

Dr. M. Ramachandran
Secretary
Ministry of Urban Development

D.O. No. N-11025/53/2007-UCD

Dated the 25th March, 2009

Dear Chief Secretary,

As you are aware, introduction of property title certification system in ULBs is one of the key reforms under the Jawaharlal Nehru National Urban Renewal Mission. All States and cities have committed to implement the reforms under the Memorandum of Agreement signed with them. In order to help the cities and States develop better understanding of various issues and options, I am enclosing a brief on property title certification system containing recommendations of a Task Force set up for the purpose which I hope would serve as a useful reference document.

The objective of the reform is to enable the cities in moving towards guaranteed title systems. It seeks to create a public record of titles which truly describe the property as well as the title and has a system for reflecting any transaction in real time. The current revenue records are at best presumptive and do not convey title. Needless to say, a property title certification system would require legal changes which can be effected through an overriding law for amendments to existing laws. In this regard, States may find useful to learn from experience of Andhra Pradesh and Rajasthan in order to arrive at solutions best suited to them.

The record of titles could be created over a period of time. However, it is envisaged that three sets of registers would be maintained: a) register of titles, b) register of disputes and c) register of charges and covenants. There would be a title registration officer, a land titling tribunal and a land titling appellate tribunal. The title registration officer, a land titling tribunal and a land titling appellate tribunal. The title registration officer could be the collector or such other authority as deemed appropriate by the States. However, it is important that the responsibility of maintenance of land records is assigned to one department ultimately. The register of titles; disputes; and charges and covenants together would constitute the complete record of title of all lands. Once the initial exercise of creating the three registers is completed, the register of titles could be notified

for filling of objections, if any, and properties with clarity of title could be taken as conclusive. The States could then guarantee these titles. If records are accurately maintained, the financial implications of such guarantee could be met from small premium on guaranteed transactions.

It needs to be reiterated that a property title certification system is based on a sound system of land records and efficient use of IT would be key to success to ensure auto-updation and validation of transactions.

We intend to organize a workshop based on the enclosed brief as well as Ground Rules earlier circulated on Challenges to Implementation of Security of Land Title in Urban India soon for further facilitation of the process. We shall revert soon. Meanwhile, the brief could be reviewed at the State level.

Yours sincerely,

Sd/-

(M. Ramachandran)

**To
Chief Secretaries/Administrators
of all States and UTs**