Reforms for DB – 18 Indicator 3: Registering Property

Position and Suggested Activities

(Note: The original timelines for completion of the Measures have already expired. It therefore becomes imperative to undertake the Activities (towards completion of the Measures) as expeditiously as possible and in all circumstances well before the revised timelines indicated against each Activity.)

A. Measures for Mumbai and Delhi

1. Measure: Allow public access to maps on website without any fees [Dec‘16].

Reported Position of Mumbai: Digitization of City Survey Maps in municipal areas of Maharashtra except Mumbai City and Mumbai Suburban districts has been done with the help of Maharashtra Remote Sensing Application Centre (MRSAC). Process of Map validation is in progress.

The work of Digitization of Maps of Mumbai City and Suburban districts with online access has been allotted to MRSAC.

Funds for Computerization of Urban RoRs (Property Cards) have been sanctioned.

Suggested Activities for Mumbai:

Digitization of City Survey Maps and Online Access thereto in Mumbai City and Mumbai Suburban districts may be expedited (June ‘17).

Computerization of Urban RoRs (Property Cards) and providing Online Access thereto in Mumbai City and Mumbai Suburban districts may be expedited (June ‘17).

Reported Position of Delhi: Land / Revenue Cadastral Maps in rural areas are available online on the website of Geospatial Delhi Ltd. (GSDL). Separate fee structure is being devised to provide maps of individual land plots online through the GSDL website.

Integration of Cadastral Maps with Record of Rights is in progress.

Suggested Activities for Delhi and MoUD:
Suitable mechanism for providing Maps and Property details in urban areas (as available with the revenue and municipal and development authorities) may be firmed-up (March ‘17), and initiated (June ‘17).

2. Measure: Mandate service delivery standards for providing updated map within specific time frame and make it available online [Dec’16]

Reported Position of Mumbai: Service delivery standards are specified as a part of Right To Service Act and have been rolled out as a part of "Aaple Sarkar" portal through RTS. (https://aaplesarkar.maharashtra.gov.in/en/).

However, maps are not digitized and service delivery of maps is currently in paper format and are made available on request at specified land records office (City Survey Offices).

Suggested Activities for Mumbai:

Simultaneous to digitization of City Survey Maps and providing Online Access thereto, the same may in addition be linked with "Aaple Sarkar" portal under RTS (June ‘17).

Reported Position of Delhi: Service delivery standards for Record of Rights have been notified.

Service delivery standards for providing updated cadastral maps will be considered after integration of textual data (record of rights) and spatial data (cadastral maps) is completed.

Suggested Activities for Delhi:

Suitable service delivery standards for providing Maps in rural areas (as available with the revenue authorities) and in urban areas (as available with the revenue and municipal and development authorities) may be firmed-up (March ‘17), and put in place (June ‘17).

The same may also be brought under the RTS (June ‘17).

Online Access thereto may also be provided (June ‘17).
3. **Measure:** Mandate all privately held land plots to be formally registered and mapped across country [Dec ‘16]

**Reported Position of Mumbai:** All land parcel maps are already surveyed as a part of City Survey under section 122 and section 126 of Maharashtra Land Revenue Code (MLRC) 1966 and Property Cards (Urban RoR) are present in Digital form for all privately held land plots.

**Suggested Activities for Mumbai:**

Suitable administrative or legislative or policy measures may be considered.

In parallels, in the first instance, Digitization of City Survey Maps and Online Access thereto in Mumbai City and Mumbai Suburban districts may be expedited (June ‘17).

Computerization of Urban RoRs (Property Cards) in Mumbai City and Mumbai Suburban districts and Online Access thereto may be expedited (June ‘17).

Computerization / digitization of revenue land records (RoRs and Cadastral Maps) in Mumbai City and Mumbai Suburban districts and Online Access thereto may be ensured (June ‘17).

**Reported Position of Delhi:** A single property register needs to be created. Legislation has been drafted by the revenue department for creating such a register and an agency to prepare and maintain the same, but the draft bill is yet to be processed in the GOI.

All privately held land plots under rural villages are being registered.

**Suggested Activities for Delhi and MoUD:**

Suitable administrative or legislative or policy measures may be considered.

In parallels, in the first instance, property details available with revenue and municipal and development authorities may be computerized and made available online. The mechanism may be firmed-up (March ’17), and initiated (June ’17).

Computerization / digitization of revenue land records (RoRs and Cadastral Maps) and Online Access thereto may be ensured (June ‘17).

4. **Measure:** Make available statistics on the number of land disputes in the first instance on the website for public [Dec ’16]
Reported Position of Mumbai: Project “e-DISNIC software” (Revenue Courts) for online availability of land dispute information has been rolled out.

Suggested Activities for Mumbai and MoL&J & MeitY:

The mechanism and portal to provide consolidated salient statistics of revenue litigation may be initiated (April ’17).

The mechanism and portal to provide consolidated salient statistics of civil litigation may be firmed-up (April ’17), and initiated (July ’17).

Reported Position of Delhi: Land dispute data is available online for Revenue Courts. Aggregated statistics are available separately.

Suggested Activities for Delhi and MoL&J & MeitY:

The mechanism and portal to provide consolidated salient statistics of civil litigation may be firmed-up (April ’17), and initiated (July ’17).

5. Measure: Ensure that cases disputes are adjudicated in the first instance Court within one year [Dec ’16].

Reported Position of Mumbai: Necessary amendment has been made by Gazette Notification no. 24(3) dated 11/04/2016 (Maharashtra Act No. XI of 2016) to mandate the adjudication of the cases disputes with regards to land within one year.

Suggested Activities for Mumbai and MoL&J:

(Maharashtra Act No. 11 of 2016 makes amendments in the Maharashtra Land Revenue Code 1966. This is applicable to revenue litigation.)

Suitable administrative or legislative or policy measures on similar lines may be firmed-up for civil litigation (June ’17).

Reported Position of Delhi: Civil disputes are adjudicated as per the Civil Procedure Code.

Suggested Activities for Delhi and MoL&J:

Suitable administrative or legislative or policy measures for revenue litigation may be firmed-up (April ’17), and initiated (July ’17).
Suitable administrative or legislative or policy measures for civil litigation may be firmed-up (June '17).

6. Measure: Ensure that statistics of land disputes in the first instance is maintained in each Registrar Office and Land Revenue Department and is available online for public [Dec ‘16]

Reported Position of Mumbai: Registration Act has been amended with insertion of Section 89 A, according to which every court shall send copies of order affecting any immovable property and every recovery officer shall send copies of order or interim order attaching or releasing any immovable property to the concerned Sub-Registrar. The Sub-Registrar will file such copies in his book and prepare Index of such orders. During search of record of registered documents, intended buyer will have knowledge of dispute or recovery proceedings if any.

Suggested Activities for Mumbai:

An institutionalised mechanism may be put in place to provide these statistics online at all revenue and registration offices (June ‘17).

Reported Position of Delhi: Land dispute data is available online for Revenue Courts.

Suggested Activities for Delhi and MoUD:

An institutionalised mechanism may be put in place to provide statistics on revenue litigation online at all revenue and registration offices (June ‘17).

A suitable provision for NCT of Delhi may be considered in the Registration Act 1908 to mandate every court and recovery officer to send copies of interim and final orders affecting any immovable property to the concerned Sub-Registrar (June ’17).

7. Measure: Ensure state or private guarantee over immovable property registration by law i.e. formal system of immovable property registration is subject to a guarantee. [Dec ‘16]

Reported Position of Mumbai: The Real Estate (Regulation and Development) Act 2016 [RERA] has a provision of title insurance.
Suggested Activities for Mumbai and MoUD:

Suitable administrative or legislative or policy measures for cases not covered under the RERA may be firmed-up (June ’17).

Reported Position of Delhi: Under process.

Suggested Activities for Delhi and MoUD:

Suitable administrative or legislative or policy measures for cases not covered under the RERA may be firmed-up (June ’17).

8. Measure: Have a specific compensation mechanism to cover for losses incurred by parties who in good faith engaged in a property transaction based on erroneous information certified by the Sub Registrar Office (SRO) [Dec’16]

Reported Position of Mumbai: RERA has the provision of title insurance.

Suggested Activities for Mumbai and MoUD:

Suitable administrative or legislative or policy measures for cases not covered under the RERA may be firmed-up (June ’17).

Reported Position of Delhi: SRO does not certify any information.

Excluding cases covered under RERA, presently there is no arrangement of private or other guarantee regarding compensation for losses in immovable property transactions.

Suggested Activities for Delhi and MoUD:

Suitable administrative or legislative or policy measures for cases not covered under the RERA may be firmed-up (June ’17).

9. Measure: District and Revenue Courts should make history and pendency data of land disputes available online [Dec’16]

Reported Position of Mumbai: Project "e-DISNIC Software" (Revenue Courts) for making the land dispute information available online has been rolled out across the State for Revenue Department (eDisnic.gov.in).

For integration of judicial database the issue will require to be discussed with law and judiciary department at government level.
District Court case information is available on http://services.ecourts.gov.in/ecourtindia/

Suggested Activities for Mumbai and MoL&J & MeitY:

Suitable mechanism for district courts may be firmed-up (April ’17), and initiated (July ’17).

Reported Position of Delhi: Land dispute details are now available online for Revenue Courts.

Suggested Activities for Delhi and MoL&J & MeitY:

Suitable mechanism for district courts may be firmed-up (April ’17), and initiated (July ’17).

10. Measure: Create a separate mechanism for filing complaints for any grievance related to immovable property registration and cadastral or mapping agency [Dec ’16]

Reported Position of Mumbai: Grievance management system (a single window service portal) has already been implemented by Government of Maharashtra called "Aaple Sarkar" portal. URL :(https://aaplesarkar.maharashtra.gov.in/en/)

Suggested Activities for Mumbai:

A separate field for grievances relating to registration of immovable property and to revenue land records maintained by revenue authorities and to property records maintained by revenue and municipal and development authorities (i.e. a separate field related to all land records and registration of immovable property) may be considered in the Aaple Sarkar portal (April ‘17).

Reported Position of Delhi: Public Grievance Monitoring System (PGMS) is in place where people can file their complaints / grievances.

Revenue Grievances Monitoring System (RGMS) has also been put in place.

B. Measures for Delhi

1. Measure: Mandate all privately held land plots to be formally registered and mapped across Delhi [Dec ’16]
Reported Position of Delhi: All privately held land plots under the rural villages are being mapped.

A single property register needs to be created. A legislation has been drafted by the revenue department for creating such a register and an agency to prepare and maintain the same, but the draft bill has to be processed in the GOI.

Suggested Activities for Delhi and MoUD:

Suitable administrative or legislative or policy measures may be considered.

In parallels, in the first instance, property details available with revenue and municipal and development authorities may be computerized and made available online. The mechanism may be firmed-up (March '17), and initiated (June '17).

Computerization / digitization of revenue land records (RoRs and Cadastral Maps) and Online Access thereto may be ensured (June '17).

2. Measure: Create publicly accessible electronic database for checking the land records, cadastral maps, deeds and encumbrances (property tax dues, liens, mortgage, restrictions and the like) for every plot in Delhi and link the land ownership registry [Dec '16]

Reported Position of Delhi: It will require integration of data pertaining to sub-registrars, revenue authorities and municipal authorities, DDA etc. which is possible only if there is survey of urban properties giving them a unique number and creating a titling system. GIS for village level revenue maps exists [http://gsdl.org.in/planning_tool/gistoolplanning.aspx](http://gsdl.org.in/planning_tool/gistoolplanning.aspx) (it is accessible using user id and password).

Suggested Activities for Delhi and MoUD:

Suitable administrative or legislative or policy measures may be considered.

In parallels, in the first instance, computerization / digitization of revenue land records (RoRs and Cadastral Maps) and Online Access thereto may be ensured (June '17).

Integration of computerized registration with computerized / digitized land records may be fully completed and operationalised under DILRMP (Sep '17).
Property records available with revenue and municipal and development authorities may be computerized and made available online. The mechanisms may be firmed-up (March '17), and initiated (June '17).

The mechanism for integration of computerized registration AND computerized / digitized revenue land records AND computerized / digitized property records maintained by revenue and municipal and development authorities may be firmed-up (June '17), and initiated (Sep '17).

3. Measure: Integrate land records with MCDs, DDA, NDMC to create Property Cards and make available on-line. [Dec '16]

Reported Position of Delhi: Integration of data pertaining to sub-registrars, revenue authorities, municipal authorities, DDA etc. and mapping agency is possible only if there is survey of urban properties giving them a unique number and creating a titling system. Delhi Survey, Registration and Recording of Title Bill for immovable property has been drafted and referred to Government of India.

Suggested Activities for Delhi and MoUD:

Computerization / digitization of revenue land records (RoRs and Cadastral Maps) and Online Access thereto may be ensured (June '17).

Integration of computerized registration with computerized / digitized land records may be fully completed under DILRMP (Sep '17).

Property records available with municipal and development authorities may be computerized and made available online. The mechanisms may be firmed-up (March '17), and initiated (June '17).

The mechanism for integration of computerized registration AND computerized / digitized revenue land records AND computerized / digitized property records maintained by revenue and municipal and development authorities may be firmed-up (June '17), and initiated (Sep '17).

4. Measure: Prepare documentation on existing spatial data, expand coverage and start online mutation [Dec '16]
Reported Position of Delhi: Steps have been initiated for online mutation of Land record of rural villages. For urban/constructed properties it will require integration of data pertaining to sub-registrars, revenue authorities and municipal authorities which is possible only if there is survey of urban properties giving them a unique number and creating a titling system.

Suggested Activities for Delhi and MoUD:

Existing spatial data with revenue authorities and municipal and development authorities may be digitized (Sep ‘17). Gaps / uncovered areas may be addressed (Sep ‘17).

Integration of registration with revenue authorities and municipal and development authorities along with an inbuilt mechanism of immediate and automatic triggering of the mutation process on receipt of information of registration in the concerned revenue and municipal and development court / office may be developed (June ‘17).

Increased / optimal computerization and automation in the processes of mutation in the revenue and municipal and development courts / offices may be ensured (Sep ‘17).

Automatic issuance of Order of Mutation and Online Access thereto may be developed (June ‘17).

5. Measure: Allow automatic appointments (re)scheduling at SRO to reduce number of visits. [Dec ‘16]

Reported Position of Delhi: Provision for seeking online appointments is already in use. Online re-scheduling by user has also been put in place.

6. Measure: Introduce e-calculator to compute registration charges and stamp duty automatically [Dec ‘16]

Reported Position of Delhi: Being developed by NIC.

Suggested Activities for Delhi and MoUD & MeitY:

The mechanism may be expeditiously firmed-up (April ‘17), and initiated (July 17).
7. **Measure:** Bring all SROs under e-registration and integrate with PAN and Aadhar data to create a national database [Dec ‘16]

**Reported Position of Delhi:** All 21 SROs are under e- Registration System except 3 SROs (INA, Seelampur & Mehrauli) where the work is in progress.

**Request for Delhi and MoF & MeitY:**

e-Registration in the remaining 3 SROs may be expedited (May ‘17).

The process and mechanism for integrating PAN and Aadhaar number may be firmed-up (April ‘17), and initiated (July ’17).

8. **Measure:** Make all registration documents public and roll out web-based anywhere registration. [Dec ‘16]

**Reported Position of Delhi:** Registration documents post 2002 are available on the website in public domain. Actions have been started to make pre 2002 documents public. Web based system for anywhere registration would require, among other things, Amendment in the Registration Act and dedicated 16 MBPS lease line in place of current 2 MBPS lease line.

(Amendment in the Registration Act will have to taken up by the GoI).

**Suggested Activities for Delhi:**

Pre 2002 documents may also be made public expeditiously (May ’17).

A State / UT-specific amendment to allow anywhere registration in Delhi of immovable property situated in Delhi with concomitant provision for simultaneous access of information from and transmission of information to the SRO in whose jurisdiction the immovable property is situated may be considered (June ‘17).

Simultaneously inter-connectivity between all the SROs in Delhi may be developed for the registering SRO to access data from and transmit data to the SRO in whose jurisdiction the property is situated (Sep ‘17).
9. Measure: Make registration of equitable mortgages mandatory (at zero or nominal fee). [Dec '16]

Reported Position of Delhi: Policy issue, yet to be examined.

Suggested Activities for Delhi:

Presently all other documents not required by Section 17 of the Registration Act 1908 to be compulsorily registered can be optionally registered under Section 18 of the said Act. This provision can be made use of in cases where it is desirable / appropriate to register equitable mortgage.

For making registration of equitable mortgages compulsory in certain specified cases, a State / UT-specific amendment in the Registration Act 1908 may be considered (June ‘17).

C. Measures for Mumbai

1. Measure: Create publicly accessible electronic database for checking the land records, cadastral maps, deeds and encumbrance (property tax, liens, mortgages, restrictions and the like) for every plot in Mumbai [Mar ‘17]

Reported Position of Mumbai: Last 30 years documents have been scanned and available in eSearch; mortgages against properties are also available in eSearch. Negative property list is available in iSarita and the system issues alerts based on the same.

GIS roll-out is mandatory for recording boundaries, checking plans and providing cadastral information.

The pre-requisite for undertaking the Digitization project in Mumbai and Mumbai Suburban is to include City Survey as a part of Digital India Land Records Modernization Programme (DILRMP) or through alternative funding provision.

Suggested Activities for Mumbai and MoF:

Digitization of City Survey Maps and Online Access thereto in Mumbai City and Mumbai Suburban districts may be expedited (June ‘17).
Computerization of Urban RoRs (Property Cards) and providing Online Access thereto in Mumbai City and Mumbai Suburban districts may be expedited (June '17).

Computerization / digitization of revenue land records (RoRs and Cadastral Maps) in Mumbai City and Mumbai Suburban districts and Online Access thereto may be ensured (June '17).

Pursuant to the amendment made through Section 89 A in the Registration Act 1908 to mandate every court and recovery officer to send copies of interim and final orders affecting any immovable property to the concerned Sub-Registrar, an institutionalised mechanism may be put in place to provide these statistics online at all revenue and registration offices (June '17).

An institutionalised mechanism for linking Computerized RoRs of revenue land records in Mumbai City and Mumbai Suburban Districts AND Computerized Urban RoRs (Property Cards) With CERSAI may be firmed-up (April '17), and initiated (July '17).

Action in respect of the other points may be concomitantly taken.

2. Measure: Integrate registry offices with PAN and Aadhar data to create a national database [Dec '16]

Reported Position of Mumbai: For integrating with PAN, field for seeding PAN exists in iSarita; once permission from income tax department is granted, integration can be done. Aadhar seeding facility is available in iSarita and it is integrated with UID Authority for verification; it is mandatory for eRegistration. For other registrations also, Aadhar can be seeded in iSarita. It can be made compulsory once the legal hurdles are over.

Suggested Activities for Mumbai and MoF & MeitY:

An institutionalised mechanism for integrating PAN and Aadhaar number may be firmed-up (April '17), and initiated (July '17).

3. Measure: Link the information recorded by the immovable property registration agency and the cadastral or mapping agency. [Dec '16]
Reported Position of Mumbai: The digitization of the spatial data is not completed and is present in the form of hard copy. Urban RoR (Property Cards) is to be included in the Digital India Land Records Modernization Programme (DILRMP) OR there should be alternate funding provision for the Digitization of the Spatial Data.

Digitization of spatial data is a pre-requisite for Integration with immovable property registration agency.

Suggested Activities for Mumbai:

Computerization / digitization of revenue land records (RoRs and Cadastral Maps) in Mumbai City and Mumbai Suburban districts and Online Access thereto may be ensured (June ‘17).

Integration of computerized registration with computerized / digitized revenue land records in Mumbai City and Mumbai Suburban Districts may be fully completed under DILRMP (July ‘17).

Computerization of Urban RoRs (Property Cards) in Mumbai City and Mumbai Suburban districts and Online Access thereto may be expedited (June ‘17).

The mechanism for integration of computerized registration AND computerized / digitized revenue land records AND computerized / digitized land and property records maintained by revenue and municipal and development authorities may be firmed-up (June ‘17), and initiated (Sep ‘17).

4. Measure: Issue order to ban manual RoR and make online property Cards mandatory for any transaction [Dec ‘16]

Reported Position of Mumbai: Manual RoRs are already discontinued across the State including for Mumbai City and Mumbai Suburban Districts. Urban RoRs (Property Cards) are present in Digital Format but not yet in Mumbai City and Mumbai Suburban Districts. Online Mutation System for the Property Cards (web-based property card information system - Web-PCIS) is to be rolled for Integration of Property Cards and Registration System.

The work of Digitization of Maps of Mumbai City and Suburban districts with online access has been allotted to MRSAC.

Funds for Computerization of Urban RoRs (Property Cards) have been sanctioned.
Suggested Activities for Mumbai:

Issuance of Computerized RoRs of revenue land records in Mumbai City and Mumbai Suburban Districts may be ensured (June ’17).

Computerization of Urban RoRs (Property Cards) and providing Online Access thereto in Mumbai City and Mumbai Suburban Districts may be expedited (June ‘17).

Issuance of Manual Urban RoRs (Property Cards) in Mumbai City and Mumbai Suburban Districts may thereafter be discontinued (July ‘17).

5. Measure: Create unique property ID by linking City Survey nos. to Municipal Property nos. [Dec ‘16]

Reported Position of Mumbai: No specific response

Suggested Activities for Mumbai: The process and mechanism of creating Unique Property ID by linking City Survey numbers to Municipality Property numbers may be firmed-up (April ‘17), and initiated (July ‘17).

6. Measure: Integrate RoR databases with CERSAI database of mortgages and other charges [Dec ‘16]

Reported Position of Mumbai: The RoR (Property cards) are available in the Digital format on the https://mahabhulekh.maharashtra.gov.in (for Rest of Maharashtra and Mumbai Suburban District (MSD)) and on http://prcmumbai.nic.in/prcmumbai/jsp/propertyNew.jsp (website for Mumbai City Collector) for the Mumbai City.

Also, a project for the online mutation process and management of the Property Cards called "web-Property Card Information management System (Web-PCIS)" is under development stage for online management of urban property cards. Requirement for integration of Central Registry of Securitization Asset Reconstruction and Security Interest of India (CERSAI) database with RoR shall be taken as a part of Web-PCIS.

The RoRs (Property Cards) available on https://mahabhulekh.maharashtra.gov.in/ http://prcmumbai.nic.in/prcmumbai/jsp/propertyNew.jsp to be integrated with CERSAI Database.
Suggested Activities for Mumbai and MoF:

An institutionalised mechanism for linking Computerized RoRs of revenue land records in Mumbai City and Mumbai Suburban Districts AND Computerized Urban RoRs (Property Cards) With CERSAI may be firmed-up (April ‘17), and initiated (July ‘17).

7. Measure: Make publicly available official statistics for tracking the number of transactions [Dec’16]

Reported Position of Mumbai: Official statistics for tracking number of transactions is publically available on the Department website (igrmaharashtra.gov.in): Number of documents registered and revenue collected: Daily, Monthly and Annual. Year-wise historical statement for number of documents registered and revenue collected is available at http://igrmaharashtra.gov.in/pdf/Statistic.pdf