

BOARD OF REVENUE FOR RAJASTHAN

**LAND RECORDS AND THEIR CRITICAL
IMPORTANCE IN RURAL ECONOMY**

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District Collector Jaipur
All Additional District Collectors, Jaipur
All Sub-Divisional Officers, Jaipur
All Tehsildars of District Jaipur

Introduction

It gives me immense pleasure to address you today. District Collector Jaipur is the senior most IAS officer amongst District Collectors in Rajasthan. Only the most outstanding individuals occupy that position. The District is also the largest in terms of land area, administrative structures, diversity of litigation. I wish to address you today on land records and their critical importance in rural economy.

Revenue Department in Rajasthan is amongst the oldest and most efficient departments given huge responsibilities for dispensing justice to the common man. The institutions of governance of Tehsils and Collectorates have existed for over a century. It should be our endeavor to continue the institution building efforts that have been undertaken.

The Transformation of Rural India

Rapid agriculture growth and rapid rural employment growth were always the focus of India's policy makers. Mahatma Gandhi envisaged India as a Nation of self-sufficient autonomous village republics. Acharya Vinoba Bhave pursued the cause of social justice and land reforms in the Bhoodan movement. Land - the summum bonum of rural existence, and agricultural structure was the most important determinant of India's development. Highly skewed distribution of land was responsible for agricultural backwardness. As land was the critical income generating asset of rural India, changes in agricultural holding structures were necessary to ensure prosperity of the rural population. Accordingly, India's State policy focused on State Governments formulating and implementing Land Reforms legislations. These included the Land Ceiling Act, the Tenancy Act, the Land Revenue Act and broadly adopted the land to the tiller policy. Surplus arable government lands were distributed to the poor and needy peasants for livelihoods. These policies were envisaged to promote agricultural growth and alleviate rural poverty.

After the bank nationalization in July 1969, a big push was given towards expansion of banking activities. Rapid expansion of bank branch network into rural areas and expansion of bank credit to agriculture and related activities. Priority sector lending

targets and interest rates were introduced as part of a social banking approach. The rural bank branch expansion significantly lowered the rural poverty and increased non-agricultural growth.

The age of Jan Dhan-Aadhar-BHIM

Indian farmers were always concerned about the availability of adequate credit at reasonable cost in a timely manner. One of the major steps forward in this direction was financial inclusion. The Pradhan Mantri Jan Dhan Yojana represents the National Mission for Financial Inclusion to ensure access to financial services, namely banking, savings & deposit accounts, remittances, credit, insurance, and pension in an affordable manner. The financial inclusion campaign was launched by the Prime Minister in August 2014. The Jan Dhan Yojana provided universal and clear access to banking accounts with overdraft facility. The Jan Dhan Scheme provided the bankers with the necessary confidence to promote credit culture across the deprived population and resulted in significant increases in credit flows to rural sector.

In 2016, the Aadhar Act was promulgated as a money bill to ensure targeted delivery of financial and other subsidies benefits and services. The Act provided a legal backing to the Aadhar Unique Identification number project and provided for an efficient, transparent and targeted delivery of subsidies, benefits and services for all expenditures incurred from the consolidated fund of India to individuals, through assigning aadhar identification numbers for matters connected therewith. The Aadhar Act enabled the State to ask for information pertaining to a person's identity for disbursement of services/ subsidies.

The third major step that was initiated by the Government in 2016 was the introduction of BHIM (Bharat Interface for Money) which is a mobile application developed by National Payments Corporation of India based on Unified Payment Interface. The BHIM application facilitates e-payments directly through banks and drive towards cashless transactions, enabling the user to instantly transfer money between the bank accounts of any two parties and can be used on all mobile devices. The BHIM application is used by 125 lakh Indian citizens.

Collectively the Jan Dhan Yojana – the Aadhar Act and the BHIM Application have provided for a transparent government where subsidy flows reach the beneficiary in a timely and effective manner. Revenue administration has to adapt itself to work in an era where digital governance has gained considerable primacy and we are dealing with a highly empowered rural population which seeks access to credit based on land as collateral.

Land Reforms in 21st Century

Major structural reforms are envisaged in current day administration in the field of land reforms. These include the following:

1. Digitization of land records in a single standardized format across various departments
2. Overhauling litigation in land with reduced timelines and fast tracked courts and judicial processes

3. Rationalizing stamp duty and reducing the burden of stamp duty.
4. Streamlining property registration system and linking land records to stamp registration
5. Streamlining the process to seize collateral under the SARFAESI Act
6. Providing easy access to Government data and other land related information.

The emphasis on timely and updated land records for a farmer to use land as collateral is of critical important. Farm loan lending by banks - both short term and long term is based on land being registered as collateral. In the absence of timely updation of land records through mutations and entries in record of rights the access to credit can be limited. Despite the revenue campaign the outstanding mutations at district level continues to be high. I would urge the Tehsildars to expedite decisions on mutations. Similarly you may expedite decisions on according khatedari rights in cases where the gair khatedar tenants have completed 3 years of tenancy. In the coming days, the linkage between registration of documents and land records would be fully operationalized. This would be a very important step to eliminating corruption and malpractices.

Now, I wish to highlight the Government's priorities for strengthening revenue administration at field level and also identify the thrust areas for the remainder of the financial year.

Strengthening Revenue Administration

Government has accorded high priority to creation of Sub Divisions in all Tehsil headquarters. There has also been upgradation of several additional/ sub-tehsils to full fledged tehsils. The State Budget 2017-18 has accorded significant resources for strengthening/ modernization of SDM offices, construction of tehsil offices and for procurement of vehicles. Vehicle procurement may be undertaken at the earliest as sanctions have been issued to District Collectors for this purpose.

Transparency in Revenue Administration

A major responsibility entrusted to revenue officers is court work. Two steps in this regard are (a) All cause lists of the Courts of District Collector and Sub Divisional Officers may be placed on the RCMS portal. All Court Judgments of Revenue Courts from Tehsildar Courts to Collector Courts may also be placed on the RCMS portal. Sittings of the Revenue Courts must be held in timely and consistent manner. SDM courts must function from 1030 am to 1.30 pm from Monday to Wednesday. The ACM courts must function for 5 days a week from 1030 am to 1.30 pm from Monday to Friday.

Improved Legal Understanding of Revenue Officers

I wish to highlight some important interpretations of law which are useful for day to day disposal of court cases in revenue courts..

Mutations: Mutations must be opened in conformity with the provisions of law. Legal heirs should not be left out. Khasra numbers should be correctly mentioned. A daughter is entitled to a share in property of her father. When natural daughter is

alive, mutation cannot merely be entered in the name of sons and widow. It must be ensured that daughters from different marriages also inherit property in equal share. Mutations for partition of holdings in execution of partition deeds duly registered should be undertaken. Partition shall also be effected by a decree of court. Mutations on basis of unregistered will are avoidable. An unregistered will does not give any prima facie right.

Land Allotment Rules: Before allotment it must be verified that allottee was in continuous possession of land. Pasture land cannot be allotted. The powers for cancellation of land allotment u/r 14(4) of Land Allotment Rules are vested with District Collector. The District Collector is competent to cancel allotment if the same was obtained by fraud or misrepresentation. If land allotments are made in violation of rules references are to be made, the District Collector shall make references where State interests are affected. There is no period of limitation for such references.

Temporary Injunctions: Sub Divisional officers may note that it is the duty of the State to protect the rights of Khatedari tenants. Temporary injunction orders against Khatedari tenants cannot be granted. Appointment of a receiver shall be only after hearing both parties.

S. 183 (B) Rajasthan Tenancy Act proceedings are summary proceedings to protect rights of scheduled caste/ scheduled tribe tenants with powers delegated to Tehsildars and they must be concluded in a timely manner.

It shall be ensured that due processes laid down by the Civil Procedure Code for service of summons and ex-parte proceedings are duly followed.

Tours of SDO's and Tehsildars

The foundations of a strong revenue administration are based on timely tours and night halts. I would impress upon each one of you to undertake tours and night halts as mandated in the functions and responsibilities under the Land Records Rules. Tehsildars and SDO's are to undertake 4 days night halts and these may be conducted with commitment and discipline. The old adage of never fudging a TA bill and never fudging a log book must be adhered to.

Issues Specific to Jaipur District

The District administration is doing well in terms of revenue administration. The progress in timely completion of records of rights for vikram samvat 2070 is commendable. The Court work remains high and it is important that adequate time is devoted for timely disposals.

Please accept my good wishes in your challenging policy endeavors.

Jai Hind.

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