



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 11
Vol. XI

തിരുവനന്തപുരം,
ചൊവ്വ
Thiruvananthapuram,
Tuesday

2022 നവംബർ 29
29th November 2022

1198 വൃശ്ചികം 13
13th Vrischikam 1198

1944 അഗ്രഹായനം 8
8th Agrahayana 1944

നമ്പർ
No.

4037

Registration Department

NOTIFICATION

No. IGR/4448/2022-RR9

Dated, Thiruvananthapuram, 29th November, 2022
13th Vrischikam, 1198.

In exercise of the powers conferred by sub-section (1) of section 69 of the Registration Act, 1908 (Act No. 16 of 1908), the Inspector General of Registration hereby makes the following rules further to amend the Registration Rules (Kerala), 1958, issued under notification and published in the Kerala Gazette Extraordinary No. 143 dated 27th December, 1958, with the approval of the Government of Kerala, as required by sub-section (2) of the said section, namely:—



RULES

1. *Short title and commencement.*—(1) These rules may be called the Registration (Amendment) Rules (Kerala), 2022.

(2) These rules shall come into force at once and apply to such Sub- Registrar and other Registration offices, as may be ordered by the Inspector General of Registration, from time to time.

2. *Amendment of the Rules.*— In the Registration Rules (Kerala), 1958, after rule 72A, the following rule shall be inserted, namely:—

“72B. The provision for Consent Based Aadhaar Authentication Service is prescribed as follows: any person presenting a document for registration at the proper registration office under section 32 of the Act or appearing before the registering officer for the purpose of section 34 or for being examined as per sub-section (2) of section 35 of the Act, or as per rules issued for the purpose of the said sections, may utilise the facility of Consent Based Aadhaar Authentication Service to fulfil the requirements of the said sections, in accordance with the provisions specified hereunder;

(1) Where the option for Consent Based Aadhaar Authentication Service is utilised, the following procedure shall be adopted by the registering officer, namely: —(a) The explicit consent of such applicant, either in electronic form or in writing, shall be obtained;

(b) After obtaining the said consent, the twelve digit Aadhaar number along with the fingerprint or iris scan of the person shall be submitted to the Central Identities Data Repository (CIDR) for its verification through Package for Effective Administration of Registration Laws (PEARL). If either fingerprint or iris scan of the person matches with that of the biometric information stored in the Central Identities Data Repository (CIDR), it shall be treated as sufficient for the purpose of these rules;

(c) On such authentication, the Central Identities Data Repository (CIDR) shall automatically return the Consent Based Aadhaar Authentication data of the applicant;



(d) The information generated through Consent Based Aadhaar Authentication Service along with the unique transaction code of the authentication shall be printed in the summary reports generated through the Package for Effective Administration of Registration Laws (PEARL) and the same shall also be stored in such electronic form as may be specified by the Inspector General of Registration, from time to time.

(2) Notwithstanding anything contained in these rules or any other rules made under the Act,—

(a) The identity of an applicant that has been verified through Consent Based Aadhaar Authentication Service need not be proved by the testimony of persons who are personally known to the Registering Officer;

(b) The identity of an applicant appearing before the Registering Officer whose identity has not been verified through Consent Based Aadhaar Authentication Service may be proved by the testimony of persons whose identity has been verified through Consent Based Aadhaar Authentication Service.

(3) In accordance with sections 34 and 35 of the Act read with sections 4 and 6 of the Information Technology Act, 2000 (Act 21 of 2000), the information generated through Consent Based Aadhaar Authentication Service shall be deemed to have fulfilled the requirements for identification of the executant as mandated under clause (b) of sub-section (3) of section 34 and sub-section (2) of section 35 of the Act.

Explanation1:— For the purposes of these rules, “Applicant” means executant of the deed.

Explanation2:— For the purposes of these rules, “Consent Based Aadhaar Authentication Service” means the process by which the Aadhaar number along with the demographic information or biometric information of a Aadhaar number holder is submitted to the Central Identities Data Repository (CIDR) for its verification on request or with consent of the applicant and such repository verifies the correctness, or the lack thereof, on the basis of the information available with it.

INBASEKAR, K.,

Inspector General of Registration.



Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The use of Aadhaar based biometric identification tools will result in simplifying and fast tracking the registration process and also facilitate in the prevention / identification of benami or fraudulent transactions. Digitalisation of land records and its integration with the registration data base are also being actively pursued. Aadhaar based unique thandapper has also been implemented in the State. In this context, the Inspector General of Registration has decided to make the said rules, with the prior approval of the Government, for facilitating the consent based Aadhaar authentication for registration of documents in the State of Kerala, in order to fulfil the requirements of sections 34 and 35 of the Registration Act, 1908.

The notification is intended to achieve the above object.

