

Government of Karnataka



Supporting Documentation for implementation of Ease of Doing Business
Reforms in the State of Karnataka

Concerned Department: Inspector General Stamps and Registration Department

Area 3d: Property Registration

DIPP Point No. 61:- Allow third parties to easily verify approval certificates in the public domain

Response: Not Applicable

Compliance Report

URL*	http://202.138.101.165/karigr/aboutus/actsandrules.htm
G.O./Notification/ Act	KUM/EODB/AD1/56/2016-17 Dated: 29.06.2016
Screenshots	Please find below the relevant screenshots of non-compliance.
Compliance Reform	The following point is not complied with for the following reason. Department does not issue any approval certificates. Once all pre-registration enclosures are produced along with the document to be registered, the registration process is completed and registration is returned to the party on the same day.

Government of Karnataka
Department of Stamps & Registration

No: Comp/92/2014-15

Office of the
Inspector General of Registration &
Commissioner of Stamps,
8th Floor, Kandaya Bhavan,
Bengaluru - 560 009.
24th June 2016

To, ✓
Commissioner for Industries Development &
Director of Industries and commerce
Bengaluru - 560001



Sir,

Subject: Ease of doing business - Implementation of Business Reform
Action Plan, 2016 - Inspector General of Registration &
Commissioner of Stamps

References:

1. Meeting Invitation No. - KUM/EODB/AD1/56/2015-16, dated
15.06.2016
2. Your Office letter No. - KUM/EODB/AD1/10/2016-17, dated 13.05.2016
3. Your Office letter No. - KUM/DIPP-Meeting/EODB/AD1/2016-17, dated
28.03.2016

With reference to above subject, Department of Stamps & Registration had submitted
progress report showcasing implementation status of Action Points under Business Reform
Action Plan 2016. Please refer to below table:

No. of Action Points	Implemented (YES)	Not Implemented (NO)	Not Applicable (NA)
8	5	0	3

There is no change in implementation status for the reason that all action points have
already been implemented except for 3 action points which are Not Applicable.

In regards to review meeting on implementation of initiatives on Business Reform
Action Plan 2016 - Ease of Doing Business on 23rd June 2016 under the chairmanship of
Hon'ble Minister for Large and Medium Industries and Tourism Department, Government of
Karnataka, details of Not Applicable Action Points of Business Reform Action Plan 2016 are:

2. 1/2
202
1. **Point No. 59: Design and implement a system that allows online application
and payment without the need for a physical touch point for document
submission and verification**

Amendment to Section 32, 34, 35, 69, 89 of Registration Act 1908 bill passed in
Karnataka Legislative Assembly sixth session vide The Registration (Karnataka
Amendment) Bill 2015 (L.A. Bill No. 15 of 2015) - (ANNEXURE - 1) was submitted to
Government of India seeking assent of President vide letter No. SAMVYASHAE 18
SHASANA 2015 dated 18.08.2015 (ANNEXURE - 2).

2/10
01/2/10

2/1

Regarding this, Ministry of Communications and Information Technology, Department of Electronics and Information Technology has opined vide letter No. 15(51)/2015-CD, dated 17th November 2015 (ANNEXURE - 3) that electronic registration of agreement of Sale, Lease deed, and license agreement is violation of provisions of IT Act 2015.

For the above, Office of the Inspector General of Registration and Commissioner of Stamps, Bengaluru, vide letter dated 1st May 2016 (ANNEXURE - 4) has submitted its reply that - As opined by the aforesaid concerned departments of the Government of India, Section 32, 34, 35 and 69 of the proposed Registration (Karnataka Amendment) Bill 2015, are violative of the provisions of the Information Technology (IT) Act, 2000 (enacted by the Government of India), for the reasons stated, as under;

"It has been provided that the First Schedule to the Information Technology (Amendment) Act 2008, as amended by Act No. 10 of 2009 does not apply to the following clauses:-

Clause-2- Power of Attorney

Clause 3 - Trust,

Clause 4 - Will,

Clause - 5 - Sale or conveyance of any immovable property or any interest in such property"

Thus, as per the aforesaid applicable provisions of the IT Act 2000, the above - mentioned documents there under cannot be registered by electronic means, as proposed in section 32, 34, 35 and 69 of the proposed Registration (Karnataka Amendment) Bill 2015. Hence, the executants have to appear personally before the Registering Officer, as per the aforementioned provisions of the IT Act, 2000.

Hence, under the above circumstances, the said sections 32, 34, 35, 69 [doing away with the personal appearance of the presentants / executants (Parties)] which are contrary to the applicable provisions of IT Act, 2000, may be omitted.

2. Point No. 60: Ensure that the system allows users to download the final signed approval certificate from the online portal

Cannot be implemented due to statutory regulations as cited above for point 59 of Business Reform Action Plan 2016

3. Point No. 61: Allow third parties to easily verify approval certificates in the public.

Not in department's purview.

Department does not issue any approval certificates. Once all pre-registration enclosures are produced along with the document to be registered, the registration process is completed and registration is returned to the party on the same day.

In view of the above, department cannot implement three "Not Applicable" Action points of Business Reform Action Plan, 2016.

Yours faithfully,



(Dr. N V Prasad, IAS)

Inspector General of Registration &
Commissioner of Stamps.

Bengaluru

Reasons for non-compliance