

Part X - Effects of Registration and Non-registration

Analyse relation-back, priority, oral arrangements, non-registration consequences, specific-performance use and collateral-purpose evidence.

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Dedicated Finin2min Summary - Chapter in 2 Minutes

- Section 47: Time from which registered document operates - convert into a State-source, deadline and evidence control.
- Section 48: Registered documents relating to property when to take effect against oral agreements - convert into a State-source, deadline and evidence control.
- Section 49: Effect of non-registration of documents required to be registered - convert into a State-source, deadline and evidence control.
- Section 50: Certain registered documents relating to land to take effect against unregistered documents - convert into a State-source, deadline and evidence control.
- Analyse relation-back, priority, oral arrangements, non-registration consequences, specific-performance use and collateral-purpose evidence.
- Verify current State amendments, section 69 Rules, fees, portal and office jurisdiction.

Current statutory text / controlled source map

Section 47 - Time from which registered document operates.

Section 48 - Registered documents relating to property when to take effect against oral agreements.

Section 49 - Effect of non-registration of documents required to be registered.

Section 50 - Certain registered documents relating to land to take effect against unregistered documents.

Section-by-section provision map

Provision	Subject / status	Finin2min decode, implementation and evidence
Section 47	Time from which registered document operates <i>Operative subject to current Central and State law</i>	A registered document operates from the time it would have operated if registration were not required, not merely from the later registration time, subject to competing rights and other law. Implementation: Create a transaction-date checklist linking the Central section, current State amendment/rule, office notification, portal workflow, form, fee, stamp, identity evidence and remedy clock. Preserve the exact source version used. Evidence: Official Act and State source; executed instrument; title/property description; stamp/fee proof; identity/authority; appointment/presentation receipt; endorsements/certificate; certified copies; notices and remedy chronology.
Section 48	Registered documents relating to property when to take effect against oral agreements <i>Operative subject to current Central and State law</i>	Section 48 governs registered documents relating to property when to take effect against oral agreements. Identify actor, trigger, document, property, time, office, authority, evidence, State rule and legal consequence before acting. Implementation: Create a transaction-date checklist linking the Central section, current State amendment/rule, office notification, portal workflow, form, fee, stamp, identity evidence and remedy clock. Preserve the exact source version used. Evidence: Official Act and State source; executed instrument; title/property description; stamp/fee proof; identity/authority; appointment/presentation receipt; endorsements/certificate; certified copies; notices and remedy chronology.
Section 49	Effect of non-registration of documents required to be registered <i>Operative subject to current Central and State law</i>	An instrument requiring registration cannot affect immovable property or be received for the prohibited substantive purpose unless registered, but the proviso preserves limited use for specific performance or a collateral transaction. Implementation: Create a transaction-date checklist linking the Central section, current State amendment/rule, office notification, portal workflow, form, fee, stamp, identity evidence and remedy clock. Preserve the exact source version used. Evidence: Official Act and State source; executed instrument; title/property description; stamp/fee proof; identity/authority; appointment/presentation receipt; endorsements/certificate; certified copies; notices and remedy chronology.
Section 50	Certain registered documents relating to land to take effect against unregistered documents <i>Operative subject to current Central and State law</i>	Specified registered land documents generally prevail against unregistered documents concerning the same property, subject to statutory exceptions and transaction-date law. Implementation: Create a transaction-date checklist linking the Central section, current State amendment/rule, office notification, portal workflow, form, fee, stamp, identity evidence and remedy clock. Preserve the exact source version used. Evidence: Official Act and State source; executed instrument; title/property description; stamp/fee proof; identity/authority; appointment/presentation receipt; endorsements/certificate; certified copies; notices and remedy chronology.

Finin2min implementation explanation

Classify the document and operative rights. Build the Central and State source pack. Verify title, authority, stamp, property description, time, office, presenter, identity and execution. Reconcile the final registered record and preserve remedies.

Practical examples and calculations

Scenario: A property instrument is commercially agreed before document classification, State rules, stamp, authority, office jurisdiction and presentation mechanics are complete. Registration must be treated as a controlled legal closing, not a clerical step.

Control	Method	Evidence
Transaction value	Reconcile consideration, debt, non-cash value, guideline value and taxes.	Agreement, valuation and ledger
Registration clock	Map execution, presentation, appearance, completion and remedy dates.	Chronology and receipts
Exposure	Quantify title/stamp/fee defects, delay, litigation, interest and cure cost.	Risk register and legal model

Practical transaction application

Classify document; capture State sources; verify title/authority/stamp; compute time, fee and office; present and register; reconcile final record and remedies.

Authority, consent and execution controls

Confirm parties, entity authority, approvals, power of attorney, execution date, witnesses, attestation, identity and admission.

Stamp duty and registration alerts

Apply current State instrument classification, market value, duty, fee, concessions, adjudication, impounding and prohibited-document controls.

Evidence and document-retention checklist

Retain source pack, title/property, authority, final instrument, stamp/fee, identity, portal/office receipts, endorsement, certificate, registered copy and remedy chronology.

Performance, delivery and payment controls

Use closing conditions, escrow/retention, originals handover and post-registration filings; compare executed, uploaded and registered versions.

Breach, loss, mitigation and remedy framework

Separate refusal, title, stamp, fraud, execution and data issues; select appeal/application/suit, specific relief, injunction, damages or criminal response.

Limitation and forum controls

Compute presentation, delay, Registrar, section 77 and substantive relief clocks; select civil, commercial, RERA, revenue, writ or ADR route.

Arbitration and mediation interface

ADR may resolve contract issues but cannot replace statutory registration functions or adjudicate all title/public-record questions.

Company, partnership, GST and tax overlays

Apply entity authority, charges, TPA, RERA, Stamp, TDS, capital gains, valuation, GST, FEMA and insolvency.

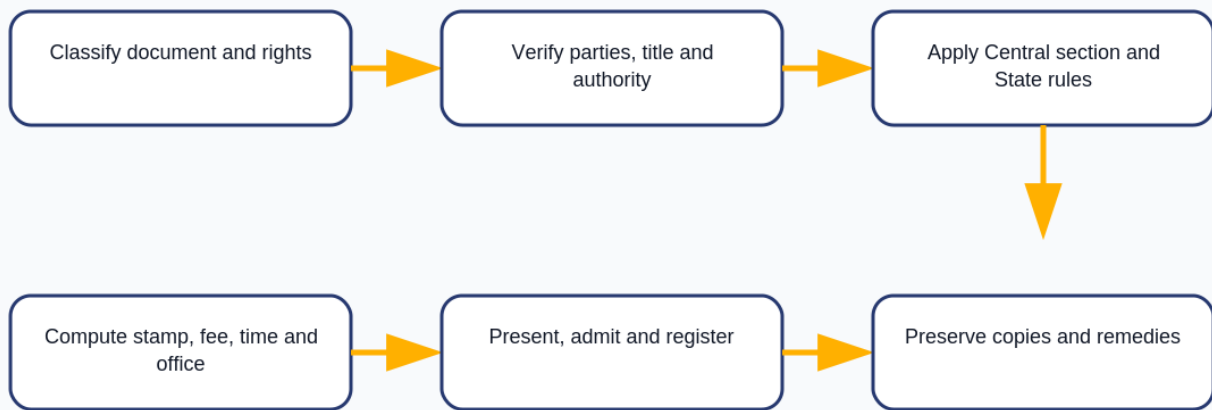
Finin2min Q&A;

Registration is not title insurance. State rules and portal controls are essential. Preserve the exact source and evidence pack.

Chapter-specific decision flowchart

Classify -> verify title/authority -> apply Central and State law -> compute stamp/time/office -> present/register -> preserve record/remedies.

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Finin2min registration decision flow - verify current State law, portal and office notification

Official source: <https://www.indiacode.nic.in/bitstream/123456789/2190/5/A1908-16.pdf>

Legal-use note: verify current Central and State law, rules, fee table, portal and office jurisdiction before reliance.