

## ಕರ್ನಾಟಕ ವಿಧಾನ ಪರಿಷತ್ತು

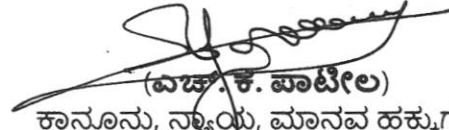
ಚುಕ್ಕೆ ಗುರುತಿನ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ : 755  
 ಸದಸ್ಯರ ಹೆಸರು : ಶ್ರೀಮತಿ ಬಲ್ಮೀಸ್ ಬಾನು  
 (ವಿಧಾನಸಭೆಯಿಂದ ಚುನಾಯಿತರಾದವರು)  
 ಉತ್ತರಿಸುವ ಸಚಿವರು : ಮಾನ್ಯ ಕಾನೂನು, ನ್ಯಾಯ, ಮಾನವ ಹಕ್ಕುಗಳು,  
 ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು, ಶಾಸನ ರಚನೆ  
 ಹಾಗೂ ಪ್ರವಾಸೋದ್ಯಮ ಸಚಿವರು  
 ಉತ್ತರಿಸಬೇಕಾದ ದಿನಾಂಕ : 13-03-2025

ಕ್ರ. ಸಂ.	ಪ್ರಶ್ನೆ	ಉತ್ತರ
(ಅ)	ರಾಜ್ಯದಲ್ಲಿರುವ ಒಟ್ಟು ನೋಂದಾಯಿತ ನೋಟರಿಗಳ ಸಂಖ್ಯೆ ಎಷ್ಟು; ಯಾವ ದಿನಾಂಕದಿಂದ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿವೆ; (ಪ್ರವರ್ಗವಾರು ಹಾಗೂ ಜಿಲ್ಲಾವಾರು/ ತಾಲ್ಲೂಕುವಾರು ವಿವರ ನೀಡುವುದು)	ಕರ್ನಾಟಕ ರಾಜ್ಯದಲ್ಲಿ 895 ನೋಂದಾಯಿತ ನೋಟರಿಗಳು ಇರುತ್ತಾರೆ. ನೋಟರಿಗಳ ನಿಯಮಗಳು, 1956ರ ನಿಯಮ 8 ರನ್ವಯ ಸರ್ಕಾರದಿಂದ ನೋಟರಿ ನೇಮಕಾತಿ ಆದೇಶ / ಅಧಿಸೂಚನೆ ಹೊರಡಿಸಿದ ನಂತರ, ನೋಟರಿ ವೃತ್ತಿ ಪ್ರಮಾಣ ಪತ್ರ ವಿತರಿಸಿದ ದಿನಾಂಕದಿಂದ ನೋಟರಿಯಾಗಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಾರೆ. ತದನಂತರ ನೋಟರಿ ವೃತ್ತಿ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ನವೀಕರಿಸಿಕೊಂಡು ನೋಟರಿಯಾಗಿ ಮುಂದುವರೆಯುತ್ತಾರೆ.  ನೋಟರಿ ಹುದ್ದೆಗಳ ನೇಮಕದಲ್ಲಿ ಯಾವುದೇ ಪ್ರವರ್ಗವಾರು ಕಲ್ಪಿಸಿರುವುದಿಲ್ಲ.  ರಾಜ್ಯದ ನೋಂದಾಯಿತ ನೋಟರಿಗಳ ಜಿಲ್ಲಾವಾರು/ ತಾಲ್ಲೂಕುವಾರು ವಿವರಗಳನ್ನು <b>ಅನುಬಂಧ-1 ರಲ್ಲಿ</b> ಇರಿಸಿದೆ.
(ಆ)	ರಾಜ್ಯದಲ್ಲಿ ನೋಟರಿಗಾಗಿ ನೋಂದಾಯಿಸಲು ಇರುವ ನಿಯಮಗಳೇನು ಹಾಗೂ ನೋಂದಾಯಿಸಿದ ನೋಟರಿ ಅವಧಿ ಎಷ್ಟು;	ರಾಜ್ಯದಲ್ಲಿ ನೋಟರಿಗಾಗಿ ನೋಂದಾಯಿಸಲು, ಕೇಂದ್ರ ಸರ್ಕಾರದ ನೋಟರಿಗಳ ನಿಯಮಗಳು, 1956ರ ನಿಯಮ 3 ರಿಂದ 8 ರವರನ್ವಯ ಅನುಸರಿಸಲಾಗುತ್ತದೆ. ನಿಯಮಗಳ ಪ್ರತಿಯನ್ನು <b>ಅನುಬಂಧ-2 ರಲ್ಲಿ</b> ಇರಿಸಿದೆ.  ನೋಟರಿಗಳ ಕಾಯ್ದೆ, 1952ರ ಸೆಕ್ಷನ್ 5 ರಂತೆ ನೋಟರಿಯಾಗಿ ನೋಂದಾಯಿಸಿದ ದಿನಾಂಕದಿಂದ 05 ವರ್ಷಗಳ ಅವಧಿಯಾಗಿದೆ. ನಂತರದಲ್ಲಿ ಒಮ್ಮೆಗೆ ಐದು ವರ್ಷಗಳ ಅವಧಿಗೆ ನೋಟರಿ ವೃತ್ತಿ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ನವೀಕರಿಸಲಾಗುವುದು. ನೋಟರಿಗಳ ಕಾಯ್ದೆ, 1952 ರ ಸೆಕ್ಷನ್ 5 ರ ಪ್ರತಿಯನ್ನು <b>ಅನುಬಂಧ-2 ರಲ್ಲಿ</b> ಇರಿಸಿದೆ.
(ಇ)	ಸದರಿ ನಿಯಮಗಳಲ್ಲಿ ಪ್ರವರ್ಗವಾರು ಹಾಗೂ ಜಿಲ್ಲಾವಾರು ಮೀಸಲಾತಿ ಕಲ್ಪಿಸಲಾಗಿದೆಯೇ; ಕಲ್ಪಿಸದಿದ್ದಲ್ಲಿ ನೇಮಕಾತಿಯಲ್ಲಿ ದಲಿತರು, ಹಿಂದುಳಿದ ವರ್ಗದವರು ಹಾಗೂ ಅಲ್ಪಸಂಖ್ಯಾತರ ಅಭ್ಯರ್ಥಿಗಳು ಸಾಮಾಜಿಕ ನ್ಯಾಯದಿಂದ ವಂಚಿತರಾಗುತ್ತಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ;	ಕೇಂದ್ರ ಸರ್ಕಾರದ ನೋಟರಿಗಳ ಕಾಯ್ದೆ 1952 ಮತ್ತು ನೋಟರಿಗಳ ನಿಯಮಗಳು, 1956ರ ಇವುಗಳಲ್ಲಿ ನೋಟರಿ ಹುದ್ದೆಗಳ ನೇಮಕದಲ್ಲಿ ಯಾವುದೇ ಪ್ರವರ್ಗವಾರು ಹಾಗೂ ಜಿಲ್ಲಾವಾರು ಮೀಸಲಾತಿ ಕಲ್ಪಿಸಿರುವುದಿಲ್ಲ.  ನೇಮಕಾತಿಯಲ್ಲಿ ದಲಿತರು, ಹಿಂದುಳಿದ ವರ್ಗದವರು ಹಾಗೂ ಅಲ್ಪಸಂಖ್ಯಾತರ ಅಭ್ಯರ್ಥಿಗಳು ಸಾಮಾಜಿಕ ನ್ಯಾಯದಿಂದ ವಂಚಿತರಾಗುತ್ತಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿರುವುದಿಲ್ಲ.

ಪು.ತಿ.ನೋ....

(ಈ)	ಬಂದಿದ್ದಲ್ಲಿ ನೋಟರಿ ನೋಂದಾಯಿಸುವ ನಿಯಮಗಳಲ್ಲಿ ದಲಿತರು, ಹಿಂದುಳಿದ ವರ್ಗದವರು ಹಾಗೂ ಅಲ್ಪಸಂಖ್ಯಾತರುಗಳ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಮೀಸಲಾತಿ ಕಲ್ಪಿಸಲು ಸರ್ಕಾರ ಕ್ರಮಕೈಗೊಳ್ಳುವುದೇ? (ವಿವರ ನೀಡುವುದು)	ಇಂತಹ ಪ್ರಸ್ತಾವನೆ ಬಂದಿದ್ದಲ್ಲಿ, ಸರ್ಕಾರದಿಂದ ಕ್ರಮಕೈಗೊಳ್ಳಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ. ಕೇಂದ್ರ ಸರ್ಕಾರದ ನೋಟರಿಗಳ ಕಾಯ್ದೆ, 1952 ಮತ್ತು ನೋಟರಿಗಳ ನಿಯಮಗಳು, 1956ರನ್ವಯ ರಾಜ್ಯದಲ್ಲಿ ನೋಟರಿಗಳನ್ನು ನೇಮಕಾತಿ ಮಾಡಿಕೊಳ್ಳಲಾಗುತ್ತಿದೆ. ಮೇಲಿನ ನಿಯಮಗಳಲ್ಲಿ ರಾಜ್ಯ ಸರ್ಕಾರದಿಂದ ಪ್ರತ್ಯೇಕ ನಿಯಮಗಳನ್ನು ರಚಿಸಲು ಅವಕಾಶ ಕಲ್ಪಿಸಿರುವುದಿಲ್ಲ. ಈ ಸಂಬಂಧ ನೋಟರಿಗಳ ಕಾಯ್ದೆ, 1952ರ ಸೆಕ್ಷನ್ 15 ರ ಪ್ರತಿಯನ್ನು ಅನುಬಂಧ-3 ರಲ್ಲಿ ಇರಿಸಿದೆ.
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ಸಂಖ್ಯೆ: ಲಾ-ಎಲ್‌ಸಿಎಲ್/87/2025

  
(ಎಚ್.ಕೆ. ಪಾಟೀಲ)

ಕಾನೂನು, ನ್ಯಾಯ, ಮಾನವ ಹಕ್ಕುಗಳು,  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು, ಶಾಸನ ರಚನೆ ಹಾಗೂ  
ಪ್ರವಾಸೋದ್ಯಮ ಸಚಿವರು

## ವಿಧಾನ ಪರಿಷತ್ತಿನ ಚುಕ್ಕೆ ಗುರುತಿನ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ: 755ಕ್ಕೆ ಪೂರಕ ಟಿಪ್ಪಣಿ

### ವಿಷಯ: ನೋಟರಿ ನೇಮಕಾತಿಯಲ್ಲಿ ಮೀಸಲಾತಿ ಕಲ್ಪಿಸುವ ಬಗ್ಗೆ.

ಕೇಂದ್ರ ಸರ್ಕಾರದ The Notaries Act, 1952 ಮತ್ತು The Notaries Rules, 1956 ರನ್ವಯ ಹಾಗೂ ಸದರಿ ಕಾಯ್ದೆ / ನಿಯಮಗಳಿಗೆ ತರುವ ತಿದ್ದುಪಡಿಗಳಂತೆ ರಾಜ್ಯ ಸರ್ಕಾರದ ನೋಟರಿಗಳನ್ನು ನೇಮಿಸಲಾಗುತ್ತಿದೆ. ನೋಟರಿಗಳ ನಿಯಮಗಳು, 1956 ರ ನಿಯಮ 8 (4A) ರ ಶೆಡ್ಯೂಲ್‌ರಂತೆ ಹಾಗೂ ಸದರಿ ನಿಯಮಗಳ ತಿದ್ದುಪಡಿಗಳ ಗರಿಷ್ಠ ಮಿತಿಯೊಳಪಟ್ಟು ನೋಟರಿ ಹುದ್ದೆಗಳನ್ನು ಸೃಜಿಸಿ ನೇಮಕ ಮಾಡಲಾಗುತ್ತದೆ.

ನೋಟರಿಗಳ ನೇಮಕಾತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ನೋಟರಿಗಳ ನಿಯಮಗಳು, 1956ರ ನಿಯಮ 3 ರಿಂದ 8 ರವರೆಗೆ ಅನುಸರಿಸಬೇಕಾದ ವಿದ್ಯಾರ್ಹತೆ, ಅರ್ಜಿ ನಮೂನೆ, ಅರ್ಜಿಯ ಮೇಲೆ ಪ್ರಾಥಮಿಕ ಕ್ರಮ, ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರದ ಶಿಫಾರಸ್ಸು, ನೋಟರಿ ಸಂದರ್ಶನ ಮಂಡಳಿ, ನೋಟರಿ ನೇಮಕಾತಿ ಇತ್ಯಾದಿಗಳ ಬಗ್ಗೆ ತಿಳಿಸಲಾಗಿದೆ.

ಮೇಲಿನ ನಿಯಮಗಳ ನಿಯಮ 3 ರಲ್ಲಿ Qualifications for appointment as a notary - ಬಗ್ಗೆ ತಿಳಿಸಲಾಗಿದೆ. ಪರಿಶಿಷ್ಟ ಜಾತಿ ಮತ್ತು ಪರಿಶಿಷ್ಟ ಪಂಗಡದ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ನೇಮಕಾತಿಯಲ್ಲಿ ಮೀಸಲಾತಿ ಕಲ್ಪಿಸಿರುವುದಿಲ್ಲ. ಆದರೆ, ಸಾಮಾನ್ಯ ವರ್ಗದವರಿಗೆ ಕನಿಷ್ಠ 10 ವರ್ಷಗಳು, ಪರಿಶಿಷ್ಟ ಜಾತಿ ಮತ್ತು ಪರಿಶಿಷ್ಟ ಪಂಗಡಗಳ ಅಭ್ಯರ್ಥಿಗಳಿಗೆ ಕನಿಷ್ಠ 7 ವರ್ಷಗಳು ವಕೀಲರ ವೃತ್ತಿಯಲ್ಲಿ ಅನುಭವವಿರುವವರು ಮಾತ್ರ ನೋಟರಿಯಾಗಿ ನೇಮಕಾತಿ ಹೊಂದಲು ಅರ್ಹತೆ ನಿಗದಿಪಡಿಸಲಾಗಿದೆ.

ನೋಟರಿ ಅಧಿನಿಯಮ 1952, ಹಾಗೂ ನೋಟರಿ ನಿಯಮಾವಳಿಗಳು 1956ರ ನಿಯಮ 4(1) ರಲ್ಲಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಆಯಾ ಜಿಲ್ಲೆಯ ಪ್ರಧಾನ ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರು / ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರವರನ್ನು "ಸಕ್ಷಮಪ್ರಾಧಿಕಾರ" ಎಂದು ಪದನಾಮೀಕರಿಸಲಾಗಿ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಲಾ 81 ಎಲ್‌ಸಿಎಲ್ 2013, ದಿನಾಂಕ : 22-11-2018 ನ್ನು ಹೊರಡಿಸಲಾಗಿದೆ.

ರಾಜ್ಯ ಸರ್ಕಾರದಿಂದ ನೋಟರಿಗಳನ್ನು ನೇಮಕ ಮಾಡಲು ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವಾದ ಆಯಾ ಜಿಲ್ಲೆಯ ಪ್ರಧಾನ ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರುಗಳಿಗೆ ಅರ್ಜಿಗಳನ್ನು ಆಹ್ವಾನಿಸಲು ಸರ್ಕಾರದಿಂದ ನಿರ್ದೇಶನ ನೀಡಲಾಗುತ್ತದೆ. ಸದರಿ ನಿರ್ದೇಶನದಂತೆ, ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ಅಧಿಸೂಚನೆ ಮೂಲಕ ಪ್ರಕಟಿಸಿ, ನೋಟರಿ ನಿಯಮಗಳು, 1956ರ ನಿಯಮ 3 ರಲ್ಲಿ ತಿಳಿಸಿರುವ ಅರ್ಹ ವಕೀಲರುಗಳಿಂದ ನಿಯಮ 4 ರನ್ವಯ ನಮೂನೆ-1 (ಮೆಮೋರಿಯಲ್) ರಲ್ಲಿ ಅರ್ಜಿ ಮತ್ತು ಸಂಬಂಧಿಸಿದ ದಾಖಲೆಗಳನ್ನು ಸ್ವೀಕರಿಸಲಾಗುತ್ತದೆ. ನೋಟರಿಗಳ ನಿಯಮಗಳು, 1956 ರ ನಿಯಮ 6 ರನ್ವಯ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರವು ಸದರಿ ಅರ್ಜಿಗಳನ್ನು ಪರಿಶೀಲಿಸಿ, ಅರ್ಹ ಅರ್ಜಿಗಳನ್ನು ಮಾತ್ರ ಶಿಫಾರಸ್ಸಿನೊಂದಿಗೆ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಲಾಗುತ್ತದೆ. ಪ್ರಧಾನ ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರುಗಳಿಂದ ಸ್ವೀಕರಿಸಿದ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಸರ್ಕಾರದಲ್ಲಿ ಪರಿಶೀಲಿಸಿ, ನಿಯಮಗಳನ್ವಯ ನೋಟರಿಯನ್ನು ಆಯ್ಕೆ ಮಾಡಲು ಸಂದರ್ಶನ ಮಂಡಳಿಯ ಮುಂದೆ ಮಂಡಿಸುವ ಬಗ್ಗೆ ಮಾನ್ಯ ಕಾನೂನು ಸಚಿವರ ಅನುಮೋದನೆ ಪಡೆದ ನಂತರ ನೋಟರಿ ಸಂದರ್ಶನ ಮಂಡಳಿ ಮುಂದೆ ಮಂಡಿಸಿ, ಸದರಿ ಮಂಡಳಿಯು ಸಂದರ್ಶನದ ಮೂಲಕ ಅಭ್ಯರ್ಥಿಯನ್ನು ಆಯ್ಕೆ ಮಾಡಿ ಮಾನ್ಯ ಕಾನೂನು ಸಚಿವರ ಹಾಗೂ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಯವರ ಅನುಮೋದನೆಗಾಗಿ ಮಂಡಿಸಲಾಗುತ್ತದೆ. ಅನುಮೋದನೆ ಪಡೆದ ನಂತರ, ಆಯ್ಕೆಯಾದ ಅಭ್ಯರ್ಥಿಯನ್ನು ನೋಟರಿಯಾಗಿ ನೇಮಕಾತಿ ಮಾಡಿ ಆದೇಶ ಹೊರಡಿಸಲಾಗುತ್ತದೆ.

ನೋಟರಿಗಳ ಕಾಯ್ದೆ, 1952ರ ಸೆಕ್ಷನ್ 5 (2) ರನ್ವಯ ನೋಟರಿಯಾಗಿ ನೇಮಕಗೊಂಡ ನಂತರದಲ್ಲಿ ಪ್ರಪ್ರಥಮವಾಗಿ 05 ವರ್ಷಗಳಿಗೆ ನೋಟರಿ ವೃತ್ತಿ ಪ್ರಮಾಣ ಪತ್ರ ವಿತರಿಸಲಾಗುತ್ತದೆ. ನೋಟರಿ ನಿಯಮಗಳು, 1956ರ ನಿಯಮ 8 B ರನ್ವಯ ಸದರಿ ನೋಟರಿಯವರು ಅವಧಿ ಮುಕ್ತಿಯೊಳ್ಳುವ 06 ತಿಂಗಳ ಮುಂಚಿತವಾಗಿ ನಿಗದಿತ ನಮೂನೆಯಲ್ಲಿ ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿ, ನಿಗದಿ ಪಡಿಸಿದ ಶುಲ್ಕವನ್ನು ಪಾವತಿಸಿ, ಸರ್ಕಾರಕ್ಕೆ ಮನವಿ ಸಲ್ಲಿಸಿದಲ್ಲಿ, ಮನವಿಯನ್ನು ನಿಯಮಾನುಸಾರ ಪರಿಶೀಲಿಸಿ ಒಮ್ಮೆಗೆ ಐದು ವರ್ಷಗಳ ಅವಧಿಗೆ ನೋಟರಿ ವೃತ್ತಿ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು ನವೀಕರಿಸಿ, ನೋಟರಿಯಾಗಿ ಮುಂದುವರೆಯಲು ಅನುಮತಿಸಲಾಗುತ್ತದೆ.

ಅನುಬಂಧ - 1

ಕ್ರ. ಸಂ.	ಜಿಲ್ಲೆ	ನೋಟರಿಗಳ ಸಂಖ್ಯೆ	ತಾಲ್ಲೂಕು	ನೋಟರಿಗಳ ಸಂಖ್ಯೆ
1	ಬೆಂಗಳೂರು ನಗರ ಜಿಲ್ಲೆ	88	ಬೆಂಗಳೂರು ನಗರ	78
			ಬೆಂಗಳೂರು ಉತ್ತರ	3
			ಬೆಂಗಳೂರು ದಕ್ಷಿಣ	4
			ಆನೇಕಲ್	3
2	ಬೆಂಗಳೂರು ಗ್ರಾಮಾಂತರ	12	ದೊಡ್ಡಬಳ್ಳಾಪುರ	4
			ದೇವನಹಳ್ಳಿ	3
			ನೆಲಮಂಗಲ	2
			ಹೊಸಕೋಟೆ	3
3	ರಾಮನಗರ	17	ಚೆನ್ನಪಟ್ಟಣ	3
			ಕನಕಪುರ	3
			ಮಾಗಡಿ	3
			ರಾಮನಗರ	8
4	ಚಿತ್ರದುರ್ಗ	26	ಚಿತ್ರದುರ್ಗ	8
			ಹೊಸದುರ್ಗ	4
			ಹಿರಿಯೂರು	3
			ಚಳ್ಳಕೆರೆ	3
			ಮೊಳಕಾಲ್ಮೂರು	4
			ಹೊಳಲ್ಕೆರೆ	4
5	ದಾವಣಗೆರೆ	21	ದಾವಣಗೆರೆ	9
			ಹೊನ್ನಾಳಿ	4
			ಚೆನ್ನಗಿರಿ	4
			ಹರಿಹರ	2
			ಜಗಳೂರು	2
6	ಕೋಲಾರ	24	ಕೋಲಾರ	7
			ಕೆ.ಜಿ.ಎಫ್.	2
			ಮಾಲೂರು	5
			ಮುಳಬಾಗಿಲು	5
			ಶ್ರೀನಿವಾಸಪುರ	2
			ಬಂಗಾರಪೇಟೆ	3
7	ಚಿಕ್ಕಬಳ್ಳಾಪುರ	20	ಚಿಕ್ಕಬಳ್ಳಾಪುರ	5
			ಚಿಂತಾಮಣಿ	4
			ಶಿಡ್ಲಘಟ್ಟ	2
			ಗೌರಿಬಿದನೂರು	4
			ಬಾಗೇಪಲ್ಲಿ	3
			ಗುಡಿಬಂಡೆ	2
8	ಶಿವಮೊಗ್ಗ	29	ಶಿವಮೊಗ್ಗ	6
			ಭದ್ರಾವತಿ	5
			ತೀರ್ಥಹಳ್ಳಿ	5
			ಸಾಗರ	3
			ಶಿಕಾರಿಪುರ	4
			ಸೊರಬ	3
	ಹೊಸನಗರ	3		

ಕ್ರ. ಸಂ.	ಜಿಲ್ಲೆ	ನೋಟರಿಗಳ ಸಂಖ್ಯೆ	ತಾಲ್ಲೂಕು	ನೋಟರಿಗಳ ಸಂಖ್ಯೆ
9	ತುಮಕೂರು	42	ತುಮಕೂರು	8
			ತಿಪಟೂರು	3
			ಮಧುಗಿರಿ	3
			ಕೊರಟಗೆರೆ	3
			ಶಿರಾ	4
			ಗುಬ್ಬಿ	3
			ಪಾವಗಡ	5
			ಚಿಕ್ಕನಾಯಕನಹಳ್ಳಿ	5
			ತುರುವೇಕೆರೆ	4
			ಕುಣಿಗಲ್	4
10	ಮೈಸೂರು	32	ಮೈಸೂರು	13
			ಹುಣಸೂರು	5
			ನಂಜನಗೂಡು	4
			ಕೆ.ಆರ್.ನಗರ	3
			ಟೀ.ನರಸೀಪುರ	2
			ಪಿರಿಯಾಪಟ್ಟಣ	2
			ಹೆಗ್ಗಡದೇವನ ಹಳ್ಳಿ	3
11	ಚಾಮರಾಜನಗರ	14	ಚಾಮರಾಜನಗರ	4
			ಗುಂಡ್ಲುಪೇಟೆ	3
			ಕೊಳ್ಳೇಗಾಲ	4
			ಯಳಂದೂರು	3
12	ಮಂಡ್ಯ	32	ಮಂಡ್ಯ	12
			ಶ್ರೀರಂಗಪಟ್ಟಣ	4
			ಪಾಂಡವಪುರ	3
			ಕೆ.ಆರ್.ಪೇಟೆ	5
			ನಾಗಮಂಗಲ	3
			ಮದ್ದೂರು	2
			ಮಳವಳ್ಳಿ	3
13	ಹಾಸನ	41	ಹಾಸನ	12
			ಅರಸೀಕೆರೆ	4
			ಚೆನ್ನರಾಯಪಟ್ಟಣ	5
			ಹೊಳೆನರಸೀಪುರ	4
			ಅರಕಲಗೂಡು	6
			ಬೇಲೂರು	3
			ಆಲೂರು	4
			ಸಕಲೇಶಪುರ	3
14	ಚಿಕ್ಕಮಗಳೂರು	24	ಚಿಕ್ಕಮಗಳೂರು	4
			ತರೀಕೆರೆ	4
			ಕೊಪ್ಪ-ಶೃಂಗೇರಿ	1
			ಶೃಂಗೇರಿ	2
			ಕೊಪ್ಪ	2
			ನರಸಿಂಹರಾಜಪುರ	2
			ಮೊಡಿಗರೆ	3
			ಕಡೂರು	6

ಕ್ರ. ಸಂ.	ಜಿಲ್ಲೆ	ನೋಟರಿಗಳ ಸಂಖ್ಯೆ	ತಾಲೂಕು	ನೋಟರಿಗಳ ಸಂಖ್ಯೆ
15	ಕೊಡಗು	18	ಸೋಮವಾರಪೇಟೆ	6
			ವಿರಾಜಪೇಟೆ	5
			ಮಡಿಕೇರಿ	6
			ಕೊಡಗು	1
16	ಉಡುಪಿ	21	ಉಡುಪಿ	9
			ಕುಂದಾಪುರ	7
			ಕಾರ್ಕಳ	5
17	ದಕ್ಷಿಣ ಕನ್ನಡ	41	ಮಂಗಳೂರು	22
			ಮೂಡಬಿದರೆ	1
			ಮುಲ್ಕಿ	1
			ಪುತ್ತೂರು	4
			ಬಂಟ್ವಾಳ	4
			ಬಂಟ್ವಾಳ - ವಿಟ್ಲ	1
			ಸೂಳ್ಯ	3
			ಬೆಳ್ತಂಗಡಿ	4
			ಕಡಬ	1
			18	ಕಲಬುರ್ಗಿ
ಸೇಡಂ	4			
ಚಿತ್ತಾಪುರ	3			
ಆಳಂದ	3			
ಚಿಂಚೋಳಿ	3			
ಜೀವರ್ಗಿ	2			
ಅಫಜಲಪುರ	4			
ಕಾಳಗಿ	1			
19	ಯಾದಗಿರಿ	18		
			ಶೋರಾಪುರ	5
			ಶಹಾಪುರ	5
20	ರಾಯಚೂರು	19	ರಾಯಚೂರು	6
			ಲಿಂಗಸುಗೂರು	4
			ದೇವದುರ್ಗ	3
			ಮಾನ್ವಿ	3
			ಸಂಧನೂರು	3
21	ಕೊಪ್ಪಳ	22	ಕೊಪ್ಪಳ	7
			ಗಂಗಾವತಿ	6
			ಯಲ್ಮುರ್ಗಿ	4
			ಕುಷ್ಟಗಿ	5
22	ಬೀದರ್	20	ಬೀದರ್	8
			ಬಸವಕಲ್ಯಾಣ	2
			ಹಮ್ಮಾಬಾದ್	4
			ಬಸವಕಲ್ಯಾಣ	0
			ಬೈರಾದ್	2
			ಭಾಲಿ	4

ಕ್ರ. ಸಂ.	ಜಿಲ್ಲೆ	ನೋಟರಿಗಳ ಸಂಖ್ಯೆ	ತಾಲ್ಲೂಕು	ನೋಟರಿಗಳ ಸಂಖ್ಯೆ
23	ಬಳ್ಳಾರಿ	43	ಬಳ್ಳಾರಿ	13
			ಹೊಸಪೇಟೆ	9
			ಕೂಡ್ಲಿಗಿ	3
			ಹೂವಿನ ಹಡಗಲಿ	5
			ಹಗರಿಬೊಮ್ಮನಹಳ್ಳಿ	3
			ಸಂಡೂರು	3
			ಸಿರಗುಪ್ಪ	3
			ಹರಪನಹಳ್ಳಿ	4
24	ಬೆಳಗಾವಿ	60	ಬೆಳಗಾವಿ	10
			ಗೋಕಾಕ್	4
			ಸವದತ್ತಿ	6
			ಕಿತ್ತೂರು	1
			ಚಿಕ್ಕೋಡಿ	13
			ರಾಮದುರ್ಗ	4
			ಹುಕ್ಕೇರಿ	2
			ಅಥಣಿ	4
			ರಾಯಭಾಗ	4
			ಖಾನಾಪುರ	2
			ನಿಪ್ಪಾಣಿ	2
			ಬೈಲಹೊಂಗಲ	7
			ಯರಗಟ್ಟಿ	1
25	ವಿಜಯಪುರ	22	ವಿಜಯಪುರ	8
			ಇಂಡಿ	3
			ಸಿಂಧಗಿ	4
			ಬಸವನಬಾಗೇವಾಡಿ	3
			ಮುದ್ದೇಬಿಹಾಳ	3
			ಚಡಚಣ	1
26	ಬಾಗಲಕೋಟೆ	39	ಬಾಗಲಕೋಟೆ	7
			ಹುನಗುಂದ	3
			ಬಾದಾಮಿ	6
			ಜಮಖಂಡಿ	5
			ಮುಧೋಳ	6
			ಬೀಳಗಿ	4
			ರಬಕವಿ-ಬನಹಟ್ಟಿ	2
			ಬನಹಟ್ಟಿ	2
			ಗುಳೇದಗುಡ್ಡ	4



ಕ್ರ. ಸಂ.	ಜಿಲ್ಲೆ	ನೋಟರಿಗಳ ಸಂಖ್ಯೆ	ತಾಲೂಕು	ನೋಟರಿಗಳ ಸಂಖ್ಯೆ
27	ಉತ್ತರ ಕನ್ನಡ	38	ಕಾರವಾರ	7
			ಕುಮಟಾ	1
			ಹಳಿಯಾಳ	3
			ಸಿರಸಿ	6
			ದಾಂಡೇಲಿ	3
			ಅಂಕೋಲ	2
			ಭಟ್ಕಳ	3
			ಹೊನ್ನಾವರ	3
			ಮುಂಡಗೋಡ	3
			ಯಲ್ಲಾಪುರ	3
			ಸಿದ್ಧಾಪುರ	3
			ದಾಂಡೇಲಿ - ಜೋಯಿಡಾ	1
28	ಧಾರವಾಡ	41	ಧಾರವಾಡ	9
			ಹುಬ್ಬಳ್ಳಿ	7
			ಹುಬ್ಬಳ್ಳಿ-ಧಾರವಾಡ	10
			ನವಲಗುಂದ	9
			ಕಲಘಟಗಿ	3
			ಕುಂದಗೋಳ	3
29	ಹಾವೇರಿ	25	ಹಾವೇರಿ	6
			ಹಿರಕೆರೂರು	3
			ರಾಣಬೆನ್ನೂರು	3
			ಬ್ಯಾಡಗಿ	3
			ಹಾನಗಲ್	3
			ಸವಣೂರು	3
			ಶಿಗ್ಗಾವ್	3
			ರಟ್ಟಿಹಳ್ಳಿ	1
30	ಗದಗ	18	ಗದಗ	8
			ಮುಂಡರಗಿ	2
			ರೋಣ	3
			ನರಗುಂದ	3
			ಶಿರಹಟ್ಟಿ	2
	<b>Total</b>	<b>895</b>	<b>ಒಟ್ಟು</b>	<b>895</b>



# THE NOTARIES RULES, 1956

(SRO 324, dt. 14-2-1956)

[As amended by the Notaries (Second Amdt.) Rules, 2022 vide GSR 597(E),  
dt. 22-7-2022, w.e.f. 22-7-2022]

In exercise of the powers conferred by section 15 of the Notaries Act, 1952 (53 of 1952), the Central Government hereby makes the following rules, namely:—

1. **Short title**

These rules may be called the Notaries Rules, 1956.

2. **Definitions**

In these rules, unless the context otherwise requires,—

(a) "appropriate government" means in relation to a notary appointed by the Central Government, the Central Government and in relation to a notary appointed by the State Government, the State Government;

(b) "Form" means a Form appended to these rules;

(c) "the Act" means the Notaries Act, 1952 (53 of 1952).

<sup>1</sup>[(d) "Schedule" means the Schedule appended to these rules.]

3. **Qualifications for appointment as a notary**

No person shall be eligible for appointment as a notary unless on the date of the application for such appointment—

<sup>2</sup>[(a) a person had been practicing at least for ten years, or

(aa) a person belonging to Scheduled Castes/Scheduled Tribes and other backward classes had been practising at least for seven years, or

(ab) a woman who had been practicing at least for seven years, as a legal practitioner, or]

<sup>3</sup>[(ac) a person with benchmark disability as defined in Clause (r) of Section 2 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), who has been practicing for at least seven years, as a legal practitioner, or]

(b) he had been a member of the Indian Legal Services under the Central Government, or

(c) he had been at least for ten years,—

(i) a member of Judicial Service; or

(ii) held an office under the Central Government or a State Government requiring special knowledge of law after enrolment as an advocate; or

(iii) held an office in the department of Judge Advocate General or in the legal department of the armed forces.

4. **Application for appointment as a notary**

<sup>4</sup>[(1) A person may make an application for appointment as a notary (hereinafter called "the applicant") **online** in Form I or Form II as applicable, addressed to such

1 Inserted vide GSR 330(E), dt. 9-5-2001, w.e.f. 10-5-2001.

2 Substituted vide GSR 17(E), dt. 5-1-2000, w.e.f. 5-1-2000.

3 Inserted vide GSR 341(E), dt. 25-5-2021, w.e.f. 25-5-2021.

4 Substituted vide GSR 821(E), dt. 5-11-2019, w.e.f. 6-11-2019. Prior to substitution, sub-rule (1) read as under: "(1) A person may make an application for appointment as a notary (hereinafter called "the applicant"), through the concerned District Judge or the Presiding Officer of the Court or Tribunal where he practises as an Advocate, in the Form of memorial addressed to such officer or authority (hereinafter referred to as the "competent authority") of the appropriate Government as that Government may, by notification in the Official Gazette, designate in this behalf."

officer or authority (hereinafter referred to as the "competent authority") of the appropriate Government as that Government may, by notification in the Official Gazette, designate in this behalf.]

(2) The memorial shall be drawn by a person referred to in clause (a) of rule 3 in accordance with Form I and by a person referred to in clauses (b) and (c) of the said rule in accordance with Form II.

<sup>1</sup>[*(2A) A person applying in Form II for appointment as a notary may submit the memorial direct to the Competent Authority of the Appropriate Government.]*

(3) The memorial of a person referred to in clause (a) of rule 3 shall be signed by the applicant and shall be countersigned by the following persons:—

- (a) a Magistrate;
- (b) a manager of a nationalised bank;
- (c) a merchant; and
- (d) two prominent inhabitants of the local area within which the applicant intends to practise as a notary.]

5. [Omitted]

#### 6. Preliminary action on application

<sup>2</sup>[(1) The competent authority shall examine every application received by him and if he is satisfied that the application is not complete in all respects or the applicant does not possess the qualifications specified in rule 3, or that any previous application of the applicant for appointment as a notary was rejected within six months before the date of the application, shall reject it summarily and inform the applicant accordingly.]

(2) If the competent authority does not reject the application under sub-rule (1),—

- (a) <sup>3</sup>[xxx]
- (b) he may, if he thinks fit, ascertain from any Bar Council, Bar Association, Incorporated Law Society or other authority in the area where the applicant proposes to practise, the objections, if any, to the appointment of the applicant as notary, to be submitted within the time fixed for the purpose.

#### 7. Recommendation of the competent authority

<sup>2</sup>[(1) The competent authority shall, after holding such inquiry as he thinks fit and after giving the applicant an opportunity of making his representations against the objections, if any, received within the time fixed under sub-rule (2) of rule 6, make a report to the appropriate Government recommending that the applicant may be allowed to appear before the Interview Board.]

(2) The competent authority shall also make his recommendation in the report under sub-rule (1) regarding the persons by whom the whole or any part of the costs of the application including the cost of hearing, if any, shall be borne.

(3) In making his recommendation under sub-rule (1), the competent authority shall have due regard to the following matters, namely:—

- (a) whether the applicant ordinarily resides in the area in which he proposes to practise as a notary;
- (b) whether, having regard to the commercial importance of the area in which the applicant proposes to practise and the number of existing notaries

1 Omitted vide GSR 821(E), dt. 5-11-2019, w.e.f. 6-11-2019. Earlier, sub-rule (2A) and (3) were inserted vide GSR 700(E), dt. 24-9-2009, w.e.f. 24-9-2009.

2 Substituted vide GSR 114(E), dt. 24-2-2009, w.e.f. 1-3-2009.

3 Omitted vide GSR 870(E), dt. 8-7-1997, w.e.f. 8-7-1997.

practising in the area, it is necessary to appoint any additional notaries for the area;

- (c) whether, having regard to his knowledge and experience of commercial law and the nature of the objections, if any, raised in respect of his appointment as a notary, and in the case of a legal practitioner also to the extent of his practise, the applicant is fit to be appointed as a notary;
- (d) where the applicant belongs to a firm of legal practitioners, whether, having regard to the number of existing notaries in that firm, it is proper and necessary to appoint any additional notary from that firm; and
- (e) where applications from other applicants in respect of the area are pending, whether the applicant is more suitable than such other applicants:]

<sup>1</sup>[PROVIDED that in respect of categories (b) and (c), if the memorial in Form II is found to be in order, the competent authority may issue certificate of practice as Notary directly by exempting appearance before the Interview Board.]

#### <sup>2</sup>[7A. Constitution of the Interview Board

(1) If the appropriate Government allows that the applicant may be asked to appear before the Interview Board, the competent authority shall inform the applicant to appear before the Interview Board, on the date, time and place fixed, to judge the competency of the applicant for being appointed as a Notary. The Interview Board shall submit its recommendations to the appropriate Government.

<sup>3</sup>[(2) For the said purpose, one or more Interview Boards shall be constituted by the appropriate Government from amongst its officers dealing with legal matters and the Chairperson of every Interview Board shall be an officer not below the rank of Joint Secretary or Law Officer of that Government:]

<sup>1</sup>[PROVIDED that the appropriate government may dispense with the condition of holding of interviews for which reasons are to be recorded in writing.]

#### 7B. Transitional provision

(1) All the memorials received by the Competent Authority till 28th February, 2009 and which are pending shall be processed / examined in accordance with the provisions of the rules as amended by the Notaries (Amendment) Rules, 2009.

(2) The fresh memorials shall only be submitted on or after 1st July, 2009.]

#### 8. Appointment of a notary

(1) <sup>4</sup>[On receipt of the recommendations of the interview board, the appropriate Government shall consider the recommendation and shall—]

- (a) allow the application in respect of the whole of the area to which it relates; or
- (b) allow the application in respect of any part of the area to which it relates; or
- (c) reject the application;

and shall also make such orders as the government thinks fit regarding the persons by whom the whole or any part of the costs of the application including the cost of hearing, if any, shall be borne.

1 Inserted vide GSR 429(E), dt. 18-4-2016, w.e.f. 19-4-2016.

2 Inserted vide GSR 114(E), dt. 24-2-2009, w.e.f. 1-3-2009.

3 Substituted vide GSR 700(E), dt. 24-9-2009, w.e.f. 24-9-2009.

4 Substituted for "On receipt of the report of the competent authority, the appropriate government shall consider the report and shall—" vide GSR 114(E), dt. 24-2-2009, w.e.f. 1-3-2009.

(2) An applicant shall be informed of every order passed by the appropriate government under sub-rule (1)

(3) An applicant whose application has been rejected or allowed in respect of only a part of the area to which it relates or against whom an order as to costs has been made under sub-rule (1) may, within sixty days of the date of the order apply to the appropriate government for reviewing the order and that government may, after making such further inquiry as it thinks fit pass such order as it considers necessary

(4) Where the application is allowed, the appropriate government shall appoint the applicant as a notary and direct his name to be entered in the Register of Notaries maintained by that government under section 4 of the Act and issue to him a certificate on payment of prescribed fees authorizing him to practise in the area to which the application relates or in such part thereof as the appropriate government may specify in the certificate, as a notary for a period of <sup>1</sup>[five years] from the date on which the certificate is issued to him.

<sup>2</sup>[(4A) The appropriate Government may on and after the ninth day of May, 2001, appoint notaries in a State or Union Territory, as the case may be, not exceeding the number of notaries specified in the Schedule:

PROVIDED that the number of notaries whose certificate of practice has been renewed under sub-sec. (2) of section 5 of the Act, shall be included in the total number of notaries appointed for the purpose of counting the total number of notaries specified in the Schedule:

PROVIDED FURTHER that if in a State or Union Territory the number of notaries appointed before the ninth day of May, 2001 exceeds the number of notaries specified in the Schedule, such notaries shall continue to be so appointed in that State or Union territory, as the case may be:]

<sup>3</sup>[PROVIDED ALSO that in case, request for enhancement of quota is received from Union Territory or the State concerned, the same shall be considered as per the following criteria:—

- (a) if there is an increase in the population of the concerned State or the Union Territory;
- (b) if there is increase in the number of districts or tehsil or taluka of the concerned State or Union Territory.]

(5) The Register of Notaries shall be in Form IIA and the certificate of practice shall be in Form IIB.

#### 8A. Extension of area of practice

A notary public who is already in possession of a certificate of practice in respect of a particular area, may for sufficient reasons, apply for extension of his area of practice. If the original certificate of practice had been issued by a State Government and the new area of practice applied for lies within the territory of that State, the application for extension of the area of practice shall be made to that State Government. In all cases where the original certificate of practice had been issued by the Central Government, the application for extension of the area of practice shall be made to the Central Government. Applications for the extension of the area of practice where the new area lies either wholly outside the State or partly inside and partly outside the State which

1 Substituted for "three years" vide GSR 262(E), dt. 28-3-2000.

2 Inserted vide GSR 330(E), dt. 9-5-2001, w.e.f. 10-5-2001.

3 Inserted vide GSR 429(E), dt. 18-4-2016, w.e.f. 19-4-2016

**<sup>1</sup>[THE SCHEDULE***[Refer rule 8(4A)]*

<i>Name of State/Union territory</i>	<i>Maximum number of notaries to be appointed by the Central Government</i>	<i>Maximum number of notaries to be appointed by State Government or Union Territory Administration</i>
(1)	(2)	(3)
1. Andhra Pradesh	<sup>2</sup> [1700]	<sup>3</sup> [1306]
2. Assam	575	575
3. Bihar	925	<sup>4</sup> [1925]
4. Gujarat	<sup>5</sup> [8000]	<sup>6</sup> [2900]
5. Kerala	<sup>7</sup> [1750]	<sup>8</sup> [1250]
6. Madhya Pradesh	<sup>9</sup> [1650]	<sup>10</sup> [2500]
7. Tamil Nadu	<sup>11</sup> [4700]	<sup>12</sup> [2500]
8. Maharashtra	<sup>13</sup> [8000]	<sup>14</sup> [1313]
9. Karnataka	<sup>15</sup> [3500]	<sup>16</sup> [1013]
10. Orissa	750	750
11. Punjab	<sup>17</sup> [2000]	<sup>18</sup> [425]
12. Rajasthan	<sup>19</sup> [4500]	<sup>20</sup> [2000]
13. Uttar Pradesh	<sup>21</sup> [5150]	<sup>22</sup> [5125]
14. West Bengal	<sup>23</sup> [600]	<sup>24</sup> [3625]

- 1 Inserted vide GSR 330(E), dt. 9-5-2001, w.e.f. 10-5-2001.  
2 Substituted for "865" vide GSR 438(E), dt. 9-6-2022, w.e.f. 10-6-2022.  
3 Substituted for "863" vide GSR 429(E), dt. 18-4-2016, w.e.f. 19-4-2016.  
<sup>4</sup> Substituted for "925", *ibid*.  
5 Substituted for "5000" vide GSR 438(E), dt. 9-6-2022, w.e.f. 10-6-2022.  
6 Substituted for "1407" vide GSR 26(E), dt. 11-1-2019, w.e.f. 11-1-2019.  
7 Substituted for "1250" vide GSR 438(E), dt. 9-6-2022, w.e.f. 10-6-2022.  
8 Substituted for "1000" vide GSR 26(E), dt. 11-1-2019, w.e.f. 11-1-2019.  
9 Substituted for "1125" vide GSR 438(E), dt. 9-6-2022, w.e.f. 10-6-2022.  
10 Substituted for "1688" vide GSR 429(E), dt. 18-4-2016, w.e.f. 19-4-2016.  
11 Substituted for "1700" vide GSR 438(E), dt. 9-6-2022, w.e.f. 10-6-2022.  
12 Substituted for "1088" vide GSR 429(E), dt. 18-4-2016, w.e.f. 19-4-2016.  
13 Substituted for "4200" vide GSR 438(E), dt. 9-6-2022, w.e.f. 10-6-2022.  
14 Substituted vide GSR 296(E), dt. 19-5-2006.  
15 Substituted for "2000" vide GSR 438(E), dt. 9-6-2022, w.e.f. 10-6-2022.  
16 Substituted vide GSR 686(E), dt. 31-10-2007.  
17 Substituted for "1300" vide GSR 438(E), dt. 9-6-2022, w.e.f. 10-6-2022.  
18 Substituted vide GSR 686(E), dt. 31-10-2007.  
19 Substituted for "2000" vide GSR 438(E), dt. 9-6-2022, w.e.f. 10-6-2022.  
20 Substituted for "1200" vide GSR 429(E), dt. 18-4-2016, w.e.f. 19-4-2016.  
21 Substituted for "2650" vide GSR 746(F), dt. 18-10-2021, w.e.f. 18-10-2021.  
22 Substituted for "2625", *ibid*.  
23 Substituted for "450" vide GSR 438(E), dt. 9-6-2022, w.e.f. 10-6-2022.  
24 Substituted for "2625" vide GSR 429(E), dt. 18-4-2016, w.e.f. 19-4-2016.



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು  
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರ

ಭಾಗ-IVA Part-IVA	ಬೆಂಗಳೂರು, ಶುಕ್ರವಾರ, ನವೆಂಬರ್ ೨೩, ೨೦೧೮ (ಮಾರ್ಗಶಿರ ೨, ಶಕ ವರ್ಷ ೧೯೪೦) Bengaluru, Friday, November 23, 2018 (Margasira 2, Shaka Varsha 1940)	ನಂ. ೧೪೬೩ No. 1463
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ಕಾನೂನು ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಲಾ 81 ಎಲ್‌ಸಿಎಲ್ 2013, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 22-11-2018

ನೋಟರಿ ಅಧಿನಿಯಮ 1952 ಹಾಗೂ ನೋಟರಿ ನಿಯಮಾವಳಿಗಳು 1956ರ ನಿಯಮ 4 (1)ರಲ್ಲಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ, ಆಯಾ ಜಿಲ್ಲೆಯ ಪ್ರಧಾನ ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರು/ಜಿಲ್ಲಾ ಮತ್ತು ಸತ್ರ ನ್ಯಾಯಾಧೀಶರವರನ್ನು "ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರ" ಎಂದು ಪದನಾಮೀಕರಿಸಲಾಗಿದೆ.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

ಆರ್. ಪದ್ಮಾವತಿ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ  
ಕಾನೂನು ಇಲಾಖೆ (ಆಡಳಿತ-2)



## STATE AMENDMENT

*Gujarat*

In this State vide Notaries Act (Gujarat Adaptation) Order, 1961, dt. 27-4-1961 after section 4 insert the following new section, namely:—

**"4A. Special provision regarding registered Notaries of Gujarat**

(1) Notwithstanding anything contained in this Act, the State Government of Gujarat shall prepare in the form prescribed for a Register required to be maintained under section 4, a Register of Notaries for the State of Gujarat as hereinafter provided.

(2) The State Government of Gujarat shall, by an order published in the Official Gazette, enter in the Register the names of notaries and all particulars relating thereto appearing in the Register maintained immediately before the 1st May, 1960 by the State Government of Bombay (hereinafter referred to as 'the Bombay Register') after excluding from such names, the name of any notary whose professional address as recorded in the Bombay Register falls outside the State of Gujarat.

(3) Before making any order under sub-section (2), the State Government of Gujarat shall make such inquiry as it deems necessary, and give an opportunity to the person whose name is proposed to be excluded from the Register, to make his representation, if any.

(4) On preparation of the Register as aforesaid,—

- (a) the Register as so prepared shall, for all purposes of this Act, be deemed to be the Register maintained for the State of Gujarat;
- (b) all persons whose names have been entered in the Register shall, for the residue of the period for which they were appointed by the State Government of Bombay, be deemed to have been appointed by the State Government of Gujarat, and accordingly, the certificate of practice issued to them under section 5 shall be deemed to have been amended so as to restrict their area of practice to the State of Gujarat."

**5. Entry of names in the register and issue or renewal of certificates of practice**

(1) Every notary who intends to practise as such <sup>1</sup>[may], on payment to the government appointing him of the prescribed fee, if any, be entitled—

- (a) to have his name entered in the register maintained by that government under section 4; and
- (b) to a certificate authorizing him to practise for a period of <sup>2</sup>[five] years from the date on which the certificate is issued to him.

<sup>3</sup>[(2) The government appointing the notary, may, on receipt of an application and the prescribed fee, renew the certificate of practice of any notary for a period of five years at a time.]

1 Substituted for "shall" by Notaries (Amendment) Act, 1999, w.e.f. 17-12-1999.

2 Substituted for "three", *ibid.*

3 Substituted, *ibid.*



granted the original certificate shall be made to the Central Government for the issue of a fresh certificate. The State Government or the Central Government, as the case may be, shall, after considering the reasons stated in the application and other factors, pass such orders thereon as it may deem fit. Any extension of the area of practice shall not have the effect of extending the period of validity of the original certificate beyond the period of <sup>1</sup>[five years] specified in rule 8(4).

<sup>2</sup>**8B. Renewal of Certificate of Practice**

The Certificate of Practice issued under sub-rule (4) of rule 8 may be renewed for a further period of five years on payment of prescribed fee. An application for renewal of Certificate of Practice shall be submitted **online** in Form XVI to the appropriate Government before (six months) from the date of expiry of its period of validity:]

<sup>3</sup>[PROVIDED that the appropriate Government may, after considering the reasons stated in the application, relax the condition of submission of application for renewal of Certificate of Practice before the said period of six months:

PROVIDED FURTHER that where an application for renewal of Certificate of Practice is received within one year after the date of expiry of its period of validity, the appropriate Government may, after considering the reasons stated in the application, renew the Certificate of Practice with effect from the date of expiry of its period of validity.]

<sup>4</sup>**9. Fees for issue and renewal of certificate of practice and extension of area**

The fee for the issue and renewal of certificate of practice and extension of area shall be as under:—

- <sup>5</sup>[(a) issue of certificate of practice—Rs. 2000;
- (b) extension of area of practice—Rs. 1500;
- (c) renewal of certificate of practice—Rs. 1000;
- (d) issue of a duplicate certificate of practice—Rs. 750.]]

<sup>4</sup>**10. Fees payable to a notary for doing any notarial act**

<sup>5</sup>[(1) Every notary may charge fees not exceeding the rates mentioned below, namely:—

(a) For noting an instrument—

if the amount of the instrument does not exceed rupees 10,000	Rs. 50/-
if it exceeds rupees 10,000 but does not exceed rupees 25,000	Rs. 100/-
if it exceeds rupees 25,000 but does not exceed rupees 50,000	Rs. 150/-
if it exceeds rupees 50,000	Rs. 200/-

(b) For protesting an instrument—

1 Substituted for "three years" vide GSR 262(E), dt. 28-3-2000.

2 Substituted vide GSR 821(E), dt. 5-11-2019, w.e.f. 6-11-2019. Prior to substitution, rule 8B read as under.  
"8B. Renewal of Certificate of Practice

The certificate of practice issued under sub-rule (4) of Rule 8 may be renewed for a further period of five years on payment of prescribed fee. An application for renewal of Certificate of Practice shall be submitted to the appropriate Government before six months from the date of expiry of its period of validity:

PROVIDED that the appropriate Government may, after considering the reasons stated in the application, relax the condition of submission of application for renewal of certificate of practice before the above specified period."

3 Inserted vide GSR 597(E), dt. 22-7-2022, w.e.f. 22-7-2022.

4 Substituted vide GSR 870(E), dt. 8-7-1997, w.e.f. 8-7-1997.

5 Substituted vide GSR 150(E), dt. 4-3-2014, w.e.f. 4-3-2014.

if the amount of the instrument does not exceed rupees 10,000	Rs. 50/-
if it exceeds rupees 10,000 but does not exceed rupees 25,000	Rs. 100/-
if it exceeds rupees 25,000 but does not exceed rupees 1,00,000	Rs. 150/-
if it exceeds rupees 1,00,000	Rs. 200/-
(c) For recording a declaration of payment for honour	Rs. 100/-
(d) Duplicate protests	half the charge of original
(e) For verifying, authenticating, certifying or attesting the execution of any instrument	Rs. 35/-
(f) For presenting any promissory note, hundi or bill of exchange for acceptance or payment or demanding better security	Rs. 50/-
(g) For administering oath to, or taking Affidavit from any person	Rs. 35/-
(h) For preparing any instrument intended to take effect in any country or place outside India in such form and language as may conform to the law of the place where such deed is intended to operate	Rs. 200/-
(i) For attesting or authenticating any instrument to take effect in any country or place outside India in such form and language as may conform to the law of the place where such deed is intended to operate	Rs. 200
(j) For translating and verifying the translation of any document from one language to another	Rs. 100/-
(k) For noting and drawing up ship's protest, boat protest or protest relating to demurrage and other commercial matter	Rs. 200/-
(l) For certifying copies of documents as true copies of the original	Rs. 10/- per page minimum Rs. 20/-
(m) For any other notarial act	Such sum as the Appropriate Government may fix from time to time.]

(2) The rates of fees to be charged by a notary shall be displayed by him in conspicuous place inside as well as outside his chamber or office.

(3) In addition to the above fees, a notary may charge the travelling allowance by road or by rail at the rate of [rupees twenty] per kilometre.

#### 11. Transaction of business by a notary

A notary in transacting the business under the Act shall use the forms set forth in the Appendix to these rules.

(2) Besides recording declaration of payment for honour a notary shall also register notings and protests made. Every notary shall maintain a notarial register in the prescribed Form XV.

(3) Where any demand of acceptance or payment or better security has been made by a clerk, a notary shall, after examination of the entry in the register relating to such demand, affix his signature thereto, and cause the clerk to affix his signature also to the entry.

1. Substituted for "rupees five" vide GSR 150(E) dt. 4-3-2014, w.e.f. 4-3-2014.

all or any limited purposes in that country or place, the Central Government may, by notification in the Official Gazette, declare that the notarial acts lawfully done by notaries within such country or place shall be recognized within India for all purposes, or as the case may be, for such limited purposes as may be specified in the notification.

COMMENTS

The provisions of s. 14 do not place any bar in recognising the notarial acts of such countries wherein the notarial acts of the notaries in India are recognised. It could not be contended that till it is proved that the person who signed the power of attorney was the duly appointed attorney, the court cannot draw any presumption under ss. 57 and 85 of the Evidence Act. The very purpose of those sections would be nullified if proof is to be had from the foreign country whether a particular person who had attested the document as a notary public of that country is in fact a duly appointed notary or not. When a seal of the notary is put on the document, s. 57 of the Evidence Act comes into play and a presumption can be raised regarding the genuineness of the seal of the said notary meaning thereby that the said document is presumed to have been attested by a competent notary of that country. Thus on facts, it was held that the High Court has to independently consider whether in the absence of any notification under s. 14 of the Notaries Act, the powers of attorney endorsed by Notaries Public of USA are admissible in evidence or not.—*Rajesh Wadhwa v. Sushma Govil AIR 1989 Del 144*

Under s. 85 of the Indian Evidence Act, 1872, it will be presumed that the person executing the power of attorney on behalf of a corporate body is competent to do so. The court is, therefore, bound to presume that the power of attorney is duly executed and authenticated. This presumption, however, is a rebuttable presumption and it would be open to the defendants to challenge the authority of the attorney or to prove that the power of attorney was invalid or that the person acting on the basis of such power of attorney was not duly authorised.—*M/s Northland Traders v. Bank of Baroda AIR 1994 All 381*

There is no prescribed or established form of nature and manner of authentication by a notary public. The same has to be gathered from the tenor, facts and circumstances of the power of attorney and its authentication by a notary public. The fact that the power of attorney was executed by a director of the plaintiff-bank duly authorised by a resolution of the board of directors to execute the same and this execution was made and its attestation by a notary public was also done on the same day, clearly indicates that the power of attorney was executed before the notary public. Thus, its attestation by the notary public on the same date and time fulfils the requirement of its due authentication.—*Punjab National Bank v. Parmesh Knitting Works AIR 1986 P&H 214*

The mere fact that the document (power of attorney in the instant case) had not been drafted or typed out by the executant before the notary public but typed matter duly signed by the executant was presented before the notary public, does not in any way, militate the presumption as to the execution and authentication of the power of attorney.—*Raj Kumar Gupta v. Des Raj AIR 1995 HP 107*

**15. Power to make rules**

(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, —

- (a) the qualifications of a notary, the form and manner in which applications for appointment as a notary may be made and the disposal of such applications;

- (b) the certificates, testimonials or proofs as to character, integrity, ability and competence which any person applying for appointment as a notary may be required to furnish;
- <sup>1</sup>[(c) the fees payable for appointment as a notary and for the issue and renewal of a certificate of practice, area of practice or enlargement of area of practice and exemption whether wholly or in part, from such fees in specified classes of cases;]
- (d) the fees payable to a notary for doing any notarial act;
- (e) the form of registers and the particulars to be entered therein;
- (f) the form and design of the seal of a notary;
- (g) the manner in which inquiries into allegations of professional or other misconduct of notaries may be made;
- (h) the acts which a notary may do in addition to those specified in section 8 and the manner in which a notary may perform his functions;
- (i) any other matter which has to be, or may be, prescribed.

<sup>2</sup>[(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.]

**16. Amendment of Act XXVI of 1881**

*[Repealed by Act 36 of 1957 ]*

1 Substituted by Notaries (Amendment) Act, 1999, w.e.f. 17-12-1999.

2 Inserted by Act 20 of 1983, w.e.f. 15-3-1984.