



TAMIL NADU GOVERNMENT GAZETTE

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Part IV—Section 1

Tamil Nadu Bills

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**BILLS INTRODUCED IN THE LEGISLATIVE ASSEMBLY OF THE
STATE OF TAMIL NADU**

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 27th August, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 21 of 2021

**A Bill further to amend the Tamil Nadu Court-fees and
Suits Valuation Act, 1955.**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-second Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Court-fees and Suits Valuation (Amendment) Act, 2021.

(2) It shall come into force at once.

Amendment of Schedule-I.

2. In the Tamil Nadu Court-fees and Suits Valuation Act, 1955, in Schedule I, for the entries in columns (2) and (3) against Article 7 in column (1) thereof, the following entries shall, respectively, be substituted, namely:-

Tamil Nadu Act XIV of 1955.

“Certificate under the Indian Succession Act, 1925. Three per cent on the debt and security or the aggregate amount or value of the debts and securities specified in the Succession Certificate, subject to a maximum of twenty five thousand rupees”.

STATEMENT OF OBJECTS AND REASONS.

Based on the recommendations of the Committee constituted under the Chairmanship of Justice K.Sampath (Retd.), among others, the Court-fees for Probate or Letters of Administration has been fixed as three per cent on the amount or value of the estate in respect of which the grant of Probate or Letters of Administration is made, subject to a maximum of Twenty-five thousand rupees by amending the Tamil Nadu Court-fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955) by the Tamil Nadu Court Fees and Suits Valuation (Amendment) Act, 2017 (Tamil Nadu Act 6 of 2017). Writ Petition and Original Petition have been filed before the High Court of Madras for revising the court-fees to apply for Succession Certificate in the Court, as has been made in the case of Probate of Will. Since, both Probate and Succession Certificate are on the same footing, the Government have decided to amend Article 7 in Schedule I to the Tamil Nadu Court-fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955), so as to revise the fee for Succession Certificate on the lines of the fee levied for Probate of Will or Letters of Administration.

2. The Bill seeks to give effect to the above decision.

S. REGUPATHY,
Minister for Law.

Chennai-600 009,
27th August 2021.

K. SRINIVASAN,
Secretary.

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 27th August, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 22 of 2021

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

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-second Year of the Republic of India as follows:—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Registration (Tamil Nadu Amendment) Act, 2021.

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

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of
section 32.

2. To section 32 of the Registration Act, 1908 (hereinafter referred to as the principal Act), the following proviso shall be added, namely:—

Central Act XVI
of 1908.

“Provided that the State Government may, by notification, specify such documents which may be presented through electronic means.”.

Substitution of
section 32-A.

3. For section 32-A of the principal Act, the following sections shall be substituted, namely:—

“32-A. Registration by electronic means.— In cases, where the document is presented for registration by electronic means, the procedure for its presentation, appearance for admission, endorsements, manner of fixing signature and seal, mode of payment of registration fees and other fees and such other process, shall be such as may be prescribed by rules made in this behalf.

32-AA. Compulsory affixing of photograph, etc.— Every person presenting any document at the proper registration office under section 32 shall affix his passport size photograph and fingerprints to the document:

Provided that where such document relates to the transfer of ownership of immovable property, the passport size photograph and fingerprints of each buyer and seller of such property mentioned in the document shall also be affixed to the document.”.

Amendment of
section 52.

4. In section 52 of the principal Act, in sub-section (1), in clause (a), for the expression “under section 32A”, the expression “under section 32-AA” shall be substituted.

Amendment of
section 69.

5. In section 69 of the principal Act, in sub-section (1), after clause (gg), the following clause shall be inserted, namely:—

“(ggg) regulating the procedure for presentation of documents, appearance for admission, endorsements, manner of fixing signature and seal, mode of payment of registration fees and other fees and such other process, when the document is presented by electronic means.”.

STATEMENT OF OBJECTS AND REASONS.

According to section 17 of the Registration Act, 1908 (Central Act XVI of 1908), registration is mandatory for the instruments of agreements relating to deposit of title deeds. The Industrial Sector experiences much difficulty in physically presenting instruments of agreements relating to deposit of title deeds for registration before the respective Sub Registrar's for availing Industrial Loans from the banks within the stipulated time. The State Government is promoting, through its entire means, the revival of Industrial Sector more particularly, the Micro, Small and Medium Enterprises Sector using the stimulus announced by the Central Government. It is considered that, dispensing with the requirement of physical presentation of documents such as agreements relating to deposit of title deeds, for registration, will facilitate ease of doing business. The Government have therefore, decided to amend the Registration Act, 1908 (Central Act XVI of 1908) suitably for the said purpose.

2. The Bill seeks to give effect to the above decision.

P. MOORTHY,

Minister for Commercial Taxes and Registration.

Chennai-600 009,
27th August 2021.

K. SRINIVASAN,
Secretary.