

Opinion

Land reforms: The next big game changer

Jagadish Shettigar and Pooja Misra | Updated on November 23, 2020

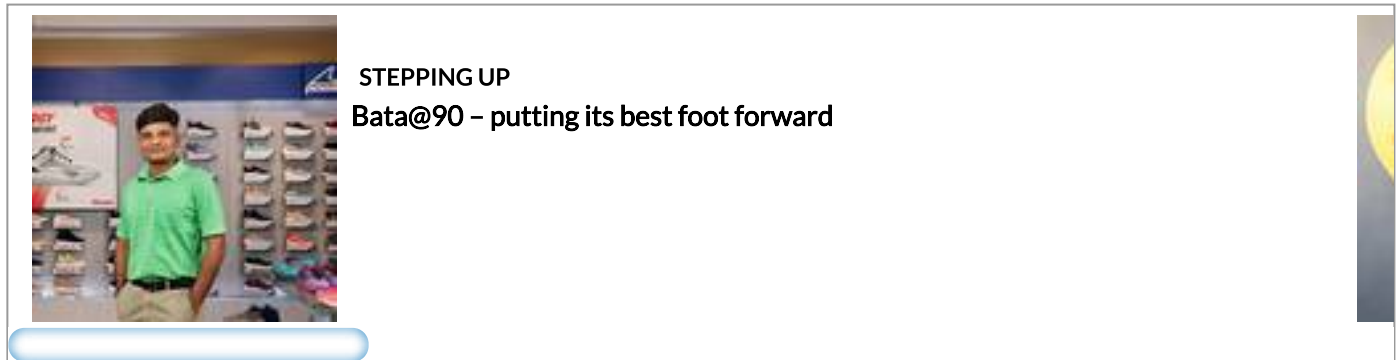


Digitising land records and conclusive 'land titling' will go a long way in making India a \$5-trillion economy by 2025

The clarion call given by Prime Minister Narendra Modi in May 2020 was with a focus on Make in India emphasising to be “Vocal for Local” and thereby, realising the ultimate objective namely, “Make for World”. With the pandemic having adversely impacted economic growth of countries worldwide and resetting the geopolitical agenda of nations, the Centre has recognised that this is an opportune time for rebooting, re-strategising, redrawing and reinventing the growth trajectory and re-positioning in the World Economic Order.

One should not forget that in order to attract foreign investment and showcase the country as a credible alternative manufacturing location, the country needs to work on an important but unfinished agenda of land reforms.

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The Registering Property index of Ease of Doing Business Rankings takes into account procedures a company has to undergo in purchasing a property, transfer of the property title to the name of the buyer thereby enabling the buyer to be able to use the property for business transactions, providing as a collateral security for loan etc.

It also measures the time and cost required for completion of these procedures and takes into account the existing quality of land administration system in the economy i.e. reliability of infrastructure, transparency of information, geographic coverage, land dispute resolution and access to property rights on an equal basis.

The need of the hour is to bring about Land Reforms and the focus areas must be: creation of a land record repository, digitisation and integration of all records relating to titles and encumbrances, formalising cadastral maps of all plots of land, defining a structured timeline for timely resolution of property disputes and making public land disputes data etc.

NITI Aayog initiative

Land reforms in India are a State subject. Ownership or title to a plot of land in the country is largely a presumptive title rather than a conclusive title. NITI Aayog has prepared a draft model Land Title Act, 2019. The draft model recommends conclusive land titles and providing of State guaranteed ownership.

Conclusive land titling will prove to be a game changer and help farmers gain easy access to credit, considerably reduce land associated litigations, enable transparent land transactions and make the process of land acquisition for infrastructure development smooth and efficient.

Since land is a State subject it is important that the Centre persuades all States to come on board and agree to the draft legislation which has been in the pipeline and awaiting to see the light of the day for some time now.

The Centre under the Ministry of Rural Development and State Governments/Union Territories administration are in the process of implementing the Digital India Land records implementation programme 2.0 wherein the endeavour is to digitalise the land records and land registration is to be maintained in a computerised database.

Along with the same, a scheme for mapping of land parcels in rural inhabited areas using Drone technology is also underway and the objective is to ensure that phase-wise manner of mapping of land parcels across the country should be completed by 2024.

Existing gaps

However, gaps such as absence of a nationwide template i.e. standardised national registry of land records, record of rights being undertaken is primarily for agricultural land while responsibility for urban land lies with urban departments etc. still exist. It is imperative that the country has an integrated system or repository of land record for urban and rural areas which comprehensively covers agricultural, infrastructure, residential and industrial land.

Another area that the government needs to work on and bring changes to is that of land leasing. Institutional framework for leasing of land is required to be put in place which will bring transparency and ensure land ownership right and tenancy right for landowners and tenants respectively, enable tenants to access bank credit and incentivise them to make investments in land improvement, allow mutually agreeable stipulations between the landowner and tenant for the lease agreement etc.

Keeping in view substantial contribution to the economy in terms of GDP, employment generation and contribution to exchequer its requirement of land deserves a facilitating approach from both central and state governments. In this context, governmental authorities may consider offering the land not in use of agricultural activities to non-agricultural use on easy terms with smooth and transparent process.

A win-win solution for both the owners of the land and buyers has to be devised thereby making the process easy and simple for acquiring of land for urbanisation and industrialisation. Though the Modi government tried to speed up availability of land for its

dream projects like smart cities and bullet trains by bringing ordinance, the attempt got scuttled due to lack of support in the upper house. With the ruling party expected to be placed comfortably from November 2020 it is hoped to introduce the land bill again.

Besides, the government may seriously consider releasing surplus land with the public undertakings. In fact, a substantial part of the land owned by many PSUs and port authorities are illegally occupied by others in no way associated with the concerned public units – often with active backing of local criminals in nexus with political leaders. It is time the Modi government initiates stringent measures to free land for productive use.

Thus, with an aspirational goal of India becoming a \$5-trillion economy by 2025 the imperative need today is to unleash the power of land and reap fruits by bringing about the much needed Land Reforms which are waiting to see the light of the day. Land reforms which have been on the anvil for some time now can very well be the next big game-changer for India.

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