

Title Mutations and Transfers of title in

Land Records

Achievements, Challenges, and Pathways Forward



सेन्टर फॉर डेवलपमेन्ट सपोर्ट

ई मेल : info@samarthan.org, वेबसाइट : www.samarthan.org

01

Systemic Progress Made In Land Record Management In Last Few Decades

The system of land record management in Madhya Pradesh finds its origins in the colonial period, during which British administrators developed a structured record-keeping system primarily for revenue collection. This structure formalized land ownership and tenure documentation through **Records of Rights (RoRs)**, enabling revenue officials to establish control over land taxation processes. The **Madhya Pradesh Land Revenue Code of 1959** became the cornerstone of this structure, defining the roles of Patwaris (village-level record keepers) and other revenue officials responsible for maintaining land records, documenting changes in land ownership, and managing dispute resolution.

By the 1980s, the Government of India recognized the need for digitization in administrative processes. In Madhya Pradesh,

early pilot programs aimed to test the feasibility of digitizing land records, especially Records of Rights (RoRs), and to experiment with basic digital systems. The state's alignment with the **National Land Records Modernization Programme (NLRMP)** in 2008 marked a shift towards a comprehensive approach to land record modernization. The program emphasized computerization as a means to streamline land administration and improve service delivery.

SAMPADA Registration Portal and Enhanced Integration (2015–2020): To further streamline the registration process, Madhya Pradesh introduced the **SAMPADA Registration Portal** in 2015. Later upgraded to SAMPADA 2.0, this platform offered enhanced digital capabilities, including online payments, video KYC, and e-signature options. It can





undertake **Real-Time Integration with Land Records**. The launch of **Revenue Court Management System, RCMS 4.0** in 2016 addressed the complexities of managing land-related legal disputes, allowing citizens to track cases online and reducing delays in case resolution. The introduction of systems like **SAMPADA 2.0** for property registration and the **Revenue Court Management System (RCMS)** has streamlined administrative processes and minimized manual intervention, improving accuracy. The introduction of systems like SAMPADA 2.0 for property registration and the Revenue Court Management System (RCMS) has streamlined administrative processes and minimized manual intervention, improving accuracy.

Cyber Tehsil and Real-Time Mirror (RTM) System: Expanding Digital Access (2020–Present): The **Cyber Tehsil and Real-Time Mirror (RTM)** systems represent Madhya Pradesh's latest initiatives in land record modernization, focusing on real-time data updates and extending digital services to rural areas. Madhya Pradesh has also aligned its

legal framework to support digitization and move towards a relatively transparent processes as it mandates the publication of final RoRs in electronic form.

The development and launch of the **MP Bhulekh portal** offered a centralized online platform where citizens could access, view, and download digital copies of their RoRs, enhancing transparency and user accessibility. There are 5.12 crore land records in the state, and all of it are computerised.

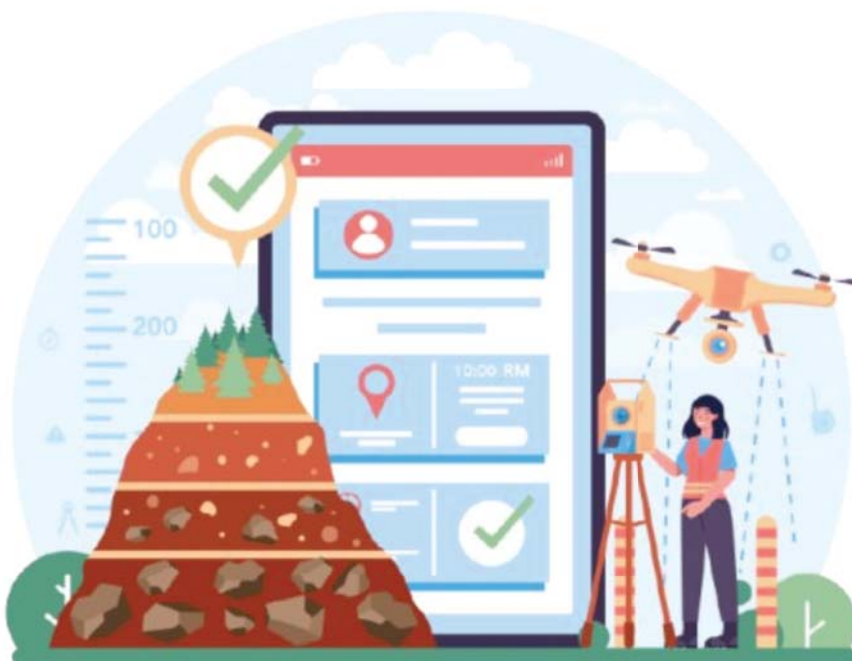
Each record type—such as the RoRs, Khatoni, Abhikar Abhilekh, and Encumbrance Certificates requires careful entry and verification, facilitated by a hierarchy of roles within the Revenue Department. The key participants include the **Patwari** (village-level revenue official), **Tehsildar** (administrative revenue officer), and the **Sub-Divisional Officer (SDO)**. The Patwari is responsible for initial data entry and maintenance of primary records, including the RoRs, Khatoni, and MAP registers. They conduct field surveys, assess land usage, and update ownership details based on court orders or mutation requests.

02

Basic administrative procedure for mutation/transfer of ownership in Land records or record of right- 'ROR'

Key terminologies

- A **sajra** is a detailed map of a village that is used for legal and administrative purposes. It is a key part of the Indian land record system, along with the khatauni account book and the khasra survey book.
- **Khasra**: A survey book that details the fields, their areas, measurements, ownership, crops, soil, and trees
- **Khatauni**: An account book
- **ROR**: An official document that records the property rights of individuals
- **Fard**: A land record document that includes details about the land, such as the identities of the owners, their proportion of ownership, and more
- **Mutation** is the updating of the ownership in Land records.





Basic administrative process of transfer of title in Land Records

A. Applicant for the mutation or transfer of title in an undisputed Land (to legal heir) is to be made with following documents.

- Documents of land-ROR
- Death certificate of land owner (prepared by Panchayat/registrars office)
- Shujra (a document showing detail of land ownership and the legal heirs) prepared by Panchayat

B. Procedure for mutation

- Applicant for the mutation or transfer of title in an undisputed Land (to legal heir) is to be made to Patwari or at Tehsil/Revenue court.
- Panchayat produces a Shujra (record and heirship of land) for the applicant in question.
- The application is verified by the Patwari, and a Challan is made which is presented to revenue court for entry into RCMS.
- If the patwari is not available for verification, or application is made at revenue court, then the applicant has to submit a Chalan at the Tehsil.
- If the Chalan is made at Tehsil, then support, of Lawyers etc. is usually required.
- If everything is found OK in the documentation, the case reaches next stage ie. The level of Tehsildaar.
- Tehsildaar then decides on the case, and the mutation of land is commissioned.
- The process is completed only when mutation or change of title in Land records is entered in RCMS portal



03 | Offices and Departments Involved In The Process of Mutation of The Land Records

- The mutation of land records involves several offices and departments, depending on the jurisdiction and the complexity of the case.
- Here's a breakdown of the key offices typically involved:

01 | Local Revenue Office

Role : Primary responsibility for initiating and processing the mutation.

Key Officials:

- **Tehsildar (Sub-Divisional Magistrate):** Approves the mutation application.
- **Patwari (Village Revenue Officer):** Prepares and verifies field-level land records and ownership details.
- **Kanungo (Supervisor of Patwaris):** Oversees the work of Patwaris and assists in inspections.

Tasks:

- Accept mutation applications.
- Verify documents and ownership details.
- Conduct site inspections and prepare reports, on title verification, tax dues etc
- Update municipal records post-mutation.

02 Sub-Registrar Office

Verifies sale deeds, wills, or other documents that form the basis for mutation.

Key Officials and Tasks:

- Sub-Registrar: Registers property transactions and certifies relevant documents.
- Validate documents like sale deeds, gift deeds, or wills.
- Provide certified copies of registered deeds for mutation purposes.

03 Judicial or Revenue Courts (If Applicable)

Role: Resolve disputes or legal challenges related to ownership or succession.

Key Officials and Tasks:

- Civil Judge: Handles ownership disputes.
- Revenue Court Officials: Resolve revenue-related disputes under local laws.
- Settle legal claims over the property.

04 Land Records Office

Role: Maintains official records of land ownership, boundaries, and changes in ownership.

Key Officials and Tasks:

- District Land Records Officer: Approves changes to official land records.
- Update records based on mutation approvals.
- Conduct surveys to resolve boundary disputes.

05 Panchayat or Local Governance Office

Role: Acts as a mediator in disputes and verifies local records for rural properties.

Key Officials and Tasks:

- Village Sarpanch: Provides confirmation of ownership history.
- Assist in verifying traditional or informal ownership records.

06 Tax Department

Role: Ensures all pending land-related taxes are cleared before the mutation is finalized.

Key Officials and Tasks:

- Tax Collector: Verifies and collects outstanding dues.
- Issue tax clearance certificates.
- Confirm payment of applicable mutation fees.

07 Stamp and Registration Office

Role: Confirms that applicable stamp duties and registration charges have been paid.

Key Officials and Tasks:

- Certify the registration of transactions leading to mutation.
- Collect and verify stamp duty payments.

08 Online Portals (In Digitized States)

Role: Streamline the mutation process and reduce physical interactions.

Key Officials and Tasks:

- Provide status updates and issue final mutation certificates digitally.

Apparent challenges identified from examination of secondary data

Challenges in Aadhaar Seeding and E-KYC

- **Current Status of Aadhaar Seeding:** As of now, **59 lakh RoRs of the total 5.12 crore RORs** are linked with Aadhaar. Therefore only one tenth of the total RORs are linked with Aadhaar so far.
- Same number of RORs are linked to Mobile numbers. Rural households/ land parcels have relative slower pace for in Aadhaar seeding and mobile number linkages.
- Therefore e-KYC of land is also lagging.
- Online self-initiated correction of the land records (ROR) on MP Bhu abhilekh portal is lagging as eKYC is lagging and is done for only 1/10 th of the total RORs. Initiating an online correction is not possible in large number of cases.

Challenges in Aadhaar Seeding and E-KYC

- **Incomplete Documentation in Critical Areas:** Columns intended to capture financial liabilities, inheritance and transfer of titles in generations, 'NOC' in case any of the legal heir is willingly surrendering rights. Usage permissions, cadastral references are partially populated. These gaps limit the completeness of information, causes delays, conflicts and dependence on different functionaries, which causes further delays.
- **Lack of Gender Data:** Gender information is inconsistently captured, limiting insights into land ownership distribution by gender.





Inadequate Digitization

- Digital document is incomplete with gaps in data and errors in records.
- Online systems is difficult to access in rural areas owing to lack of technical literacy.

Location and cadastral maps are partially captured in Land records (RORs)

- Observation notes from revenue department such as Patwaris and tehsildar are only partially captured. In its absence, any land related query/ complaint/ requests need continuous referring to revenue department and report of their investigation.
- Of the total 3.8 crore land parcels, 2.56 crore are geo-referenced, and 2.31 crore have ULPINs (unique coding). Full ULPIN implementation across all parcels is necessary for a comprehensive and reliable land governance system.

Overlapping Jurisdictions

- Revenue, panchayat and other local authorities may have overlapping roles, causing confusion and delays.

Delays and inefficiencies

- As of the latest data, **1.56 crore online requests for sub-division remain pending.** This underscores the need to expand processing capacity and optimize workflow.

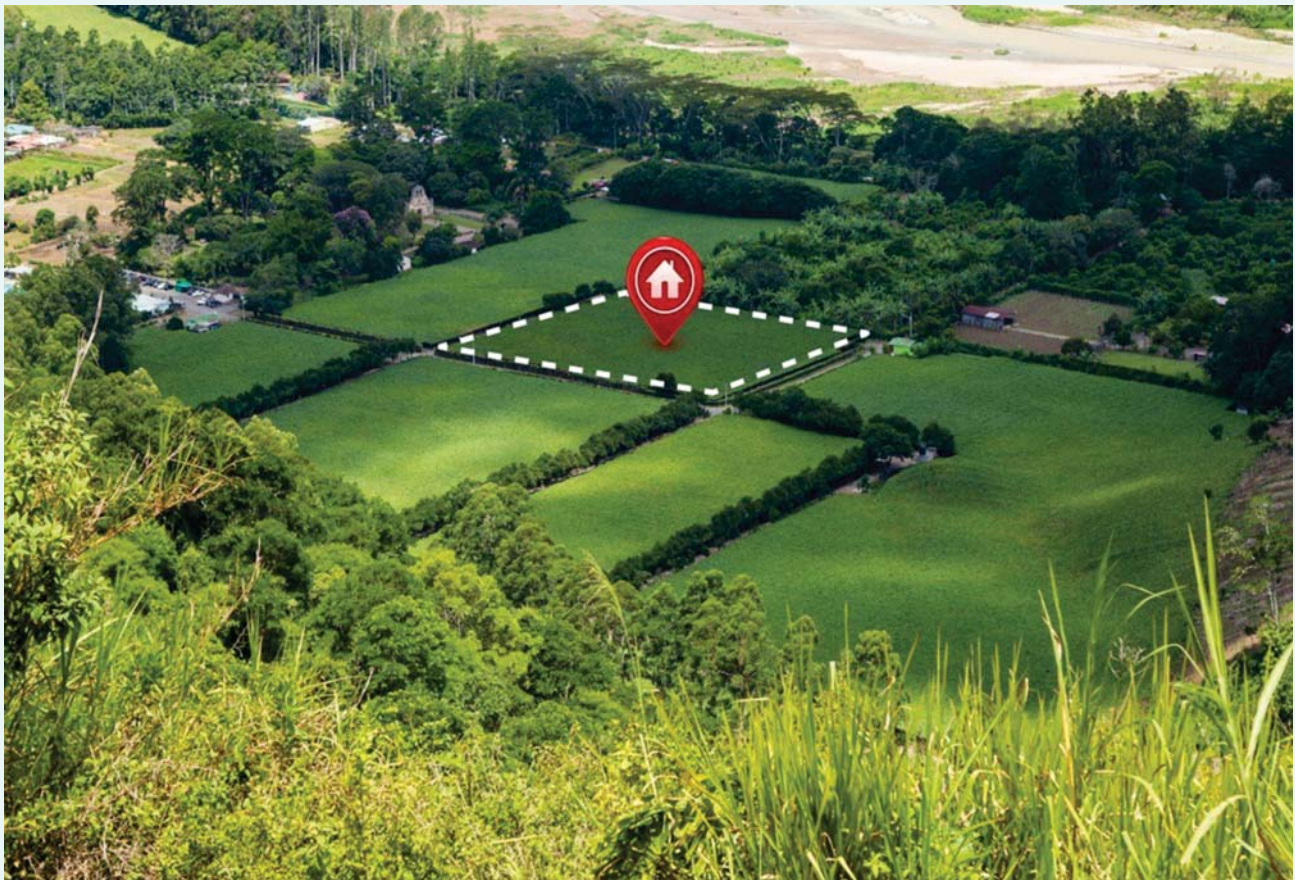
Challenges experienced in resolution of title transfers in 1200 applications filed for Mutation /transfer in Land records

- Most common reason was un-registered deaths. Deaths are registered by Panchayats, and should be done in within 31 days of death. Delayed death registration is a complicated process, with frequent trips to registrar office. Most farmers fault there and then give up mutation in Land records that further complicates the problem.
- The title transfer/Mutation in land records is easy if there is a clear will or division is undertaken in presence of the Landowner. But that is not the practice. Will is seldom written, and Fouth (death) transfers take place only after the death of the head of the family (Land record Holder).
- Even if land mutation or division is undertaken, Patwaris still have to undertake physical demarcation of land. It begins an indefinite chase and bribery. One third of the total cases received were for the physical demarcation of Land.
- The Chak Bandi, that is identification, combination and consolidation of land is old and seemingly not undertaken in long time , therefore, it is seen that owner may own land in different Chaks, ie. Land may be in 5-10 different parcels at different locations. Therefor the transfers become difficult, and requires clear demarcation and records of ROR.
- Transferring names in land records was challenging due systemic, legal, and bureaucratic reasons. First and foremost was the complex and fragmented land records. Many land records date back three- four generations and have not been updated consistently. In such cases, there were complication, loop holes and undefined influence of revenue department officials. In many cases, land ownership is not formally registered, relying instead on possession or other informal claims.
- If Patwaris make and registers a challan for mutation/division of land, for further updating in RCMS records i, it is nearly free for applicant, and no stamp duty /any other charges need to be paid by the applicant or Patwari. However if the same is initiated by the applicant, the applicant has to submit a challan by paying a duty of 100 rupees. Getting a challan made is a cumbersome process. It is not known to most

applicants, difficult and often requires multiple visits to revenue department/ tehsil.

- RCMS system is not working at its full potential, as very few of the total cases reach revenue courts. Most of the land owners deter and scared to reach the court. Revenue courts are also inefficient and often expect an extra money for speeding the process.
- The Tehsildars have a dual role, both judicial and executive. Therefore, they hold revenue courts for a limited time, when they are free from their executive roles. The regularity of the court and the timing is also not sure. It is difficult to match the timing of the court, availability of the Tehsildar, Patwari and the applicant. As a result, Peshi, (hearing) are postponed several times.

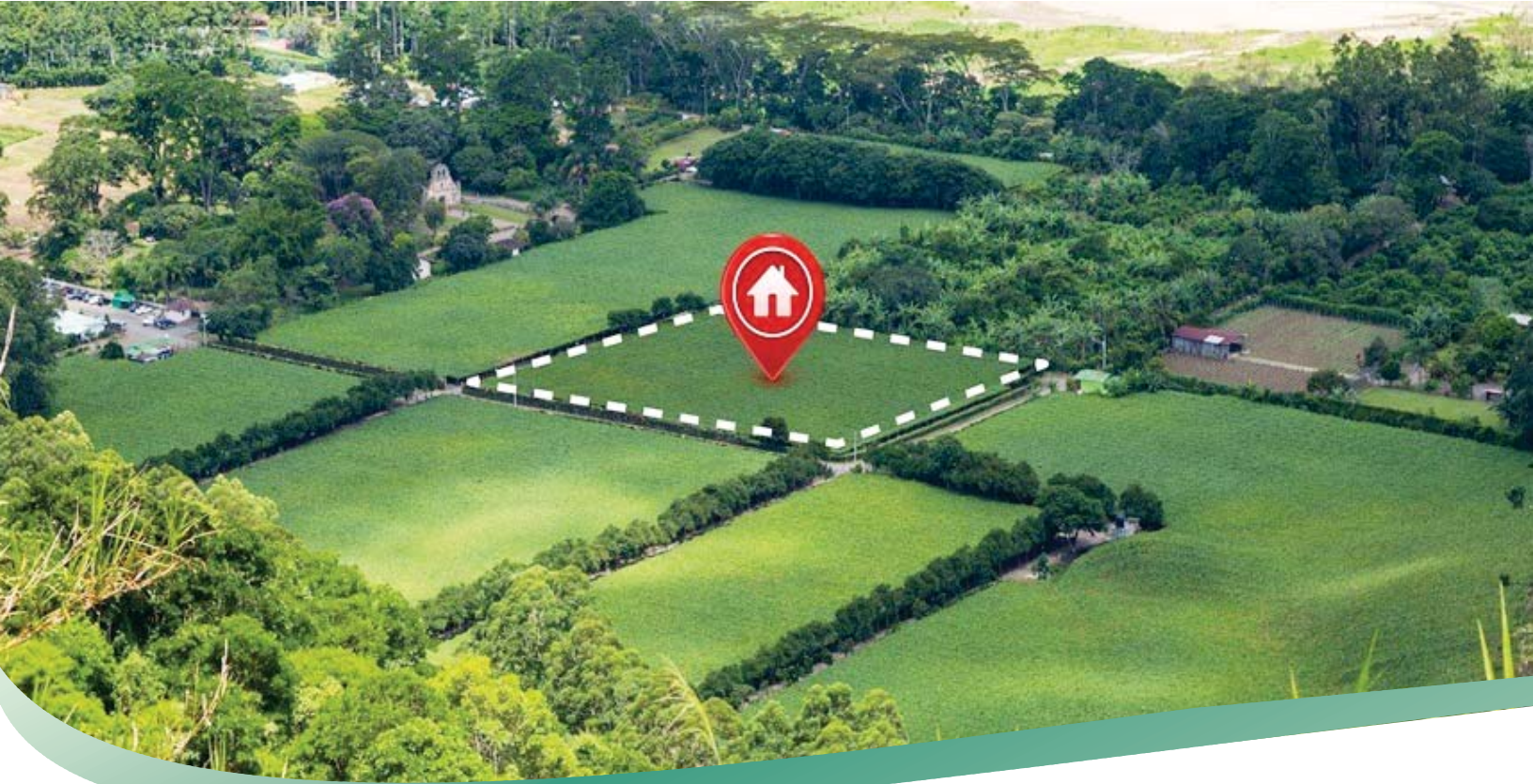
- Land is not only a sensitive issue to be discussed in families, and there is hesitation to discuss ownership, title transfer with elders or siblings. As a consequence, many land records remain incomplete and with division not happening in generation.
- It was found that often properties have hidden mortgages, or even a loan from authorised banks like KCC, that complicate the transfer process.
- Many landowners are unaware of the procedures, rights, or documentation required to transfer land records.
- Bureaucratic Inefficiency and corruption is rampant in mutation/transfer of RORs (land title). Officials (Patwaris, SDOs, lawyer) demand bribes to process applications.





Many applications were rejected and obstacles were created for those unwilling or unable to pay speed money.

- Misguided or incomplete advice from intermediaries (like agents or lawyers) often complicates matters further.
- Map and demarcation of land to establish actual boundaries on the ground are poorly maintained. This has resulted in the spatial records not matching textual records. Patwaris and revenue department have used this as point to delay or ask for speed money.
- After the division of the land on paper, Patwaris delay the physical demarcation, and frequently expect to be tipped. The discrepancy between spatial and textual records also arises because transfer and partition of land, either through inheritance or sale are not captured adequately .
- The mutation and Land transfer cases require interplay of several departments, for instance Gram Panchayats that make sajra (tentative owner and legal heir record), Panchayats to produce death certificate in case of Fouthi transfers. Patwari to make challan, tehsildar to order the transfer, and enter the division in IRCMS and finally Patwari to undertake physical demarcation. One or the other is always missing at a concerned time.
- Conflicts or disagreements among heirs and to get all Heirs' to Consent in Writing and gather for notarized family agreement, causes delays . One time getting together of the family members to be present in the court is arduous. If the case in not settled on that day, it is difficult for families to keep on making these visits.



ACTION AREAS AND WAYS FORWARD

While a lot needs to be done at the government and departmental level, certain steps at the ground can certainly facilitate improved efficiencies in transfer of names and mutations in Land records.

- **Streamlining Birth and Death Registrations:**

Sensitize Gram Panchayats to ensure timely birth and death registrations, adhering to the stipulated legal timeframes to minimise complications during the land transfer cases.

Organize mass media and social media campaigns emphasizing the importance of timely death registration to prevent complications in land title

- **Promoting Proactive Land Title Management:**

Encourage landowners to maintain up-to-date land titles, avoiding unresolved ownership disputes spanning generations. Cost-Benefits of timely updating of titles should be informed in simple terms.

Advocate for the preparation of clear and legally sound wills and promote voluntary land division/mutation while the landowner is alive, minimizing future conflicts.

- **Capacity Building at the Panchayat Level:**

Conduct targeted training programs for Gram Panchayats to enhance their capabilities in preparing accurate inheritance records (Shujra) and resolving local land disputes effectively. The GPs need to know about the legal provisions, procedures and their role clearly so that they may guide the land owners in an informed manner.

Develop standardized templates and checklists for preparing inheritance records, ensuring uniformity and reducing errors. These should be updated on annual basis and such records should be available to the public on demand.

- **Improved Interdepartmental Coordination:**

Address the shortcomings of previous state-led campaigns by ensuring active participation of all critical departments, including Gram Panchayats, Patwaris, Tehsildars, and their representatives, during mutation drives. Other actors working in the GPs such as CSOs, SHGs, FPOs and other collectives should also be engaged to build these campaigns more broad based engaging multiple stakeholders.

- **One stop window for addressing issues during State led campaigns-**

Set up mobile camps in rural areas where all required officials and services are available in one location to expedite applications. Social media should be effectively used to reach out to the masses with the greater penetration of the smart phones in the rural areas.

- **Raising Awareness through Community Engagement:**

Implement village-level awareness campaigns to educate landowners about their rights, procedures, and the benefits of digitized land records. The content of land rights should be included in all trainings of field functionaries of health, ICDS, irrigation, agriculture, etc.

- **Leveraging Technology for Accessibility:**

Simplify online platforms to make them more user-friendly for rural populations with limited technical literacy.

- **Introducing Accountability Measures:**

Monitor and reward efficiency among revenue officials to reduce corruption and incentivize timely service delivery. There is a need for a district level team of monitors either taken within the Government system or hired from outside to regularly provide third party monitoring of the pending cases.

Set up grievance redressal mechanisms at the village/ GP/Tehsil level to address complaints related to delays, harassment, or bribery during the mutation process.





सेन्टर फॉर डेवलपमेन्ट सपोर्ट

36, ग्रीन एवेन्यू, चूना भट्टी, कोलार रोड, भोपाल- 462016, मध्यप्रदेश

फोन : 9893563713 | ई-मेल : info@samarthan.org | वेबसाइट : www.samarthan.org