

# **OFFICE OF THE DISTRICT REGISTRAR EAST KHASI HILLS : DISTRICT : SHILLONG.**

## **THE RIGHT TO INFORMATION ACT 2005 MANUALS OF REGISTRATION BRANCH**

### Introduction :-

Registration Branch is one of the Branches in the Administrative set up of the Deputy Commissioner's Office, Shillong, and its organization is headed by the Deputy Commissioner East Khasi Hills District, Shillong.

The Right To Information Act coming into force on the 15<sup>th</sup> June 2005, provides for the citizen's right to information in order to promote transparency and accountability in the working of today's Government. A person seeking information can have a first hand knowledge about the functioning of this branch, its employees and their responsibilities, duties etc.

### **Manual 1**

#### Organisation functions and duties:

The Registration branch receives documents for registration and applications for registration of marriage. The branch also receives daks from the receipt branch which are put up in files by the UDA and routes the files to the District Registrar through the Sub Registrar. This branch also issues NON ENCUMBRANCE Certificates to applicants.

Documents that can be registered are :

- (1) Sale Deed.
- (2) Gift Deed.
- (3) Declaration Deed.
- (4) Trust Deed.
- (5) Lease Deed.
- (6) Rent Agreement.
- (7) General Power of Attorney.
- (8) Special Power of Attorney.
- (9) Will.
- (10) Relinquishment.
- (11) Revocation.
- (12) Cancellation.
- (13) Mortgage Deed.

- (14) Hypothecation Deed.
- (15) Adoption Deed.
- (16) Partnership Deed.
- (17) Agreement for Sale.

Registration of Marriages – Certificates of Marriage are issued to couples whose marriage have been solemnised by the Marriage Officer of the District Court in presence of 3 (three) witnesses.

### **Manual 2**

Power and duties:

- 1. District Registrar – Public Information Officer.
- 2. Sub-Registrar - Asst. Public Information Officer
- 3. U.D. Assistant – 2 Nos.
- 4. L.D. Assistant – 3 Nos.
- 5. Record Keeper – 1 No.
- 6. Copyists – 6 Nos.
- 7. Peons – 3 Nos.

Duties of Officers and employees of the branch are guided by ‘Meghalaya Secretariat Manual Of Office Procedures’, Fundamental Rules Subsidiary Rules 1984, Discipline and Appeal Rules, Meghalaya Civil Services Conduct Rules, Financial Rules and the Indian Registration Act.

### **Manual 3**

The process of decision making starts with a matter being put up by the assistant to the Sub Registrar and the final decision is taken by the District Registrar, although under the supervision of the Deputy Commissioner.

Calculation of stamp duty and Registration Fees are done as per provisions contained in the Indian Stamp (Meghalaya Amendment) Act, 1993 and Registration Act, 1908.

Registration of Documents are also done keeping in view the Provisions contained in the Meghalaya Transfer of Land (Regulation) Act, 1971 and Benami Transaction (Prohibition) Act 1980.

### **Manual 4**

For registration of Sale Deeds and Gift Deeds, both the vendor and vendee are required to present themselves along with two witnesses and another responsible person further to identify

them should also be present at the time of presentation of documents. For other documents the Executant or the Testator has to be present along with two witnesses and some other responsible person to identify them.

Confirmation Certificate from the concerned Head Man / Rangbah Shnong is insisted upon at all times.

**What documents are required for Registration of Marriage :**

- ⓪ Notice of Intended marriage duly filled up and signed by both the bride-groom and the ride.
- ⓪ Proof of residence (Voter I-Card/ Ration Card).
- ⓪ Proof of age (10<sup>th</sup> Class certificate, Date of birth certificate).
- ⓪ Marriage invitation if available.
- ⓪ Original copy of divorce decree/order in case of a divorcee and death certificate of spouse in case of widow/widower.
- ⓪ In case applicant is a foreign national, a No Objection Certificate in original from the concerned High Commission to be submitted along with the application form. A bachelor/spinster certificate, visa, passport.

**Manual 5**

Calculation of Stamp Duty.

|   |        |                    | Non-tribal          | Tribal                 |
|---|--------|--------------------|---------------------|------------------------|
| 1 | Amount | 1000 to 50,000     | Rs. 46 per thousand | Rs. 23 per thousand    |
| 2 | Amount | 51,000 to 90,000   | Rs. 60 per thousand | Rs. 30 per thousand    |
| 3 | Amount | 91,000 to 1,50,000 | Rs. 80 per thousand | Rs. 40 per thousand    |
| 4 | Amount | 1,51,000 onwards   | Rs. 99 per thousand | Rs. 49.50 per thousand |

If the land is within the Municipal area 10% Municipal tax extra will be charged.

**Sale Deed and Gift Deed** :- Stamp duty and Registration fees will be calculated according to the value of land in different location as per Govt. rate of land in a non-judicial stamp paper.

**Declaration Deed** :- The land will be register on the basis :- (1) Confirmation from Local Headman. (2) Death Certificate of the land owner. (3) N.O.C from family members.(4) Gift Deed (5) Old documents of land owner.

Stamp duty – Rs. 8 +8.

Registration Fees – Rs. 8 and extra charge according to pages.

**General Power of Attorney** :- If the land falls outside Shillong Schedule and Boundaries of the land required and if the land at Shillong land documents are to be enclosed.

Stamp Duty :- Rs. 31+8.

Registration Fees :- Rs. 26 and extra charge according to pages.

**Special Power of Attorney** :-

Stamp duty :- Rs. 8+8.

Registration Fees :- Rs. 26 and extra charge according to pages.

**Partnership Deed :-**

Stamp Duty :- Rs. 81+8.

Registration Fees :- Rs. 26 and extra charge according to pages.

**Adoption Deed :-**

Stamp Duty Rs. 61+8.

Registration Fees :- Rs. 18 and extra charge according to pages.

**Will :-**

Stamp Duty - Rs. 1 & 8

Registration fees – Rs 18 and extra charge according to pages.

**Revocation and cancellation :-**

Stamp Duty – Rs. 31 + 8

Registration fees – Rs. 26 and extra charge according to pages.

Lease and Rent Agreement :- According to the value of Rent.

Registered documents are maintained for records.

When the Deed is registered, a certified copy is to be collected after one week and the original deed will be delivered after 8 or 9 months.

**For Registration of Marriage :**

**1. What is application fee for Registration ?**

- ⓪ Rs.2/- is charged as application fee for Registration and Rs. 10/-is charged for Solemnization. A court fee stamp of Rs.2/- is to be affixed on the Notice.

**2. Where to apply ?**

- ⓪ You can approach to the Marriage Officer of your area of you can also approach to the concerned O/o the Deputy Commissioner during 10:00 A.M to 5:00 P.M on any working day.

**3. How to apply ?**

- ⓪ A Notice of intended Marriage supplied by the O/o the Marriage Officer is required to be filled up.
- ⓪ A minimum of thirty days is waited from the date of submission of the Notice. A copy of the Notice is displayed in the Notice Board of the office for public

information in case there is any objection from any side. The Notice lapses after a period of ninety days, i.e. after ninety days, if the parties come for registration of their marriage, a fresh Notice has to be submitted.

- ⓪ After thirty days, the party should submit an application (in plain paper) to be addressed to the Marriage Officer of the concerned district where the date of solemnization of marriage is fixed from their side on any working day during office hours.
- ⓪ Marriage Registration Certificate is issued on the date of solemnization.

**4. Degree of Prohibition as per Special Marriage Act 4 of 1954.**

- ⓪ **Degrees of Prohibition as per Special Marriage Act 43 of 1954.**  
**Section 2 (b).**

“Degrees of prohibited relationship” – a man and any of the persons mentioned in Part I of the First Schedule and a woman and any of the persons mentioned in Part II of the said Schedule are within the degrees of prohibited relationship.

**Explanation (I)** - Relationship includes, --

- a. relationship by half or uterine blood as well as by full blood;
  - b. illegitimate blood relationship as well as legitimate;
  - c. relationship by adoption as well as by blood;
- and all terms of relationship in this Act shall be construed accordingly.

**Explanation (II)** – “Full blood” and “Half blood” – two persons are said to be related to each other by full blood when they are descended from a common ancestor by the same wife and by half blood when they are descended from a common ancestor but by different wives.

**Explanation (III)** – “Uterine blood” – two persons are said to be related to each other by uterine blood when they are descended from common ancestress but by different husbands.

**Explanation (IV)** – In Explanation II and III, “ancestor” includes the father and “ancestress” the mother;

**THE FIRST SCHEDULE [DEGREE OF PROHIBITED RELATIONSHIP]**

**PART –I**

Mother  
Father’s widow (step mother)  
Mother’s mother  
Mother’s father’s widow (step grand –mother)  
Mother’s mother’s mother.  
Mother’s mother’s father’s widow (step great grand-mother)  
Mother’s father’s mother.  
Mother’s father’s father’s widow (step great grand-mother)  
Father’s mother’s.  
Father’s father’s widow (step grand-mother).  
Father’s Mother’s mother’s.  
Father’s mother’s father’s widow. (step great grand-mother).  
Father’s father’s mother.  
Father’s father’s father’s widow (step great grand-mother).  
Daughter.

Son's widow.  
Daughter's daughter.  
Daughter's son's widow.  
Sons Daughter  
Son's son's widow.  
Daughter's daughter's daughter.  
Daughter's daughter's widow.  
Daughter's daughter's son's widow.  
Daughter's son's daughter.  
Daughter's son's son's widow.  
Son's daughter's sons's widow.  
Son's daughter's son's widow.  
Son's son's daughter.  
Son's Son's Son's widow.  
Sister.  
Sister's daughter.  
Brother's daughter.  
Mother's sister.  
Father's sister.  
Father's brother's daughter.  
Father's sister's daughter.  
Mother's sister's daughter.  
Mother's brother's daughter.

**Explanation:-** For the purpose of this Part, the expression "Widow" includes a divorced wife.

## PART – II

Father.  
Mother's Husband (Step - father).  
Father's father.  
Father's Mother's husband (step grand-father).  
Father's father's father.  
Father's father's mother's husband (step great grand-father).  
Father's mother's father.  
Father's mother's mother's husband (step great-grand-father).  
Mother's father.  
Mother's mother's mother's husband ( Step great grand-father).  
Mother's mother's father.  
Mother's father's mother's husband (Step great grand-father).  
Mother's mother's father.  
Mother's mother's mother's husband (Step great grand-father).  
Son.  
Daughter's Husband.  
Son's Son.  
Son's daughter's husband.  
Daughter's son.  
Daughter's daughter's husband.  
Son's son's son.

Son's daughter's Son's.  
 Son's daughter's daughter's husband.  
 Daughter's son's son.  
 Daughter's son's daughter's husband.  
 Daughter's daughter's son.  
 Daughter's daughter's daughter's husband.  
 Brother.  
 Brother's son.  
 Sister's son.  
 Mother's brother.  
 Father's brother.  
 Father's brother's son.  
 Father's sister's son.  
 Father's sister's son.  
 Mother's sister's son.  
 Mother's brother's son.

**Explanation :-** For the purpose of this Part, the expression “husband” includes a divorce husband.

**Details of the over all Department Responsible for the Service.**

**Dept.Name** Registration Branch  
**Postal Address** Office of the Deputy Commissioner, East  
 Khasi Hills, Shillong.  
**Pin Code** 793001.  
**Telephone** 0364-2225003.

Manual 6

Statement of category of document that are held by it or under its control.

| Sl No. | Category of the document | Name of the document and its introduction in one line | Procedure to obtain the document. |
|--------|--------------------------|---|-----------------------------------|
| 1      | Registration of land     | Indian Registration Act                               | From the Branch<br>Room No. 118   |
| 2      | Registration of Marriage | Special Marriage Act 43 of 1954                       | From the Branch<br>Room No. 118   |
| 3      | N.E.C                    | Guideline   | From the Branch<br>Room No. 118   |
| 4      | Others                   | Guidelines  | From the Branch<br>Room No. 118   |

### Manual 7

| Organisation   | Public Authority  | Assistant Public Information Officer                       | Public Information Officer   | Appellate Authority   |
|--|---|--|--|---|
| <u>1</u>   | <u>2</u>  | <u>3</u>   | <u>4</u>   | <u>5</u>  |
| <u>State Headquarter</u><br>East Khasi Hills<br>District | Deputy<br>Commissioner)<br>East Khasi Hills<br>District | Sub Registrar<br>East Khasi Hills<br>District,<br>Shillong | District<br>Registrar East<br>Khasi Hills<br>District,<br>Shillong | Deputy<br>Commissioner<br>East Khasi<br>Hills District,<br>Shillong |

Since the branch functions in a regulatory manner, there is no committee or body constituted for the purpose

### Manual - 8

Process of the Subject are strictly followed as per Act, guideline framed by state Government.

There is no Board/Committee constituted in matters of functions of the Branch.

### Manual – 9

#### Directory of Officers and Employee

| Sl. No. | Name | Designation | STD Code | Telephone No. |      |     |
|---------|------|-------------|----------|---------------|------|-----|
|         |      |             |          | Office        | Res. | Fax |
| 1.      |      |             |          |               |      |     |
| 2.      |      |             |          |               |      |     |
| 3.      |      |             |          |               |      |     |
| 4.      |      |             |          |               |      |     |
| 5.      |      |             |          |               |      |     |
| 6.      |      |             |          |               |      |     |
| 7.      |      |             |          |               |      |     |
| 8.      |      |             |          |               |      |     |
| 9.      |      |             |          |               |      |     |
| 10.     |      |             |          |               |      |     |
| 11.     |      |             |          |               |      |     |
| 12.     |      |             |          |               |      |     |



|     |  |  |  |  |  |  |
|-----|--|--|--|--|--|--|
| 13. |  |  |  |  |  |  |
| 14. |  |  |  |  |  |  |
| 15. |  |  |  |  |  |  |
| 16. |  |  |  |  |  |  |
| 17. |  |  |  |  |  |  |

MANUAL No. 10

Monthly Remuneration Received by each of its officers and Employees.

| <b>Sl. No.</b> | <b>Name</b> | <b>Designation</b> | <b>Monthly Remuneration</b> | <b>Compensation /Compensatory Allowance</b> | <b>The Procedure to determine the remuneration as given in the regulation</b> |
|----------------|-------------|--------------------|-----------------------------|---|---|
| 1.             |             |                    |                             |   |   |
| 2.             |             |                    |                             |   |   |
| 3.             |             |                    |                             |   |   |
| 4.             |             |                    |                             |   |   |
| 5.             |             |                    |                             |   |   |
| 6.             |             |                    |                             |   |   |
| 7.             |             |                    |                             |   |   |
| 8.             |             |                    |                             |   |   |
| 9.             |             |                    |                             |   |   |
| 10.            |             |                    |                             |   |   |
| 11.            |             |                    |                             |   |   |
| 12.            |             |                    |                             |   |   |
| 13.            |             |                    |                             |   |   |
| 14.            |             |                    |                             |   |   |
| 15.            |             |                    |                             |   |   |

|     |  |  |  |  |  |
|-----|--|--|--|--|--|
| 16. |  |  |  |  |  |
| 17. |  |  |  |  |  |

**Manual – 11**

Budget is allocated strictly for salary, office expenses and wages.

**Manual – 12**

Does not arise

**Manual – 13**

Does not arise

**Manual – 14**

Information is available in the District Website and hard copies from the Branch.

**Manual – 15**

The Library of the Deputy Commissioner’s Office may be utilised.

**Manual – 16**

Same as in Manual – 7

**Manual – 17**

Guidelines and Amendments of the Acts are being issued from time to time.