

## Chapter III

### Inventory Management of Government land

Any State has to balance needs of economic growth, ecological conservation and equity concerns while managing its land resources. Therefore, it is critical that the State possesses an estimate of available land, develops a balanced approach for its management and maintains a detailed and accessible land records system to manage the available land resources efficiently and equitably.

Effective management of land resources requires a database of its land resources, identification of lands for disposal and database of lands granted/leased. *Bhoomi*<sup>6</sup> software contains details of all Government lands. Audit scrutiny into the State's efforts in building up a database of lands available for disposal and lands granted/leased revealed the following:

#### 3.1 Non-identification of Government land available for disposal

The Tahsildar is required under Rule 3 of the Karnataka Land Grant (KLG) Rules, to prepare a list of lands available for disposal in the villages under his jurisdiction. The list excludes lands reserved for free pasturage, forest reserves, lands classified as 'C' and 'D' categories<sup>7</sup>, by the Department of Agriculture and lands reserved for other public purposes. The list was to be updated each year and notified within 1<sup>st</sup> July every year, in order to identify availability and status of lands for disposal.

Audit noticed that in nine<sup>8</sup>, of the 11 test-checked Districts, such lists were not prepared, and the reasons thereto were not recorded either. Even though all the Tahsildars in Ballari District prepared such lists, the same were not notified. In Mysuru District, it was notified that Government lands were not available for disposal.

<sup>6</sup> *Bhoomi* – software used in the Land Revenue Department containing Record of Rights, Tenancy and Crops.

<sup>7</sup> **A Category - lands** having facilities for assured irrigation from such Government Canals and Government Tanks as are capable of supplying water for growing two crops of paddy or one crop of sugar cane in a year. **B Category – lands** having facilities for assured irrigation from such Government Canals and Government Tanks as are capable of supplying water for growing only one crop of paddy in a year and lands irrigated by such lift irrigation projects capable of supplying water for growing two crops of paddy or one crop of sugarcane in a year. **C Category – lands** irrigated from Government sources of irrigation including lift irrigation other than A and B **Categories**, lands on which, paddy can be raised with rain water and lands irrigated by lifting water from a river or Government Canal or tank where lifting or pumping devices maintained by the land owner. **D Category – lands** classified as dry and not having any irrigation facilities from Government sources, but growing paddy or garden crops not coming under any of the above classes.

<sup>8</sup> Belagavi, Bengaluru (Rural), Bengaluru (Urban), Chikkaballapura, Chikkamagaluru, Dharwad, Kalaburgi, Ramanagara and Tumakuru.

### *What Audit did in the absence of a database?*

Audit collected information from the Revenue Department and the DC Offices concerned, and found that there were **260** cases of grant/leases covering **5650-24 Acres-Guntas (A-G)** to various persons/institutions during 2012-17 in the selected Districts. Out of these, **217** cases comprising **3778-11 A-G** were allotted as grant and the remaining **43** cases covering **1872-13 A-G** were disposed as leases (*Annexure –I*).

### *What were the impacts of not having a database?*

It was noticed that in all 320 cases of grants/leases for non-agricultural purposes, the beneficiaries identified the Government land themselves. Thereafter, the process of grant/lease was initiated even though the land was not identified by the Department as available for disposal. Cases of irregular grant/lease of deemed<sup>9</sup> forest/forest/forest buffer zone (five cases), land already granted to other parties (two cases), lands specifically prohibited by the KLR Act/Rules (96 cases), etc. were noticed as discussed in the paragraphs Nos. 4.4 and 5.1 of this Report. Such irregular grants could have been avoided if the Department had finalised the list of lands available for grant as required under Rule 3 and made grants of only such identified lands.

## **3.2 Absence of database of land granted/leased**

Audit also found that the Department did not maintain database of the lands granted/leased which was a key aspect of land management. It was crucial in monitoring the lands transferred to ensure due compliance with the conditions of transfer of land and also to verify the intended utilisation of the same.

### *Why Bhoomi software is not adequate in indexing Government lands?*

The land grant process involved creation of a new Record of Rights in favour of the grantee for the extent granted, out of the Record of Rights of the Government land. However, there was a pendency of mutations<sup>10</sup> in respect of land grants in *Bhoomi*. Besides, even in cases of mutation, there was no tagging of the new survey number allocated to the granted land with the earlier Government land survey number. Hence, *Bhoomi* was not sufficient in indexing all alienation of Government land.

Due to the absence of a database of grants/leases, the Department was not in a position to identify:

- (i) Repetitive grants to same beneficiaries;
- (ii) Expired leases during the year and its retrieval;
- (iii) Progress of renewal of leases;
- (iv) Payments under default; and

<sup>9</sup> Deemed forest land is Government land which, has more than 80 full grown trees per hectare (2.34 acres).

<sup>10</sup> Change of title in the Record of Rights, Tenancy and Crop Information.

(v) Deviation from purposes of grant/lease, etc.

Such deficiencies led to non-collection of lease rents, non-use of lands for periods ranging from 3 to 22 years and non-retrieval of lands after expiry of lease, etc. Audit brought out two case studies, which were indicative of the problems on account of absence of database with the Government.

**Case Study No.01: Lack of timely action and retention of land after expiry of lease period**

Seven leases allotted for:

(i) AIDS Counselling Centre in Bengaluru East Taluk, (ii) Veda Vignana Peeta, in Bengaluru South Taluk, (iii) a Ladies Association, and (iv) a petrol pump in Ballari Taluk, (v) a Trust in Dharwad and (vi) a school in Chikkamagaluru Taluk.

(vii) 6-19 A-G granted to Karnataka Education Board, Dharwad

These leases expired between 2005 and 2015. However, the lessees continued to be in possession of the lands as of March 2017. Of these, four lessees applied for renewal of lease after periods ranging from 1 month to 11 years after expiry of lease. In the remaining two cases relating to Ballari District, the lessees did not apply for renewal of lease as of March 2017. The Department on its own did not identify the cases and initiate timely action, for either renewal of lease or resumption of Government land.

The land was initially leased, which expired on 31 July 1973. The lessee applied for extension after 33 years (July 2006 and November 2007). The Government granted the land to the lessee in October 2011. The Government was unaware of the expiry of the lease and did not collect lease rent for 38 years. Even penalty of ₹ 2.28 lakh was also not levied for un-authorised occupation after expiry of lease.

**Case Study No.02: Ambiguity in land records**

Two acres each in 20 cases in Survey Number 8, Mavallipura, Bengaluru North Additional Taluk.

2 cases<sup>12</sup> (11-06 A-G), of temporary grant (Hangami) in Ramanagaram Taluk mutated in favour of the beneficiaries.

As per entries in RTCs, these lands were stated to be granted for agricultural purpose. However, the Tahsildar reported these cases as doubtful as the corresponding initial entries in the *Saguvali Chit*<sup>11</sup> Register could not be verified since the register was not traceable, which is the basic land document.

In these cases, the lands which were granted for temporary cultivation as per the entries in RTCs, were mutated to the beneficiaries stating that the lands were obtained through auction sale. There was no documentary evidence to the same.

<sup>11</sup> Certificate authorising the individual to cultivate the land.

<sup>12</sup> Survey No. 37/6b1 and 37/7, Harisandra village, Ramanagara Taluk.

Government Orders, Grant Certificates, *Saguvali* Chit Issue Register, etc. are basic entities of land records management. These help in confirming title of the beneficiaries and to resolve disputes relating to land issues. Deterioration and non-availability of very old manual records will hinder resolution of disputes and pose risk of creation of fraudulent records for land grabbing. Hence the following recommendations are made.

**Recommendation 1 – The Government may consider:**

- i. Compilation of electronic database of all grants/leases incorporating beneficiary, location of land, purpose of grant/lease, period of lease, special conditions, if any, etc.; and**
- ii. Digitisation of all manual records relating to alienation of Government land to mitigate the risk of fraudulent records.**

The Government accepted the audit observations and agreed to build up a database.