NATURAL RESOURCE POLICY BRIEF

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How Gujarat's Land Digitisation Programme Created Erroneous Digital Records and Triggered a Trail of Land Litigations

Photo: DALL.E 2

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SUMMARY

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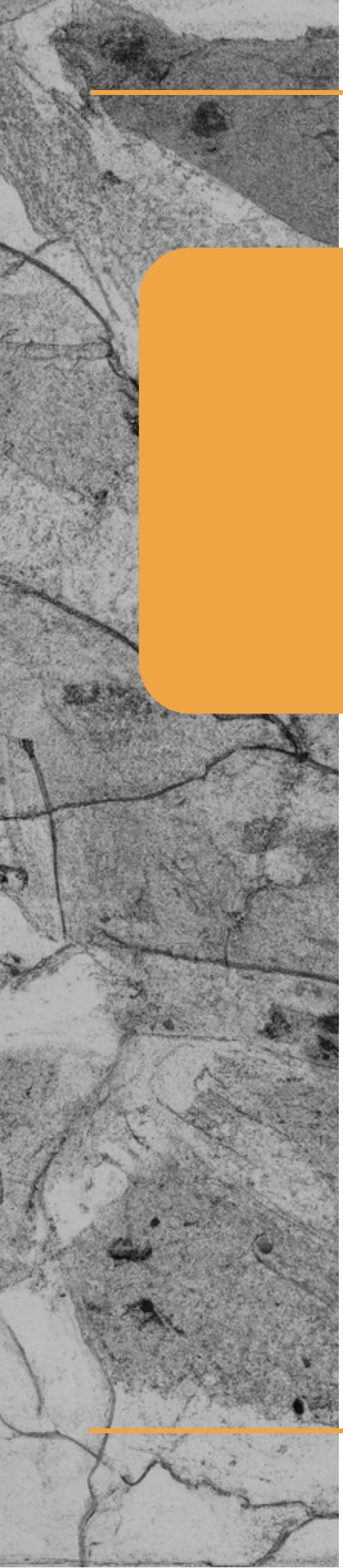
Gujarat's mega land resurvey project was expected to ease land transactions and resolve land disputes but it ended up creating new ones. Relying on old data to create new digital records, private agencies contracted for the job conducted incomplete, erroneous surveys.

- One of the first states to undertake resurveys of rural land, Gujarat started the land resurvey project in 2009. Introduced to resolve land conflicts and digitise land records, the project ended up creating fresh land disputes within families and communities across villages in rural Gujarat.
- The project was halted in August 2018. This was done after the state government started receiving complaints from thousands of aggrieved farmers who sought corrections in their land titles in the new records.
- After failing to fix lakhs of errors in the new records, the Bharatiya Janata Party government, which was recently re-elected to power in Gujarat in December 2022, has now started a pilot project to carry out corrections of digital records in Jamnagar and Devbhumi Dwarka districts.



BACKGROUND

Gujarat was one of the first states to resurvey rural lands under the Union government's Digital Land Records Modernization Programme (DILRMP)[1]. Between 2009 and 2018, the then Narendra Modi-led state government implemented the project across Gujarat. However, in August 2018, the state abruptly halted the creation of new records. By then records were generated for about 12,000 of 18,501 villages – about two-thirds of rural Gujarat.[2]

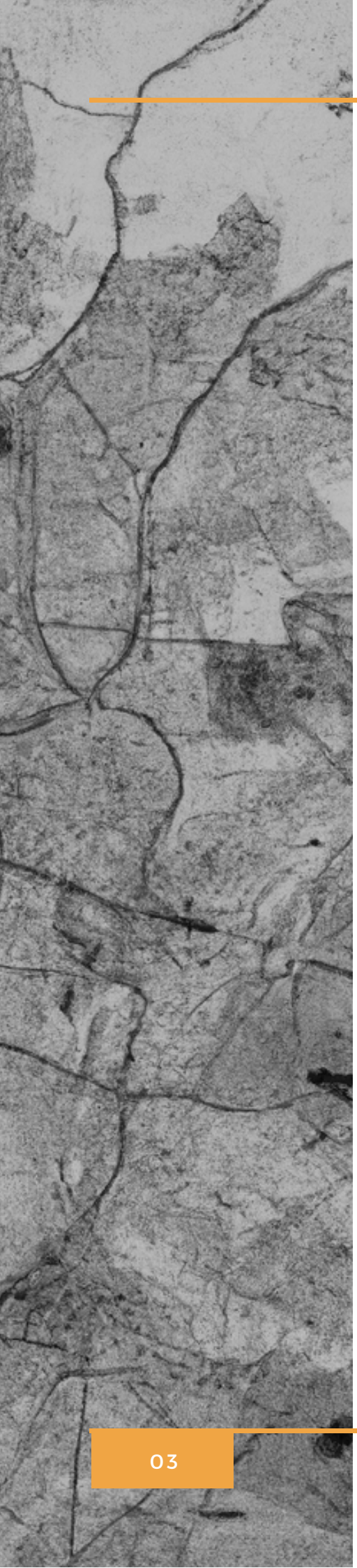
This step was taken after thousands of complaints were filed seeking corrections in the new records. In December 2021, the state government admitted that complaints were raised against 5.28 lakh land survey numbers in the new digital records.[3]

a. The Gujarat Land Revenue Code

The Gujarat Land Revenue Code 1879[4] (also known as the Bombay Land Revenue Code, 1879), enacted during the British Raj was the governing law for land records in the state. The last land survey in Gujarat was done between 1886 and 1920, initiated by British officials and conducted by the princely states. While the code mandated resurveys and updating land records every 30 years, the rule was ignored or sidelined. Around 1988-89, the state started computerising land records on a pilot basis. As this exercise progressed, in April 2005, the government launched e-Dhara Land Records Management System[5]. This was an online mutation process (where the property is registered in the new owner's name after a land transaction). In villages where land records (or tippons) are incomplete or damaged, the computerisation of such records remains incomplete.

b. Digital India Land Records Modernization Programme

In August 2008, the Union government started the Digital India Land Records Modernization Programme (DILRMP) (previously called the National Land Records Modernisation Programme) to develop a modern, comprehensive and transparent land records management system across states.



Under this scheme, the Gujarat government initiated a pilot land survey in 2,742 villages between 2009 to 2012 by roping in private agencies. Modern land survey technologies such as DGPS (Differential Global Positioning System), ETS (Electronic Total System) and GIS (Geographical Information System) based spatial data processing softwares were deployed for surveying and creating digital land records.

c. Gujarat resurvey manual

After conducting the pilot survey in seven districts, the then Chief Minister Narendra Modi released a resurvey manual[6] in May 2012. The manual, approved by the Union government, remains significant to the digitisation programme. It specifies guidelines and procedures for executing the project – from pre-survey preparations to the final creation of new records. Based on this manual, the state government invited private agencies to conduct the resurvey across all districts. Nine agencies were selected for the resurvey of all agricultural lands in Gujarat.[7] The nine agencies were eCentric Solutions Pvt. Ltd, IIC Technologies, ScanPoint Geometrics Ltd, Wapcos Ltd Ahmedabad, Secon Pvt Ltd, SKP Pvt Ltd, EI Technology Pvt Ltd, Cyient Limited (previous name Infotech Enterprises Ltd) and N K Buildcon Pvt. Ltd.

d. Errors in digital records, newer disputes emerge

The resurvey manual and the agreements signed with private agencies state that the project was to be implemented in three phases – Pre Survey, Survey and Post Survey. A review of complaints from aggrieved farmers and interviews with officials revealed that the guidelines were not followed. The agencies, instead, conducted surveys of those farmers who were present at the time of the survey and for the remaining areas, they relied on old data and old village maps.

Since the creation of new records, thousands of landowners have sought corrections in their digital land records. Apart from new land disputes, erroneous land titles have created obstacles in land transactions and bank loans.

> SINCE THE CREATION OF NEW RECORDS, THOUSANDS OF FARMERS AND LANDOWNERS HAVE SOUGHT CORRECTIONS IN THEIR NEW DIGITAL LAND RECORDS.

EMERGING ISSUES

THE IMPACT OF POLICIES ON THE GROUND

Photo: DALL.E 2

- Non-precise land boundaries in digital maps trigger errors in the area, shape and location of land parcels in titles. This is the main cause of disputes. Corrections of errors can only be done by conducting fresh surveys.

- Whenever a correction is required in a land title, especially a correction of the boundary, it requires that the records of the adjoining land parcels are also corrected. This becomes a continuous process until records of all land parcels of that village are corrected.

- The government did not initiate any penal action against the private surveying agencies which conducted the faulty surveys but took the responsibility of fixing the records upon themselves. However, an acute shortage of manpower in the state land records departments has left officials burdened.

- After failing to fix the digital records for more than five years, the Gujarat government in January 2023 started a pilot phase to address the corrections district-wise[8]. The lack of clarity on the fresh surveys being conducted continues to fuel doubts about the corrective measures being taken.

RECOMMENDATIONS

- Lack of awareness of the resurvey process among villagers is an issue. Awareness campaigns conducted by officials may help communicate directly with landowners before the survey is done.
- Coordination between officials and private surveyor agencies remains crucial. Lack of coordination will not only delay the process but also increase overall costs
- Unlike earlier, the involvement of landowners during new surveys of the land parcels can help avoid erroneous records or provoking more land litigations
- In order to cut costs, private agencies often hire employees without any surveying experience or know-how of using new technologies. This must be checked by the officials
- Officials are also tasked with other work when the survey is being conducted. In some cases, there may be fewer officials than required. Government must ensure that an adequate number of officials are employed specifically for the digitisation programme

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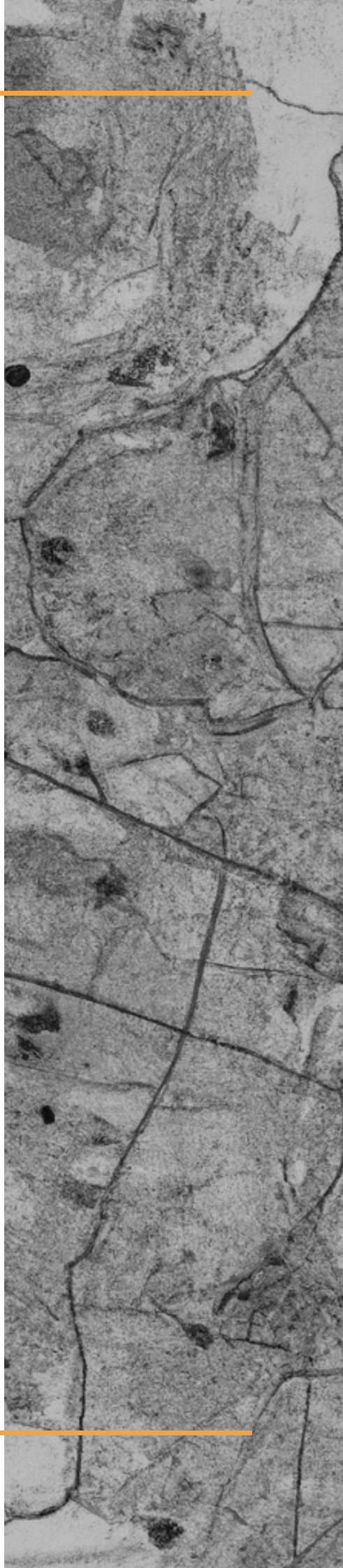
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