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The Gazette of Puducherry

PART - II

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GOVERNMENT OF PUDUCHERRY

DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT

No. 3522/DRDM/C3/Regn./2017.

Puducherry, the 12th April 2018.

NOTIFICATION

In exercise of the powers conferred by clause (j) of sub-section (1) of section 69, read with section 32 A of the Registration Act, 1908 (Act 16 of 1908), the Inspector-General of Registration, Government of Puducherry with the prior approval of the Government as required under sub-section (2) of section 69 of the said Act, hereby makes the following rules, namely:—

1. *Short title, extent and commencement.*— (1) These rules may be called the Puducherry Registration (Use of Aadhaar number) Rules, 2018.

(2) These rules shall come into force in all the Offices of the Sub-Registrar from the date as notified by the Inspector-General of Registration.

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

(1) 'Aadhaar number', 'Aadhaar number holder', 'Authentication' and other words/terminology relating to Aadhaar number and matter connected therewith, when used in this rule, and not defined in the Act, have the same meaning as defined in the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 and the Information Technology Act, 2000;

(2) "Act" means the Registration Act, 1908 (16 of 1908);

(3) 'Applicant' means executants, claimant and witnesses of the deed;

(4) 'CIDR' means Central Identities Data Repository, a centralised database in one or more locations containing all Aadhaar numbers issued to Aadhaar number holders alongwith the corresponding demographic information and biometric information of such individuals and other information related thereto;

(5) "Requesting Entity" means an agency or person that submits the Aadhaar number and demographic information or biometric information of an individual to the Central Identities Data Repository for authentication;

(6) 'UIDAI' means Unique Identification Authority of India as provided in the Aadhaar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2016.

3. *Application of Aadhaar Act and its Regulations.*—

(1) Provisions of the Aadhaar Act and Regulations framed thereunder have come into effect from the 14th day of September, 2016 and notifications to this effect have been published in the Official Gazette by the Government of India, section 57 of the Aadhaar Act, 2016 permits the use of Aadhaar number for establishing the identity of an individual

for any purpose pursuant to any law or contract to this effect subject to the procedure and obligations under section 8 and Chapter VI of the Aadhaar Act, 2016.

(2) Use of consent-based Aadhaar authentication of executants as a valid method of collecting the information mentioned in section 32 A of the Registration Act, 1908 for registration of documents may be enabled in Sub-Registrar Offices as notified by the Inspector-General of Registration to make the system citizen- friendly and also substantially contribute towards the objective of preventing/identifying benami/ fraudulent transactions, which is in overall national and public interest.

4. *Authentication of Aadhaar.*— (1) An Applicant executing the registration of deed is required to provide his/her Aadhaar number and other details as sought at the time of registration of deed for the purpose of establishing his/her identity and authentication thereof. The Applicant shall be required to undergo Aadhaar authentication at the time of verification of details at the registration office.

(2) An Applicant not yet enrolled for Aadhaar is required to apply for Aadhaar enrolment in case, he/she is entitled to obtain an Aadhaar number as per section 3 of the Aadhaar Act, 2016. Such an Applicant may visit any nearby Aadhaar Enrolment Centre (list available at www.uidai.gov.in) to get enrolled for Aadhaar.

(3) An Applicant who has enrolled for Aadhaar and has not received the Aadhaar number should provide the 28 digit Aadhaar Enrolment ID printed on the Aadhaar enrolment slip, at the time of registration of deed. The registration of deed, subject to other requirements, will be accepted with such Enrolment ID mentioned on the same. Once Aadhaar number is assigned to such applicants, they will be required to provide the Aadhaar number online and also undergo Aadhaar authentication at the registration office either prior or post registration of the deed as the case may be.

(4) An Applicant, who is entitled to registration of deed under the provisions of the Registration Act, 1908 but, not for an Aadhaar number, shall make an application for Aadhaar enrolment as soon as he/she becomes so eligible. Once an application for enrolment is made, the same process as in sub-rules (2) and (3) above shall be followed.

Provided, in the event of failure to comply with the requirements of sub-rule (4), registration of instruments under the provisions of the Registration Act, 1908 shall be allowed to such executants/claimants and witnesses subject to the production of identity proofs issued by the Government.

5. *Procedure for registration of documents.*— The procedure adopted for the verification and authentication of parties shall be:

(1) The Aadhaar number and biometrics of the parties shall be captured in view of the provision in section 32 A of the Registration Act, 1908 with the consent (to be obtained physically or electronically) of the parties for authentication specifying the purpose and data sharing before carrying out the authentication.

(2) The Aadhaar number and the fingerprint of parties captured shall be sent to UIDAI's CIDR for validation, following which the UIDAI verifies and confirms the correctness thereof on the basis of the match with the Aadhaar holder's identity information available with it.

(3) Upon successful matching of Aadhaar number and fingerprints, registration of the deed can be done.

(4) The Aadhaar number and authentication details shall be incorporated in the deed registered and to be scanned for records.

6. *Restriction.*— The identity information available with a requesting entity shall not be used for any purpose, other than for submission to the CIDR for authentication.

7. *Application of these rules.*— Above provisions shall also be applicable to the entities such as Organisations/Institutions/Karta of Hindu Undivided Family (HUF), wherein, the authorised signatory of these entities shall fulfil the aforesaid provisions.

Dr. V. CANDAVELOU,
Inspector-General of Registration-cum-
Secretary to Government (Revenue).

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