of documents required by sections 19 and 62 shall be made on cartridge paper.

(2) Such translations and copies shall be kept in separate file, a reference being made to the said file on the right-hand margin of the page on which the translation is copied in the book.

(3) The said file shall be bound from time to time when it contains a sufficient number of translations and copies to form a volume.

(4) When translations are made the endorsements referred to in rule 42A, sub-rule (1) of rule 45 and section 60, and the entry referred to in sub-rule (1) of rule 44 shall be copied on the left-hand margin of the page of the register book into which the translations are copied.

Copyist and comparer to sign their names in register.

67. (1) The copy of every document in a register-book shall be compared with the original by some person other than the copyist. Whenever the staff is sufficient the reading shall also be done by some person other than the copyist. The copyist, reader and comparer shall append to the copy in the book, their signatures with their full names, designations and date, using respectively the words "Copied by", "Read by" and "Compared by".

(2) The copyist, reader and comparer of the endorsements shall likewise be required to sign and date in the left-hand margin.

Form of final endorsement of registration.

68. When a document has been copied and the registering officer has signed and dated the certificate of true copy in the register as provided in sub-rule (2) of rule 16, the endorsements required by section 60 shall be made in it in Form No. 4 in Appendix II. The registration of the document shall thereupon be deemed to be complete.

Interlineations, blanks, erasures, alterations and corrections to be noted.

69. Interlineations, blanks, erasures and alterations in a document shall not be copied as such, but shall be noted by the registering officer as required by sub-section (2) of section 20 even though they may have been incorporated in a duly attested note or kaifiyat on the document itself.

Procedure when document is copied in a wrong book.

70. (1) When a document is erroneously copied into a wrong book, the register copy of the certificate and endorsement already made on the document shall not be cancelled, but the Registrar may direct, under section 68, that copy of the document with the certificate and endorsements thereon shall be made in the appropriate book without additional charge. A document so copied shall be given the number assigned to the last previous document in the book to which it is transferred with the letter "S" attached.

(2) In the circumstances described in sub-rule (1), a certificate under section 60 or a final certificate, in the following form, shall be given on the left-hand margin of the book in which the document is recopied and, if possible, on the document below the former certificate –

"Registered again under the order of the Registrar of ..... No..... dated..... 20.....as Document No. ..... S, in Book No..... Volume ..... page ..... .

Date: Seal Signature of Registering Officer."

(3) A cross-reference shall, in such a case, also be made on the right-hand margin of the original entry of registration in the wrong book in respect of the copy in the appropriate register.

(4) If the error in copying is discovered after the document has been returned after registration, the same procedure shall be followed, a note being made in the margin of the copy in the wrong book of the volume and the page of the appropriate book into which the contents are recopied.

(5) In both the cases referred to in sub-rules (1) and (4), fresh entries shall be made in the appropriate indexes, without cancelling the original entries.

Procedure on registration of a document in a wrong office.

71. (1) When a document relating to immovable property is registered or admitted to registration through inadvertence in contravention of section 28, the registering officer shall report and seek a direction from the Registrar of his district, to register the document in the office of such Sub-Registrar in whose jurisdiction the property lies.

(2) The Registrar shall, on receipt of the Sub-Registrar's report,

(i) direct the document to be registered in the office of the proper Sub-Registrar, if such office is situated within his district; or

(ii) obtain necessary order from the Inspector General, to register the document afresh in the office of such Sub-Registrar in whose jurisdiction the property or major portion of the property lies, if such office situates out of his district.

(3) The Registrar shall communicate with the concerned Registrar, in whose district the property lies, after obtaining necessary order as mentioned in sub-rule (ii) of rule (2), with a request to instruct the concerned Sub-Registrar so that he registers the document without any cost, and shall inform the matter to the Sub-Registrar as well, who has initiated the report.

(4) The registering officer shall instruct both the executant of the deed and the claimant there under, after obtaining necessary direction as mentioned in sub-rule (i) of rule (2), or any information as mentioned in sub-rule (3), to submit the document concerned in the office of the proper Sub-Registrar to get it registered.

(5) When such document is submitted for registration to the proper registering officer by the executant or claimant thereunder, he shall enter it in his fee book with necessary remark and shall register the document, without the levy of any fine, fee, tax or VAT, provided the document found in accordance with proper valuation under 'Sampattir Sarbonimna Bazarmulya Nirdharan Bidhimala, 2010 (সম্পত্তির সর্বনিম্ন বাজারমূল্য নির্ধারণ বিধিমালা, ২০১০)', otherwise the registering officer shall follow the provisions as laid down in section 63A of the Act. No fresh endorsements under section 52 or section 58 need be recorded in such cases.

(6) If the registration proceedings of the said document were completed in the wrong office, the document shall then be copied again in Register book of the proper office with the endorsement under section 60 shall be made in the following form—

"Registered again in Book..... , Volume..... Page .....being No..... of the.....Sub-Registry office for the year..... by order of the Registrar of....., dated.....under section 68 of the Registration Act, 1908 (XVI of 1908)" :

Provided that, if the document was not copied in Register book of the wrong office, the endorsement under section 60 shall be made in the following form by the proper office—

"Registered in Book..... , Volume.....Page .....being No..... of the.....Sub-Registry office for the year..... by order of the Registrar of....., dated.....under section 68 of the Registration Act, 1908 (XVI of 1908)."

Making endorsement on separate paper.

72. (1) When there is no room on a document for the necessary endorsements, they shall be made on a separate sheet of cartridge paper, if supplied by party, or on a separate quarter sheet of machine-made medium paper which shall be supplied by the registering officer and shall be attached to the document; an explanatory note being at the same time made on the document itself and signed by the registering officer.

(2) Every piece of paper so added shall bear the seal of the registering officer and shall be signed and dated by him.

Supply of printed or lithographed form for documents in a common form.

73. (1) Any person having occasion to register any considerable number of documents in the same form, such as leases, agreements, bonds, awards or certificates, may deposit in any registration office printed or lithographed forms of such documents in bound volumes of convenient size the pages of which shall be numbered consecutively before being brought into use.

(2) Such forms shall be printed or lithographed on machine-made paper of medium size. Blank spaces shall be left in the body and at the foot of the form for filling in names, amounts of money, areas, boundaries, and any other required particulars. A margin shall be left, of one inch, on the left-hand side for binding. No margin shall be necessary for copying endorsements as in the case of other registers ; but the forms shall contain a blank space, of not less than one side of a half sheet of the paper, on which the endorsements are to be copied.

(3) A separate volume shall be kept for each depositor and his name shall be noted outside. The volume shall be numbered and shall be treated in all other respects as volume of Register Book No. 1 or 4, as the case may be.

(4) On the presentation of a document which is an exact duplicate of any form deposited and is executed by, or in favour of any one of the depositors, it shall be copied into the volume appropriated to that depositor's forms, that is to say, the blank spaces in the form previously deposited shall be filled up so as to make it an exact copy of such document.

Supplementary document rectifying error in a previous document.

74. (1) To rectify any error or omission in any document which has been registered or admitted to registration, a supplementary document rectifying such error or omission substantiated by document to the satisfaction of the registering officer, is presented for registration, a note of such rectification shall be made in the margin of the concerned Register book in which the document has been registered or in original document in the following form:

"This document has been rectified by document No. ..... of 20..... of ..... (name of office)."

(2) If the volume in which the original document was copied has been sent to the Sadar Record-room, the Sub-Registrar by whom the deed of rectification has been registered shall write to the District Registrar requesting him to make the necessary note of rectification in the appropriate register, which he shall do under his signature.

Prompt return of documents after registration.

75. (1) Documents shall be promptly returned, after registration, to the presentants or other persons authorized to receive them, and the receipts returned by the parties shall be pasted on to their respective counterfoils.

(2) Every endeavour shall be made to return documents on the date noted on the receipt granted under clause (b) of sub-section (1) of section 52, as the probable date of return. When a document is not ready for return on the date entered on the receipt, the entry of that day shall if the receipt is produced before the registering officer, be cancelled and the probable later date on which the document may be ready, shall be entered under the initial of the registering officer.

Preparation of memoranda and copies of document.

76. (1) The memoranda required by section 64 to section 65 shall be prepared in Form No. 6 in Appendix I.

(2) The copies referred to in section 65 shall be made on paper of the same size and description as that used for Register book Nos. 1, 3 and 4.

Memoranda and copies for other districts.

77. (1) When a copy of a document is sent to the Registrar of another district under sub-section (1) of section 65, no memorandum required for any sub-registry office of that district need be sent along with the copy. The Registrar receiving the copy shall cause the required number of memoranda to be prepared in his own office and forward them to the Sub-Registrars subordinate to him.

(2) Memoranda under section 64 shall be prepared and forwarded by the registering officer who registered the documents.

(3) No memorandum under section 64 and sub-section (2) of section 65,need be sent to any Sub-Registrar whose office has been amalgamated under sub-section (2) of section 7, with that of the Registrar to whom he is subordinate.

(4) Where there are joint offices, the copy of the order, certificate and instrument required to be sent under section 89 and copies and memoranda under sections 64 and 65 shall be forwarded to such joint office as the Registrar may, by a general order, direct.

(5) When a document is registered in duplicate or triplicate no memorandum or copy shall be forwarded under sections 64 and 65 in respect of the duplicate or triplicate, but the number of copies registered with the original shall be noted in red ink in the last column of the memorandum prepared from the original.

(6) No Copy or memorandum of documents registered under rule 31 need be sent to any district where the Act is not applicable.

78. Short notes to be sent.

If the registering officer is unable to send copies of documents required under sub-section (1) of section 65 on the same day they are admitted to registration, a short note in Form No. 19 of Appendix V, shall be sent on that day.

Entry of date of despatch of memoranda and copies.

79. The date on which a memorandum or copy of a document is despatched shall be entered on the right-hand margin of the book in which the document has been copied, and the entry shall be initialled by the registering officer.

Receipts for memoranda and copies.

80. (1) Every memorandum or copy of a document sent under section 64 or section 65 shall be accompanied by a receipt in Form No. 12 in Appendix I. The receiving officer shall return the receipt immediately on receiving it after signing the same.

(2) The despatching officer shall send a reminder if any undue delay occurs in the return of the receipt and shall make a note of the reminder in the column of remarks of the register of copies and memoranda.

(3) All such receipts when returned shall be kept in a separate file according to the serial number of the documents to which they relate.

CHAPTER XII

Indexes.

Forms of Indexes Nos. I, II, III and IV.

81. The Indexes Nos. I, II, III and IV, prescribed by section 55, shall, respectively, be prepared in Form Nos. 13, 14, 15 and 16 in Appendix I.

Indexes to be kept in English and entries to be made in alphabetical order.

82. All indexes shall be in English and the entries therein made alphabetically, those under each letter being arranged in order according to the first vowel of the name when it begins with a consonant, and according to the second vowel when it begins with a vowel.

Spelling.

83. (1) If the documents to be indexed are written or executed in the English language, the names of persons and places shall be spelt in the index in the same way in which they are written in the documents.

(2) If the documents are written or executed in a vernacular language, the names of persons and places shall be spelt in the index according to Sir W. W. Hunter's system of transliteration.

Indexing of names.

84. (1) In the case of European names, the surname shall be taken as the index word.

(2) Bengali names shall be indexed according to their first letters as they stand in the document, except that appellations, such as Sayed, Shaik, etc., if appearing at the beginning of the name, shall be shown in the index at the end of the name, and shall be transliterated in the same form as that in which they are written in the document.

Indexing of representatives, guardians and agents.

85. When a document is executed by the representative, guardian or agent of a person, the name of such person as well as that of the representative, guardian or agent, shall be indexed.

Different coloured inks for certain names in Index No. III.

86. (1) An alphabetical index of the names of persons depositing sealed covers under section 42 shall be affixed to Book No. 5 and the names of such persons shall not be entered in Index No. III at that time but shall be entered therein in black ink after the contents of the Will have been copied in Book No. III, after the testator's death.

(2) The names and addition of persons claiming under a Will or authority to adopt, which, as prescribed by sub-section (4) of section 55, are not to be indexed unless the testator or donor is dead, shall be entered there in red ink.

Separate entry of each executant or claimant or property.

87. (1) When there are two or more executants or claimants under a document, their names shall be separately entered in Index Nos. I, III or IV, as the case may be, e.g., when there are three executants A, B and C, there will be three entries viz., "A and two others", "B and two others" and "C and two others".

(2) When two or more properties are conveyed by a single document, they shall be separately entered in Index No. II, e.g., when there are three mouzas A, B and C there will be three entries, viz., "A and two others", "B and two others" and "C and two others":

Provided that no Sub-Registrar need enter in his Index No.II any property which does not lie in his own sub-district.

(3) In indexing the name of an executant or claimant known by an alias as well as by the real name, index entries shall be made both of the real name and of the alias each under its proper alphabetical order.

Indexing of copies, memoranda and sale certificate.

88. (1) Copies and memoranda of documents and the copies of sale certificates and instruments and orders which are referred to in rule 6 shall be indexed in the same way as original documents but the entries relating to them shall be made in red ink.

(2) In Index No. I the names of the decree-holder, auction purchaser and judgment-debtor shall be indexed from sale certificates, and the names of the parties shall be indexed from memoranda.

Binding of indexes and copies for use in Sub-Registrar offices.

89. (1) In all registration offices Indexes Nos. I, II and IV shall be made in bound volumes.

(2) Index No. III shall be prepared in loose sheets and the Registrar on receiving these sheets after the close of the year shall bind them into one volume for the year for all the offices in the district including the Sadar Office. The pages shall be renumbered consecutively and the volume shall be prefaced with a table of contents showing the pages allotted to the indexes of each office. The names of those offices in which there was no registration in Book no. 3 during the year shall be clearly noted below the table of contents.

Procedure of recopying the Index books which are in danger of being destroyed or becoming illegible.

89A. (1) In terms of section 55 (7) when an Index book is in danger of being destroyed or becoming illegible wholly or partially or when such book shows signs of crumbling in respect of any page or part thereof or signs of fading in respect of any entry or part thereof, the entire book with all the entries made therein including both the affected and unaffected portions shall, with the previous sanction of the District Registrar, be recopied into a new Index book which shall be opened for the purpose.

(2) The entries shall be recopied from beginning to end in the order in which they appear in the original Index book and shall be duly compared. Both the copyist and the comparer shall be salaried members of the permanent establishment. The copyist and the comparer shall append to the recopied entries in the new Index book, their signatures with designation and date.

(3) The entries shall be faithfully reproduced as they appear in the original book and any missing or undecipherable letters, words or figures shall not be filled up or supplied by guess-work:

Provided that the missing or undecipherable letters, words or figures may be filled up or supplied where the same can be correctly ascertained by reference to the relevant original documents if available or by reference to the relevant copies in the appropriate Register book.

(4) Both in the cases where the missing or undecipherable portions have been supplied in the manner as laid down in the proviso to sub-rule (3) of rule 89A, and also in the cases where such portions could not be supplied in the manner aforesaid, the fact shall be mentioned in a note in respect of each such cases by the registering officer in separate sheets of paper which shall be kept enclosed with the new Index book. The missing or undecipherable letters, words or figures when supplied shall be underlined in red ink.

(5) After all the entries are recopied from the original book, the copying clerk shall certify on the last page as also on the first page of the new Index book, with his full signature and date that all the entries in the new Index book are true

copies of the index entries from the original. Such certificate given by the clerk shall be attested by the registering officer with his signature and date. The original Index book and the new Index book shall be placed together in the Record Room for facility of reference.

(6) When a new Index-book is opened under sub-rule (1) of Rule 89A, it should be assigned, as usual, a new catalogue number in the current catalogue of books. In the remark column thereof, a reference to the catalogue number, etc. of the original Index book from which the entries are transferred to the new Index book should be briefly noted in red ink. Similar reference in respect of the new Index book should be made in the remark column of the catalogue in which the original Index book has been entered.

(7) After the entire book has been recopied, a new label should be pasted over the cover of the original Index book and also over that of the new Index book with a note in red ink of the fact that the entries from the one have been recopied into the other. A cross-reference should also be made in red ink on the first page and on the last page of both the books in the following form -

"This book under catalogue No..... of the year..... of ..... (name of office) bearing book No. ..... Volume No..... of the year..... has been recopied from/into the book under catalogue No. ..... of the year..... of .....office bearing book No..... Volume No..... of the year..... under the order of the District Registrar of..... as per his Memo No..... , dated..... ."

CHAPTER XIII

Special provisions as to Powers-of-attorney.

Recognition and authentication of power-of-attorney

90. (1) A power-of-attorney shall not be recognized as authorizing an agent to act on behalf of a principal under the Act unless it contains an express or implied authority in that behalf.

(2) Powers-of-attorney, which do not contain or imply an authority to present for registration a document executed by or in favour of the principal, or to admit execution of any document executed by him, or to present an application under section 73 shall not be authenticated under clause (a) of sub-section (1) of section 33.

Explanation: A power-of-attorney authorising the agent to execute and register a document shall not be authenticated.

Notes to be made of inter-lineation, etc.

91. (1) All interlineations, blanks, erasures and alterations in power-of-attorney authenticated by a registering officer under clause (a) of sub-section (1) of section 33 shall, at the time of authentication be detailed in a foot-note by the registering officer.

(2) When there are no interlineations, blanks, erasures or alterations in such a power-of-attorney, the fact shall be mentioned in a foot-note signed by the registering officer.

(3) The said foot-note shall be copied in every case into the book of powers-of-attorney kept in Form No. 17 in Appendix I.

Authentication of powers-of-attorney.

92. The authentication of power-of-attorney shall be made –

(i) in Form No. 8(a) in Appendix II when the principal executing the power appears at the registration office;

(ii) in Form No. 8(b) in Appendix II when the principal being exempted from appearance the registering officer examines the principal on a visit under sub-section (3) of section 33; and

(iii) in Form No. 7 in Appendix II when the principal is examined on commission.

Registration of Powers-of-attorney.

92A. (1) The registration of irrevocable and general power-of-attorney, authorising the attorney to execute and register a document, shall be made in Book No. 1.

(2) The original copy of a power of attorney executed and authenticated out of Bangladesh, shall be admitted to registration under the provisions of the Power of Attorney Act, 2012 (Act No. 35 of 2012) [পাওয়ার অব অ্যাটর্নি আইন, ২০১২ (২০১২ সনের ৩৫ নং আইন)].

Translation of power-of-attorney to be filed in certain cases.

93. The presentant of a power-of-attorney which is presented for attestation; or of an attested power-of-attorney produced by him as agent with, or in connection with, a document presented for registration, shall, if the power-of-attorney is written or authenticated, or both written and authenticated, in a language not commonly used in the district, be required to file a translation in English, of the power-of-attorney or the endorsement of authentication or of the power-of-attorney with its authentication as the case may be, such translation being certified to be a true translation and attested by the presentant.

Endorsement when a authenticated power-of-attorney is used.

94. (1) Whenever a authenticated power-of-attorney is used in a registration office for the purposes of section 32, section 34 or section 73 an endorsement shall be made upon it in Form No. 9 in Appendix II, and it shall be returned forthwith to the party by whom it was presented.

(2) In the case of general power-of-attorney no such endorsement shall be required, and they shall be returned, after inspection, to the parties by whom they were presented.

CHAPTER XIV

Procedure with regard to Wills.

Deposits of Wills.

95. (1) A will shall not be received for deposit otherwise than is prescribed by section 42, and any will received through the post-office shall be returned to the sender in an unstamped envelope.

(2) The headings in Form No. 8 in Appendix I shall, as far as practicable, be filled up in receipt granted under clause (b) of sub-section (1) of section 52. For any will deposited under section 42, a note shall be entered on the receipt stating that the will is received for deposit under that section.

(3) When a sealed cover is presented for deposit the endorsement in Form No. 10 in Appendix II shall be recorded on the cover. The depositor's new address when supplied under sub-section (2) of section 46A shall be entered on the cover.

Entries in Book No. 5.

96. Every entry made in Register book No. 5 under provisions of section 43 and section 46A shall be signed in full and dated by the Registrar.

Withdrawn of sealed cover containing will.

97. When a sealed cover containing a will is withdrawn under section 44, the fact shall be noted in Register book No. 5 and the entry shall be signed by the person by whom the cover is withdrawn as well as by the Registrar, and the receipt referred to in sub-rule (2) of rule 95 shall be returned by such person and filed in the Registrar's office.

Opening of sealed cover containing will.

98. (1) When a sealed cover containing a will is opened under sub-section (1) of section 45, the fact shall be noted in Register book No. 5 and the note shall be signed by the Registrar.

(2) If a cover is opened under an order of a Civil Court, the fact shall be mentioned in the said note.

(3) When the deposited will is delivered to the nominee of the testator or his representative under sub-section (1) of section 45, the fact shall be noted in Register book No. 5 and the entry shall be signed by the person to whom the will is delivered as well as by the Registrar and the receipt referred to in sub-rule (2) of rule 95, shall be returned by such person, which shall be filed in the Registrar's office.

Documents to accompany wills forwarded to a Court.

99. When a will is forwarded to any Court under section 46, it shall be accompanied by –

(a) a memorandum of the fee for opening the cover and the charges (if any) for copying the will into Register book No. 3; and

(b) a letter requesting such Court to levy such fee and charges and to remit them to the Registrar by whom the will is forwarded.

Procedure of opening a sealed cover in the presence of a Judicial officer.

99A. (1) The Registrar shall, in writing, request the District Judge to nominate a Judicial Officer not below the rank of a Civil Judge or Assistant Judge, for the purpose of complying with the provision laid down in sub-section (3) of section 46A. In the presence of the judicial officer so nominated, the sealed cover shall be opened and the procedure further provided in the section aforesaid shall be followed.

(2) When a sealed cover is opened in the presence of a judicial officer under sub-section (3) of section 46A and the registration of the will is effected at the request of the person entitled thereto or when the destruction of the will is effected in the manner laid down in the section aforesaid, the facts should be noted in the Register book No. 5.

(3) The words, "or in any other manner" occurring in the first sentence in section 46-A(3), may include the following procedures –

(a) A notice by registered post should be sent to persons to whom, in the opinion of the Registrar, special notice should be given. The person who testified to the identity of the testator or his agent at the time of depositing the sealed cover may be one of such persons.

(b) A notice should be published in the official gazette.

(c) A notice should be posted in a conspicuous part of the Registrar's office for publicity.

(d) A notice for wide publicity should be sent to the Chairman of the Union Council, Thana Committee or Union Committee as the case may be in whose jurisdiction the depositor of the will and his nominee lived.

(e) A notice should be published in the Notice Board of the Sub-Registrar in whose jurisdiction the depositor and his nominee lived.

Monthly examination of sealed covers containing wills

100. Sealed covers containing wills deposited with a Registrar under section 42 or where they have been put under outer covers as hereinafter provided, such outer covers shall be examined monthly, and their condition on such examination shall be noted in such manner as the Inspector-General may direct.

When sealed covers show signs of damage, they shall be placed in strong outer covers which shall be sealed in the presence of the Registrar. The reasons for such a step shall be recorded and all the entries on the original covers shall be copied on such outer covers under the Registrar's signature with date. The Registrar may at any time open an outer cover and replace it by a fresh one in the manner aforesaid.

Revocation or cancellation of will and authority to adopt.

101. A revocation or cancellation of a will or an authority to adopt shall be registered in Register book No. 3.

Wills registered or refused not to be destroyed but deposited in Registrar's office.

102. Will registered or refused registration in Sub-Registry offices, remaining unclaimed for more than two years shall be sent to the Registrar's office for safe custody, a note to that effect being entered against the original entry in the Fee-book. All documents so transferred together with similar unclaimed wills of the Sadar Office shall be entered in the register (Form No. 5 in Appendix I) prescribed by rule 8. It shall not be necessary to include such wills in the return of unclaimed documents after they have been so deposited.

Summons under section 75, sub-section (4).

103. Summonses under sub-section (4) of section 75 shall be issued direct by the Registrar, who shall follow the procedure prescribed in Orders V and XVI in the first schedule to the Code of Civil Procedure, 1908, so far as it is applicable.

Application for summonses under section 37.

104. (1) Every application to a registering officer to procure the issue of a summons under section 37 shall be accompanied by the sum required for the payment of the expenses of the person whose appearance is desired, and the peon's fee as fixed by the rules governing the officer or Court who is to issue the summons.

(2) When calling upon such officer or Court to issue a summons, the registering officer shall forward a draft summons, in duplicate, for the signature of such officer or Court, together with the sum received under sub-rule (1).

Summonses when to be accompanied by translation.

105. Whenever any summons referred to in this chapter is to be served in an area in which is spoken a vernacular different from that spoken in the area in which the summons is issued, the summons shall be accompanied by a translation in English.

Attendance on summons issued under Section 37.

106. (1) If a summons issued under section 37 be addressed to a person, who is alleged to be the executant of a document it shall require him to attend either in person or by a duly authorised agent.

(2) If such a summons be addressed to a person whose evidence is required to prove any other fact, it shall require him to attend in person.

Procedure in case of non-appearance on summons.

107. (1) If any person upon whom a summons issued under section 37 has been duly served fails to appear, or if any summons issued under that section cannot be served, the registering officer may (if he is a Sub-Registrar, with the previous sanction of the Registrar) request the officer or Court who issued the summons to take such further action, under the law for the time being in force, as the registering officer may consider necessary for securing the attendance of such persons.

(2) Every such requisition shall be accompanied by the proper fee.

CHAPTER XVI

Supply of information from books or copies of documents.

Applications for searches and copies.

108. (1) An application to make a search of index or to inspect a copy of any registered document shall be in Form No. 36 in Appendix I.

(2) An application for a copy of any document or of an entry in any book shall be in Form No. 37, Appendix I.

(3) All such applications, when accepted, shall be serially numbered and entered in the Register of applications for search and copy (Form No. 18, Appendix I), the fee paid in respect of each application being shown in the appropriate column. If any such application is exempt from fee the fact shall be noted in the said column. A receipt for the fee paid shall be given in Form No. 19 or 20 in Appendix I, as the case may be.

(4) (a) When a copy of any registered document is required, applications both for search of the appropriate index and inspection of the register book in which the document has been copied shall, except in cases where no fee for search and inspection is payable, be made before applying for the copy.

(b) An application for inspection of an entry in a register book shall be preceded by an application for search of the appropriate index except in cases where no searching fee is payable.

(5) Applications made through Sub-Registrars for copies from books deposited in the Registrar's office shall be made in writing and shall be transmitted without delay to the Registrar for necessary action.

(6) When an application for a copy is forwarded to the Registrar under sub-rule (5), the necessary copying fee or an acknowledgement of its receipt shall accompany it.

(7) Registrars shall permit searches of, and shall grant copies of entries in, books kept previous to the first day of January 1909 in the same manner as in the case of books kept under the Act.

(8) Subject to the provisions of sub-sections (2) and (3) of section 57, copies of entries departmentally prescribed, and of all applications and papers relating to Registrar’s proceedings under section 72 and section 74 as well as of other documents and papers filed in registration offices, may be granted to any person on payment of the fees under Articles F and G of the table of fees for inspection of the entries and for copy.

Information required by officials.

109. (1) A call for information from any Court or Revenue Officer shall, if it necessitates a search in the books or the preparation of a copy of any document by officials of the registration office, be accompanied by the fee prescribed for these purposes.

(2) Officers of the Government may, without payment of the prescribed fee, make searches in indexes and inspect register books for bonafide public purposes, subject to the restrictions contained in section 57 as to the persons by whom certain searches may be made. For the purposes of this sub-rule, the Head of the Government office or department concerned should send his own responsible officer or officers to make such searches and inspections in the records of the registration office.

Procedure of production of records to Courts.

110. (1) If the production of a register book or any other record in any court is required, it shall be so produced by an officer of the registration establishment deputed for the purpose.

(2) The production of any record or document in the Court shall be made in the manner laid down in rule 197 of the Bengal Records Manual of 1943 read with Note (1) thereof.*

(3) Searching or copying fees for documents requisitioned by Court

Before complying with a requisition from a Court which involves a search or the preparation of a copy or any document, the registering officer shall forward to the Court a memorandum of the fees payable with a view to the amount being remitted by the Court.

* [Rule 197 of the Bengal Records Manual, 1943 and Note (I) of the said rule are reproduced below for the guidance of the registering officers -

> "197. In order to prevent revenue records being un-necessarily detained in Civil or Criminal Courts, the rules framed by the High Court (High Court's Circulars, 1918, Civil, Vol. I, Rules 88 and 90 page 106), which provided for cases where records are called for by other Courts are prescribed for adoption mutatis mutandis in Collectorate record rooms.
>
> (1) When a document or record in original is called for by a Civil Court at the instance of a private party it shall be examined first whether certified copies of all the papers required to be proved have been filed in the Court, and, when the paper called for is a Public document, whether it has been stated that there are special reasons for an inspection of the original although a certified copy has been filed. The clerk taking the record to the Court should then be able to bring back with him the complete record without being detained.
>
> As searching fee will have been paid by the party already when taking certified copy, no further searching fee shall be levied when a Civil Court calls for a record from any Collectorate or Commissioner's office at the instance of a private party.

(2) If it appears that certified copies of all the papers required for production have not been filed in the requisitioning Court or that in the case of public documents, though such certified copies have been filed, no special reasons have been stated for the production of the original or when the special reasons stated do not appear to the officer-in-charge of the records to be sufficient, an objection shall be framed and forwarded to the Court by a letter for its decision before the records are sent."

"Note 1. - All subordinate Courts should take special care to prevent the unnecessary production in Court of Public documents as defined in section 74 of the Evidence Act, 1872 or documents forming part of public documents or in public custody. Where documents are called for, the Court calling for them shall state the circumstances which render the production of the documents necessary. When, however, the Collector or other Public officer-in-charge of the documents has been summoned under Order XVI, Rules 1 and 6 of the Civil Procedure Code, 1908, to produce in Court a certain document, it will be his duty to send to the Court, but such officers may at the same time, in person or by letter addressed to the Court, object to the production of the document, stating the grounds of such objection. The Court calling for the production of a document shall allow, on each occasion when the production of such document is necessary, sufficient time to enable the Collector or the Public officer concerned, to consider whether there is any objection to the production of the document requisitioned, and, if so advised to frame and prefer the objection, and also to enable the Court to consider the same and decide, after hearing the parties, if necessary, whether it should compel the production of such document or not, and in either case, to communicate its decision to the public officer concerned before the production of the document."

CHAPTER XVII

Seals.

Custody and destruction of seals.

111. (1) The seal prescribed by section 15 shall remain in the personal custody of the registering officer.

(2) A seal which has become unfit for use and is replaced by a new one and the seal of an office which has been permanently closed shall be destroyed in the presence of the District Registrar who shall make a note of the destruction in the Stock-book of furniture kept in Form No. 25 in Appendix I.

Procedure in case of delay in receipt of seal.

112. Should a registering officer find himself temporarily un-provided with the prescribed seal, registration shall nevertheless proceed as usual, and such documents as have been transcribed shall remain in his custody until the seal can be affixed to the registration certificate.

CHAPTER XVIII

Office Procedure.

Hours of presentation of documents.

113. In all registration offices, documents shall ordinarily be accepted for registration on all working days from 10 a.m to 3 p.m. The hours during which documents may be presented shall be made known to the public by a notice exhibited in some conspicuous place in the registration office.

Daily notice of completion of documents.

114. The serial number of the last document completed and ready for return shall be daily exhibited in Form No. 21 in Appendix I in some conspicuous place outside every registration office.

Receipt and return of documents.

115. Registering officers shall themselves receive documents which are tendered for registration and shall return them after completion of registration as provided in rule 75. If any registering officer is unable to return the documents himself he may depute a clerk or muharrir by a written order in the office order book to do this in his presence. The same procedure shall be followed as regards the delivery of receipt under section 52.

Comparison of books with Catalogue.

116. Wherever there is a change in the charge of a registration office, the officer receiving the charge shall compare the books in the office with the catalogue kept in Form No. 22 in Appendix I, and shall record a certificate of verification in the catalogue.

Fees to be entered in the fee and cash books and paid into treasury or deposited into the Sonali Bank.

117. (1) All Fees and fines realised under the Act shall be entered in the fee book and shall be remitted to treasury or deposited into the Sonali Bank as provided in sub-rules (2) & (4). All receipts and payments shall be entered in the cash book specified in Rule 7. Registering officers are personally responsible for the safe custody of all cash until paid into the treasury or Sonali Bank or otherwise disbursed to the proper payee.

(2) Deposit of fees and fines realised under the Act shall be made by all the registration offices into the branches of Sonali Bank and the Bank shall remit the same to the treasury in the manner as may be specified by the Government in this behalf. Such deposit into the bank shall be made by means of chalan wherein the details of the amount deposited shall be stated.

(3) Remittances shall be made daily to the treasury and sub-treasury by the registration offices respectively with chalans in the form specified in form No. 23 in Appendix I.

(4) Subject to the conditions laid down in note to S.R. 43 of the Treasury Rules, amounts received on account of travelling allowance in connection with visits and commissions shall not be paid into the treasury but may be paid direct to the persons entitled to receive them.

The note runs as follows:-

Each registration office shall send on the last day of the month, or, if that be a Sunday or a holiday, on the next working day, to the treasury or sub-treasury, a chalan showing the credit of money realised during the month in accordance with article J or K of the Table of Fees, on account of travelling expenses of the registering officer or his peon or a commissioner for attending the residence of a person in connection with any proceeding under proviso to section 31 or section 33(3) or section 38 (2) of the Registration Act XVI of 1908 and the payment made therefrom supported by the payment vouchers.

Holidays.

118. The holidays to be observed in the registration offices shall be those referred to in Appendix IV.

APPENDIX I.

FORM NO. 1

REGISTER BOOKS NOS. 1, 3 AND 4.

(*See* Rule 3)

(Left-hand margin for copy of endorsements & certificates.)	Central space for copy of documents.	(Right-hand margin for notes)
	Twenty lines of fifteen words each	

FORM NO. 2

REGISTER BOOK NO. 2

RECORD OF REASONS FOR REFUSAL TO REGISTER

(*See* Rule 3)

Nature and date of instrument and names of executants & claimants	Reasons for refusal.	.Date of application for copy of the reasons for refusal.
	No.	Date on which the copy was furnished to the applicant.
Date of presentation.		Note of the result of appeal to the Registrar u/s 72 or of the application u/s 73.
		Note of any order of Court.
Name of the presenting party.	Dated Registering officer	Number and date of communication of the order of refusal or signature of the presentant with date.

APPENDIX I. –Contd.

FORM NO. 3

REGISTER BOOK NO. 5

REGISTER OF DEPOSIT OF WILLS.

(*See* Rule 3)

	1	Serial number of will deposited.
	2	Year, month, day and hour of deposit.
	3	Name and address of the testator or of his agent when the will is deposited by the agent of the testator.
	4	Name & address of the nominees of the testator to whom the will shall be delivered u/s 42(2).
	5	Name of person identifying the depositor.
	6	Copy of superscription on the sealed cover.
	7	Copy of inscription (if any) on the seal.
	8	Date of order of withdrawal u/s 44.
	9	Date of withdrawal of sealed cover & the signature of the person to whom the sealed cover is delivered.
	10	Date of application to open the cover u/s 45.
	11	Date on which the sealed cover is opened u/s 45 or section 46 or section 46A(3).
	12	Date on which the will is copied in book No. 3 u/s 45 or section 46 or section 46A(3).
	13	Date on which the will is removed into Court u/s 46 & number and date of acknowledgment of the Court.
	14	Date of delivery of the will to the nominee of the testator or his representative and the signature of the person to whom the will is delivered.
	15	Entry of depositor's new address supplied u/s 46A(2).
	16	Entry as to the death of testator and the nature of information whereby the Registrar satisfies himself about his death, u/s 46 A(3).
	17	Date of destruction of the will with date and number of the order for destruction u/s 46 A(3).
	18	N.B - The Registrar's signature should be appended with date to the entries in each column.

APPENDIX I. –Contd.

FORM NO. 4

REGISTER OF THUMB IMPRESSION

(*See* Rules 4, 7 & 48)

Impression of left thumb or other digit.	Name and signature of executant or indentifier.	Date of impression.	Book No. Document No.	Serial No. of impression.
1	2	3	4	5
Initials of the person taking the Thumb impression			Initial of the Registering officer	
Initials of the person taking the Thumb impression			Initial of the Registering officer	
Initials of the person taking the Thumb impression			Initial of the Registering officer	
Initials of the person taking the Thumb impression			Initial of the Registering officer	
Initials of the person taking the Thumb impression			Initial of the Registering officer	

APPENDIX I. – Contd.

FORM NO. 5

REGISTER OF WILLS DEPOSITED UNDER RULE 102

(*See* Rules 8 & 102)

Serial No.	Document No. with Year.	Office to which it relates.	Date of receipt and in the case of will of the Registrar's office, date of entry in the Register.	How disposed of, if the document is not in the office.	Initial of the District Registrar or the District. Sub-Registrar and date.	Remarks.
1	2	3	4	5	6	7

FORM NO. 6

MEMORANDUM OF DOCUMENT

(*See* Rules 23 & 76)

Nature of document, date of presentation, copy of endorsement of registration and in case of a memorandum of a copy, also copy of endorsement of filing.	Names and additions of the parties.		Short description of property and the extent of interest affected, and touzi number where possible.	Amount of consideration money.
	Executants	Claimants		
1	2	3	4	5

Signature of Registrar/Sub-Registrar.

APPENDIX I. – Contd.

FORM NO. 7

REGISTER OF DOCUMENTS IMPOUNDED

(*See* Rules 7 and 27)

	1	Serial No.	
	2	Date of presentation.	
	3	Nature of document.	
	4	Date of execution.	
	5	From --	Names with address of parties
	6	To---	
	7	By whom presented.	
	8	Amount of consideration.	
	9	Stamp affixed.	
	10	Date on which document was sent to Collector.	
	11	Date on which it was received back.	
	12	Stamp duty adjudicated.	
	13	Penalty imposed.	
	14	Date on which notice is issued to presentant or claimant for deposit of fees, etc.	
	15	No. of the document and the volume in which registered or No. in Register book 2.	
	16	Remarks.	

APPENDIX I. –Contd.

FORM NO. 8

RECEIPT UNDER SECTION 52 SUB-SECTION (1) CLAUSE (b).

[*See* Rules 7, 24(2), 44(2) and 95(2).]

RECEIPT UNDER SECTION 52, SUB-SECTION (1) CLAUSE (b). [See Rules 7, 24(2), 44(2) and 95(2).]	RECEIPT UNDER SECTION 52, SUB-SECTION (1) CLAUSE (b). [See Rules 7, 24(2), 44(2) and 95(2).] To be returned by the presentant and pasted into this place.
Serial No. ..... Document No. ..... Book No. ..... Received from ..... Document executed by..... In favour of ..... Nature of document ..... Value .... Art. Fees ..... Amount Total..... Probable date on which document may be ready for return ..... Dated ..... 20 *Registering Officer*	Serial No. ..... Document No..... Book No..... Received from ..... Document executed by..... In favour of..... Nature of document ..... Value..... ..... Art. Fees ..... Amount Total..... Probable date on which document may be ready for return ..... Dated ..... 20 *Registering Officer* The document will be returned on presentation of this receipt. Document (other than wills) remaining unclaimed in any Registration Office for a period exceeding two years are liable to be destroyed. A document or a power of attorney remaining unclaimed for more than one month after completion of registration or after authentication is liable to an additional fee of Taka 5/- for every month or part thereof subject to a maximum of Taka 100/- in each case.

APPENDIX I. –Contd.

FORM NO. 8

(On the Reverse).

	Please deliver to ..... the deed described on the reverse and pay to him fees, if any, refundable to me in respect of the same. *Signature of Presentant* Received the document described on the other side* and got refund of the following fees under Articles .... * To be struck off where necessary. (Date Stamp) *Signature of Recipient.* *Dated* *Initial of the Registering Officer.*

APPENDIX I. – Contd.

FORM NO. 9

REGISTER OF VISIT AND COMMISSIONS

(*See* Rules 7 and 32)

	1.	Serial No.
	2.	Date of application.
	3.	Name of Person to be examined.
	4.	Place of residence.
	5.	Cause of visit under section 31 or of visit or commission u/s 33 or 38.
	6.	Fees paid.
	7.	Amount of travelling allowance paid.
	8.	Distance of the place of residence from the office.
	9.	Name of person by whom the visit is paid.
	10.	Date of visit.
	11.	Register number of the deed and the volume in which it is copied or number of entry in Book No. 2 if refused.
	12.	Remarks.

APPENDIX I. –Contd.

FORM NO. 10

MISCELLANEOUS RECEIPT

[*See* Rules 7, 24(4) & 331]

(1) Serial No. .....

(2) Name of payer

.....

(3) Number of document to which the fee relates

.....

Article	Amount
(4) Fees paid	
(5) Other receipts ……..	

Registering Officer

N.B : Colum (3) shall be filled up in case of fees realised subsequent to the date of presentation of document.

APPENDIX I. –Contd.

FORM No. 11

FEE BOOK

(*See* Rule 7 of Regn. Rule & also Rule 7 of পে-অর্ডারের মাধ্যমে রেজিস্ট্রেশন ফি পরিশোধ বিধিমালা, ২০০৭)

	1	Serial of all documents.
	2	Date of presentation.
	3	Nature of document.
	4	From whom received.
	5	Value of properties in Taka.
	6	Article under which registration fee is chargeable.
	7	Amount of fee (In cash)
	8	Amount of fee (By payment order)
	9	No. , date & name of Bank issuing Payment Order
	10	Date of admission or refusal.
	11	No. of document in register book or in register of power of attorney.
	12	Date of completion.
	13	Book, volume & page in which registered.
	14	Date of delivery.
	15	No. of copies or memoranda to be issued.
	16	Date when copies or memoranda issued.
	17	Remarks.

APPENDIX I. –Contd.

FORM NO. 12

RECEIPT FOR MEMORANDUM AND COPIES

(*See* Rule 80)

Memo No..... Date.....

The undersigned has the honour to acknowledge the receipt of the under-mentioned memoranda and copies of documents.

Signature of Registrar/ Sub-Registrar.

Dated …… of ……
To the Registrar/Sub-Registrar of ……

Register number of document.	Where registered.	Number of short notes.	Number of memoranda.	Number of copies.	Date of receipt.
1	2	3	4	5	6

FORM NO. 13

INDEX NO. I FOR 20.....

(*See* Rule 81)

Name of person	Father's name or mother's name, residence, profession (if any) and religion (if any).	Interest of the person in the transaction.	Where registered	Serial No.	Book 1.	
					Volume	Page
1	2	3	4	5	6	7

APPENDIX I. –Contd.

FORM NO. 14

INDEX NO. II FOR 20....

(*See* Rule 81)

Name of property or mouza or town or street or road to which the property fronts and the extent of property effected	Name of thana or town	District and Sub-district	Name of transaction and consideration amount.	Where registered	Serial No.	Book 1	
						Volume	Page
1	2	3	4	5	6	7	8

FORM NO. 15

INDEX NO. III FOR 20....

(*See* Rule 81)

Name of person	Father's name or mother's name, residence, profession or trade, rank and title (in any) and religion (if any).	Interest in will or authority to adopt.	Where registered	Serial No.	Book 3	
					Volume	Page
1	2	3	4	5	6	7

APPENDIX I. –Contd.

FORM NO. 16

INDEX NO. IV FOR 20....

(*See* Rule 81)

Name of person	Father's name or mother's name, residence, profession or trade, rank and title (in any) and religion (if any).	Interest of the person in the transaction	Serial No.	Book IV	
				Volume	Page
1	2	3	4	5	6

FORM NO. 17

REGISTER OF POWERS- OF-ATTORNEY

(*See* Rule 7 and 91)

Serial number of the year	Name and additions of Principals	Names and additions of attorneys.	Names and additions of identifiers and witnesses if possible	Date of authenti--cation	Abstract
1	2	3	4	5	6
					Registrar/ Sub-Registrar *(Copy of foot- note).*

APPENDIX I. –Contd.

FORM NO. 18

REGISTER OF APPLICATION FOR SEARCH AND COPY.

[*See* Rules 7 and 108 (3)]

	1	Of all applications.	Serial No.
	2	Of Search of Index I or Inspection of Books 1 & 2.	
	3	Of search of Indexes III and IV and inspection of Books 3 & 4.	
	4	Of copies.	
	5	Date of application.	
	6	Name of the applicant.	
	7	Nature of document.	
	8	Name of the office and the year to which the search, etc., relates.	
	9	Interest of the applicant in the document.	
	10	Name of person or property (place) to be searched or the register number of documents to be inspected or of which copy is required.	
	11	Reference to the previous application for search or inspection, if any, in case of application for copies.	
	12	Under article F(1) (i) and (ii).	Fees paid
	13	Under Article F(2).	
	14	Under Article G.	
	15	Date of payment.	
	16	Date of search.	
	17	Result of search, etc., successful or otherwise.	
	18	Date on which stamps are deposited.	
	19	Value of stamps deposited.	
	20	Number of cartridge paper supplied.	
	21	Number of cartridge paper returned unused.	
	22	Date on which copies prepared.	
	23	Date on which copies delivered.	
	24	Signature of applicant.	
	25	Remarks (with Sub Registrar's initial).	

APPENDIX I. – Contd.

FORM NO. 19

RECEIPT FOR FEES DEPOSITED FOR SEARCH OR INSPECTION.

[*See* Rule 108(3)]

1. Serial number of application .....
2. Date of application .....
3. Search for the years .....
4. Name of office to which the record to be searched or inspected relates .....
5. Name of person or property to be searched .....
6. Nature of document .....
7. Particulars of record to be inspected (year, number, book, volume and page in the case of registered document) .....
8. From whom received .....
9. Fees paid under Article .....

F(1) (i) .....

F(1)(ii) .....

F(2) .....

Registrar/Sub-Registrar of .....

APPENDIX I. – Contd.

FORM NO. 20

RECEIPT FOR FEES FOR COPY UNDER APPLICATION FOR INSPECTION.

[*See* Rule 108(3)]

No. ..... Date .....

1. Serial number of application .....
2. Date .....
3. Received from .....
4. On account of copy of deed No. .....
5. Register Book No. .....

   Volume No. ..... pages .....

   For the year .....

   of the .... office .....
6. Copying fee under article:

   G(a) .....

   G(b) .....
7. Charges for preparing map or plan .....
8. Stamp paper (value) .....
9. Cartridge paper ..... sheets .....

Registrar/Sub-Registrar of .....

APPENDIX I. –Contd.

FORM NO. 21

DAILY NOTICE

(*See* Rule 114)

No..... , Dated The ..... 20 .....

It is hereby notified that the registration of the following documents was completed yesterday, and that these and all documents previously admitted to registration are ready to be returned to the parties who presented them.

	Book 1	Book 3	Book 4
Number of last document completed. Date of admission ..... Name of presentant			

N.B.—Documents (other than wills) remaining unclaimed in any registration office, are liable by law to be destroyed unless taken away within the prescribed period.

Registering officer .....

APPENDIX I. – Contd.

FORM NO. 22

CATALOGUE OF BOOKS

(*See* Rules 7 and 116)

	1	Sl. No.	
	2	Office to which the books relate	
	3	Year and date of opening	
	4	Title of book.	
	5	Volume number and year.	
	6	No. of document etc. in each.	
	7	No. of pages written upon.	
	8	No. of pages left blank or cancelled.	
	9	Date of closing the book.	
	10	Date of transmission to Sadar record room.	
	11	Date of receipt in the Sadar record room.	
	12	Room.	Number of
	13	Rack.	
	14	Shelf.	
	15	Remarks.	

Note : -

(1) Columns 12, 13 and 14 need not be filled in the case of Rough Catalogue.

(2) When an entry in the Rough Catalogue is transferred to the Fair Catalogue, the number assigned to it in the Fair Catalogue should be quoted in column 1 of the Rough Catalogue below the original serial number.

(3) Note of destruction of a record should be made in the column of remarks.

APPENDIX I. – Contd.

FORM NO. 23

CHALAN

(*See* Rule 7)

CHALAN Accountant's No..... of ..... Treasury..... Bangladesh, dated 20				**CHALAN** Accountant's No..... of ..... Treasury..... Bangladesh, dated 20				**CHALAN** Accountant's No..... of ..... Treasury..... Bangladesh, dated 20			
By whom brought	Descrip-tion of items	Amount		By whom brought	Descrip-tion of items	Amount		By whom brought	Descrip-tion of items	Amount	
		Taka	P.			Taka	P.			Taka	P.
	Total ..				Total ..				Total..		
		Taka				Taka				Taka	
Amount as per back : Pay-Orders ..... Notes ..... Coins				Amount as per back : Pay-Orders ..... Notes ..... Coins				Amount as per back : Pay-Orders ..... Notes ..... Coins			
Total ..				Total ..				Total ..			
Treasurer Examined and entered Accountant No .. of the Sub Registry office at … Dated… 20.. *Sub Registrar*				Treasurer Examined and entered Accountant No .. of the Sub Registry office at … Dated… 20.. *Sub Registrar*				Treasurer Examined and entered Accountant No .. of the Sub Registry office at … Dated… 20.. *Sub Registrar*			

REVERSE OF FORM NO. 23

Description of Pay-orders			Description of Pay- orders			Description of Pay- orders		
No.	Date	Amount	No.	Date	Amount	No.	Date	Amount
Total ..			Total ..			Total ..		

Number of Notes & Coins	Amount		Number of notes	Amount		Number of notes	Amount	
	Tk.	Ps.		Tk.	Ps.		Tk.	Ps.
Total ..			Total ..			Total ..		

APPENDIX
FORM
CASH BOOK OF
(*See*

(Left Part)

Date	Receipts							Total
	Particulars of Receipt	Amount creditable to the Treasury		Permanent Advance recouped from the Treasury		Amount due to others received from Treasury or from other sources		
1	2	3		4		5		6
		Taka	P	Taka	P	Taka	p	
	Total Receipts							
	Opening balance							
	Grand Total							
Clerk-in-charge								

I. – Contd.

NO. 24

THE OFFICE OF THE .....

Rule 7)

(Right Part)

Payments							Total		Remarks (Details of the closing balance, etc.)
Particulars of expenditure	Amount remitted to Treasury.		Out of Permanent Advance.		Amount paid to the others whether received from the Treasury or other sources.				
7	8		9		10		11		12
	Taka	P	Taka	P	Taka	P	Taka	p	
Total of payments									
Closing Balance									
Grand Total									

Officer-in –charge

APPENDIX I. –Contd.

FORM NO. 25

STOCK BOOK OF FURNITURE

(*See* Rules 7 and 111)

Office of .....

Department or room and its distinguishing letter or number .....

Articles .....

Distinguishing number allotted to article.	Cost price.		Initial of officer-in-charge with date	Number of disposal.	Price realized.	No. & date of chalan or money-order remitting the sale proceeds.	Initial of officer in-charge with date.	Remarks.
	Tk	P						

APPENDIX I. –Contd

FORM NO. 26

REGISTER OF COPIES, MEMORANDA AND NOTES DESPATCHED TO OTHER OFFICES

(*See* Rule 7)

	1	Register No. of document and volume in which entered.	
	2	Admission to registration of document or receipt of copy.	Date of
	3	Completion of registration of document or filing of copy.	
	4	Short-notes.	Serial number of
	5	Copies.	
	6	Memoranda.	
	7	Name of office to which copies, memoranda & short notes are despatched.	
	8	Short-notes.	Date of despatch of
	9	Copies.	
	10	Memoranda.	
	11	Date of acknowledgement.	
	12	Initials of Registering officer.	
	13	Reminders and remarks.	

N.B. *- Entries relating to copies received from other districts should be made in red ink.*

FORM NO. 27

REGISTER OF DOCUMENTS PENDING ADMISSION TO REGISTRATION

(*See* Rule 7)

	1	Serial No.
	2	Date of execution according to Christian era.
	3	Date of presentation.
	4	Serial number of the document in column 1 of the fee book.
	5	Name of person presenting the document.
	6	Fees paid.
	7	Reason why pending.
	8	Date of admission to registration.
	9	Register number of the document, if admitted.
	10	Date and number of refusal, if registration is refused.
	11	Date refund of fee.
	12	Remarks.

APPENDIX I. –Contd.

FORM NO. 28

REGISTER OF FINES UNDER SECTIONS 25 AND 34

(*See* Rule 7)

	1	Serial No.
	2	Date of execution.
	3	Date of presentation in cases u/s 25 or admission of execution in cases u/s 34.
	4	Registration Fee paid.
	5	Under Section 25
	6	Under Section 34.
	7	From whom received.
	8	Register No. of document in Book I or IV.
	9	Refusal No. of document in Book II.
	10	Date of registration or refusal.
	11	Initial of registering officer.
	12	Remarks (with the period of delay).

APPENDIX I. –Contd.

FORM NO. 29

REGISTER OF REFUNDS.

(*See* Rules 7)

	1	Serial No.	
	2	Serial No. in fee book.	
	3	Date of admission or refusal of documents on which refunds are due.	
	4	Date of credit in the Treasury.	
	5	Name and residence of party to whom due.	
	6	Registration fees on refund documents.	Nature of refund
	7	Fees under Articles F, G, J or K and travelling allowances.	
	8	Fees levied in excess.	
	9	Date of refund.	
	10	Signature of payee.	
	11	Date of destruction of the document.	
	12	Date of order of the Inspector General sanctioning the writing off of the amount.	
	13	Date of recoupment of the permanent advance.	
	14	Initial of the registering officer.	
	15	Remarks.	

APPENDIX I. –Contd.

FORM NO. 30

REGISTER OF PROCESS AND COURT FEES.

(*See* Rule 7)

Serial No	Date of application	Nature of application	No. of document in fee book or No. of case u/s. 72, 73 or 74	Name of applicant	Order passed in application	Process fee or court fee paid		Remark
1	2	3	4	5	6	7		8
						Tk.	P	

APPENDIX I. –Contd.

FORM NO. 31

REGISTER OF COPIES, MEMORANDA, SALE CERFTICATES AND SHORT NOTES,

RECEIVED FROM OTHER OFFICES.

(*See* Rule 7)

Serial number of				Name of office of issue	Date and number of issue	Date of receipt	Initial of registering officer	Date of filing	Initial of registering officer	Remarks
Copies	Memoranda	Sale certificates	Shortnotes							
1	2	3	4	5	6	7	8	9	10	11

N.B. *- Entries up to column 7 should be made on the date of receipt, the registering officer's initials being put in the column 8 on the same date.*

APPENDIX I. – Contd.

FORM NO. 32

REGISTER OF APPEALS U/S. 72

(*See* Rule 8)

Number of appeals	Name of parties.	Date of presentation of appeal	Name of Sub-Registrar against whose order the appeal is preferred with date of the order of refusal.	Particulars of documents of which registration has been refused & grounds of refusal.	Dates of adjournments.	Final order.
1	2	3	4	5	6	7

APPENDIX I. – Contd.

FORM NO. 33

REGISTER OF APPLICATION U/S 73 AND PROCEEDINGS U/S 74.

(*See* Rule 8)

Number of application	Names of parties.	Date of presentation of application.	Name of Sub-Registrar by whom the document has been refused with date of the order of refusal.	Particulars of documents of which registration has been refused & grounds of refusal.	Dates of adjournments.	Final order.
1	2	3	4	5	6	7

APPENDIX I. –Contd.

FORM NO. 34

REGISTER OF LETTERS RECEIVED.

(*See* Rule 7)

Year ..... 20 ..... Department .....

	1	Consecutive No.	
	2	Date of receipt in office	
	3a	From whom received	Letters etc.
	3b	Number	
	3c	Date	
	4	Short subject	
	5a	Number	Reminders
	5b	Date	
	6a	File number	Where the letter is placed
	6b	Serial number	
	6c	No. & title of the collection	
	6d	No. of the file within collection.	
	7	Brief note of action. (Here enter No. & date of order Issued. "File" or "Await" as the case may be.)	

APPENDIX I. – Contd.

FORM NO. 35

REGISTER OF LETTERS ISSUED.

(*See* Rule 7)

Year ..... 20 ..... Department .....

	1	Consecutive No.	
	2	Date.	
	3	To whom addressed.	
	4	Short subject.	
	5	File No. & serial No. of letter in file.	Where the draft is placed.
	6	No. & title of the collection.	
	7	No. of file within collection.	
	8	No. & date of reply received.	
	9	Number.	Reminder
	10	Date.	
	11	Value of stamp.	
	12	Remarks.	

APPENDIX I. – Contd.

FORM NO. 36

FORM OF APPLICATION FOR SEARCH OR INSPECTION

[*See* Rule 108(1)]

No .....

Date of application.	1	
Name and residence of the applicant.	2	
Year to which the search or inspection relates.	3	
Name of persons or place to be searched.	4	
Nature of document in respect of which search or inspection is required.	5	
Number of the index to be searched (whether I, II, III or IV).	6	
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.	7	
In the case of application for inspection, reference to the previous application for search & the No. 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.	8	
Name of the office where the document has been registered, or (in case of other records) to which it relates.	9	
Fee paid.	10	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).	11	

Allow search/inspection.

Signature of applicant.

Sub-Registrar of .. .. ..

APPENDIX I. – Contd.

FORM NO. 37

FORM OF APPLICATION FOR COPY

[*See* Rule 108(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 or inspection No ..... date .....
Nature of document & the office to which it relates.	4	
No. with year of the document & the volume & pages of the book in which copied.	5	Deed ..... registered in Book ..... volume ..... Pages ..... for .....
Fees paid.	6	G(a) ..... G(b) .....
Remarks.	7	

Give Copy.

Signature of applicant. *Sub-Registrar of .....*

APPENDIX I.

FORM NO. 40

ফরম নং -৪০

সম্পত্তি হস্তান্তর দলিলের নমুনা ফরম

[ধারা ২২ক(৩) দ্রষ্টব্য]

ক্রমিক নং ..... বহি নং ..... দলিল নং .....

(স্ট্যাম্প)

১। রেজিস্ট্রি অফিসের নাম :

২। দলিলের সার-সংক্ষেপ :

দলিলের প্রকৃতি	মৌজার নাম	সিটি কর্পোরেশন/পৌরসভা/ইউনিয়ন	থানা/উপজেলা	জেলা

হস্তান্তরিত সম্পত্তির পরিমাণ	শ্রেণি	মূল্য (অংকে ও কথায়)

৩। দলিল গ্রহীতার/গ্রহীতাগণের নাম ও ঠিকানা : (আদালত, সরকারি বা বেসরকারি প্রতিষ্ঠানের ক্ষেত্রে ছবি প্রযোজ্য নয়)

নাম :
পিতার নাম :
স্বামীর নাম :
মাতার নাম :
বয়স/জন্ম তারিখ :
ধর্ম :
পেশা :
জাতীয়তা :
জাতীয় পরিচয়পত্র/ পাসপোর্ট/ জন্ম নিবন্ধন সনদ নম্বর (প্রযোজ্য ক্ষেত্রে) :

ছবি

(গ্রহীতা/গ্রহীতাগণের সম্প্রতি তোলা পাসপোর্ট আকারের ছবি সংযুক্ত করিতে হইবে)

স্থায়ী ঠিকানা :
গ্রাম/বাড়ি/হোল্ডিং/রোড/ব্লক/সেক্টর :
ডাকঘর :
থানা/উপজেলা :
জেলা :

বর্তমান ঠিকানা :
গ্রাম/বাড়ি/হোল্ডিং/রোড/ব্লক/সেক্টর :
ডাকঘর :
থানা/উপজেলা :
জেলা :

(দ্রষ্টব্য : স্বাক্ষর এবং টিপসহি এমনভাবে প্রদান করিতে হইবে যেন উহা ছবি এবং কাগজ উভয়ের উপর পড়ে)

৪। দলিল দাতার/দাতাগণের নাম ও ঠিকানা : (আদালত, সরকারি বা বেসরকারি প্রতিষ্ঠানের ক্ষেত্রে ছবি প্রযোজ্য নয়)

নাম :
পিতার নাম :
স্বামীর নাম :
মাতার নাম :
বয়স/জন্ম তারিখ :
ধর্ম :
পেশা :
জাতীয়তা :
জাতীয় পরিচয়পত্র/ পাসপোর্ট/ জন্ম নিবন্ধন সনদ নম্বর (প্রযোজ্য ক্ষেত্রে) :

ছবি

(দাতা/দাতাগণের সম্প্রতি তোলা পাসপোর্ট আকারের ছবি সংযুক্ত করিতে হইবে)

স্থায়ী ঠিকানা :
গ্রাম/বাড়ি/হোল্ডিং/রোড/ব্লক/সেক্টর :
ডাকঘর :
থানা/উপজেলা :
জেলা :

বর্তমান ঠিকানা :
গ্রাম/বাড়ি/হোল্ডিং/রোড/ব্লক/সেক্টর :
ডাকঘর :
থানা/উপজেলা :
জেলা :

(দ্রষ্টব্য : স্বাক্ষর এবং টিপসহি এমনভাবে প্রদান করিতে হইবে যেন উহা ছবি এবং কাগজ উভয়ের উপর পড়ে)

৫। ক্ষমতাপ্রাপ্ত অ্যাটর্নি/প্রতিনিধি/অভিভাবক এর নাম, ঠিকানা ও বিবরণ (প্রযোজ্য ক্ষেত্রে) :

নাম :
পিতার নাম :
স্বামীর নাম :
মাতার নাম :
বয়স/জন্ম তারিখ :
ধর্ম :
পেশা :
জাতীয়তা :
জাতীয় পরিচয়পত্র/ পাসপোর্ট/ জন্ম নিবন্ধন সনদ নম্বর (প্রযোজ্য ক্ষেত্রে) :

ছবি

(অ্যাটর্নি/প্রতিনিধি/অভিভাবকের সম্প্রতি তোলা পাসপোর্ট আকারের ছবি সংযুক্ত করিতে হইবে)

স্থায়ী ঠিকানা :
গ্রাম/বাড়ি/হোল্ডিং/রোড/ব্লক/সেক্টর :
ডাকঘর :
থানা/উপজেলা :
জেলা :

বর্তমান ঠিকানা :
গ্রাম/বাড়ি/হোল্ডিং/রোড/ব্লক/সেক্টর :
ডাকঘর :
থানা/উপজেলা :
জেলা :

৬। পাওয়ার অব অ্যাটর্নির বিবরণ (প্রযোজ্য ক্ষেত্রে) :

পাওয়ারদাতার নাম :
অফিসের নাম/দূতাবাসের নাম :
দলিল নম্বর :

পাওয়ারগ্রহীতার নাম :
জেলা/দেশের নাম :
তারিখ :

৭। হস্তান্তরাধীন সম্পত্তির ন্যূনপক্ষে ২৫ বছরের মালিকানার ধারাবাহিক বিবরণ : (যথাযথ ক্ষেত্রে ওয়ারিশ ও বায়া দলিলসমূহের বিস্তারিত বিবরণ এবং হস্তান্তরের উদ্দেশ্য, সম্পত্তির দখল, ইজমেন্ট স্বত্ত্ব এবং হস্তান্তর সম্পর্কিত উল্লেখযোগ্য মন্তব্য, যদি থাকে, ইত্যাদির বিবরণ)

৮। একাধিক ক্রেতা/গ্রহীতার ক্ষেত্রে ক্রয়কৃত/অর্জিত জমির হারাহারি মালিকানার বিবরণ (যদি থাকে) :

ক্রেতা/গ্রহীতার নাম	মালিকানার পরিমাণ

৯। একাধিক বিক্রেতা/হস্তান্তরকারীর ক্ষেত্রে হস্তান্তরিত জমির হারাহারি মালিকানার বিবরণ (যদি থাকে) :

বিক্রেতা/হস্তান্তরকারীর নাম	মালিকানার পরিমাণ

১০। সম্পাদনের তারিখ (বাংলা ও ইংরেজী) :

১১। সম্পত্তির তফসিল : (জেলা, থানা/উপজেলা; সিটি কর্পোরেশন/পৌরসভা/ইউনিয়ন; সংশ্লিষ্ট ভূমি অফিসের নাম; মৌজা; জে.এল নম্বর; সি.এস/ আর. এস/ বি. আর. এস/ হাল/খারিজ খতিয়ান নম্বর; সি.এস/ আর. এস/ বি. আর. এস/ হাল দাগ নম্বর; দাগ অনুযায়ী জমির শ্রেণী ও পরিমাণ উল্লেখ করিতে হইবে)

১২। সম্পত্তির চৌহদ্দির বিবরণ :

উত্তর :	দক্ষিণ :
পূর্ব :	পশ্চিম :

১৩। হস্তান্তরিত সম্পত্তির পরিমাণ (অংকে ও কথায়) :

১৪। হস্তান্তরিত সম্পত্তির মূল্য পরিশোধের বিবরণ (যদি থাকে) :

১৫। হস্তান্তরিত সম্পত্তির হাত নকশা ও পরিমাপ :

১৬। কৈফিয়ত (যদি থাকে) :

১৭। দলিল পাঠ করিয়া/করাইয়া আমরা উহার মর্ম অবগত ও সম্মত হইয়া স্বাক্ষর করিলাম :

দাতার/অ্যাটর্নির/প্রতিনিধির/অভিভাবকের স্বাক্ষর : গ্রহীতার/অ্যাটর্নির/প্রতিনিধির/অভিভাবকের স্বাক্ষর :

১৮। সাক্ষী/সাক্ষীগণের নাম, ঠিকানা ও স্বাক্ষর :

(ক) নাম : স্বাক্ষর ও তারিখ :

পিতা/স্বামীর নাম : মাতার নাম :

গ্রাম/বাড়ি/হোল্ডিং/রোড/ব্লক/সেক্টর : ডাকঘর :

উপজেলা/থানা : জেলা :

(খ) নাম :	স্বাক্ষর ও তারিখ :
পিতা/স্বামীর নাম :	মাতার নাম :
গ্রাম/বাড়ি/হোল্ডিং/রোড/ব্লক/সেক্টর :	ডাকঘর :
উপজেলা/থানা :	জেলা :

১৯। সনাক্তকারীর নাম, ঠিকানা ও স্বাক্ষর :

(ক) নাম :	স্বাক্ষর ও তারিখ :
পিতা/স্বামীর নাম :	মাতার নাম :
গ্রাম/বাড়ি/হোল্ডিং/রোড/ব্লক/সেক্টর :	ডাকঘর :
উপজেলা/থানা :	জেলা :

২০। হস্তান্তরিত সম্পত্তির সঠিক পরিচয় এবং বাজার মূল্য সম্পর্কে সম্যক অবহিত হইয়া আমি নিম্নস্বাক্ষরকারী অত্র দলিল মুসাবিদা করিয়াছি/লিখিয়া দিয়াছি এবং পক্ষগণকে পাঠ করিয়া শুনাইয়াছি। দলিলটি ..... ফর্দে লিখিত।

মুসাবিদকারী বা দলিল লেখকের নাম, পূর্ণ ঠিকানা ও দলিল লেখকের সনদ নম্বর (অফিসের নামসহ) :
দলিল লেখকের স্বাক্ষর :

২১। রাষ্ট্রপতির ১৯৭২ সনের ১৪২ নং আদেশ, ১৯০৮ সনের রেজিস্ট্রেশন আইনের section 52A(g) এবং ১৮৮২ সনের সম্পত্তি হস্তান্তর আইনের section 53E অনুসারে প্রদত্ত হলফনামা: পৃথক ফর্দে সংযুক্ত।

২২। সাব-রেজিস্ট্রারের নাম ও পদবীসহ স্বাক্ষর ও তারিখ :

স্থাবর সম্পত্তির বর্ণনা সম্বলিত দলিল নিবন্ধনের ক্ষেত্রে
দলিল দাতা বা গ্রহীতা বা নিযুক্ত অ্যাটর্নি, প্রতিনিধি বা অ্যাসাইনি প্রদত্ত হলফনামা
(দ্রষ্টব্য : পরিশিষ্ট-১, ফরম নং -৪০, অনুচ্ছেদ -২১)

হলফনামা

(রাষ্ট্রপতির ১৯৭২ সনের ১৪২ নং আদেশ, ১৯০৮ সনের রেজিস্ট্রেশন আইনের section 52A(g) এবং ১৮৮২ সনের সম্পত্তি হস্তান্তর আইনের section 53E অনুসারে প্রদত্ত হলফনামা)

বরাবর

..... (যে কর্মকর্তার সম্মুখে হলফনামা দাখিল হইবে তাহার পদবী ও ঠিকানা)।

হলফকারী/হলফকারীগণের নাম, পিতার নাম, ঠিকানা ও বয়স .....

এই মর্মে ঘোষণাপূর্বক হলফনামা প্রদান করিতেছি যে, আমি/আমরা বাংলাদেশের (বা প্রযোজ্য ক্ষেত্রে অন্য দেশের নাগরিক হইলে উক্ত দেশের নাম) নাগরিক।

আমি/আমরা ঘোষণা করিতেছি যে,

(ক) হস্তান্তরের জন্য প্রস্তাবিত স্থাবর সম্পত্তি বাংলাদেশ দালাল (বিশেষ ট্রাইব্যুনাল) আদেশ, ১৯৭২ (১৯৭২ সনের পি. ও নং ৮) এর অধীন ক্রোকের আওতাধীন নহে;

(খ) হস্তান্তরের জন্য প্রস্তাবিত স্থাবর সম্পত্তি বাংলাদেশ পরিত্যক্ত সম্পত্তি (নিয়ন্ত্রণ, ব্যবস্থাপনা ও নিষ্পত্তি) আদেশ, ১৯৭২ (১৯৭২ সনের পি. ও নং ১৬) এর অর্থানুযায়ী পরিত্যক্ত সম্পত্তি নহে;

(গ) হস্তান্তরের জন্য প্রস্তাবিত স্থাবর সম্পত্তি আপাততঃ বলবৎ কোন আইনের অধীন সরকারে বর্তায় নাই, বা সরকারের অনুকূলে বাজেয়াপ্ত হয় নাই;

(ঘ) প্রস্তাবিত হস্তান্তর আপাততঃ বলবৎ অন্য কোন আইনের কোন বিধানের সহিত সাংঘর্ষিক নহে;

(ঙ) প্রস্তাবিত হস্তান্তর বাংলাদেশ ল্যান্ড হোল্ডিং (লিমিটেশন) আদেশ, ১৯৭২ (১৯৭২ সনের পি. ও নং ৮) এর অনুচ্ছেদ ৫এ অনুযায়ী বাতিলযোগ্য নহে; এবং

(চ) হস্তান্তরের জন্য প্রস্তাবিত স্থাবর সম্পত্তির বিবরণ সঠিকভাবে বর্ণিত হইয়াছে এবং উহা অবমূল্য করা হয় নাই এবং উল্লিখিত সম্পত্তি হস্তান্তরকরণে আবেদনকারীর বৈধ অধিকার রহিয়াছে।

আমি/আমরা আরও ঘোষণা করিতেছি যে,

আমি/আমরা দলিলে বর্ণিত সম্পত্তির নিরঙ্কুশ মালিক। অন্য কোন পক্ষের সহিত এই সম্পত্তির বায়না চুক্তি স্বাক্ষর হয় নাই বা অন্য কোথাও হস্তান্তর হয় নাই বা অন্য কোন পক্ষের নিকট বন্ধক রাখা হয় নাই।

দলিলে বর্ণিত সম্পত্তিতে আমার/আমাদের বৈধ স্বত্ব ও অধিকার বহাল আছে এবং প্রদত্ত বিবরণ আমার/আমাদের জ্ঞান ও বিশ্বাসমতে সত্য। তারিখ :

হলফকারী/হলফকারীগণের স্বাক্ষর।

সনাক্তকারীর ঘোষণা :

এই মর্মে ঘোষণা করিতেছি যে, হলফকারী/হলফকারীগণ আমার পরিচিত এবং আমার সম্মুখে তিনি/তাহারা দলিলে স্বাক্ষর প্রদান করিয়াছেন (বা আমি তাহার বা তাহাদের বা ... নং ক্রমিকধারী হলফকারীর নাম বকলমে লিখিয়া দিয়াছি)।

সনাক্তকারীর স্বাক্ষর।

APPENDIX II.

FORM NO. 1

ENDORSEMENT OF CERTIFICATE OF ADMISSIBILITY

(*See* Rule 42)

Admissible under rule 20, duly stamped (or exempt from or does not require stamp duty) under the Stamp Act, 1899, Schedule I, No .....

Fee paid –

Signature and designation of Registering Officer.

Date.....

FORM NO. 2

ENDORSEMENT UNDER SECTION 52

(*See* Rule 45)

Presented for registration at ..... M. on the ..... day of ..... 20 ..... at the ..... Sub-Registry office (or at .....) by AB (executant/ one of the executants/ claimant/one of the claimants/ or attorney) for EF, executant or claimant under a power-of-attorney No ..... for 20 ..... authenticated by the ..... Sub-Registrar of .....

Signature of the presentant.

Signature and designation of Registering Officer.
Date.....

Note :

(1) In case of documents executed by Govt. officers or certain public functionaries who are exempt from personal appearance under Section 88 of Act XVI of 1908, when sent by messenger, the endorsement will be thus :

"Presented for registration, etc, by ..... (name and designation of officer) through ..... (name of messenger) as per his letter No ..... dated ..... "

Signature of messenger.

Signature and designation of the Registering Officer.

(2) In a case where any such document is sent by post, with a letter, the endorsement under section 52(1) (a) should be made thus :

"Forwarded for registration, etc, by ..... (name and designation of the officer) as per his letter No ..... dated ..... "

Signature and designation of the Registering Officer.

(3) When the District Registrar condones the delay either under Section 25(1) or under the proviso to Section 34(1) and directs either the acceptance of the document for registration or its registration as the case may be, the Sub-Registrar on receipt of orders to that effect from the District Registrar shall make an endorsement on the document with his signature and date:

"Acceptance for registration/admission to registration was directed by the District Registrar of ..... in his Order No ..... dated ..... on payment of the fine of Tk. ..... for a delay under Section 25 or Section 34 of the Registration Act, 1908".

Date: *Signature and designation of the Registering Officer.*

APPENDIX II.

FORM NO. 3

ENDORSEMENT UNDER SECTION 58

(*See* Rule 45)

Execution is admitted by

AB, son of CB, of.....thana/upa-zilla ..... district.....by religion.....by profession .....

Signature of AB.

Identified by

EF, son of GH, of.....thana/upa-zilla.....district.....by religion .....by profession .....

Signature of EF.

The ..... of ..... 20 ....

Signature and designation of Registering Officer.

Notes:

1. When the execution is admitted by an agent, the following words shall be added:

"Agent for KL, under a power of attorney (No ..... for ..... 20 .....) authenticated by the Sub-Registrar of .....".

2. When the execution is admitted by the representative of a deceased person, the following words shall be added:

"Representative of deceased KL, whose right to appear in such capacity has been proved to my satisfaction."

3. In case of document executed by an agent on behalf of the principal, the endorsement shall be:

"Execution by AB, son of CD, of ..... Upa-zilla/Thana ..... District ..... by religion ..... by profession ..... as constituted attorney for XV is admitted by him."

4. In the case of documents executed, in their official capacity, by officers of Govt. and certain public functionaries who are exempt from personal appearance in Registration offices under section 88 of Act XVI of 1908, the endorsement of admission of execution shall be thus:

"Execution by ..... who is exempted from personal appearance in this office, under section 88 of Act XVI of 1908, is (or on reference to him) proved by his seal (if seal is affixed) and signature."

(Note - the words "on reference to him" should be struck out where reference is unnecessary or not made)".

5. When the executant or his agent is personally known to the Registering officer, the words "personally known to me" should be substituted for the identification clause.

6. When any payment of money or delivery of goods is made in the presence of the Registering officer in reference to the execution of a document or when admission of receipt of consideration in whole or in part is made in his presence in reference to such execution, the endorsement under clause (c) of section 58 shall be written in one of the forms below as the case may be:

(a) Taka ..... (or goods) as consideration is paid (or delivered) in my presence by ..... to .....

(b) The receipt of taka ..... as consideration is admitted by the above executant AB.

APPENDIX II.– Contd.

FORM NO. 4

ENDORSEMENT OF CERTIFICATE OF REGISTRATION U/S 60

(*See* Rule 68)

Registered in .....
Book No .....
Volume No .....
Page ..... to .....
Being No .....
for the year .....

FORM NO. 5

ENDORSEMENT FOR ISSUING COMMISSION

(*See* Rule 34)

A commission is hereby issued under section 33, sub-section (3) [or section 38, sub-section (2)] of the Registration Act, 1908 (XVI of 1908), to (name and designation of officer) * for the purpose of enquiring whether this power-of-attorney (or document) has been executed by AB, son of CD, of ..... by whom it purports to have been executed.

Signature and designation of Registering Officer.

Date.....

** When the commission is issued to the Registering officer of another office it is not necessary to write his name.*

APPENDIX II.– Contd.

FORM NO. 6

ENDORSEMENT BY COMMISSIONER AFTER EXECUTION OF COMMISSION

[*See* Rule 37)(1)]

Having visited the residence of AB, son of CD, of ..... by religion..... by profession ..... I have this day examined the said AB, who has been identified to my satisfaction by EF, son of GH, resident of ..... by religion ..... by profession ..... and the said AB, admitted (or denied) the execution of this power (or document).

Signature of the { Executant / Identifier }

Signature of the Commissioner.

Date .....

N. B. - This form should also be used when the Registering officer himself pays the visit.

FORM NO. 7

ENDORSEMENT BY REGISTERING OFFICER ON RECEIPT OF COMMISSIONER'S REPORT

[*See* Rules 37 (2) and 92]

From the above report I am (or am not) satisfied that this power (or document) has been executed (and "voluntarily" in the case of power) by the said AB, and (in the case of power) I accordingly authenticate it under section 33 of Act XVI of 1908, and record it as No ..... for ..... or (in the case of a document) admit or refuse to admit it to registration or (in the case of a power) refuse to authenticate it.

Signature and designation of Registering officer.

Date .....

APPENDIX II.–Contd

FORM NO. 8

ENDORSEMENT ON AUTHENTICATION OF POWER OF ATTORNEY

(*See* Rule 92)

(a) When the principal executing the power appears at the Registration office:

"Executed in my presence on the day ..... of ..... 20 ..... by AB, son of CD, of ..... by religion ..... by profession ..... who is resident of my district (or sub-district) and is personally known to me or whose identity was proved by the testimony of EF, son of GH, of ..... by religion ....., by profession ..... and I accordingly authenticate it under section 33 of Act XVI of 1908, and record it as No. ..... for 20 ..... ."

Signature of the { Principal / Identifier

Seal and Signature of Registering officer with his designation.

Date .....

(b) When the principal is exempted from appearance:

"Having visited and examined at his (or her) residence the principal AB, son (or wife or daughter) of CD, of ..... by religion ..... by profession ..... who is a resident of my district (or sub-district) and is personally known to me (or whose identity was proved by the evidence of EF, son of GH ..... by religion ..... by profession .....), I am satisfied that this power of attorney has been voluntarily executed by him (or her), and I accordingly authenticate it under section 33 of Act XVI of 1908, and record it as No. ..... for 20..... "

Signature of the { Principal / Identifier

Seal and Signature of Registering officer with his designation.

Date .....

APPENDIX II.– Contd.

FORM NO. 9

ENDORSEMENT ON USE OF A SPECIAL POWER-OF-ATTORNEY

(*See* Rule 94)

Presented this day in connection with registration of document No ..... for ..... (or application No ..... for ..... under Section 73).

Signature and designation of Registering officer.

Date .....

FORM NO. 10

ENDORSEMENT ON A SEALED COVER FOR DEPOSIT.

[*See* Rule 95(4)]

Presented for deposit at ..... A.M. on the ..... day of ..... 20 ..... at the ..... Registry office (or elsewhere) by..... s/o. ..... by religion ....., by profession ..... of ..... P.S ..... P.O. ..... Dist. ..... the testator ..... (or agent for ..... the testator under a power of attorney No .....)*. He is personally known to me or has been identified to my satisfaction by ..... s/o ..... resident of ..... P.S. ..... P.O. ..... Dist. .....

On the sealed cover, the testator nominates ..... s/o ..... resident of ..... P.S. ..... P.O . ..... Dist. ..... to take delivery of the will after registration thereof, after his death.

This cover has been sealed in ..... places, the inscription on the seals being ..... .

Signature of { Depositor / Identifier }

Signature of Registrar

Date .....

**For 20 ..... registered in Book No ..... of ..... Sub-Registry office (or authenticated by the Sub-Registrar of ..... .*

APPENDIX II.– Contd.

FORM NO. 11

ENDORSEMENT OF ADMISSION TO REGISTRATION OF A WILL OR AUTHORITY TO ADOPT PRESENTED AFTER THE DEATH OF TESTATOR OR DONOR

[*See* Rule 45]

From the evidence of (1) ..... s/o ..... of ..... (2) ..... s/o ..... of ..... etc, I am satisfied (1) that this will (Or authority) was executed by ..... s/o ..... of ..... the testator (or donor) ; (2) that the said testator (or donor) is dead ; and (3) that ..... s/o ..... of ..... the presentant is entitled to present it under section 4, Act XVI of 1908, and I accordingly admit it to registration under Section 41 of the Act.

Signature and designation of the Registering officer.

Date .....

FORM NO. 12

ENDORSEMENT OF DOCUMENTS THE REGISTRATION OF WHICH IS ORDERED BY THE REGISTRAR OR CIVIL COURT

[*See* Rule 45]

Admitted to registration under Section 72, 75 or 77 of the Act XVI of 1908 by order of the Registrar or the Senior Assistant Judge or the Joint District Judge or the Additional District Judge or the District Judge of ..... dated ..... in case No ..... of ..... 20 ..... .

Signature and designation of the Registering officer.

Date .....

APPENDIX III.
FORM OF OATH OR AFFIRMATION

FORM OF OATH AND AFFIRMATION
PRESCRIBED FOR WITNESSES BY THE HIGH COURT
UNDER SECTION 7 OF ACT X OF 1873
[*See* Rule 59]

OATH :

I swear that the evidence which Oath: shall give in this case shall be true, that I will conceal nothing, and that no part of my evidence shall be false. So help me, God.

AFFIRMATION :

I solemnly declare that the evidence which I shall give in this case shall be true, that I will conceal nothing, and that no part of my evidence shall be false.

(Christian witnesses to whom oaths are administered are to be sworn upon the New Testament. In other cases oaths are to be administered upon such symbol, or accompanied by such act, as may be usual or as such witness may acknowledge to be binding on his conscience.).

APPENDIX IV

HOLIDAYS.

[*See* Rule 118]

The holidays given in public offices are divided into four classes:

(i) Those prescribed by section 25 of the Negotiable Instrument Act, 1881 (XXVI of 1881).

(ii) Those declared by the Government by notification under Section 25 of the Negotiable Instruments Act to be public holidays.

(iii) Holidays announced by the Government to take effect in Govt. offices, either in respect of all classes of Govt. servants or in respect of the class who observe the fast or festival on account of which the holidays is announced.

(iv) Local holidays not announced by the Government, but given at the discretion of the district authorities on the occasion of a local fair or festival or for some other reason.

রাষ্ট্রপতির আদেশক্রমে

মোঃ আকবর আলী শেখ
উপ-সচিব (রেজিঃ)।

মোঃ নজরুল ইসলাম (উপসচিব), উপপরিচালক, বাংলাদেশ সরকারি মুদ্রণালয়, তেজগাঁও, ঢাকা কর্তৃক মুদ্রিত।
আবদুর রশিদ (উপসচিব), উপপরিচালক, বাংলাদেশ ফরম ও প্রকাশনা অফিস,
তেজগাঁও, ঢাকা কর্তৃক প্রকাশিত। web site: www.bgpress.gov.bd