**Presentation on**

**MOVING TOWARDS CLEAR LAND TITLES**

**IN INDIA: POTENTIAL BENEFITS, A ROAD-MAP AND REMAINING CHALLENGES**

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# Introduction

- Present land titling system in India provides for registration of deeds and documents and "presumptive" property titles.

- On 21st August, 2008, India took a historical decision to change this system to that of clear property titles, more popularly known as the Torrens system.

**2.    Four pre-requisites for the Conclusive Titling system to function are that:**

i.    there should be a single agency to handle property records;
ii.    the "Mirror" principle should be operative.   This requires that at any given moment, the property records should mirror ground reality, i.e., they should be "real-time records";
iii.    the "Curtain" principle should be applicable.   This requires that the record of a title should depict the conclusive ownership status and probing into past transactions and titles of the property should become unnecessary; and
iv.    there should be title guarantee and insurance for indemnifying the property holder against any loss arising due to inaccuracies.

# 3.    Potential Benefits expected  from Conclusive Titling

### 3.1    Citizen Services

a) Easier access to records.

b) Records will be real-time.

c) Single window services will save time and effort.

d) Less litigation.

e) Will reduce time-frames for preparing, obtaining, registering and mutating property records.

### 3.2            Will enable good governance practices.

## 4.    A Roadmap for Clear Land Titles

4.1    Priority has been given to the implementation of the first three principles of Conclusive Titling – single agency, "mirror" principle and "curtain" principle. Title guarantee and indemnification will be possible only when these three principles have been put in place.

4.2    To achieve the first three principles, the Government of India has launched a major programme by the name of "National Land Records Modernization Programme" (NLRMP).

4.3    This programme has four major components – (i) computerization of property records; (ii) survey and preparation of maps using modern technologies, (iii) computerization of the Registration process and (iv) training and capacity building.

## 4.    A Roadmap for Clear Land Titles

### ….contd.

4.4    The district has been taken as the unit for completing all activities leading to Conclusive Titling.

4.5    It is envisaged that all States will be covered in the next eight years under the NLRMP.

4.6    Appropriate legislation can enable the States to implement Conclusive Titling in a modular way.

4.7    Public-private partnerships for the NLRMP is an integral part of the scheme.

## 5.    The Remaining Challenges

**Magnitude of the Problem**

The challenge of implementing the NLRMP can be better appreciated if we see the true dimension of the exercise being undertaken – probably one of the largest in the world!

(a) India has to survey an area of approximately 2.16 million sq. kms.

(b) In the rural areas alone, survey and settlement have to be done for more than 140 million land owners, owning more than 430 million records.

(c) A similar survey is required for approximately 55 million urban households.

(d) Considering the vast size of the country, i.e., 3.29 million sq. kms., establishing the ground control point library (GCPL) presents a major problem.

(e) Around 42 million FMBs and around 1 million village maps are required to be digitized.

(f)  India has 4018 registration offices in the country.  Of these, 1896 have yet to be computerized.

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## 5.    The Remaining Challenges  …contd.

5.1  Multiple languages, multiple terminologies and multiple methodologies of preparing textual and spatial property records are a major problem.

5.2  The varied topography of the country requires a judicious combination of technologies for proper survey.

5.3  Transfer of technology down to the field level workers is a daunting task.

5.4  Rapid change in technology requires putting into place systems relating to security of data, redefinition of accuracy standards and a system for 100 per cent quality check.

5.5  Tremendous amount of capacity building is required to carry this programme forward as per schedule.

**6.    The Way Forward**

- Although the task of ushering in Conclusive Titling system with title guarantee appears to be a daunting one, the Department of Land Resources in the Ministry of Rural Development, Government of India, is confident of fulfilling its charter.

# Thank you