



Land Administration: Global Practices & A Vision for India

IncLand Training Workshop
at IIM Ahmedabad

B. K. Agarwal

<https://www.bk-agarwal.com>

<https://www.linkedin.com/in/bkagarwal/>

31.05.2025

1

LAND ADMINISTRATION

- As per United Nations Economic Commission for Europe (**UNECE**)

“Land Administration is the **process** of **determining**, **recording** and **disseminating information** about **ownership**, **value** and **use of land** and its associated resources. These processes include the determination (sometimes called ‘**adjudication**’) of land rights and other attributes, **surveying** and describing these, their **detailed documentation**, and the provision of relevant **information** for supporting land markets”

2

LAND ADMINISTRATION

- Survey and description of land parcels
- Recording value, use and other characteristics of land
- Recording ownership and other rights on land
- Enabling transfer of land
- Providing information on the above
- Dispute Resolution

3

COMPONENTS OF LAND ADMINISTRATION

Cadastral

- ❖ Created in Europe in 19th century for tax purposes
- ❖ Covers whole country
- ❖ More emphasis on parcel boundaries, land use, tax etc.
- ❖ Rights are also recorded
- ❖ In India Record of Rights is equivalent to cadastre

Land Register

- ❖ Started after industrialization
- ❖ Emphasis on Transactions of rights in land
- ❖ Legal sanctity of rights recorded in land registers
- ❖ Spatial description may be there
- ❖ In India indexes by registrar are equivalent to land register

4

RECORD OF RIGHTS- CADASTRE

- Introduced by the British in 1822 for collecting land revenue
- Presently, maintained for providing land-related services to the people and government agencies
- Contains cadastral maps showing boundaries of parcels
- Parcel-wise record of ownership and rights
- A quasi-judicial process to update records
- Entries in the ROR are presumed to be true until the contrary is proved

5

REGISTRATION IN INDIA

- Introduced in 1793 for security of title to the person acquiring property
- Purpose of registration is to create evidence of transaction for the future.
- Compulsory registration of most transactions under Registration Act
- Exemptions- Inheritance, family settlement, court decree, agricultural leases, government grant etc.
- Purchaser Responsible for verification of title of seller

6

ACTIONS BY REGISTRAR

- Ensures that document has been made and presented as per provisions of Registration Act
- Verifies identity of persons appearing for registration
- Enquires about execution of documents by all executants
- Issues certificate of registration, as evidence of the transaction mentioned in the document.
- Can't refuse registration even if transaction is legally invalid
- Verification of identity and execution is unique to the Indian system ⁷

LEGAL IMPLICATIONS OF REGISTRATION

- Unregistered deed, unless exempted, is not valid evidence of transaction
- Legality of transaction not examined by Registrar
- Registration is 'evidence' of transaction but not 'proof' of title
- Any defect in seller's title passes to the buyer.

STATE OF LAND ADMINISTRATION IN INDIA

- Very few changes in old laws and procedures
- Complex processes for registration, entry in ROR
- Two-third of cases in civil courts relate to land
- Large pendency of disputes before revenue officers.
- No Record of Rights in most urban areas
- Search of multiple records required to ascertain title
- No way to know civil litigation relating to a land
- Full potential of digitization not utilized to improve services

9

GOALS OF GOOD LAND ADMINISTRATION

- Maintenance of **updated records of rights**, encumbrances, boundaries and transactions in land
- Easy **access to this information** for people and government agencies
- **Expeditious, inexpensive, transparent and corruption-free** processes for land transactions and updating land records
- Minimal **litigation** related to land
- Easy availability of **land-related services** to the people.

10

UPDATED RECORDS

- All land transactions to be written and registered
- Description of Land strictly as per records of rights
- Name of transferor must appear in ROR
- Transfer of a share only after partition and new map
- Record of Rights in Urban Areas

11

UPDATED RECORDS

- Automatic mutations in most cases
- Entry of pending litigation in record of rights
- Recording of encumbrances and restrictions on use or transfer of land, e.g. Registration of transfer deed, Mortgage, charge, court order, land acquisition notices

12

SIMPLIFY PROCESSES

- Online Mutations
- Electronic Conveyancing
- E-services relating to land
- Participation of Private Sector in Land Administration
- Merger of Deed Registration and Record of Rights agencies

13

EASY ACCESS TO INFORMATION

- Incorporation of phone, email, current address, Aadhar in record of rights
- Use of email, SMS, WhatsApp for summons, other information to landowners.
- Alerts to right-holders regarding any activity related to their land
- Land account of each land owner

14

REDUCE LITIGATION

- Digitisation of management of court work
- Exclusive officers for quasi-judicial work.
- Remove provisions for multiple appeals, review and revision
- Implement Alternative Dispute Resolution (ADR) mechanism
- Adopt Online Dispute Resolution (ODR)

15

THANKS

16