

## **Board of Revenue for Rajasthan**

### **A 21<sup>st</sup> Century Vision for Revenue Courts in Rajasthan**

*Address by V.Srinivas IAS, Chairman Board of Revenue to the District Revenue Bar Association at the Bar Association Conference Hall, Collector's Office, Nagaur, Dated November 17, 2017*

#### **District Collector Nagaur, Revenue Appellate Authority Nagaur, President of the Revenue Bar Association of Nagaur, Senior Advocates, Distinguished Colleagues**

Thank you for inviting me to address the District Bar Association, Nagaur. I was a probationer at Nagaur in 1990, and this is the first time in nearly 3 decades that I have had the opportunity to visit the Collector's Office Nagaur. I have a lot of memories of my probation period in Nagaur, which is one of the largest Agrarian Districts of Rajasthan. Fascinated as I was by Land Reforms in my early years in IAS, I studied and wrote extensively on the complex tenancy practices of leasing in, leasing out, share cropping, sub-tenancy practices of the District. I was also fascinated by Vinoba Bhave's Bhoodan movement in Nagaur district and studied the implementation of land reforms in Gramdan villages of Nagaur district. My passion for the subject renewed following my appointment as Chairman Board of Revenue for Rajasthan.

The subject for today's address is to outline a 21<sup>st</sup> Century Vision for Revenue Courts of Rajasthan. The current scenario represents Revenue Administration at the zenith of its expansion, with Sub-Divisional Officer Courts at every Tehsil of Rajasthan. This large deployment of manpower has to perform with optimum efficiency to meet the twin objectives – (a) timely justice and (b) timely updation of land records. In my visits to several districts, and meetings with the Revenue Bar Associations, the common refrain was for consistency and periodicity of court sittings in SDO Courts. I have advised all Sub-Divisional Courts to function from 10.30 am to 1.30 pm for 3 days in a week and the Assistant Collector Courts to function from 10.30 am to 1.30 pm for 5 days of the week. Further the Subordinate Courts have been advised to devote adequate time to file reading and judgment writing.

It has been my constant endeavor to modernize the Revenue Court functioning with digitization. Digitization brings transparency into the system and removes a lot of red tape. As part of the "Digital Rajasthan Mandal" mission, the Board of Revenue has placed online all court judgments being pronounced in the Board. This historic step was followed with all Subordinate Courts placing judgments online creating a Rajasthan Revenue Courts Grid. The response and support that this initiative of Rajasthan Revenue Courts Grid received has been phenomenal. As a next step, SMS facility is being introduced for litigants and advocates so that they are informed well ahead of the scheduled hearing on the cases that will be heard in the revenue courts as per the cause list. This step has been supported by the Rajasthan Revenue Bar Association, and would address the difficulties being faced by the Advocates with regard to consistency and predictability of sittings of revenue courts.

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V.SRINIVAS, IAS

Dated 17/11/2017



The Board of Revenue envisages 21<sup>st</sup> Century Revenue Courts of Rajasthan have to be developed as Fully Digital Institutions with the Litigant as the centrality of the entire legal system. The Rajasthan Revenue Courts Grid would be further developed to encompass the detailed stage wise monitoring of case pendency. Further the time consuming process of service of summons would be closely monitored. I have noticed that in most Revenue Courts, the number of cases in arguments stage is quite limited and most cases are at initial stages of litigation contributing to increased pendency. In the Board of Revenue itself, the number of cases being heard by the Double Benches and the Single Benches are around 9000 while nearly 54000 cases are being processed in the Registry. One of the significant monitoring initiatives would be to ensure that cases move the cases forward through the various stages in a timely manner so that the number of cases that can be heard by the bench in arguments increase. This would be the most effective way of reducing the timelines for Revenue Litigation in Rajasthan.

The Rajasthan Tenancy Act 1955 is one of the seminal legislations of the Rajasthan Government. The Act of 1955 envisages protection of Lands of Deity, Lands of Scheduled Tribes and Rights of Girl Child. I will delve into my views on the lands of the deity in today's address. The deity is a minor in perpetuity, but being a juristic person has a judicial status with the power of suing or being sued. It is the considered view of jurisprudence that the properties of a deity cannot be alienated. Mutations in the names of pujaris in respect of lands held by deity are incorrect. I have been advising the Revenue Officers to for initiating action for a reference under section 82 of the Rajasthan Land Revenue Act 1956 wherever such mutations have been effected. The State must ensure that the land held by the deity and recorded in the name of the deity in the Jamabandi continues to be so recorded in the name of the deity.

I have noted the concerns of senior Advocates that summary proceedings have been adopted in disposal of suits in the revenue campaign and in some cases hearings have been preponed without adequate intimation being given to them. The due process of law as laid down in the Civil Procedure Code must be followed in taking decisions in suits, even in cases where summary procedures can be adopted without framing of issues and taking of evidence in detail. The Revenue Board has held in the past that complex revenue suits for partition of holdings and declaratory rights should not be decided in a hasty manner in revenue campaigns. During a recent visit to Kota, the Revenue Appellate Authority had brought to my notice that a number of appeals have been filed against suits decided in Revenue Campaign citing that the provisions laid down in Order 20 R 5 that the Court shall state its decision on each issue have not been duly followed. I will flag the issue for discussions in the Revenue Officers meeting that follows, and seek to identify the roadmap ahead.

To conclude, please accept my good wishes in all your challenging endeavors in ensuring timely justice.

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V.SRINIVAS, IAS

Dated 17/11/2017

