



W I L L J I N I

REGISTRATION OF WILL

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The registration of a Will provides evidence that the proper parties had appeared before the registering officers and that the officers had attested the document after ascertaining their identity.

IS REGISTRATION OF WILL COMPULSORY?

- In India, the registration of Will is not compulsory under Indian Registration Act
- The non-registration of a Will does not lead to any inference against the genuineness of a Will.
- In other words, registration therefore does not give any special sanctity to the Will
- Whether registered or not, a Will must be duly and validly executed, as required by the Indian Succession Act.
- However in cases where a Will relates to immovable property it is advisable to register the same.

WHY REGISTER A WILL?

- Registration evidences the genuineness of the Will.
- One copy is kept in safe custody with the registrar.
- It cannot be tampered with, mutilated, destroyed or stolen.

PROCEDURE FOR REGISTRATION OF WILL?

- Will is to be registered at the office of sub-registrar of Assurances which is in the jurisdiction of the residence of the person who made the Will. There is no government fees for registration except scanning and photocopy charges which is very nominal.
- The testator must be personally present at the registrar's office along with two witnesses.
- A MBBS doctor's mental fitness certificate stating that the testator is mentally sound and fit to execute a Will is essential at the time of registration.
- There is not specific time frame for registration of a Will, it can be registered any time during lifetime of person who made his/her Will.

REQUIREMENTS FOR REGISTRATION OF WILL

- The person making the Will has to go personally at the sub-registrars office with 2 passport size photo.
- Doctor's Mental Fitness Certificate of the Testator
- Original Signed Will
- Two witnesses must also be present with their 2 photos.
- Photo proof of person who made Will.
- Photo proof of two witnesses.
- Address Proof of person who has made Will.

WHO CAN GET MY WILL FROM REGISTRAR OFFICE?

- Inspection of Will is not allowed to public.
- Only the person who has made the Will can get the copy from registrar's office.
- After the death of the person, his/her family member or the executor can get a copy of his/her Will after due verification of their identity.

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