

# CTLR Land Initiatives

## A Journey of Two Decades

By

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**CENTRE FOR TRIBAL & LAND RIGHTS (CTLR)**  
**NALSAR University of Law, Hyderabad**

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## Training & Capacity Building

### ONE DAY TRAINING PROGRAMME FOR FOREST OFFICERS ON LAND LAWS AND LITIGATION

On 21st December 2016, Centre for Tribal and Land Rights, NALSAR University of Law, Hyderabad in collaboration with Telangana State Forest Academy organized a One-Day Training Programme for the Forest Officers working in the Telangana State for enhancing the knowledge on land and forest laws, court procedures and ways to protect the forest and forest rights of the people. The training programme focused on proper implementation of the forest laws in order to safeguard forest lands, flora and fauna. The Forest Department is continuously being faced with the problem of illegal encroachments which consequently leads to reduction of the forest land.

While inaugurating the programme by the Chief Guest, Shri. Swarna Subba Rao, Surveyor General of India shared his valuable experiences and highlighted the peculiar problems with boundary disputes, which consequently complicates the method and manner of evidence collection. He also referred to the technological concerns faced during surveys of lands including forest lands. He further informed that the Survey of India is in the process of developing a 'Continuously Operated Reference Station Network', a customized GPS system for the purposes of conducting a more accurate survey with an expected range of 10-20 cm. He explained the evaluation of survey technology starting from chain and cross stop to total station and the present aerial survey. He informed that Survey of India is actively working on use of drones in simplifying the survey and preparing standard operating procedure across the country.

Prof. Dr. V. Balakista Reddy, Registrar, NALSAR University of Law, while welcoming the audience, spoke about NALSAR's contribution is not only in producing socially relevant, technically sound and professionally competent legal fraternity but also simultaneously reaching out to the masses in providing free legal support, drafting of legislations for various Governments and providing trainings to various key stakeholders. He said if the forest officials are equipped with the legal knowledge and necessary

legal skills they will be able to better protectors of the forests and the rights of the people for the present and future generations.

Shri M. Sunil Kumar, Director, Land Laws and Policies, Landesa spoke at the inaugural and subsequently took a session on understanding land records and interpreting forest laws for the protection and conservation of the forest. He highlighted the importance of updated and accessible land records for both forest department and common people in order to reduce land litigation. People with basic legal literacy and the empowered law implementing agencies are the only solution for securing rights for the people and protection of the forests.

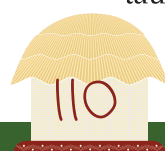
Later on Professor P.B. Shanker Rao, NALSAR University of Law enlightened the Forest Department officials on the importance of Safeguard the Constitutional guarantees which are exclusively made for Tribals and forest living entities. Then Mr. A.P. Suresh Advocate has enlightened the Forest Officials on Civil and Criminal Laws, Forest Laws and Tribal Laws. Thereafter Mr.K. Shiva Charan who is working as an Advocate & Research Associate under the flagship of Centre for Tribal and Land Rights explained in detail to the Forest Department Officials about the implementation of PESA Act, court cases which are pending in High Court, Boundary disputes between Revenue and Forest Lands. Procedure for filing the cases against forest regulations and laws violators in order to protect the forests.

The training programme was attended by more than 100 Forest Range Officers (FROs), Deputy Range Forest Officers (DRFOs), Forests Section Officers (FSO), Forest Beat Officers (FBOs) and Assistant Beat Officers (ABOs).

Before the inaugural, the dignitaries planted trees on the Campus.

### Newly Elected Sarpanches Training Program at NALSAR

During the month of February between 18 -22 of 2019, NALSAR trained newly elected Sarpanches of Medchal District, around 62 Sarpanches were trained on newly amended Telangana State Panchayat Raj Act 2019, Apart from this Act other relevant Acts were also taught to them, This 5 day training program was



inaugurated by Medchal Constituency MLA Shri Malla Reddy Garu, District Collector Shri M. V. Reddy I.A.S, Professor ( Dr) V. Balakista Reddy, Registrar, NALSAR University of Law, Shri Ravi Kumar District Panchayat Officer, MPDOs , EORDs and other Panchayat Raj officers were presented. The main emphasis of this 5 day training program on duties, responsibilities and powers conferred to Sarpanches under recently Amended Telangana Panchayat Raj Act 2018.

During these sessions Prof. Dr. V. Balakista Reddy, Registrar of NALSAR addressed the Sarpanches about the vision and mission of the NALSAR, so far their contributions to the society explained clearly, NALSAR achievements from International to National level. Their services also extended to villages in recent past, As a part of Academic Social Responsibility many initiatives have been taken for welfare measure of gross route people, The programs which are being conducted by NALSAR was highly appreciated by State and Central Governments. Being a premier institution in Legal field is fortunate to have in Medchal District. He highlighted the duties and powers of Sarpanches as per the newly amended Panchayat Raj Act, he further expressed NALSAR will definitely support the Sarpanches of Medchal District with regard any legal assistance to the villages of Medchal District.

During this Program Professor Shri Dr. Harati Wagheshan enlighten the newly elected Sarpanches on practical approach to how sarpanches have to coordinate villagers and provide good administration at villages, his tips were so useful for the gathering to how to identify the village problems and resolved by following all rules and regulations, his simple way of presentation went into depth of the audience to understand clearly on the village issues and challenges which usually face by the Sarpanches in discharging of their duties on regular basis. The practical examples which he addressed are very much appreciated by the Panchayat Raj Department officials and Sarpanches of Medchal District.

During this program Mr. K. Shiva Charan an Advocate & Research Associate of NALSAR

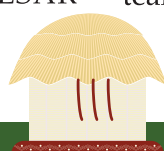
University of Law, explained few legislations which certainly Sarpanches supposed to know for a better administration at villages, he emphasized few important legislations covering both Civil and Criminal nature like, Land and Revenue Legislations, Agricultural Produce Act, Domestic Violence Act, Dowry Prohibition Act, Child Labour Act etc.,

During this 5 day training program officials from Panchayat Raj Department, Agriculture Department and NGO Sector people were trained these newly elected Sarpanches of Medchal District.

### **One Day Training Program on Sensitizing the Developments of Municipalities in Telangana State for Self Governing Bodies of Municipalities.**

(Pattana Sthanika Samsthala Sammellananm, Pattanana Pragathi Avagahana Sadhassu)

On 19th February 2020, Prof. (Dr) V. Balakista Reddy, Registrar NALSAR University of Law, heartily welcomed the newly elected Municipal representatives of Medchal District, Municipal Commissioners and other Officers of Municipalities to their prestigious national eminence Law University. He congratulated all the newly elected municipal representatives. In his welcoming address Prof. (Dr) V. Balakista Reddy stated about how this new Municipal Act 2019 was came into the present shape, NALSAR played a key role in drafting of Municipal Act 2019, under the esteem stewardship of Prof (Dr) V. Balakista Reddy the team was constituted with expertized professionals by namely retired Acting Chief Justice of erstwhile Andhra Pradesh High Court, Shri B. Prakash Rao Garu, Prof. G. B. Reddy, Osmania University , V. Sreedhar Reddy, Mr. A.P. Suresh, Ms. Rajeshwari, Practicing Advocates of Telangana High Court, Mr. K. Shiva Charan and Jyoti Research Associates of NALSAR. The team under the guidance of Professor V. Balakista Reddy had several brain storming sessions along with in depth research during drafting of the Municipal Act; this unique nature of drafting on such an important legislation has undergone a serious comparative and comprehensive research in consonance with different legislations in force. The team members were played a crucial role in drafting



this very important legislature. During his talk Professor Reddy rightly pointed out about the urban mobility and migrations from rural areas to towns is increasing day by day, so how best the municipal administration should equip themselves to meet the challenges before them is need of the hour.

A one day training program was organized in NALSAR Law University, Shameerpet, Medchal District, Hyderabad. This program was attended by the Medchal District Municipal Commissioners, newly elected Municipalities Members including Corporators, Mayors Deputy Mayors, Councilors and Chairman. As Chief Guest of this program Medchal District Hon'ble Labour Department Minister of Telangana State Shri Chamakura Malla Reddy was graced the occasion, besides to him The District Collector of Medchal Shri Venkateshwarlu I.A. S, Assistant Collector Shri Samson, Joint Collector Shri Vidhya Sagar Garu, Shri Prof (Dr) V. Balakista Reddy Garu, Registrar NALSAR University of Law, Hyderabad, Mr. A.P. Suresh Advocate and Resource Person for training program on Telangana Municipal Act 2019, Mr. K. Shiva Charan Advocate & Research Associate and the Local Bodies of Villages of Medchal District were present.

NALSAR Resource Person Mr. A.P. Suresh, Advocate was highlighted the several important concerns on Municipal Administration in consonance with recent amended Telangana Municipal Act 2019. He stressed more upon the duties, responsibilities and powers of Municipal representatives.

In this orientation and training program highlighted the issues and concerns within the jurisdiction of newly formed municipalities, funds, responsibilities, duties, and powers of Municipal Chairman, Vice-Chairman, Councilors, Mayors, Deputy Mayors and Municipal Commissioners. A day ago i.e on 18th February 2020. all these newly elected municipal members were inspired the very delighted speech of Hon'ble Chief Minister of Telangana Shri Kalvakuntla Chandrashaker, every one of them really appreciated and got motivated with his talk on Telangana Municipal Act 2019, which reminds about their duties

and responsibilities towards the Municipalities, everyone among them really boosted by Chief Minister to work more diligently for promoting the Medchal District as best set of example for model municipalities across the State. During their last day visit at Siddipet they were inspired many developments within Siddipet, they were visited model integrated vegetable market, grave yard, dump yard, beautiful parks, greenery and water supply system, they were highly inspired after visiting these places, everyone among the participant felt to develop the above said things in their own municipalities. As how Villages were become best model villages in Medchal District, the same way these municipalities also should stands as best model municipalities is expected by the District Collector. Up on the same the newly elected municipal representatives promised that they will work more on the above discussed areas, further they discussed about how to improve sewage and drainage systems, constructing of model toilets within their Municipal jurisdictions, Sampling of adequate plants, sanitization in non-vegetarian places, building and town planning permissions and sanctions as per Telangana Municipal Act 2019.

Every one of them felt delighted and thankful for organizing such a knowledgeable gathering at NALSAR. Municipal and District Authorities expressed their deep sense of gratitude and Thanks to Prof. Reddy for University's in valuable efforts and hospitality provided to happen the program successfully at NALSAR.

### **Telangana Advocates Training Program**

NALSAR University of Law has entered into a MoU with the Telangana Advocates Welfare Trust, Department of Law, Government of Telangana to provide Training for Young practising advocates in the State of Telangana commencing from May 11, 2019. The MoU was signed by Prof. (Dr.) V. Balakista Reddy, Registrar, NALSAR and Shri B. Ramanjanyulu, Secretary, Telangana Advocates Welfare Trust in the august presence of Shri. B.V. Prasad, Advocate General, Telangana, Shri V. Niranjan Rao, Secretary, Department of Law, Telangana, Shri Gandra Mohan



Rao, Trust Member, V. Madhusudhan Reddy, AGP High Court, Shri. A.P. Suresh Advocate, High Court, Mr. K. Shiva Charan Advocate & Research Associate of NALSAR. The aim of this MoU is to provide training for Young practicing advocates having 2 to 5 years of experience at trial courts in Telangana State. The first batch of Advocates consists of 100 Members across all Bar Councils of the State of Telangana.

As part of MOU with Telangana Advocates Welfare Trust, Department of Law, Government of Telangana NALSAR University of Law Provided rigorous and intensive 5 day training program. The object of training program is to enhancing the Advocacy skills which required for handling litigation matters or disputes arising before the court of law, Research



11th May 2019 to 12-6-2019 NALSAR training more than 300 Advocates, each batch was comprised around 100 Advocates. Three batches successfully completed training program and got benefitted with immense practical and working knowledge of law.



Skills to carry out legal research on legal issues, Improvisation of skill-set to render legal advisory services to resolve pre-litigation issues, Specialized training in drafting legal documents, Contracts/Agreements and Court pleadings, Training to enable the trainee Advocates to get a firsthand understanding and exact functioning of the Courts (from lowest to the Highest Court) in India, Training also to improve oratory skills in English, Professional Ethics: Dos & Don'ts of legal profession and breach of professional ethics and consequences arising thereof.

The first batch of training was commenced on 11th May 2019; this program was inaugurated by Hon'ble Chief Justice of Telangan High Court and Chancellor of NALSAR University of Law, Hyderabad. During



# Training to Land Laws to Teachers, Students and Legal Aid Clinics

## LEGAL AID CAMP

BY NALSAR UNIVERSITY STUDENTS IN PUDUR VILLAGE



The students of NALSAR University of law, Hyderabad (Mr. P J Theja Saai, Mr. P Avinash Reddy, Ms. Pallavi Neha, Ms. Mrudula Karumanchi, Mr. Balaji Naik Azmeera, Ms. Shreya Naik and Mr. Benajamin Venlalvena) organized a Legal Aid Camp in Pudur village, Medchal (Mandal & District), Telangana on September 13,

2017. Prof. (Dr.) V. Balakista Reddy, Registrar, NALSAR University of Law, M. Sunil Kumar, National Director, Landesa and Smt Kolla Sravanti Venkatesh, Sarpanch, Pudur Village were chief guests of the camp. Due to heavy rains, the camp was shifted to a nearby temple at the last moment.

Mr. P J Theja Saai, fourth year student of NALSAR started the camp by briefing everyone about NALSAR and introduced dignitaries to the audience. He also spoke about the relevance of the camp and the support which students got from the Registrar and Sarpanch in organizing the camp.

The Sarpanch greeted the professors and everyone who was present at the event. She thanked the college and the students for doing a great job and helping their village and the society by discussing the rights available to them and requested the villagers to get their doubts clarified.

Ms. Mrudula Karumanchi, third year student of NALSAR spoke about the protections available to women and explained the rights in the Domestic Violence act, 2005. She explained the different types of harassment that fall under the ambit of the Act.

Ms. Pallavi Neha, third year student of NALSAR spoke about how the victims can avail the rights available to them and the process that has to be followed in order to file a complaint under the domestic violence Act and elaborated the different remedies available to a victim.

M. Sunil Kumar, National Director, Landesa spoke about the importance of the rights available to the villagers. He spoke about how he along with Mr. Balakista Reddy, the Registrar of NALSAR has helped many villagers get pattas in Warangal. He informed the villagers about the various rights available to them with respect to their land. He also informed them about the survey, which will be conducted by the Telangana Government and urged the villagers to use this opportunity and rectify any mistakes with respect to their revenue records. He also asked villagers to be ready with all the necessary documents when the officers visit the village for the survey.

Mr. Mallikarjun Gade, Assistant Professor, NALSAR spoke about the importance of land rights and discussed the feasibility of his Land Law Clinic students frequently visiting the village to solve land related issues.

Prof. (Dr.) V. Balakista Reddy, Registrar discussed how NALSAR has helped many other villages and that the college would help Pudur village and support them legally in the same way. He also promised that the whole team would like to help the people of Pudur and the significance of land rights to be realized by people. He concluded by appreciating the efforts of the students who were behind the event and that the villagers should seize the opportunity.

Pudur Village advocate Janardhan Reddy, said that he is very thankful to the students and the professors for taking up this initiative. He also spoke about the importance of women's rights and that every woman should make correct use of them.

Mr. P J Theja Saai requested the Registrar to give grievance Redressal forms to Sarpanch. The registrar handed forms to the Sarpanch which will be distributed among villagers and shall be collected by the students during their next visit.

Mr. P. Avinash Reddy, third year student of NALSAR gave vote of thanks to Prof. (Dr.) V. Balakista Reddy,



Registrar, NALSAR University of Law for being very supportive and encouraging from the beginning and M. Sunil Kumar, National Director, Landesa for being an inspiration and Smt Kolla Sravanti Venkatesh, Sarpanch, Pudur Village for trusting students when they proposed the idea of Legal Aid Camp. Asst. Prof. Mallikarjun Gade and Mr. Shiv Charan for helping students while executing the idea.

THANK YOU PUDUR VILLAGE FOR YOUR TRUST!

#### **Legal Aid Clinic at Muneerabad Village of Medchal District.**



Centre for Tribal and Land Rights, NALSAR University of law, Hyderabad organized a Legal Aid camp in Muneerabad Village, Medchal Mandal & District, on July 17th, 2019. Legal Aid s Camp was inaugurated by NALSAR Registrar and Professor Shri Dr. V. Balakista Reddy Garu, during this inaugural program NALSAR Professor Shri. Dr. G. Mallikarjun and Mr. K. Shiva Charan Advocate & Research Associate of NALSAR along with NALSAR Students were present, The opening remarks of Sarpanch of Muneerabad village Shri Ganesh emphasized on the activities which were carried by NALSAR Student Volunteers in their village, since a year the volunteer students were consistently coming their village during the evenings especially on Saturdays and Sundays and other days as per their convenience and requirements to the needy in their village, the activities which are being conducted in their village shows their enthusiasm to serve the gross route level people, the student community were

actively involved in encouraging school drop outs, inculcated the value of learning English language, taken classes to interested school children on English Subject, created awareness programs on Domestic Violence Act, Dowry Prohibition Act, Land and Revenue matter issues, Importance of Cleanliness, Health issues, sewage systems, schemes related to public distribution systems and public welfare schemes introduced by Central and State Governments.

During this program Sarpanch of Muneerabad village has stated that Muneerabad Village was being selected Best Model village in the State and how they were trying further activities like rain water harvesting pits to every house, unless fulfilling of rain water harvest pits permissions were not being issued to construct any new buildings, such measures making their village to prosper, time to time arrangements of carrying out garbage, drinking water facilities, clean roads and maintaining good sewage systems, proper working of street lights are the keen areas which the Sarpanch Mr. Ganesh paying attention. further public distribution systems like ration, and welfare schemes like Kalyanalakhmi, Shaadi Mubarak, Old Age Pensions, widow pensions, and minimum wages on employment guarantee schemes and Rhythu Bandhu Schemes etc are strictly enforcing. Further Mr. Ganesh Stated that their village is very fortunate for seeking any sort of legal assistance from NALSAR because it just very nearby to approach and student community and CTLR assistance to their local village legal problems are helping a lot on time to time basis.

During this legal aid camp student community explained about various Acts which are useful to the villagers on their day to day activities, then NALSAR Registrar Shri Dr. V. Balakista Reddy assured the villagers that at any point of time NALSAR is ready to provide any sort of legal assistance to the villagers. Then Prof. Dr. G. Mallikarjun clarified few legal problems of villagers who were attended to this program. NALSAR Registrar Prof. Dr. V. Balakista Reddy, Professor Dr. G. Mallikarjun, Shri. Ganesh, Sarpanch of Muneerabad Village and the villagers



were appreciated the Student volunteer team and CTLR of NALSAR for conducting such a great program in Muneerbad village and they expressed their future support to villagers.

### **CTLR Unique & Innovative Initiatives**

- CTLR offering Land Laws as an elective course to LL.B. Students.
- Providing field Visits and Document Verification assistance programs to LL.B Students.
- Facilitating and Providing Internship Opportunities to LL.B Students.
- Drafted a proposed Course on Land and farmer related issues, in order to enhance the knowledge of the farmers and revenue officials on matters related to Land and Agriculture activities.
- Prepared Saadabainama Regularization Printed Material and Circulated soft copies across the state.
- Creating awareness among the Ph.D. Scholars from abroad as well as in India who visited Centre for Tribal and Land Rights on Tribal Land Related Problems and Solutions.
- Guiding time to time on Property matters, legal matters further drafting of applications and petitions on behalf of the illiterate poor people who are approached to the CTLR.

### **INTERNS EXPERIENCE ON LAND LEGAL AID CLINIC AT WARANGAL**

#### **INTRODUCTION**

Under the flagship of Center for Tribal and Land Rights of NALSAR University of Law with guidance of Professor (Dr). V. Balakista Reddy Garu and Mr. Sunil Kumar, National Director, Landesa, NALSAR University Students Namely ThejaSaai, VirajithMendem, BalajiAzmeera and Nishant underwent an internship program during their summer vacations, and observed important issues as

follows:

Land Rights Legal Aid Clinic at NyayaSevaSadan, District Court, Warangal with the support of State Legal Services Authority established Land Rights Legal Aid Clinic at NyayaSevaSadan, District Court, and Warangal on March 3, 2013. This Clinic aims to provide free legal services to the poor and needy, creating awareness among the people about their rights and helping the litigants in all possible ways. A team of land experts of Landesa, faculty members and the students of NALSAR looks after the activities of the clinic with the support of State Legal Services Authority, Hyderabad. The clinic provides legal service for resolving land problems. The clinic acts as one stop service centre for the poor, needy and tribal with legal problems regarding land.

A pilot program was also initiated in six villages of Mahabubabad and Janagaon districts including two tribal villages to update land records and resolve land problems. In these six villages a unique community driven land records verification and updation process is undertaken with the involvement of local youth. Through this process all the land problems in six villages were identified and process initiated for resolving them. Members of Legal Aid Clinic played a key role in this programme and currently the same model is initiated in Suryapet District.

In addition to this, the in charge of the Legal Aid Clinic also tries to create awareness among many categories of people like Women, students of S.S.C and above, Farmers, Scheduled Tribes, Anganwadi teachers, Masters of Social Work (students), Paralegal Volunteers, Government officials etc. The material on land matters has been distributed where ever awareness camps are held.

#### **A SYSTEMS APPROACH TO RESOLVE LAND PROBLEMS OF THE POOR AND TRIBAL**

"Access to land continues to be of critical significance in large parts of India, and the entire economic, social and political networks revolve around it... land provides not only economic sustenance but also plays a key role in enhancing the prospects of asserting

citizenship in much of rural India."

- Report of the Committee on State Agrarian Relations and the Unfinished Task in Land Reforms (2008)

"Presently the Revenue Courts are choked. Thousands of cases pertaining to land issues are pending in revenue courts... The number of land disputes is on the rise due to increasing pressure on land... For the poor the effect of having their lands in a court is especially devastating."

Report of the Land Committee constituted by Government of Andhra Pradesh (2006)

### **Successful stories of the legal aid clinic**

Legal Aid Clinic doesn't stop at the stage of giving advice. It contacts the applicants for whom it gave advice and tries to help the applicants till their cases get resolved. Most of them successfully resolved their cases with the help of Legal Aid Clinic. Few successful stories have been mentioned below.

#### **DETERMINED VEERABHADRARAO**

Others got patta to the land of Potlapalli Veerabhadra Rao illegally. He approached Landesa and received timely advice. He fought for his land as per rules, filed cases against revenue, police officers who committed mistakes in issue pattas and not taken action as per rules. He has also utilised the RTI Act and gone upto State Commission and succeeded in his efforts.

#### **LEGAL AID CLINIC USING ITS OWN CONTACTS TO SOLVE A CASE**

Karne Gopal, belonging to Scheduled Caste has PPB and Title Deed for his 20 Guntas of land. He migrated to other village for begging. When he came back to his own village, he came to know that his land has been grabbed by the adjacent land owners and they did not allow him to cultivate. He approached Legal Aid Clinic and received timely advice. He was advised to approach IKP Land centre in Collectorate to file a suit (To avoid Legal expenses). When visited the Tahsil Office, Dharmasagar, the MRO himself told that, on the advice of Legal Aid Clinic, they have taken initiative and evicted the encroachers. Now he is enjoying the land and he was also advised not to leave

the land uncultivated.

#### **FROM SUICIDE TO SUCCESS**

Matla Dayakar, belonging to Scheduled Caste has PPB and Title Deed for his 0-21 Guntas of land, and his name was recorded in pahani upto year 2000. Later when he obtained a copy of pahani, he found that some other person's name is recorded. When he approached the Revenue officials to get the record corrected, the officials did not entertain his petition. He got favourable orders from RTI but revenue officers did not comply. He approached the Legal Aid Clinic (Land Rights) and expressed his grievance regarding non implementation of orders by the Tahsildar, and also decided to commit suicide but the centre gave him the assurance that his name will be entered in pahani and 1B as well as to delete the name of other person on the same piece of land.

He was advised to bring all the documents which he has and advised him to apply for the copies of Pahani, 1B, Form 7 (Mutation register) and files relating to this case under RTI Act. He was also advised to file an appeal petition before RDO. He was also advised to file a Second appeal petition before the State commissioner RTI and to file a petition before the RDO to implement the orders of State Commissioner RTI. On constant persuasion made by the Applicant, the revenue officials finally updated the entries in revenue records.

#### **DETERMINED ANAND WENT TILL HIGH COURT**

Kalakuntla Anand, belongs to Scheduled Caste. His mother purchased 5 Acres 21 Guntas of land through unregistered Sale Deed in the year 1961. Later she died and he is the only son. After a long time, petitioner got the knowledge about the land. The sellers have illegally encroached the land which they sold. He approached Legal Aid Clinic (LAC) and as per the advice of LAC, he consulted the occupiers-cum-legal heirs of the seller for registering the land in his favour. But they did not come forward.

Hence as per the second advice of LAC, he filed a case in DLSA. They did not obey the orders of DLSA.

Hence petitioner filed a case in District Civil Court and again it has been forwarded to the DLSA. All the legal heirs of seller have accepted for mutating the land. But the revenue officials put query. Hence petitioner filed a suit in High Court. H.C. directed the revenue officers to make patta within a stipulated time.

### **SAVED FROM BROTHERS IN LAW ILLEGAL LAND GRABBING**

Boinapalli Suvarnahas 20 guntas of patta land but brothers-in-law grabbed her land and did not allow her to cultivate it. As she was having all the documentary evidences for her land, she was advised to plough the land and asked to consult the Police officials for protection if it is necessary. The Police Officials warned the brothers in law of the petitioner not to interfere with her rightful landed property. Since then they are not encroaching her land now, she is enjoying her land peacefully

### **VOICE OF PUTTALA BHUPATI PEOPLE**

As part of the pilot programme to update land records and resolve land problems, in one tribal village (Puttalapubathi) all land problems were resolved, land records were updated and land records kits were given to 73 tribal families who have received secured titles to their land and all the village land records (pahani, 1B register, tippan and other records) were corrected and updated. Beneficiaries of this programme were interviewed and their opinions are mentioned below

“I did not avail the benefits of subsidies, loans or any other government scheme as the patta is in the name of my grandfather. We never approached the revenue authorities as we did not know the procedure until Landesa came to our village to update land records with community involvement. They gave us patta with our names and we are now entitled to subsidies and loans. Land records updation drive changed my fate. I am giving advice to my relatives in other villages based on my experience with Landesa. They should do this across the state. Whenever we receive any subsidy or loan, it reminds us of Landesa. We are thankful to them”

-KathiGaddaiah

“My family has been cultivating the forest land for three generations and we don't have any certificate. Revenue authorities surveyed the land once but it was full of mistakes. I never approached revenue authorities as there is a strong presumption that they will take bribes. As my family cannot even eat three times a day properly, it's impossible for us to give bribes. Therefore I never went to their office. We used to live with fear as there is a chance that revenue authorities might acquire our lands for haritaharam scheme or some other scheme. Our village is lucky to be selected for the land records updation drive. RDI corrected the survey and ensured that we got Rights deed (hakkupatram). My family is sleeping peacefully because of this land records updation. We are thankful to Shashtry sir and Suneel sir.”

- Santosh Kumar

### **AWARENESS TO VARIOUS SECTIONS OF PEOPLE**

The poor are unable to get their land problems resolved because they lack legal awareness, because of which they are unable to obtain legal aid services and cannot access adjudicating systems. To address this problem, Nalsar Legal Aid Clinic also creates awareness among many categories of people.

35 awareness sessions were conducted from August 2013 to December 2015 with the help of District Legal Services Authority out of which 13 sessions are conducted in Nyaya Seva Sadhan.



## Empowering Tribals and Resolving Disputes

**Pattadar Passbooks, Title Deeds and I-B Registers Distribution Program.**

**Earlier in a tribal village and today in a Dalit village Patta Distribution Program and tomorrow in a Kanayapally Village.**

Land records verified & corrected, land problems resolved and a land records kit with clear & secure land titles along with all the land records copies given SCs and STs in two villages

**LAND RECORDS KITS GIVEN TO 25 DALIT FAMILIES IN GOPALAGIRI VILLAGE OF MAHABUBABAD DISTRICT,** 73 Land Kits in Puttalabhupathi Tribal Village and 52 Land Kits Handed over to Kanayapally Village People.

- Land in possession, name in the record and title documents in the hand is must to have secure rights over land. Majority of villagers do not have one or more of these three essential ingredients of secure land rights.
- 6 villages pilot in Mahabubabad and Jangaon districts to update land records and provide clear and secure land rights through community involvement and engaging local youth
- About 4000 land problems and 11000 incorrect entries identified in these 6 villages
- 73 tribal in puttalabhupathi village (tribal village) and 25 SC families in Gopalagiri village got pattas
- This is a low cost and high impact scalable model for updating land records and securing clear land titles
- Can be scaled through DILRMP in every village with a cost of Rs. 75 thousand to one lakh rupees.
- All the land records can be updates in every village in 4 – 6 month time

Up-to-date land records and clear land titles are the pre-requisite for economic development and optimum utilization of the land by its owners. Land records which do not reflect the field reality, unclear or undocumented land titles lead to land disputes hampering the growth and development.

Unfortunately, land records in Telangana State are archaic and in most cases do not reflect the ground realities. As a result, majority of the land owners have insecure and unclear rights over the land. They are unable to get any benefits due to them as farmers including crop loans, crop insurance and input subsidies.

Government of India is making efforts to modernize management of land records, minimize scope of land disputes, enhance transparency in the land records maintenance system, and facilitate moving eventually towards guaranteed conclusive titles to immovable properties in the country. Digital India Land Records Modernization Programme (DILRMP) is launched by the Government of India to usher in a system of updated land records, automated and automatic mutation, integration between textual and spatial records, inter-connectivity between revenue and registration, to replace the present deeds registration and presumptive title system with that of conclusive titling with title guarantee. Government of Telangana taking steps to update the land records and make them available online (<http://mabhoomi.telangana.gov.in/>). Further, the state government also took a decision to undertake re-survey.

Lack of requisite community involvement was identified as a major challenge during the recent review of the National Land Records Modernization Programme. NALSAR University of Law in collaboration with Landesa (RDI) made efforts to address this gap by making local youth play a significant role in updation of land records and identify and resolve the land problems. The effective participation of the community with the involvement of local youth can significantly contribute in making the land records mirror the ground reality and resolving land problems.

### **The pilot:**

This pilot involves a six-step process to verify and update the land records –

1) **Household Survey:** Community Resource Persons visit every household in the pilot villages to collect the

information pertaining to the details of land owner and land problems in the prescribed format by talking to the persons in every household and verifying the available land documents;

**2) Collecting Information from Land Records:** Collecting information from important land records including 1B, pahani, setwar, khasra pahani, village map, tippan, assignment register, inam register and government land register in the prescribed formats;

**3) Field Verification:** Community Resource Persons visit every parcel of the land in the pilot villages to obtain information in the prescribed formats from the persons cultivating the land and the neighboring farmers, and also prepared a rough sketch of the land parcel (and a possible re-survey using GPS /Drone/other suitable technology);

**4) Data Analysis:** Community Resource Persons under the supervision and guidance of Land Laws experts and retainer lawyers, list out land problems (owner wise and land survey number wise) by correlating the information obtained from household survey, land records and field verification; and

**5) Updating Land Records and Resolving Land Problems:** Correlate information and the list of land problems are submitted to the revenue authorities. Steps taken to get the land records updated based on the information obtained. Community Resource Persons under the supervision and guidance of Land Laws experts and retainer lawyers file applications before the concerned revenue authorities. Organising Gram Sabhas and Village Courts to resolve land problems update land records.

**6) Land Records Kits and Land Legal Literacy:** Provide copies of update land records to all the land owners and create basic land legal literacy in the pilot villages.

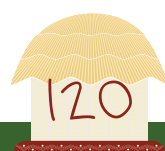
Village Clinics were established in six villages covering six mandals under three sub-divisions with large Scheduled Caste and Scheduled Tribe population for focused interventions on land dispute resolution and legal empowerment of the poor. Six paralegals and 18 community resource persons were selected, trained and positioned to resolve land problems and spread legal awareness in villages. And

two Advocates were hired to provide support to the team. Each of these personnel was trained through intensive field-based sessions and a one week course at NALSAR University of Law. Designed and tested methods and formats for identifying land problems at the village level using a multi-dimensional approach involving household surveys, physical inventory of land, land records verification and participatory rural appraisal in the project villages. In the six selected villages, the team identified about 4000 land cases, problems or disputes and about 11 thousand incorrect entries in the records. Designed and tested techniques and materials to spread legal awareness among villagers and empower them on land matters. Legal awareness training is given to 440 people (including 360 women) in the six villages and provided legal empowerment training to 180 rural youth. Out of the identified cases, thus far, the centres helped to file about 800 applications and resolved 120 land cases. One tribal village became land problems free with our efforts. The team is working on resolving the remaining land cases. The community-driven land records updation undertaken in these six villages was appreciated by the state government and Government of India.

#### **“Patta Distribution to Gopalagiri Villagers of Thorur Mandal in Mahabubabad District on 30th March 2017**

NALSAR University of Law in collaboration with Landesa distributed Pattadar Pass Books, Title Deeds and I-B Registers to the 25 members who belongs to scheduled caste farmers of Gopalgiri Village of Thorur Mandal of Mahabubabad District of Telangana State. This program was graced by District Joint Collector Shri K. Damodar Reddy Garu, as a Special Chief Guest NALSAR Law University Registrar & Professor Shri (Dr) V. Balakista Reddy Garu, Mr. Sunil, Landesa, Director, Smt . Krishna Veni,RDO Thorur, Gopalgiri Sarpanch Muthaiah, Tahsildars and Revenue officials of the District have participated.

Joint Collector declared that the knowledge on land laws is the need of the hour further stated that Patta holders are alone entitling for Government Schemes. Though the farmers are cultivating the land since long



without Pattadar Passbooks they are not entitled to get Government benefits. The purpose of bringing in Saadabainaama was to help the poor farmers. NALSAR University of Law in collaboration with Landesa a Nationally renowned NGO teams have camped in Gopalagiri Village for around 4 months, with help of local villagers they conducted door to door survey to know the information and particulars of family members, their land holding and land related problems if any faced by them. After the survey the information gathered by the team was analyzed by following legal principles and modern scientific method. Conducted ground level survey at fields, with the help of Revenue Department Surveyors and laid boundary stones for land demarcation purpose to avoid boundary disputes among the villagers. During Nizam Period 60% of Agricultural lands were barren without any cultivation. The State of Government of Telangana regularized Saadabainama Transactions and issuing Pattadar Passbooks to them. In the Past on account of Revenue Officials mistakes many of the farmers unable to get the Pattas of their lands. Many of the lands yet to be entered in Revenue Records for want of Information. The Joint Collector appreciated the magnanimous efforts of NALSAR University of Law and Landesa.

Prof (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law, Due to lack of awareness on land records, Revenue and Land Laws farmers of villages are facing lot of problems with regard to boundary disputes, succession and mutation of land, encroachment of lands, and some time land related civil cases are turning into criminal cases. The farmers, who have purchased land, shall get that land mutated in his name in Revenue Records. NALSAR and Landesa team have trained to local villagers on land issues and how to protect their lands whenever any dispute arises. With the involvement of villagers, proper survey was conducted with physical verification of area of the land.

The survey program in Gopalagiri Village has resulted in creating of confidence among the villagers on security of their lands. Through this survey in Gopalagiri Village 25 Scheduled Caste families have

benefitted in getting of Pattadar Pass Books, Title Deeds and I - B Register. These 25 families were cultivating the lands since many generations without any entry in Revenue Records. NALSAR University of Law Professor (Dr) Balakista Reddy, literally seen the joy on the faces of 25 Scheduled Caste families belonging to Gopalagiri, Gangaram, Kongaragidda of Gudur Mandal to whom their land kits were handed over. Registrar of NALSAR University has instructed the villagers to enhance their knowledge in Land and Revenue Laws.

### **25 SCs got pattas Handever over in Gopalagiri Village.**

Today 25 SC families of Gopalagiri villages got pattas to their land. Speaking at the land records kits distribution programme Sri V Balakista Reddy, Registrar NALSAR University of Law said "this initiative was appreciated by NITI Aayog and also the Hon'ble Deputy CM and Revenue Minister of Telangana. This initiative needs to be scaled up across the state". Speaking on the occasion Sri Sunil Kumar, National Director, Land Laws & Policies, Landesa and Adjunct Professor and Advisor, Centre for Tribal and Land Rights, NALSAR said that this is a low cost model to modernise the land records and can be scaled through Digital India Land Records Modernisation Programme across the country.

Mr. Sunil Kumar Landesa National Director emphasized their team efforts in this mission. Their team is extending the legal aid assistance for poorer section of the community in the matters land related disputes. Most of Scheduled Caste people are cultivating their lands without Pattas, Landesa and NALSAR University of Law together creating awareness of the importance on Pattadar PassBooks, Title Deeds and other related Revenue Records to the farmers.

### **BHOOMI PATTALA PANDUGA (Land Titles Festival)**

On 9th October of 2016 was very auspicious moments of Durga Ashtami Days tribal farmers got their Patta Passbooks, Title Deeds, I-B Register Copy, Pahanis to their hands. The occasion was graced by NALSAR, Landesa, Legal Services Authority, Revenue





Department Authorities, Paralegal Volunteers, Community Surveyors, Local Villagers, farmers and others.

Under the pilot project in Warangal District, who are cultivating on land got secured land rights by providing Patta Passbooks, Title Deeds. Aforementioned team has done a marvelous work by way of conducting door to door survey in scheduled village called PuttalaBhupathi, which is a remote scheduled tribal village, its do not have any proper road connectivity also. In such village the team had contributed their best efforts in order to securing tribal land rights, In this process paralegals, Community surveyors had conducted door to door survey, Prepared family tree of tribal, conducted land survey by the surveyors and installed boundary stones. All scientific methods had been followed before distributing of Patta Pass Books and Title Deeds, 70 tribal had been received Patta Pass Books, Title Deeds, 1- B Register and Pahanis in their distributed Kit. Puttala Bhupathi village is best set example of model village for all scheduled area tribal villages in India.

Country needs a new festival. It began on 9th October in a tribal village in Warangal district of Telangana

Providing titles to the land which people own and cultivating. To update the land records and make their land rights secure is an object of this project.

Community-driven land records verification and updation process is the way, 3 rural youth in every village trained for a week then 3 months exercise involving Household verification, land inventory, checking land records, analysis of the information and identification of land problems, resolving land problems and updating land records, a peoples 'zamabandi' it costs just about Rs. 50 Thousand to one lakh rupees per village.

Celebrated the distribution of titles and updated copies of land records by distributing of land rights kit to 70 Tribal Villagers.

A real festival just before the day of Vijaya Dashami BHOOMI PATTALA PANDUGA (Land Titles Festival) was happen. 70 tribal families of Puttala Bhupathi village in Warangal district got titles to their land and copies of updated land records, celebrated the festival.

Country needs a new festival. Puttalabhupathi must be set as a model village in India.

The process had began on 9th October in a remote tribal village in Warangal district of Telangana

Providing titles to the land which people own and cultivating, to update the land records and make their land rights secure. Major contributors to the Community-driven land records verification and updation process of pilot project are Landesa, NALSAR, Legal Services Authority and Revenue Department of Telangana.

These Pattas were distributed by Mr. Sunil Kumar, National Director, Landesa, Shri Ramakrishna Reddy Garu, RDO Narsampet, Mr. K. Shiva Charan from NALSAR University of Law, Hyderabad, Landesa Team Mr. Sudershan, Advocate, Mr. Rajesh, Legal Coordinator, Mr. Ramesh, Program Manager, Shri Prabhakar Garu Rtd Tahsildar and Narsampet Tahsildar. While receiving Land Records kits by the tribal villagers it was clearly observed the happiness on their faces for securing the land rights. The Villagers expressed the gratitude to NALSAR, Landesa, Revenue Officers, and Legal Services Authority who committedly worked for this historical mission.

#### **Patta Distribution Program at Kanayapally Village of Mahabubabad District.**

On April 15th of 2017 Hon'ble Vice- Chancellor of National Law University Odisha Professor Shri Krishana Deva Rao Garu, Registrar & Professor Shri V. Balakista Reddy Garu of NALSAR University of Law, Mr. Sunil Kumar Landesa National Director and Assistant Government Pleader of High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh Shri. V. Madhusudhan Reddy Garu has distributed Pattadar Pass Books to 54 eligible farmers of Kanayapally Village of Mahabubabad District in Telangana State.

NALSAR and Landesa undertaken a pilot project in two districts of Telanagana Namely Janagaon and Mahabubabad Districts. For this field level study from Janagon district Kanayapally Village of Raghunathally Mandal, Akkarajupally, Rangapuram Villages of Narmeta Mandal and from Mahabubbad

District, Puttalabhupathi Village of Gangaram Mandal, Kongaragitta Village of Gudur Mandal, Gopalagiri Village of Thorrur Mandal have been chosen.

In the above mentioned village of the two districts most of the villagers are belongs to Scheduled Castes and Scheduled tribes. During the field visits in the aforementioned villages, the experts of land issues found that these villages are entangled with around four thousand of land related problems; during their field visits the team has identified the following problems:

a) 11 thousand survey numbers are wrongly entered in the I- B Register and Pahanies.

b) Succession of land has not been updated or mutated by their successors when the land title holder dies, which is resulting in confusion to identify the original owner of the land.

c) When original land owner dies his successors are not mutating their names in the revenue records to update. They are selling the land to the third parties with the documents in the name of deceased father or forefather which is resulting in confusion for the buyers to get loans and other benefits from the Government because of improper mutations.

In order to conduct the pilot project in these 6 villages appointed three community Resource Persons in each village, 6 para legals and two Advocates and trained them for 5 days on how they have to conduct door to door house hold survey as well as gathering field information relating to their land and revenue records information.

There after this team visited each house in the village and taken their land details and problems, they drawn rough land location map and verified the same in Pahanies, 1-B Register, Sethwar , Khasra Pahani and other revenue records.

The report submitted by NALSAR and Landesa to the Government focused on the following things:

a) Every farmer shall possess the land, Patta in hand and his name in the revenue records.

b) But in reality the above areas are not being met in 60% of cases.

c) The team has recommended conducting resurvey in 10,800 revenue villages of Telangana State to make

the land and revenue records updated and transparent.

d) At present there are 112 legislations related to Revenue and Land. These may be consolidated into one Act to avoid overlapping and for simplification of laws. So that a common man may be able to understand and make the use of law.

e) There is a need for appointment of one VRO for each revenue village in order to guidance to the villager and to assist them in matters of land and revenue which may result in helping the farmers running from pillar to post.

f) The Community Resource Persons emphasizing the immediate need for implementing their survey models and techniques to entire state of Telangana for avoiding litigation.

g) In the reports submitted to Hon'ble Chief Minister of Telangana Shri K. Chandrashaker Rao and Deputy Chief Minister Shri Mahmood Ali Garu, NALSAR University of Law and Landesa emphasized the models prepared for conducting this pilot project in these two districts as well as the involvement of community people will definitely bring cent percent results in updating of land records and transparency in maintenance of land and revenue records.

### **Struggle for Justice The saga of a tribal women getting justice after 37 years of legal battle with the help of community based paralegal programme of SERP**

Smt. Kumra Manku Bai a tribal woman residing in Jaongon, a remote tribal village in Adilabad district of Telangana got back her family land after 37 years with the help of the community based paralegal programme of SERP. On this year's Women's Day, she received an award from the Government of Telangana recognizing her struggle in getting back the land. Her family lost eighteen acres of agricultural land they owned to a non-tribal. This land was the only source of livelihood for her family. Manku Bai's father fought the case in various forums but could not get back his land. She inherited the land struggle from her father.

SERP's community based paralegal programme took up the case in the month of October 2005. With the

help of the programme, a case was filed in Tahasildar's Office and on 20th March 2006, Tahasildar after due enquiry passed ejectment orders against the non-tribal and directed the Mandal Revenue Inspector to hand over possession to the legal heirs of Todsam Gangu. Accordingly, possession was handed over

### **Way Forward**

**Land Rights and Legal Assistance Centre:** A Land Rights and Legal Assistance Centre should be established at divisional headquarter under the aegis of the DRDAs or DLSAs. These Centres should consist of Paralegals, Community Surveyors and Lawyers. For every mandal, one rural youth/woman from the community should be identified, trained in land and legal matters and positioned as paralegal. One youth/woman from the community should be identified, trained in land survey and positioned as Community Surveyor. A Coordinator with a background in law should be appointed in each Centre who will provide both functional and technical support to the Paralegals and Community Surveyors. A panel of lawyers should be constituted in each Centre to fight the land cases pertaining to the poor in both Revenue and Civil Courts. The support of Law Schools/Colleges should be taken to train the Paralegals and also to utilise the services of law students in providing legal assistance to the poor. Similarly the training of Community Surveyors should be done in partnership with Govt. Survey Department. Services of a revenue officer, either serving or retired, can be made available to each Centre to have a better interface and coordination with the Revenue Department.

**Land Inventory:** Inventory of all lands should be done in all villages to identify the land related problems of the poor. Services of the local village youth/women should be utilised as Community Resource Persons, after providing basic training on the land records and other important provisions related to lands to enable them to map the land problems in all the villages.

**Support by Paralegals:** Based on the inventory of the land problems identified by the Community

Resource Persons, Paralegals should conduct local enquiry and collect necessary information required for filing petitions/cases before the appropriate authorities. Paralegals should also assist the poor in filling petitions /cases in Revenue and Civil courts. Wherever legal intervention is required, the Lawyers Panel should be instructed take up the cases. Wherever survey related issues are reported, services of the community surveyors should be utilised.

**Training and Capacity Building Programme:** State Governments should design and take up an intensive, continuous and comprehensive training and capacity building programme to all the revenue officers at various levels to reinforce their pro-poor perspective and to expand their understanding of the pro-poor land laws, rules, Government Orders and Judicial Decisions. Periodical refresher courses should be arranged.

**Resolving Land Problems:** All the land cases, identified and filed before revenue authorities by the Paralegals, should be settled on a priority basis and in a time bound manner preferably by holding the courts/hearings in the villages.

**Spreading Legal Literacy:** State Government should take steps to spread land legal literacy among the poor, especially among Scheduled Castes, Scheduled Tribes and other marginalised groups with a special focus on women.

**Establishment of Convergence Committees:** State Government should constitute Convergence Committees at State, District, Divisional and Mandal level to provide necessary support and guidance to the Land Rights and Legal Assistance Centres. The Committee should consist of officers from Revenue, Rural Development, Panchayat Raj, Forests, Tribal Welfare, Social Welfare and representatives from civil society. The average cost per family is about Rs. 3,500 only. Land is life for poor families. There are thousands of poor and tribal who are suffering with land problems, and for them, deprivation of land is deprivation of life. Paralegals Centers, with low cost, can help restore their land to them, and thus, can bring back life to them.



# Training Program to Revenue & State Legislative Officers

## **NALGONDA District's Revenue Officials Training Program**

On October 7th 2015 NALSAR University of Law in collaboration with Landesa/RDI has conducted one day training session for VROs on "Maintaining of proper land records - Revenue laws.

To this occasion District Judge of Nalgonda Sri Anantha Padmanabha swami has invited as chief guest. The chief guest has addressed the gathering about the importance of maintaining proper land records that which helps to the poor farmers who are facing difficulties on land. He further stated that law department enormously providing solutions to resolve critical cases pertaining to revenue laws. He further stated that issuing of proper pattadar passbooks, title deeds and other records will provide instant justice to the farmers. He also mentioned that government lands, tank beds are occupying by illegal encroachments, to safeguard these lands revenue officials must take proper measures and actions. Finally he suggested to the VROS to make best use of this training program and do the needful justice to the people and farmers.

Later on District Collector of Nalgonda Sri. P. Satyanarayana Reddy addressed that these kinds of training programs will definitely helpful to enhance the knowledge, skills with regard to land and revenue laws. He further addressed to the VROs to make best utilization of this training program by NALSAR and Landesa/RDI and render their duties with utmost responsibility. He further stated that the importance and necessity of training programs on revenue laws for advocates and judges. He has also appreciated NALSAR University of Law for playing a key role in drafting new enactments to our state as well as for our country. He heart fully mentioned to everybody to make best use of these training programs which are conducting by International service organization Landesa/RDI, out of poor knowledge on revenue

laws and immature thoughts land problems are increasing day by day and ultimately losing the faith on revenue officials. So it's a best opportunity to gain knowledge which will be useful for a better society.

Then after Registrar of NALSAR University of Law Sri. Prof (Dr) V. Balakista Reddy addressed the session that reviewing and redrafting of Telangana State land laws project has assigned to NALSAR University of Law, in this regard on behalf of University he will definitely provide all sorts of needful help and cooperation.

Finally Landesa/RDI state director Mr. M. Sunil Kumar mentioned that one must work like as coordinators between people to higher level revenue officials and village revenue official for a better society. Further he stated that the necessity to increasing the capacity to maintain proper land records. Because of poor knowledge of VROs land problems are increasing, according to recent survey reports in every village there are 200-400 land related problems are registering. Then after High court Advocate Smt Priya Ayyanger addressed that 98% of land related litigation is coming out of improper maintenance of land records. In due course of this session Landesa/RDI team has telecasted few documentaries on revenue issues at village and Mandal levels for enlightening on live problems at ground route level.

## **In house Training Programme on legal writing & legislative drafting for Officers of Telangana State Legislature**

**Date: October 29th, 2018**

**Venue: Telangana State Legislature**

On October 29th of 2018 CTRLR of NALAR University was organised a one day training program to the Officers of the State Legislature of Telangana. The importance of legislation must meet the needs of the

society otherwise it will create many hurdles, difficulties while discharging the duties by the bureaucrats or any officials.

Legislation is one of the most important instruments of government in organizing society and protecting citizens. It determines amongst others the rights and responsibilities of individuals and authorities to whom the legislation applies. On the other hand, a law has little or no value if there is neither discipline nor enforcement.

Members of Legislatures are busy in their constituencies in many public related programs. Usually they were occupied with public related programs and party programs, so it is a bit difficult for them to prepare legislations with legal knowledge.

Whereas Bureaucrats were busy in implementation of Government policies, schemes, and applications which they have received in their respective offices. Most of the Government Department Officials are overburdened with their day to day duties. There is less scope to sit and discuss the problems with neighbor departments. Coordination among departments plays a crucial role in the process of development of any state, whereas in present days such coordination has become a hurdle.

Although providing impact assessment – an important and valuable tool in both policy development and drafting legislation to implement policy – is mandated by law, conducting impact assessment on both policy and its implementing legislation appears in practice to lack some consistency.

Law Universities are playing a vital role in recent past in preparing of Legislations. This step is really a welcoming sign, Academicians from legal background have a better prospectus to understand social problems of the society.

Young and dynamic brains really can be found in

Universities who are groomed nicely by Professors in their respective field, they can give better ideas, formulas to tackle burning issues of the society. Whereas Law Universities regularly conduct Legal Aid Clinic Programs at Villages, they come across many practical problems which are facing by the poor and ground root people. Law school students undergoes internship programs during their semester break, so the internship knowledge is pre advocacy practicing knowledge also will be helpful in understanding different dimensions of the legal problems.

Law schools' object is not only promoting law students but also make the country happy and prosperous, the drafting of legislations' purpose is to promote uniformity in drafting style, and to make the resulting statutes, legislations clear, simple and easy to understand and use and also contains a collection of useful legal information about legislation. This practice is not a substitute for advice and drafting assistance from the Universities. Rather, we hope it will encourage young and dynamic minds at Universities.

Most of legislations were drafted way back in 1950s and 1960s, certain times those legislations are unable to tackle the present situations and problems of the society. There are many inconsistencies and ambiguities, overlapping areas in Acts and Rules, It is high time to review, revise, redraft the existing legislations. Hence the burden of litigation in courts will be reduced. Law schools are a better place for good legal research, legal acumen, infrastructure and other facilities to seek assistance in preparation of legislative drafts.

During inaugural program of Training session Professor V. Balakista Reddy, Registrar of NALSAR emphasized that in the State of Telangana most of enforcing legislations were drafted way back in 1950 and 1960s, those legislations were not being catering the needs of present society, their updating as per the

need of society is very much essential to provide good services to the public. The need of review, revising and redrafting as very rightly identified by the NALAR and State Government of Telangana so such prestigious and historical opportunity has provided to NALSAR to review, revise and redrafting of 112 land and revenue legislations, apart from these legislations, Telangana Agricultural Produce Act & Rules, Telangana Juvenile Justice Act & Rules. These redrafted legislations definitely serve better manner to all stakeholders and ease the administration. In order to draft what all methodologies have been followed scientifically and legally as prescribed is clearly explained by Professor Dr. V.Balakista Reddy, Registrar of NALAR to the participant officers.

Prof.(Dr) G.B.Reddy, Professor of Law, Dean University College of Law, Osmania University was enlighten the officers on the following topics

- (i) Definition of Law & General over view of Constitution: Special reference to Jurisdiction of High Courts & Supreme Court under Articles 131, 226, 227 & 32 of the Constitutions of India.
- (ii) Concept of separation of Powers under the Indian Constitution: Special reference to distribution of Legislative Powers between Union & State, and classification of Legislative Actions.

Mr.M.Sunil Kumar, Director Land Laws & Policy India enlighten the officers on following topic

- (i) Concept Judicial Review: Article 13 of the Indian Constitution, Constitutionality Test, Circumstances under which the Courts invoke judicial review and important judgments.

A.P.Suresh, Advocate High Court & President, Centre for learning & Practicing Law enlighten the officers on the following topics

- (I) Writ Petitions, Contempt Petitions, Execution

Petitions, Appeals, Suit, Applications, Criminal proceedings against Government & it's Officials: State's Response & Preparations.

- (ii) Preparation of Parawise Remarks for Counters & Written Reply in litigation matters: General Principles and precautions to adopt while preparing para-wise remarks on Litigation matters.

Mr. K. Shiva Charan, Advocate and Research Associate of NALSAR University of Law also presented and taken the note of all the proceedings of the sessions.





## Policy and Advocacy



### **Work Shop on Agriculture Land Leasing Laws and Need for Improvements.**

**Members and Dignitaries participated in the workshop held at Acharya Nagarjuna University on 23rd November 2016.**

**Sri Anil Chandra Punita, CCLA, Andhra Pradesh.**

**Sri Dr. T. Haque, Chairman, Land Policy Cell, NITI Aayog.**

**Sri Prof (Dr) V. Balakista Reddy , Registrar, NALSAR University of Law,**

**Sri Prof (Dr) A. Rajendra Prasad, Vice Chancellor, Nagarjuna University Guntur.**

**Sri Chakra Pani Garu Rtd IAS, APHRD Director.**

**Mr. Sunil Landesa National Director.**

**And other Revenue officials, farmers, Tenants, Research Associates, Bankers and Etc.,**

**Prof (Dr) A. Rajendra Prasad (Vice Chancellor) Acharya Nagarjuna University.**

Hon'ble Vice Chancellor Sri Prof (Dr) A. Rajendra Prasad: Inaugurated the Workshop on Agriculture Land Leasing Laws and Need for Improvements on 23rd November 2016. He focused on Difference between Lease and Licenses, as mentioned Section 105 of Transfer of Property Act, he emphasized on the need for protection of tenancy under these existing laws. Agriculture Licensing Act provides for liberal grant of license. He stated that the lease is limited only for the purpose of the cultivation and shall not confer the title. Section of 105 of Transfer of Property Act defines what is lease, who is Lessor and Lessee. This section explains that Lease is a kind of license, the permission granted by Lessor to lessee to enjoy some of the rights. The object and purpose of granting lease

is to enjoy the rights and does not confer any rights or title to the lessee. Mere cultivating the land does not confer title of the land to the lessee. It is difficult to define who is a Agricultural Labor under the Act. In a case where a land is taken on lease by a foreigner is compelled to employ a local agricultural labor to take care of leased land. In such case, The Act should protect the foreigner who is a lessee on record and the laborer who physically cultivates the land. Section 53 of Act provides for part performance which may to certain extent give protection to these people by following certain procedure. He further explained the difference between Lease and License by referring Supreme Court decision in Bharat Petroleum Corporation Limited Vs Chembur Service Station.

**Mr. Sunil, National Director, Landesa.**

Though we have Tenacy Act and Laws, These laws are not useful for farmers (Tenants) and Land Owners. The Tenant farmers are not recognized as farmers and are not entitled for which a Landowner gets. Day by day the number of tenants is increasing who are taking agriculture activity are not treated as farmers for entitlement of the benefits which are given to land owners. During the tenure of Sri. Anil Chandra Punita who was Principal Secretary to Revenue Department in erstwhile Andhra Pradesh, An Act was enacted to protect the Agriculture tenants and the benefits which offered by the Government to encourage licensed cultivators. (Andhra Pradesh Licensed Cultivators Act in 2011).

A committee was constituted headed by the Dr. T. Haque, Chairman, Land Policy Cell NITI Aayog, The committee comprehensively studied the conditions of the tenant farmers and Land Owners for the last six months and submitted its report and recommended to have a Model Agricultural Land Leasing Act 2016.

The drafting of Model Agricultural Land Leasing Law, resulted in amendment of Tenancy Laws in the State of Uttar Pradesh. The other states like Orissa, Punjab, Haryana, Madhya Pradesh are also proposing to amend their State Tenancy Laws to be in tune with The Model Agricultural Land Leasing Act 2016 proposed by NITI Aayog.

The main purpose and object of organizing this workshop is mainly to cover the following issues:

- a) To share the experiences of the past five years from the land owners and tenants.
- b) To create awareness among the land owners, tenants, Revenue officials involved in agricultural activities, Bankers and financial institutions, Academicians, Research Associates, and others connected to agricultural activities on Proposed Model Act.
- c) To strengthen the Model Act by any suggestions from the stake holders which are not covered by the Proposed Model Act.
- d) And any other innovative or constructive suggestion from the participants for strengthening the Proposed Model Act.

**Prof (Dr) V. Balakista Reddy, Registrar, NALSAR University of Law.**

NALSAR University of Law is also playing a crucial role not only in producing talented corporate lawyers to meet the challenging needs of the judiciary, but also contributing for strengthening the Agricultural Activities for helping the states in drafting of various legislations relating to Protection of farmers interest, land owners interest and health of the land.

Recently NALSAR University of Law had reviewed, revised and redrafted 112 Land and Revenue Legislations for the State of Telangana, Drafted Amended Rules for Telangana Agricultural Produce and Livestock Markets Act 1966, Drafted State Rules for the Juvenile Justice Act, 2015 to the State of Telangana, Drafted Land Acquisition (Rehabilitation and Resettlement ) Bill 2016 for the State of Andhra Pradesh.

NALSAR University is also conducting training and sensitization programs to IPS Officers, IRDA (Insurance) Officers, and Revenue Officials on awareness on legal provisions related to their respective professions. As a part of Academic Social Responsibility NALSAR University of Law, is taking up community driven projects from State and Central Governments, for effective implementation of the programs.

**Dr. Chakra Pani (Rtd IAS) APHRD Director**

On behalf of Center for Innovation and APHRD have got an opportunity to review and study land related

Acts amendments, In his opinion leasing is primarily is related to an ability of tenant to able to get institutional practice.

To reduce the apprehensions of land owners we need to have a special focus on Institutionalized credit for farmers and owner of lands. Most of lease rights are in informal manner. The main object and responsibility before us is to strengthen the rights for tenants at the same time remove the apprehensions in the minds of land owners so that the tenant cannot be come owner of the lased out land. Our approach should be that leasing can also be marketable. Then apprehension of land owners can be removed and tenants can get credit facilities thereby tenants conditions may be improved. He further stated that marketing approach must be improved. Lease rights must be marketable. Banking and financial institutions must bring in more to facilitate the farmers. Further he also recommended to use technology in update on land records on online, and it also helps proper leasing between land owner and tenant. Technology facilitations must be improved in order to secure land records.

**Dr. Tajmul Haque, Chairman, Land Policy Cell, NITI Aayog.**

He explained how land leasing system was existed at the time of Independence, In Telangana Land leasing is allowed to certain category of people. In West Bengal leasing happens through share cropping system. Andhra Pradesh, Tamilnadu, West Bengal States formally says that leasing banned or prohibited but restrictions are there. In West Bengal Share Cropping System is recognized. Legal restrictions on land leasing are in Andhra Pradesh. There is no explicit ban on leasing in Andhra Pradesh, but terms and conditions of lease are restrictive. Any lease after 1974 has to be for a minimum period of six years and registered. And a land lord has a right to resume land for personal cultivation, subject to the condition that the extent of land held by the land lord under his personal cultivation after such resumption shall not exceed 2/3rd of ceiling area and that after such resumption, the tenant shall be left with not less than 1/2 of the land held by him under lease, prior to resumption.

Informal tenancy takes place all over in India. Huge area of land cultivated by informal tenant, who do not



have any security on tenure of land, who do not have any ancestral patronage, who is the victim during cyclone and natural disasters.

Land is a source of income, livelihood and produce agricultural commodity. In Andhra Pradesh 53% of total workforce involved are from agricultural area with low productivity. Most of Population in India is dependent on agriculture by way of proper or improper employment. Lowest of income is from Andhra Pradesh. 3051 Rupees is country wise farmer's income, where as 2022 Rupees is the average agriculture house hold income in India. Its very poor when compare with other states because in Andhra Pradesh land holding are very less. To overcome this situation we required to have a proper legal frame work for leasing between tenant and land owner.

### **Sri. Anil Chandra Punita (CCLA)**

#### **He emphasized few practical issues with regard to land leasing:**

Andhra Pradesh is an agrarian State, Rural population is 70%, and 60-65% of population is depend on agriculture. Himself has taken initiative to bring Andhra Pradesh Licensed Cultivators Act in 2011. At present unfortunately landowners are feeling that cultivation is not profitable, remunerative and it is also a matter of a social status. Cultivation activity is passing on to the tenants from the land owners. Land owners are shifting from rural areas to urban areas for the fact that their children's education, employment opportunities and other urban facilities.

East Godavari, West Godavari Districts, Krishna and Guntur districts is known to be "Rice Bowl of India" because they have water resources, irrigation facilities, hard work nature of the people and production of the rice in these regions, earlier tenancy in these areas was around 60- 80% now it is slowly decreasing year after year.

In 2013 nature was so unkind to Andhra Pradesh within a span of one and half months crops were destroyed because of massive cyclone, at that time the agricultural department and the financial institutions have come to rescue of the farmers in the form of subsidies and other benefits, Institutional benefits have to be provided to the farmers in the following manner:

a) To enquire who is cultivating the land?

b) In case crops are badly damaged by the crops due to cyclone, to identify which crops are affected or damaged, on account of cyclone which farmer incurred huge losses but his name was not on revenue record. So it becomes very difficult to provide aid or benefits from the Government to the original tenant. Because in practice tenants names are not recorded in the revenue records.

After enacting this licensed cultivators Act in 2011, A committee was constituted by heading Agriculture minister as chairman, two officials from Law Department and two officials from Finance Department. Issued a memo after a month the Minister went to his own district, came to know that the scheme and the Act was not implemented in his own district, how it could be implemented in other districts of the state was a big question. Because in his own village or his constituency 200 Acres of land was in the name of his relatives only, then how it can be implemented was a practical problem.

Sri Anil Chandra Punita further emphasized on agricultural reforms, in agricultural sector one of the challenge is addressed by him that to bring agricultural reform first the person who is doing farming must be empowered then only agricultural reforms can takes place. Protected tenants pertaining to agricultural sector should bring more reforms to increase agriculture produce. Agricultural reforms can takes place only when the tenants are empowered.

More than 20 state level consultation meetings were held with State Ministers and opposition leaders, It took more than one year to draft Andhra Pradesh Licensed Cultivators Act of 2011. When they are about place before the assembly. When the bill is to be passed land owners influenced to oppose the bill by the support of opposition leaders.

One of the challenging problems of the Nation is not only to protect the tenants but also look at the agricultural produce. No Act can be passed unless there is a consensus in assembly. Before any proposal is thought of, they should consult all the stakeholders who are connected for an enactment.

In 1100 Mandals they organized general body meetings before bringing or codifying the Andhra Pradesh Licensed Cultivators Act 2011. At Zilla



Parishad level all officials have participated and helped in bringing of Andhra Pradesh Licensed Cultivators Act 2011, In this Act there is no adverse affect on land owners. Under the Act Loan Eligibility Card cannot be given unless the consent is given by the land owner by explicitly or implicitly.

Why was Andhra Pradesh Licensed Cultivators Act 2011 not successful? The answers are we have failed to convince the land owners that they are not going to part with their lands.

In order to meet the challenge of increasing populations there is immediate need for increasing the agricultural produce to meet the demand.

Mr Punita have further stated that in order to get higher agricultural produce the cultivators are to be encouraged from all the angles for producing more and more food grains to meet the demand, by way of providing facilities, subsidies, incentives and etc., The utility of tenancy law or Act is not only essential at local level but also at national level. The provisions in the Act must be in practicable for implementation and convincible. To encourage the farmers for farming activity incentives like more subsidies, Crop Insurance Amounts, Financial Assistance by Bankers and Financial Institutions on timely basis be assured.

Officers from Haryana and Punjab are seeking leases for Agro Industries with this instance we can imagine where we are standing in the advancement of agricultural activities. Finally Sri Anil Chandra Punita, CCLA appreciate, NITI Aayog, NALSAR University of Law, Landesa and Acharaya Nagarjuna University for organizing this Workshop to create awareness on Model Agricultural Land Leasing Act 2016.

#### **Dr. T. Haque:**

There are several restrictions are there in land leasing in Andhra Pradesh and Telangana States. Those restrictions must be removed. If there is no lease agreement between land owner and the Tenant. Tenant cannot claim any benefits in times of natural disasters, cyclones and etc.,

Informal tenancy is most insecured, terms of lease mutually decided by the parties with regard to lease period, and consideration. Section 3, 5, 7 explained in detail by Dr. T. Haque. 60-90% of cultivators who are

doing cultivation are tenants, either by way of rupees after the crop or share in the crop used to take as consideration by the land owner.

Bank loans, compensations in case any damage or loss due to disasters, procuring seeds for cultivation in subsidy and other benefits are not able to get to tenants because no where tenants names are mentioned in any revenue record.

During 1950-60s what all enactments have come on tenancy those all enactments will provide security to tenants. Because in those years huge areas of lands were vested in the hands of few land lords. And many are landless people. In those days whatever is demanded by the landlord, the tenant has to pay the same to the landowners. And whenever landowner desires he may evict tenant from the land and take over possession of the land. These are the major problems faced by the tenants during that period.

In Telangana Area, Tenancy Act has introduced. Under the said Act, Army, Women, Physically Handicapped people are alone entitled to give land on tenancy. Whereas others are not entitle to give land on tenancy to anybody. By virtue of Land Tenancy Act of Telangana a land owner either he must cultivate the land or can sell if he is unable to cultivate. There is no provision under the Telangana Area Act giving the said land on lease to anybody. Whereas in Andhra Pradesh area Tenancy Act provides for tenancy under certain conditions.

- a) Lease agreement must be in writing.
- b) The lease agreement shall indicate period of the lease or tenure in the lease agreement.
- c) The consideration for lease shall not be beyond 1/3 rd on total crop, as share crop for the land owner.

After enactment and introduction of tenancy laws, there is lot of abuse of tenancy Act rather than use of the Tenancy Acts.

Once a tenant is evicted from the land before completion of lease period, thereafter he would not be recognized as farmer.

There is an apprehension among the land owners that if the tenant who continues to cultivate the land for 10-12 years, that he would become owner of the land. According to law any person in occupation of land for 12 years on his own and if has not disturbed, the law confers title under Adverse Possession. The question

of adverse possession arises when the tenant occupies any private individual land without their consent for a period of 12 years. The question of adverse possession is applicable only when there is no consent of the owner. If a person gives land on lease with consent and in writing, it will be valid up to 99 years. Adverse possession applies when a tenant forcefully occupies the land of the owner without permission of the landowner of any private property (other than Government Land) cultivates for a period of 12 years then adverse possession applies.

The existing practices are mostly on oral tenancy agreements. At present most of the landowners are under the apprehensions that if a land is given on lease for a longer period of 10-12 years, the tenant may not vacate the land and ultimately he may become the owner, is the most important reason for most of the landlords keeping their lands as idle (fallow) because of the fear that cultivator or tenant may become the owner of their lands. Which is the reason for non production of agricultural products on account of the land being fallow? In order to increase agricultural products, the Government may create awareness among the farmers once is the owner of the land, he will be the owner until it is sold by the means of a registered sale deed. To overcome this situation lot of intellectual discussions and comprehensive study have made and brought Andhra Pradesh Licensed Cultivators Act in 2011.

a) Andhra Pradesh Licensed Cultivators Act Contemplates that the people who ever obtain licenses and permissions to cultivate lands from land owners, The Tenants should get Loan Eligibility Cards, These cards will facilitate to procure crop loans, subsidized seeds and other benefits by the State Government.

b) Whoever wants to avail Loan Eligibility Cards have to obtain in writing an application addressed to Village Revenue Officer, then in Grama Sabha VRO shall enquire whether the tenant is cultivating the land or not will be verified, in case there is no objection from landowner then only the tenant name will be recorded in Loan Eligibility Card record register. There after they issue Loan Eligibility Card. Without those cards tenants can't procure crop loans, if in case there is any natural disaster he can claim compensations for crop. All such benefits can be obtained by showing the LEC card as proof of

document. Act clearly contemplates that this LEC card cannot confer the tenant to claim ownership of the land on the basis of LEC in any court in India.

c) After enacting Andhra Pradesh Licensed Cultivators Act 2011, after completion of 4 years a comprehensive study was conducted to analyze the benefits of the Act.

In that report it was stated that in first year authorities had focused on issuing of LEC cards to as many tenants as possible.

In the second year in order to strengthen the implementation of LEC cards, awareness programs could not be conducted effectively.

In third year targets have been given to the officers from the superior officers to know as of date how many LEC cards were issued and how many card holders were sanctioned the loans and payments made.

The bankers were not able to meet the demands of LEC card holders, and most of the card holders could not get the loans for the reason of insufficient funds with the Bank. Thereafter Revenue officials stopped issuing of LEC Cards.

The availability of funds as against the issue of LEC cards there was confusion as to the availability of the funds to meet the demands of the LEC cards issued.

### **Suggestions by RDO**

Statistics are not reflecting at ground level in issuing of LEC cards and procure loans. Bankers, Financial Institutions, Farmers, Officials must be sensitized on Acts, Schemes related to land and Agriculture. To improve statistics, things had happened in hurried manner, Gram Sabhas also conducted for just name sake, genuine work has not taken place at field level. There was no proper response from farmers when Grama sabhas were organized, there must be an adequate publicity on conducting of Grama Sabhas. Sensitizing on land laws are very poor, it must be strengthened to all the concern people. Lack of awareness on land related issues and Acts to the Courts are resulting in incorrect decisions.

E-crop module in West Godavari District can be set as a model, for the purposes of record for all the Districts. This module facilitates online record. Co-ordination among all agencies has to be strengthened, and everybody has to work on a single platform, so

that complications if any may be sorted out or reduced. GPRS assistance, technology support, will generate interest to the farmers. Technology initiation will also strengthen in all areas.

- a) Importance of capacity building programs to officials.
- b) Co-ordination among all agencies are must.
- c) Better land records must be maintained
- d) Strong communication drive is required.
- e) Basic support system by filling applications and approach must be established and strengthen.

Implementation is a major hurdle. Yet It is very much important to implement has meticulously as possible to meet the theme of the Act.

#### **Tenant, Farmer Representatives - Problems and Suggestions:**

- a) Though he has two LEC cards on his name, he could not to get subsidized seed packets from concern departmental officials. He is a tenant who has taken land on lease from the landowner by oral agreement.
- b) Create awareness on Act among the Bankers, Revenue Officials, Land Owners and Tenants and Implement Properly.
- c) In practice when a tenant prepares to apply to take loan from the Banker, the middle men who know about the information will inform the landlord and landlord in turn the land lord demands the tenant to vacate the premises of the land and handover the land to him.

#### **Mr. Sunil Kumar, National Director, Landesa.**

Mr Sunil further explained about the provisions in the New Model Land Leasing Act 2016, that oral agreement on land leasing is recognized. If the tenant intends to take any benefits from the Government a written agreement it is compulsory to obtain loans, seeds, compensations on crop damages in times of cyclones or any other natural calamities. Lease agreement can also be registered by paying stamp duty, which brings more authenticity to the agreement.

- a) Registration
- b) Panchayat Sarpanch or Village Revenue Officers

also can attest the lease agreement. Based on that document all benefits can be claimed from the Government. Fixation of Tenure on Lease and consideration can be made according the agreement of the land lord and tenant.

Land is an asset, property, and inheritable. 90% of land holders are marginal farmers, basically tenants.

In earlier Act we have fixed that no crop share can be given to any land lord as consideration not beyond of 1/3rd on total crop.

#### **Suggestions from tenants – and other Stakeholders:**

Instead of LEC card title as Loan Eligibility Card, it may be renamed as Tenant Eligibility Card, There are lot of apprehensions to the land owners that where their ownership rights may be lost by issuing LEC cards to tenants, if its mentioned in the name of Tenant Eligibility Card many apprehensions of the land owners may be reduced. Changing of Title of cards may be useful for farmers and tenants to understand in one way positiveness.

Most of the land owners are mortgaging their lands in the bank to procure loans just because of low interest rates offered by banks, so here the suggestion is that real cultivator who produce agricultural commodity and submit Loan Eligibility Card in the banks must get lesser interest rates than land owners, so that tenants can be benefitted.

Village level accounts or details must be maintained with regard to land owner and tenant, otherwise it will be difficult at times of cyclones and other disasters. Liability on actual tenant must be increased towards bank loans. Supply of fertilizers, seeds must be given to the cultivators; agricultural inputs must be given without insisting to obtain permission from the land owner.

In view of understanding comprehensively on this proposed Agricultural Land Leasing Act and maintain balance among all the stake holders organized this workshop by making participation with different stakeholders like Revenue officials, Land Owners, Tenants, Banking and Financial Institutions, Academia, Research Scholars and others.

Land leasing is going to be prosperous manner, Chapter 2 and 3 speaks the authenticity of lease out the lands. Proposed Act says that under 3(f), 3(g) tenure, consideration on leasing land can be



determined by the parties' i.e land owner and tenant.

The earlier Act prescribed 5 years period is a minimum duration for issuing lease, if anybody or landowner evicts within 5 years the tenant can approach court of law. Whereas in the proposed Act tenure can be fix by the parties. Parties have liberty with regard to terms of rent period and rents.

As per the proposed Act, during tenancy period land owner can sell the property, but tenant cannot be evicted as per agreed term of lease in the agreement.

As per the proposed Act, if the consideration is not paid by the tenant on time or year wise the lease will stand as cancelled.

#### **Clarifications needed to be addressed in the following instances or cases:**

If a land owner is in USA, or any other state, on behalf of him who can enter as party in the lease agreement?

If lease agreement not prepared or entered by original owner what kind of liabilities on 3rd party or any private player?

In case of during lease period, land owner have some urgent necessities in terms of money he may sell the property to anybody? In such cases what about the position of lessee? Will he continued as per the terms and conditions prescribed in the Agreement? In terms of tenure?

#### **Suggestions from Stakeholders:**

- 1) Where land owner is not present to enter into the lease agreement on behalf of him any person authorized by him in writing may act as "authorized agent" can enter into the agreement on behalf of the land owner. This must be inserted in the provisions of the Proposed Model Act.
- 2) In some cases water comes bit late either by rain or irrigation canal then crop also grows bit late in such cases crop period can be extended with mutual consent of the parties. This must be addressed in the Act. In provision as well as in agreement format this suggestion must be carried out.
- 3) There must be a record of tenancy with the details of survey number, boundaries of the land and the details of the person taking on the lease, and the period of the lease, so that

whenever any natural calamity occurs then it will be easy to identify the tenants and distribute the benefits or compensations to original sufferers or tenants.

- 4) A farmer, suggested that fixation of consideration based on the extent of land, nature of land either dry or wet, type crop, the amount, must be fixed so that a uniform income or transactions takes place in villages.
- 5) Termination of lease should not be permitted during the crop period, after crop period lease can be terminated, so that tenant can be saved, and next tenant also show interest to make a fresh lease agreement with land owner.

#### **Mr Sunil Discussions on Proposed Model Act:**

- 1) During Lease Agreement period the tenant possession can't be disturbed or evicted.
- 2) Sub-leasing and sub tenancy is prohibited by the proposed Act.
- 3) Under provision "f" speaks that if tenant felt that expenditure becoming more and tenant is not convenient or comfort for cultivating the land for agreed period, by issuing a notice to land owner 3 – 4 months in advance he can withdrawn from the lease agreement, and he can vacate the land.
- 4) No structures can't be laid on the field, except agriculture activity no other activity can't be performed on leased out land.
- 5) With the permission of land owner if tenant installs any bore or well in the landowners land then unused value will be paid by the land lord as compensation. If the development charges are more than agreed value in the lease agreement, then the land owner have to pay the excess amount which spent on development of the leased land by the tenant.
- 6) Tenant shall not damage the lease out land, and boundaries should not be disturbed.
- 7) Corporate entities can't be allowed to become as tenant. A company can't become as tenant as per this Act. A farmer only can become as tenant for cultivation purpose.

### Section 7 discussion:

Section 7 of Proposed Act contemplates that termination of lease under the following conditions lease can be terminated:

- a) When lease period is over
- b) When lessee failed to pay lease amount or rent
- c) Lease has taken for agricultural purpose and used for other than agriculture purpose
- d) Sub lease
- e) Damage of land leased.
- f) In case both parties willingly terminates.
- g) Voluntarily tenants come out from leasing agreement.

### Section 9: Dispute Settlement Mechanism

Section 9 contemplates

- a) ADR Mechanism
- b) Appellate Authority (Revenue Officials)
- c) District Collector
- d) Final appeal lies to Land Tribunal.

Land tribunal has mentioned in the proposed Act because already few state are having Land Tribunals, in recently NALSAR and Landesa also proposed to have land Tribunal to the State Government while submitting the Land Review Project Report.

### One Day Workshop on Agricultural Land Leasing Laws and The Need for Improvements for Telangana state on 30th Novemeber, 2016.

India is primarily an agrarian country. About 60% of India's population is still dependent on agriculture for their livelihood. Like any other state in India, agriculture forming in Telangana is undergoing several changes with large number of farmers are switching over to other professions. More than 50% farmers cultivating are not the owners of the land. The actual cultivators (tenants) are not eligible for institutional credit, benefits like compensation in case of natural calamities, input subsidy such as seeds, subsidized fertilizers, pesticides, implements and crop insurance. These benefits would go to the registered land owner. Hence the tenant cultivators are eventually forced into the informal credit for high rate of interest which greatly adds to the cost of cultivation. Because of this the poor tenant farmer



becoming poorest.

Leasing out agriculture land is either legally banned or highly restricted in most of the states in India. In Telangana State leasing out agriculture land is generally prohibited but the law allows disabled persons, minors, women and defense personnel can lease out the land with the permission of District Collector and Magistrate.

Despite restrictions on land leasing, informal tenancy is quite high. Various studies reveal that financial forces drive land leasing. Legal ban or restrictions have reduced the extent of land for the poor tenants and forced them to get into informal tenancy. Some land owners prefer to keep their land fallow rather than lease it out for fear of losing the land in case they lease out.

As it is mentioned, from the point of tenants, informal leasing does not allow them to access institutional credit, crop insurance, farm subsidies and other benefits. In response to this reality, the Government of Andhra Pradesh passed Andhra Pradesh Licensed Cultivators Act, 2011 which primarily aims at removing some of the constraints of informal tenant cultivators, by issuing them loan eligibility cards (LECs), based on which the tenants can access bank credit, insurance, subsidies etc. The Government of Andhra Pradesh issued one year LECs to about 0.51 million informal tenants in 2011-2012 and issued about 0.41 million cards in 2012. However, the tenant farmers did not receive credit and other benefits as expected. In this back ground, NITI Ayog, New Delhi has drafted a Model Land Leasing Law, 2016 and shared with the state governments for their views and implementation. This report contains the consultation proceeding of Telangana State.

### Partipants of the Workshop:

In this backdrop, one day workshop on "Agricultural

land leasing laws and the need for improvements” was organized by NALSAR University of Law in collaboration with Landesa on 30th November, 2016 at NALSAR University of Law Campus, Hyderabad, Telangana, India. About 200 participants from various Government departments like Revenue, Agriculture, Advocates, Land owners and tenants attended the workshop.

### **Objectives of the Workshop:**

- To discuss the Model Agricultural Land Leasing Act of NITI Aayog and the experiences of the implementation of the AP Land Licenced Cultivators Act, 2011.

- To draft needed changes in the existing tenancy laws of Telangana.

### **Inaugural Session by Vice Chancellor:**

The workshop was started with formal inaugural session chaired by Sri Mohamood Ali, Hon'ble Deputy Chief Minister, Revenue, Relief & Rehabilitation, ULC, Stamps & Registration, Government of Telangana State. Dr. T. Haque, Chairman, Land Policy Cell, NITI Aayog, New Delhi, Prof. (Dr.) Faizan Mustafa, Vice Chancellor, NALSAR University of Law, Prof. (Dr.) V. Balakista Reddy, Registrar, NALSAR University of Law, Hyderabad. Prof (Dr.) Faizan Mustafa, Vice Chancellor, NALSAR University of Law welcomed the guests, experts, invitees, media and the participants for the workshop. In his welcome address Prof. Faizan Mustafa said that NALSAR is diligently working with the Government of Telangana to review land laws. He said that NALSAR has setup legal aid clinics in Warangal district and also there is great demand from other district authorities. Prof. Mustafa mentioned that the number of land litigations rising, due to the mistakes in the land records, he added. Further, he said that NALSAR is always forefront to support in developing the policies related to land. He also requested the participants to provide their inputs, suggestions to improve the current land leasing law.

### **Introduction of Workshop By Mr. Sunil Kumar**

Mr. M. Sunil Kumar, Director, Land Laws and Policies, Landesa, India mentioned that Government of Telangana is proactive in passing pro-poor land policies for the benefit of the poor and landless. He quoted a couple of policies, like distribution of 3 acres

of land for the landless and providing opportunity for regularization of Sadabainama (White paper) transactions increased the access of the poor and landless to agriculture land. He suggested taking steps for correction of land records. Quoting various examples from various parts of the state he said that incorrect land records are the reasons for many problems of litigation. He stated that the Government of Telangana (Earlier Government of Andhra Pradesh) has a great history of passing laws in support of tenants. For example: Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950; Andhra Pradesh Land Licensed Cultivators Act, 2011 to enable the tenant farmers for institutional credit and other benefits. He appreciated the efforts of Government of Andhra Pradesh for issuance of Loan eligibility cards in the year 2011. However, the Government has not been succeeded achieving expected results. He gave some field examples from the villages that land owners did not allow revenue authorities to issue LEC for the farmers. In many cases, bank authorities denied to release crop loans for LEC holders, he added. Further, he said that the need of the hour is to pass a law which can protect the rights of the Land Owners and facilitating the lessee to get the support being provided by the Government like crop loan, insurance, subsidy seeds etc.

Talking in this context Mr. Sunil Kumar explained that a Model Land Leasing Law is developed by Niti Ayog and shared with the State Governments to look into the feasibility and implementation. In this connection, a series of consultations were organized with various stakeholders to take feedback and inputs. The objective of the current workshop is expected to discuss in detail and provide inputs from the perspective of Telangana State, he added

### **Key Note Address:**

Dr. T. Haque, Chairman, Land Policy Cell, NITI Ayog, New Delhi presented key note address on the occasion. He said that in India 60% of the work force directly or indirectly depends on agriculture and allied sectors. According to 59th round of NSSO, about 36 percent of the tenant farmers are landless, while nearly 56 percent of the tenant households are marginal land owners, having less than one hectare land. Legalization and liberalization of leasing would help to promote agriculture efficiency, equity, occupational diversification and rapid rural transformation, he added.



He shared that the share of agriculture in India's Gross Domestic Product (GDP) is only about 14 percent, but agriculture employs 49% of the total workforce and 64 percent of the rural workforce. The high dependence of the population on agriculture is one of the main reasons for low size of land holding and for low per-capita as well as high incidence of poverty among agriculture workers. There is a limit beyond which agriculture cannot productively absorb any additional workforce. It is therefore, absolutely necessary that there is transfer of population from agriculture to non-agriculture. Legislation of land leasing could be an important factor in this regard. It would encourage large land owners to lease out land without fear of losing their land ownership rights and invest in non-farm sector, he added.

Addressing from the perspective of under development in the newly formed Telangana State, he said that the State of Telangana was formed with high expectations for the development of the region. It is high time for the Government to look into the problems of the tenant farmers seriously. He stressed that it is important to note that most of the landless are in poverty and trapped by private money lenders in villages. There is greater need to have a better policy to support the lessee and protect the rights of the land owners. In this background, NITI Ayog constituted a committee and studied various land leasing laws and developed a Model land leasing law, based on the previous experiences of various states. The Model land leasing law developed by NITI Ayog would help, guide and show a better way out for the states in tenancy issues. Further he said that states like Uttar Pradesh, Madhya Pradesh have started implementing land leasing act. He suggested the participants to go through the model land leasing law and provide inputs, concerns and suggestions to NALSAR University of Law and Landesa, he added.

#### **Chief Guest Address:**

"There is greater need to build the capacities of Revenue Staff, correcting the land records and digitization," said, Sri Mohamood Ali, Hon'ble Deputy Chief Minister, Revenue, Relief & Rehabilitation, ULC, Stamps & Registration, Government of Telangana State. While addressing the participants he mentioned that land survey and demarcation was done in Telangana region in the

year 1930, re-survey is supposed to be done for every 30 years. However, due to many other reasons it was not done, owing to this many land problems are arising and the staff of revenue department and Civil Courts are not able to address the litigations. It is high time to conduct re-survey, he stressed. Government of Telangana is in the process of taking up of this activity in a big way which would help large number of peasants in the state. In this context, the Government of Telangana requested Union Government to release 130 crores for conducting re-survey which would address to resolve maximum number of litigations, he added.

Another important activity of the Government of Telangana is to facilitate Sadabainama (White paper) transactions to get it registered on the purchaser's name. In a major drive Government has received 12 lakh applications from the farmers and the revenue staff is in the process of resolving it. Based on the experiences Andhra Pradesh Land Leasing Act 2011, issuance of Loan Eligibility Cards (LEC), he said that the land owners are very much scared about their rights and it was not an encouraging initiative. However, the lessons learnt would help the Government to take better initiatives in future. The Government is committed to resolve land issues by supporting both land owners and tenants. He opined that the workshop was a platform to discuss on model land leasing in the background of previous acts passed by the Government. He requested CTLR of NALSAR University of Law to share the findings after the workshop with revenue department for passing an improved policy.

#### **Vote of Thanks:**

Prof. Balakista Reddy thanked Sri Mohamood Ali, Hon'ble Deputy Chief Minister, Government of Telangana State for attending the inaugural session and providing valuable inputs on land leasing. He also thanked all other guests presented on the dais for their insights on land issues in Telangana State. He also thanked Mr. Lokesh and Landesa team for organizing the workshop. Further, He requested the participants to take part in technical sessions. On the occasion Prof. (Dr.) Faizana Mustafa presented Mementos to Hon'ble Deputy Chief Minister Sri Mohamood Ali, Dr. Haque and Sri. M. Sunil Kumar as a token of appreciation for their participation in the workshop.

## Technical Session – I

Mr. M. Sunil Kumar, Director, Land Laws and Policies, Landesa, India facilitated a discussion on Model Agricultural Land Leasing Act, 2016 and briefed the provisions in detail to the participants. He informed the participants that the current model law facilitate leasing of agriculture land, to improve agricultural efficiency and equity, access to land by the landless. The law recognizes the farmers cultivation agriculture land on lease for enabling them to access loans through credit institutions, insurance and other benefits provided by the Government during natural calamities. Further, he said that the act equally protect the land rights of the owners; and matters connected therewith or incidental thereto.

### **Following are some of the points from the model land leasing act highlighted by Mr. Sunil Kumar in his address:**

A. Notwithstanding anything contained in any other law, on and from the commencement of this Act, every person intending to lease in or lease out agricultural land for agriculture and allied activities shall be entitled to enter into a lease agreement, consistent with the terms of this Act.

B. The lease shall be between the Land owner – Lessor and the Lessee Cultivator who leases in land for agriculture and allied activities.

C. Leasing in of agricultural land in scheduled areas shall be only by the person belonging to scheduled tribes and any other person permitted by the laws in force in scheduled areas.

D. The Land owner - Lessor and the Lessee Cultivator shall enter into a written lease agreement with the mutually agreed terms and conditions. Provided that an oral lease shall also be legal in the sense that a Land owner – Lessor leasing out land on oral basis shall not forfeit his/her right over land because the lease agreement is not written as required under this Act or that any other law requires it to be so.

E. The lease agreement shall contain the details, terms and conditions namely:- i) The names of the Land owner Lessor and Lessee Cultivator; ii) Survey number, boundaries, location and area of leased out land; iii) The duration of the lease expressed in months or years and including the starting and ending dates of the lease and should be compatible

with the crop cycle/agricultural year; iv) the lease amount /consideration and the due date of such amount payable by the Lessee Cultivator; Details, terms and conditions of lease agreement. v) The terms and conditions for renewal or extension of lease if any; vi) Any major default which shall invoke termination of lease; vii) Any other mutually agreed provision, consistent with the terms of this Act;

F. Government shall not fix the duration of the lease period, as this shall be decided and mutually agreed upon by the Land owner – Lessor and the Lessee Cultivator. Provided further that any period of lease as per the lease agreement under this Act shall not create any protected tenancy right on a Lessee Cultivator;

G. Government shall not fix a minimum or maximum lease amount in fixed cash or kind or share of produce to be given to the Land owner - Lessor for use of the land as this shall be decided and mutually agreed upon by the Land owner- lessor and the Lessee Cultivator;

H. The lease agreement may or may not be registered, depending upon the mutual agreement of the Land owner- Lessor and the Lessee cultivator;

I. A written lease agreement may be attested by village revenue officer or Sarpanch or any local bank officer or a notary with two witnesses;

J. A lease agreement written or oral shall not be entered into Record of Rights, as the leasing for any period whatsoever shall not create any occupancy or protected tenancy or right against lawful eviction or lease termination, under this Act;

K. A lease agreement either registered under the Registration Act or attested by the village revenue officer or Sarpanch or a Notary shall not create or confer any right over land including protected tenancy / occupancy right or any other right against eviction or lease termination or interest on the Lessee Cultivator other than those contained in this Act or the lease agreement and shall not be used to establish any permanent right over the land in the court of law;

L. The leased land shall automatically revert to the land owner- lessor on the expiry of agreed lease period, unless it is renewed again for a period mutually agreed upon by the Land owner- Lessor and the Lessee Cultivator;

M. In the event of a dispute, the Lessee Cultivator and the Land owner - Lessor shall utilize a dispute resolution mechanism, consistent with the terms of this Act.

Mr. Sunil Kumar also discussed the roles and responsibilities of the Lessor and lessee in detail and sought the inputs, concerns and suggestions from the participants.

## Technical Session – II

Ms. PriyaIyengar, Corporate Lawyer and Arbitrator moderated a discussion on how far the tenancy acts in Andhra Pradesh and Telangana benefitted the tenant farmers since independence. She stressed on Andhra Pradesh Land Licensed Cultivators Act, 2011 and issuance of Loan Eligibility Cards for the tenant farmers. Further, she briefed some of the elements of model act prepared by the NitiAyog and sought suggestions from the participants. The following are some of the recommendations, suggestions, observations, concerns and discussion points, made by the participants.

### Recommendations and Suggestions:

1. Leasing agreements (documents) should be made online. Hence litigations can be reduced.
2. All the land documents should be digitized to reduce the land problems. And the documents should get integrate Aadhar card.
3. ROR act need to be altered for the effective implementation of Model land leasing act.
4. Government should play a role of facilitator between the Pattadar (Land owner) and Lessee to reduce the apprehensions of the Pattadar.
5. Government should establish a separate machinery to educate, create massive awareness on model leasing act. Government and Non-Governmental Organisations and Community Based organization are involved to create awareness.
6. Based on the lessons and experiences learnt from U.P., M.P., Orissa incorporation should be made to the upcoming Telangana leasing act.
7. It is important to note that tenant can also get

so many subsidies given by the agriculture department if the names are entered in the documents.

8. Village revenue officer should conduct physical inspection of agriculture land every year and record the name of the tenant and crop in the documents.
9. Ceiling of land for each farmer should be mentioned in the law.

Government need to put more efforts to sensitize and change the mind set of land owners on Model land leasing law.

### Observations:

1. About 50 applications were given to the Tahsildar in Gajwel in Medak district for Loan Eligibility Cards, no has been issued.
2. Most of the times Pattadar (Land owner) takes loan, subsidies from the government and other benefits. Due to this Lessee won't get any benefit.
3. Pattadar (Land owner) objects to enter the name lessee in the land records.
4. As the Government is waiving certain loans taken by the land owners, the land owners are not allowing entering tenant name in the document or giving the documents to the farmers.
5. It is important to define term 'Lease.'
6. There is no clarity in protected tenancy.
7. Land owners need to be sensitized on model leasing act.

Suicide rate is high among the tenant farmers

### Concerns:

1. Whether the current model land leasing law is applicable in tribal areas or not?
2. In practice, the names of land owners are entered whereas tenant names are not entered in the documents. Due to this land owners are getting benefits like crop loans, insurance and other benefits. Tenants are not.

Once the names of the tenants enter in the document, is there any possibility to the Government to pass any bill benefiting tenants.





#### Discussion Point:

- 1.If the Model act is into force all other acts related to leasing are override?
- 2.Is there social security for tenant farmers?

In some of the places educated, sensitized land owners are helping the tenants for the issuance of loan eligibility cards. It is important to educate land owners properly.

#### Vote of Thaks:

The workshop was ended with the concluding remarks of Prof. (Dr.)Balkista Reddy, Registrar, NALSAR University of Law. In his closing remarks, he pointed that the inputs provided by the participants would be helpful for improving the Telangana State land leasing law. He thanked the Guests and participants for their active participation in the workshop. He also thanked Mr. Sunil Kumar and his team for organizing the workshop successfully

#### Workshop on “Land Related Legal Services Needs of Poor: Experiences, Expectations and Innovations” and Inauguration of the University Auditorium

**March 19-20 Of 2016**

Land Rights for the poor and the marginalized is a high priority area in ushering social justice to those sections. NALSAR University of Law in collaboration

with Landesa (Rural Development Institute)is organizing a two day workshop on 'Land Related Legal Services Needs of Poor: Experiences, Expectations and Innovations' from March 19-20, 2016.

On this occasion,Shri K.Chandrashekar Rao, Hon'bleChief Minister of Telangana inaugurated the state of art university auditorium in the august presence of Honorable Supreme Court Judges including Hon'bleMr. Justice Anil R. Dave, Hon'bleJustice DipakMisra, Hon'bleMr. Justice N.V. Ramana and Hon'ble Mr. Justice Dilip B. Bhosale, Acting Chief Justice of High Court of Judicature at Hyderabad and Chancellor, NALSAR University of Law, Hyderabad. Hon'ble Chief Minister appreciated the work done by Centre for Tribal and Land Rights, NALSAR and Landesa/RDI.

In his welcoming address Hon'ble Mr. Justice Dilip B. Bhosale,Acting Chief Justice, High Court of Judicature at Hyderabad & Chancellor, NALSAR University of Law,said that now land is becoming a very precious resource in India and the size of per capita holding is drastically going down, in such a situation land dispute proves costly to the poor and the marginalized. Hence he advised the paralegals to work towards poor securing, title, possession and record of rights so that their right over land is secure and authentic and undisputed.

In his presidential address Hon'bleMr. Justice Anil R.

Dave, Judge, Supreme Court of India lauded the efforts of the Paralegals and said they are doing a job of conscientious teachers to the poor and the marginalized. He suggested for a change in the land record keeping system so that it can become accessible and simple. He advised NALSAR and Landesa to put efforts to spread the knowledge of important land laws in simple comprehensible manner to common people in local language. He also advised the paralegals to take the mediation and conciliation path to settle disputes related to land within the ambit of the village as the cost of litigation is soaring. He said according to an estimate every year land disputes are providing around Rs.750 crores as fees to the lawyers alone. He advised the paralegals to focus more on reducing the litigation and hence the drain of resources.

In an insightful key note address on land rights of the marginalized, Hon'ble Justice Dipak Misra, Judge, Supreme Court of India called the Paralegal workers as a 'working force' in favor of the marginalized. He emphasized the importance of people give to the landed property as a source of livelihood. He further said such property must be undisputed. Likening land without possession as eyes without vision Justice Mishra enthused paralegals and the students of law to come together and ensure legal services related to land accessible to the poor.

In an inspiring special address to the gathering,

Hon'ble Mr. Justice N.V. Ramana, Judge, Supreme Court of India appreciated the work done by NALSAR and Landesa and asked them to work more systematically on other entitlements of farmers like the crop insurance and other agriculture related issues apart from issues related to title. He appreciated the instruction material prepared by Landesa which was helpful to demystify the issue related to title and possession of land to the poor.

The Hon'ble Judges lauded the NALSAR University of Law in fulfilling its social responsibility and working in the area of land rights for the marginalized through its Center for Tribal and Land Rights (NALSAR-CTLR). NALSAR so far has trained 500 Paralegal workers to assist the rural poor on land related issues. In 2013, NALSAR, Landesa with the support of State Legal Services Authority established a Land Rights Legal Aid clinic in the District Court of Warangal. This clinic has provided legal assistance to 538 persons with land disputes and Trained about 3000 people about the land related issues. Government of Telangana under 'Telangana Land Law Review' Project has assigned NALSAR University and Landesa to the review the land laws in Telangana. The Hon'ble Judges of Supreme Court of India had appreciated the efforts taken by NALSAR and Landesa/RDI and urged them to continue this work of spreading legal literacy and disputes settlement as widely as possible.





Mr.M.Suneel Kumar, State Director,Landesia/RDI introduced the theme of the seminar to the dignitaries and the audience.

Bhoomi Land Rights newsletter, Report of Land Rights Clinic of Warangal (established by NALSAR and LANDESA),report on Community driven Land record Verification,report on Land paralegal program, NALSAR Journal of Air and Space Law were released and the website of NALSAR Center for Tribal Land was launched during this session.

The two day deliberations will focus on the experience the paralegal workers, the findings of the Legal Needs and Bottlenecks study and will suggest measures for the required legal services reaching to the poor with the land problems. Paralegals from various districts of Telangana and the poor benefited by their services will attend the workshop.

Prof. (Dr).Faizan Mustafa gave vote of thanks. Prof.(Dr)BalakistaReddy, Registrar of the University was also present on the occasion.

#### Back Ground of Workshop

#### **Land Rights Legal Aid Clinic Established at the Office of District Legal Services Authority, Warangal**

Centre for Tribal and Land Rights of NALSAR University of Law and Landesdia with the support of State Legal Services Authority established a Land Rights Legal Aid Clinic at NyayaSevaSadana, District Court, Warangal on

March 3, 2013. This Legal Aid Clinic is aimed to provide free legal services to the poor and needy, creating awareness among the people about their rights and helping the litigants in all possible ways. In last three years, the Clinic provided legal advice to 538 persons with land problems and helped them in getting their land problems resolved. The Clinic organized land legal literacy programmes in about thirty villages in Warangal District and created awareness on land rights, records and procedures for getting the land problems resolved. Until now, about ten thousand rural people reached through the legal awareness meetings organized in the villages. Land Rights Legal Aid Clinic with the support of District Legal Services Authority organized training programmes on land matters to various stakeholders including paralegal volunteers, SHG women,



Anganwadi workers, students, police officers, revenue officers, Advocates, media persons and members of civil society organisations. About 3000 people trained until now through the Land Clinic.

During the year under Report, the Legal Aid Clinic (Land Rights) has organized number of training programmes for different stakeholders on the Land Rights which include :

·Two-Day Training Programme to Revenue Officers on “Legal Drafting and Judgment Writing” on March 9-10, 2013. The training programme was inaugurated by Hon'ble Shri Justice P. V. Reddi, Former Judge, Supreme Court of India & Former Chairman, Law Commission of India. Around 25 Revenue Officers from various districts of Andhra Pradesh attended the training programme;

·One-Day Workshop on 'Land Rights and Legal Aid' for Land Law and Legal Aid Clinic teachers of A.P. on March 16, 2013. The workshop was inaugurated by Shri A. Narasimha Reddy, Chairman, Bar Council of A.P., in the august presence of Shri N. Ramchander Rao, Member, Bar Council of India. Around 20 Law teachers from various Law colleges of Andhra Pradesh attended the workshop.

·One-Day Training Program to all Station House Officers (SHOs) on “Land Related Issues & the Legal Remedies” at Police Head Quarters, Warangal District on May 25, 2013. Hon'ble Shri Justice B. Prakash Rao (Retd.), Former Acting Chief Justice of A.P. High Court was the Chief Guest and delivered a



valuable lecture on the theme of the Training Program. Shri Paul Raj, Superintendent of Police (Rural), Warangal District, Warangal, Shri A. Venkateswar Reddy, 1st ADJ, District Court, Warangal, Prof. Dr. Vijender Kumar, Dr. G.Mallikarjun, Assistant Professor, NALSAR, Shri M. Sunil Kumar, State Director, Rural Development Institute, Hyderabad and Officers from police department attended and delivered lectures.

One-Day Orientation Program to Andhra Pradesh Gramina Vikas Bank Officers on “Land Issues and Legal Framework” at Learning Centre, Hanmakonda (Warangal) on June 5, 2013. Prof. Vijender Kumar, Registrar, NALSAR, Dr. G. Mallikarjun, Assistant Professor, NALSAR, Shri M. Sunil Kumar, State Director, Rural Development Institute, Hyderabad, Shri C. Prabhakara Rao, Thasildar (Rtd.) & Legal Aid Manager, RDI, Mr. P. Ramesh, Training Co-coordinator, RDI, Sri Varalingeswara Rao, Manager, Advances, APGVB and Officers of Andhra Pradesh Gramina Vikas Bank attended and delivered lectures.

One-Day Training Program to all Station House Officers (SHOs) on “Land related issues & the Legal Remedies” at DPO, Warangal Urban on June 7, 2013.

One-Day Workshop on “Land Legal Literacy” for the Journalists in Warangal District on November 8, 2013 at Vaagdevi Degree & P.G. College, Warangal.

Two-Day Consultation Meeting of Paralegals on “A Study to identify the bottlenecks in land administration and adjudicating systems and the typology of legal services needs of the poor having land problems” held on December 9-10, 2013 at NALSAR University of Law, Hyderabad.

### **Sub-Divisional Land Centres and Village Land Centre**

In extension of the activities of the Land Rights Legal Aid Centre, CTRLR of NALSAR established two sub-district level Land Centres at Jangaon and Narsampet in Warangal District. Team of thirty paralegals, community resource persons and lawyers are working in six selected villages and providing legal assistance to the poor and needy on land matters. In all the six selected villages, land legal aid clinics are established.

### **Community based Land Paralegal Programme**

In 2004, to help rural poor families who are landless or lack secure legal rights, the state government launched a community based paralegal programme called land access program as part of the Society of Elimination of Rural Poverty (SERP) to resolve land problems of the poor. NALSAR University of Law through the Centre for Tribal and Land Rights trained about 500 paralegals. NALSAR also selected and trained all the legal coordinators. Landesa provided technical support in design, implementation and periodical assessment of the programme. Further, Landesa provided training materials to all the paralegals, community surveyors and legal coordinators.

#### **About the Workshop:**

NALSAR University of Law in collaboration with Landesa (Rural Development Institute) is proposing to organise a two-day workshop on “Land Related Legal Services Needs of Poor: Experiences, Expectations and Innovations” from 19-20 March, 2016 at NALSAR University of Law, Justice City, Shameerpet, R. R. District, Hyderabad. This workshop primarily aims at drawing a platform to discuss the findings from the legal needs & bottlenecks study and experience of Land Rights Legal Aid Clinic established at the office of District Legal Services Authority, Warangal, Sub-Divisional Land Centres and Village Land Clinics and Community based Paralegal Programme of SERP. Based on these experiences, the workshop will discuss the models for effective legal services delivery systems for helping the poor in land matters. Workshop will deliberate on these issues-

- Unmet legal needs of the poor: findings from the legal needs and bottlenecks study

- Land Rights Legal Aid Clinic: learning from the first land clinic

- Updating land records through the community-driven Process involving local youth

- Community based paralegal programme: providing facilitation support and free legal assistance to the poor on land matters

- Meeting the land related legal services needs of the poor, SCs, STs and Women: suggested improvements



## **Valedictory Session of Workshop on “Land Related Legal Services Needs of Poor: Experiences, Expectations and Innovations”**

**MARCH 20, 2016**

### **TELANGANA NEEDS PARALEGAL FORCE**

The State of Telangana with the unclear land and non updated land records, unresolved land problems and un surveyed lands, needs the services of 'The Paralegal Force' to rectify the situation and improve land Governance. About 300 Paralegals working in Telangana since a decade emerged as a promising mechanism in bringing the gap between the system and people. All the participants unanimously expressed the need to scale this Paralegal initiative in all the mandals of Telangana.

The workshop on “Land related Legal services Needs of Poor: Experiences, Expectations & Innovations” continued deliberations on second day the workshop focused on discussing the lessons from implementation of the Paralegal program in Telangana State, The functioning of Land Rights Legal Aid Clinic established by NALSAR and Landesa at district court Warangal and community driven land records verification pilot Honorable Justice Prakash Rao Retired Acting Chief Justice of High court of Judicature at Hyderabad for the States of Telangana And the State of Andhra Pradesh, Prof Revathi, Prof G.B.Reddy and Tim Hansted spoke during the deliberations and highlighted the need for resolving land problems and scaling the innovative programs being implemented in the Telangana State.

Speaking at the valedictory session Prof V Balakista Reddy Registrar NALSAR University of Law retreated NALSAR's commitment in strengthening various land initiatives including the Paralegal program, he further said NALSAR in collaboration with Landesa through the centre for Tribal Land Rights will take the suggestions and inputs received during the two days deliberations to the appropriate authorities for necessary actions.

Mr. Sunil Kumar Director Landesa giving the concluding remarks highlighted the contribution of Paralegal program in helping people like Manku Bai who recently received an award from Government of Telangana state for her land struggle. About 1 million rural people helped by the Paralegals. There are

many more thousands of poor like Manku Bai awaiting support and the State Government take measures to strengthen the Paralegal program.

### **Field Visits to Remote Tribal Areas in Telangana and Andhra Pradesh States on Implementation of V Schedule of the Indian Constitution**

#### **Kothagudem Bhadradi District's Tribal Villages Visit:**

As a part of preparation of V Schedule study Report assigned by Interstate Council Secretariat under Ministry of Home Affairs, Government of India to NALSAR University of Law.

Under the flag ship of Centre for Tribal and Land Rights, Professor (Dr) V. Balakista Reddy Constituted a team to visit remote tribal areas in Andhra Pradesh and Telangana State to ascertain the ground realities with regard to implementation of provisions of V Schedule of Indian constitution in Tribal Area.

A team headed by Prof (Dr) P. B. Shanker Rao and the other members of Research Team namely V. Madhusudhan Reddy Assistant Government Pleader, High Court at the Judicature of Hyderabad, Abhilash and Jeevan Advocates Visited Tekula Gudem Village of Kothagudem Bhadradi District. On 12th December 2016.

There they met the Sarpanch of the Village and other villagers, by interviewing the gathering they came to know about the tribal practices, rituals, cultures and traditions of the above mentioned village. Further they gathered the information with regard to Drinking Water, Public Transportation, Education, Medical and Health, Sanitation facilities, Financial Assurances, Cultivation and Land related matters, Village Disputes and its settlement mechanisms etc., This Village was declared as a best tribal village in erstwhile State of Andhra Pradesh. The environment in the village it is not only neat and clean but the faces of the people right from teenagers to the elderly people of the faces are gleaming with lot of happiness, satisfaction and peace. The atmosphere in the aforementioned tribal village is serene, peaceful and cheerful. This village community among themselves cooperating and coordinating among themselves for any needs and necessities rather depending on other sources. The entire village looks like a joint family



with peace and serenity. Notable feature of Tekula Gudem Village is that Tribal Representative and Member of Legislative Assembly Shri Gummadi Narsaiah hails from this village, who is respected as a judicial institution, for every dispute villagers approach him and whatever the decision he renders, its respectfully obeyed. This Tribal Village with best practices looks like a model village for other tribal villages.

#### **VisakhaPatnam ITDA Paderu Division Tribal Villages Visit:**

Under the guidance and stewardship of Prof (Dr) V. Balakista Reddy, Registrar NALSAR University of Law. On 25th – 26th December of 2016, A team headed by V. Madhusudhan Reddy Asst Government Pleader for the Forest Department of the Judicature of High Court of Hyderabad, and a team consisting of Mr. K. Shiva Charan Research Associate, NALSAR University of Law, Mr. Jeevan and Abhilash Advocates have visited Kotha Palem and Kitumula Villages under Chinthapalli Mandal, Paderu ITDA Division in Visakhapatnam District.

During their visit the team members contacted Sarpanch of the Village namely Urmila Killo, W/O Mr. Purnachandra Rao, who resides in Mali Veedhi in Kotha Palem Village under Chinthapalli Mandal, Paderu ITDA Division, Visakhapatnam District. The team also met past Sarpanch of the Village by name Mr. Rama Rao S/O Nadipi Dora, who was the Sarpanch continuously for a period of 30 years, also met K. Subba Rao S/O Raghuram Murthy a ward member of the Village and other local villagers in that village. The team has introduced themselves that the purpose of their visit is to know the tribal practices, rituals, cultures, traditions and Administration of the tribal villages in V Schedule Area.

The members of the team interviewed the gathering of the villagers men, women, and also members of Panchayat on various methods of customs, practices, traditions, celebration of festivals and other amenities.

The members of the team during their interaction with the tribal villagers posed several questions to enquire about their living conditions, schemes introduced by the Government and its implementations and what are their immediate

needs, which they expect from the Government.

The Kotha Palem tribal Villagers organizes Gram Sabha once in month or once in three months, Under Kotha Palem tribal Grampanchayat Village there are around 24 hamlets.

For Every Gram Sabha around 15-20 members of the villagers will participate. In that Gram Sabha Meeting the Villagers usually address their problems and issues relating to the village. The issues of Village are generally

- a) Drinking water facilities
- b) Road and transportation facilities
- c) Mutation of Pattas in the name of survivors in case the death of Patta holder. And the procedure for such application.
- d) If any quarrel or dispute which occurred in the Village, it will be discussed and settled in the Gram Sabha by elders of the Village and Village President or Sarpanch. Usually the disputes in this village are rare, except the disputes of boundaries related to agricultural lands and on consumption of liquor.
- e) The disputes in this village are rare, which are hardly 3-4 disputes in a year.
- f) There are few instances where farmers are holding Pattas in their name but not physical possession of land, where as some farmers are having physical possessions of land but the title of that land is not in their names.
- g) Most of the villagers are holding not more than 2 Acres, hardly 4-5 members are holding 10 acres of land which they inherited from their forefathers.
- h) The major problem the village faces is that they are in possession of lands; they are cultivating the land for so many years. The authorities in spite of their efforts at all levels to get Pattas of their lands failed to get, the reason being the matter is delayed by the authorities under some pretext or the other. The farmers are not able to make the optimum utility of having possession of lands without Pattas the banks are not coming forward to grant crop loans.



- i) The total number of voters of KothaPalem Village together with its hamlets is around 2940. Under this Kothaplaem village there are about 13 to 14 Schools are in operation. The attendance of these schools is fifty percent of the students attend classes regularly and rest of the students involved themselves in farming and its allied activities under the guidance of their parents.
- j) In this Kotha Palem Village about 400 students have passed X Class, about 150-200 students have passed Intermediate level examination and about 200 members have passed graduation. According to Villagers employment opportunities are not encouraging due to lack of knowledge and places of opportunities.
- k) The various categories of tribal castes existing in this Village are namely: Bagata, Kotia, Khond, PTGS, Non-PTGS, Chitti Gowda, Porja, Kammara, Nuka Doralu, Malis and etc.,
- l) The information with regard to Kotha Palem tribal village alone are:

Total Houses: 40

Male: 80

Female: 70

Minors: 25

Total: 175

k) The major crops of Kotha Palem Village are Paddy, Erra Dhumpa, Sowl, Samalu, Alusulu, Chikkudu, Turmeric, Vegetables.

#### **Problems of Kotha Palem Tribal Villages are:**

1. Lack of transportation, communication facilities like telephone, mobile phone, the nearest accessibility for communication is 8 Km away from Kotha Palem Village.
2. Even though vegetables and agricultural products which they produced, they are unable to take them to nearest market for the reason that the nearest place of transpiration is 8 to 10 Km away. Hence there is opportunity of growing agricultural products but there is no way to transport them to agricultural market for selling the product.

3. The Agricultural benefits that are given by the Government for farmers, like subsidized seeds, loans, crop insurances and etc do not reach them on time.

4. Under some pretext or the other the crop insurance claims that are claimed by the farmers they are not processed timely to pay the crop compensations at the time failure of climatic conditions.

At the time of our visit the villagers have reported with their insurance receipts stating that about 10-15 farmers have insured for crop insurance.

5. With regard to mutation of property of a deceased person the person who is entitled for succession to the property is ignored and the said lands are allotted to others who are in no way related to this family by the elders of the village.

6. The benefit of widow pensions are not extended to this villagers on the ground that the date of death of the husband is inaccurate, since they are illiterates to note the dates of death and other details. The condition for granting widow pension is the date of death which parties are not able to furnish to the authorities.

The villagers requested that a person may be appointed or deputed by the Government to record birth and deaths of the villages, so that the benefits, mutations and etc., can be recorded for the benefit of the schemes or subsidies.

7. In order to be eligible for beneficial schemes like getting subsidized seeds, crop loans and etc beneficiary must possess patta of land. In order to rectify, mutate the names in the revenue records, the surveyors and ITDA staff are collecting money from villagers for correcting the records to enable them to avail the above benefits. The villagers also cooperating with the surveyors and ITDA staff by providing lunch and dinner during their visit.

8. For an extent of 24 villages, the Government has provided only 2 ANMs, these two are not able to attend on time because of vast area and poor transportation facilities. The Villagers are requesting with the team to recommend providing more number of ANMs and a Doctor to cover this vast area.

9. Whenever the Government announces any subsidies in the form of supplying seeds, ration and etc., the offices which are located far from the village

remote village as matter of fact the cost of transportation is as good as benefit of the subsidy. Further to provide subsidy the authorities insist on several documents which may not be available to avail the subsidy within the period stipulated.

The people of this village is not able to visit Mandal Office, Revenue office and etc., to correct their records or to attend any problems on account of lack of transportation, the location of village and the Government offices are too far where cost and time factor is involved. The villagers settle their disputes among themselves with the help of seniors of the village. No matter as of now went to court.

#### **Kitumula Tribal Village Visit:**

The research team has met villagers of Kitumula in Chinthapalli Mandal of Paderu ITDA Division in Visakhapatnam District on 26th of December 2016, we met the Sarpanch by name Smt Lakshmi, and villagers, Rambabu, Matchha Raju, Raju, Varahala Padur, Mannu Apparao, Robba Ramesh, Maleshwar Rao Vanam, Parameshwar Rao Vanam, V. Koteswar Rao, T. Sanjeeva Rao and Ram Prasad, at Gram Panchayat office of Kitumula Village.

The team came to know that the major crops which they are cultivating are Coffee, Pepper, Paddy, Turmeric, Mangoes and vegetables.

Since 1969 the Kitumula villagers are growing Coffee, 3-4 types of Coffee plants they grow, namely neelagiri, robust, kaveri, S5 and S9.

Under Kitumula Gram Panchayat there are 26 hamlets.

Total Population: 2963

Total Houses: 823

Male: 1481

Female: 1482

The details of Kitumula details are as under:

Total Population: 265

Male: 129

Female: 136

House Holds: 50

In Kitumula Village Gram Sabha organizes once in three months. In this gram sabha they discuss about electricity issues, water issues, NEGS works and etc; These Gram Sabhas organizes in the presence of

MDO, MPTC, Sarpanch and Ward Members.

Yearly one dispute may arrive to this Gram sabha to settle the dispute. This village is so pleasant with the attitude and good practices which they adopted and followed by the villagers. If there is any dispute between villagers then the dispute will be resolved by the elderly people of the village, the decision which gave by the elderly people is not challenged as of date.

The educational standards of Kitumula Village are as follows:

LL.B Passed: 1

B.Ed: 4

Degree Passed: 30

Intermediate: 15

Out of the above people of Kitumula Village 10 members are serving as teachers, 3 people are serving in Medical and Veterinary services, and one member is an engineer. In this village during in epidemic conditions of patients its difficult to intimate doctors to treat the patients.

An encouraging feature of the Kitumula Villagers and Navanirman samastha an NGO is that the problem of fetching water from its sources from the hills (gravity flow of water) the NGO met the expenses of material required for raising the water provided the entire material like pipes, and other material required for lifting the water from the lower gravity to the level of villagers to supply drinking water for the villagers. The labor involved in this project work entirely done by Kitumula villagers. This coordination and cooperation between an NGO and the local villagers is an example for other villagers to undertake such ventures.

#### **Problems of Kitumula Tribal Village are:**

If at all if there is any dispute in Kitumula Village it could be the only dispute relate to the boundary dispute of agricultural land.

The condition precedent for getting the benefits like crop loans, subsidized seeds, and compensations in case of crop loss or damages due to natural calamities and some other reasons is lack of pattas and registration of their names as cultivators in official land revenue records.

Though farmers are cultivating agricultural lands not

only the lands which are recorded on their names, but also the lands which were cultivated by their forefathers, unfortunately, even though the present farmers are cultivating the lands which their forefathers cultivated, but they are not able to get benefits like crop loans, subsidized seeds, and crop damages or losses in case of natural calamity because the present farmers' names are not recorded in the land records. According to the version of the farmers who are cultivating at present their names were not mutated by the revenue authorities on the ground of nonpayment of land revenue to the Government by their forefathers.

VROs and Surveyors under some pretext or the other delaying in attending to the problems of the villagers. The farmers usually visit for the help of the surveyors and to meet the revenue officials for the purpose of mutation of land records. Record of Forest Right Pattas and Plant Pattas are given to eligible farmers.

These villagers also visit Tahsil office for the purpose of getting caste certificate, Aadhar Card, Ration Card and etc., A visit by the farmer to the MRO office and other offices in Mandal involves a lot of time, cost since the officers of MRO and other officers are situated far off from their villages for lack of transportation facilities.

Villagers themselves constituted few committees for welfare of their village, such committees are meant for improving sanitation facilities, laying of roads, water pipe lines and etc.,

It is also a problem for the farmers in tribal villages to get the benefit of subsidies, incentives, and funds since they have to pass through so many channels by the time they come into the hands of farmers.

The common complaint from most of the villagers is that the teachers who are attached to the village for school are not attending regularly, which is resulting in the students are not getting regular education.

Requirements and suggestions from the Kitumula Villagers:

- a) Regular attendance of teachers is foremost important to educate the children of their village.
- b) Villagers suggested that a person of rank of IAS cadre may be appointed for every two Mandals to oversee the administrative, executive and educational activities of the villages.
- c) The water during the rainy season slides down

from the tops of the hills down to the earth, not even a drop of water will be stored the entire water goes to the down areas, therefore in order to store water in rainy season which can be used in summer and winter seasons for agricultural purposes. Therefore there is an immediate need for construction of check dams for utilizing the water particularly for drinking purposes and for other agricultural activities. The villagers have requested with the team to highlight this problem in the report.

d) There is a lot of confusion has to land records namely, boundary problems, extent of lands, and in certain cases name is there in the records but not able to locate the land. To get over all these problems, villagers suggested that a resurvey be conducted for rectification of records to get over the confusion which is prevailing in the villages.

e) If the land records are updated with proper survey, it will enable the farmers to get bank loans for raising their crops and agriculture commodities without any problems. On account of some deficiencies in the land records, the private players are taking undue advantage by insisting their own rules and regulations for issuing loans. One such example is that private money lenders are insisting a condition that the entire crop must be sold to him only as a repayment of crop loans which they have given to the farmers, thereby dictating the prices of the market by the private players according to their terms and conditions.

f) A suggestion from the farmers is that the Government should determine the minimum price of each agricultural commodity before sowing of the seeds or beginning of the crop season.

g) The other problems the villagers are facing are lack of medical facilities, there is no medical person is available in their village to attend to medical emergencies. There is a need for appointing a medical officer to attend to the needs of the people.

h) At present there is no transportation facility for the villagers, the villagers have to walk at least 10 km to get the facility of transportation to travel for their needs. The need for providing transportation from this village may be taken as a top priority for this village.

i) This village is not linked with any facility of telecommunication like public telephone, mobile phone; communication of any emergency



information to other parts in around of the village is impossibility except by covering the distance by walking.

j) The habitation in Kitumula village is mostly built by mud and the roof is by clay tiles which drip during rainy season and people are facing lot of problems during rainy season. There is need for providing of Pakka (RCC) houses.

### **ADMINISTRATION IN TRIBAL AREAS: ISSUES AND CHALLENGES**

Centre for Tribal and Land Rights of NALSAR University of Law organized a one-day consultation on “Governance in Tribal Areas: Issues and Perspectives” at NALSAR University of Law, Hyderabad on January 20, 2017.

While inaugurating the One-day Consultation, Chief Guest, Sri R. Laxman, Commissioner, Tribal Welfare Department, Government of Telangana opined that social equality without economic equality has no meaning and the efforts of the state is to secure economic empowerment of the tribals. In this regard, the newly formed State of Telangana have launched several programmes and schemes for the benefit of tribals. He further noted that ensuring mainstreaming of tribals is essential for their development and prosperity.

Hon'ble Shri Justice B. Prakash Rao, Former Acting Chief Justice of A.P. High Court was speaking as the Guest of Honour noted that despite the Constitutional mandate providing safeguards to the Tribal Community, the implementation of the same has failed miserably and opined that on many occasions the tribals have been treated as second grade citizens of the country. To ensure speedy redressal of their disputes, Justice Rao advocated for establishment of the Munsif Courts and advocated for establishment of State and National level Tribunals presided by the judges of the High Courts and Supreme Court respectively.

While welcoming the gathering, Prof. Dr. V. Balakista Reddy, Professor of Law and Registrar highlighted the socially relevant activities undertaken by the University in the recent past including the training of paralegal volunteers and community resource persons who in turn have resolved more than 1 million land related cases and issues in the State of Telangana and Andhra Pradesh. He also highlighted the legislative drafting work that the University is

engaged in for both the said states.

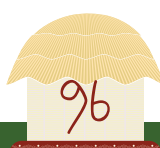
Dr. VNVK Sastry, Retired Director, Tribal Cultural Research and Training Institute enlightened the audience on the spirit behind the existence of tribal welfare schemes which can be traced back to the Indian Constitution and Article 46 and the V & VI Schedule in particular which mandates the Government to take pro-active steps towards ensuring welfare and development of the members of the tribal community. He further discussed about the implementation of the PESA Act and the need to have complementary rules for effective implementation of the principle legislation.

Sri. Amar Singh Tilavath, Former Minister, State of Andhra Pradesh and National Working President, Akila Bharatiya Adivasi Vikas Parishad highlighted the challenges faced by the tribal community like lack of basic transportation, communication and medical facilities in their areas and recommended for establishment of District Tribal Welfare Board which can effectively and expeditiously address these concerns. He appreciated the role of NALSAR for their efforts and contribution towards Putallubupathi village by providing pattas and other title deeds and IB Register certificates to as many as 70 tribal families of that village.

Sri. M. Sunil Kumar, Director, Land Laws and Policies, Landesa, India and Adjunct Professor & Advisor, NALSAR gave a brief about the background of the conference and described the sessions of the aforesaid consultation. He highlighted the urgent need to bring in necessary administrative and legal reforms to improve governance in tribal areas in order to protect the interest of the tribals. He further stated that if this is not taken as an urgent priority, there is a big threat to the life and property of the tribals residing in those areas.

### **The One-Day Consultation broadly focused on the below four issues:**

1. Administration in Schedule Areas: Working of ITDAs – The gathering elaborately discussed the functioning of ITDAs and the administrative structures in the tribal areas. It was opined that the ITDAs have long unbroken history with more broken promises. It was felt that posting of committed officers, capacity building of officials working in schedule areas and necessary budgetary allocations can improve the system.



2. Land, Forest Governance and Dispute Resolution Mechanisms in Tribal Areas – In spite of protective land laws more than 50 % of land and scheduled areas is in the hands of the non-tribals and majority of LTR cases have gone in favour of non-tribals. The implementation of the Forests Rights Act is still a unfulfilled task. The dispute resolution mechanism in this area is uncertain, weak and inaccessible to the tribal communities. The participants of the consultations strongly felt that the adjudication powers should be conferred to the judicial courts and the traditional systems of dispute resolution should be strengthened.

3. Traditional Institutions of Governance and implementation of PESA – In spite of a mini-constitution (Panchayats Extension to Scheduled Areas (PESA)) within the constitution enacted to empower the tribal communities still not materialised on ground. The participants strongly felt that PESA should be implemented in its letter and spirit and relevant changes should be brought in all other legislations in order to give way to PESA.

4. Tribal Rights and Entitlements: Education, Environment, Health, Culture and Women Empowerment – Participants vibrantly debated on the issues faced by the Tribal Women and the possible solutions. There was a further discussion on education, health and culture issues of tribals and recommended that the government should focus on this core areas in order to achieve the tribals sub-plan goals and the constitutional mandate.

The Consultation was attended by officials from Tribal Welfare Departments, Tribal Cultural Research and Training Institute, ITDAs, Academicians, Advocates, Tribal Leaders, Para-legal and Community Resource Persons working in tribal areas, forest officials, Tribal from various scheduled areas and NALSAR Professors Shri. Dr. D. Balakrishna, Prof. Dr. G. Mallikarjun and Mr. K. Shiva Charan, Advocate & Research Associates participated in the consultation.

**Two Day Workshop on Streamlining the Citizen Service Delivery in Revenue Department on 16-6-2017 to 17-6-2017 at MCR HRD Institute, Jubilee Hills, Hyderabad.**

#### **Subjects Discussed:**

##### **1. Revenue Issues:**

a. Survey/ Sub Division.

b. Mutation-ROR.

c. Pattadar passbooks issuance.

d. NALA-Conversion.

e. Revenue Court cases.

f. Jamabandi and updation of Record and Section 13 of S & LR's Act.

g. Crop booking.

h. Integration of Revenue Records & Registration Department.

i. Purification of Webland records.

j. Interlinking with Aadhar.

k. Welfare Schemes.

l. Certificates

m. Urban land records.

o. Land acquisition

n. Record Management System

2. Training and Capacity Building.

3. Survey Related issues.

4. Registration Dept related issues.

#### **B.R. Meena, Special Chief Secretary & Principal Secretary for Revenue**

While inaugurating the workshop B.R. Meena IAS, addressing the gathering stated that the State of Telangana is having maximum number of enactments and laws on Land and Revenue, it is time for simplifying them for effective implementation.

Without underhand dealings no mutations are taking place in Tahsil Offices. There are lot of problems relating to pattadar passbook and circulation of fake passbooks creating more complicating entries in the revenue records.

·The problems of Conversion of Agriculture Land to Non – Agriculture Land.

·Around 8000 cases are pending in Revenue Courts, Jamabandhi: Updating of records is not taking place.

Information is not there with Revenue Department with regard to how much of land is in cultivation, and its level of production, Chief Minister Shri K. Chandra Shaker Rao Garu has enquired with Revenue Department but Revenue Department was unable to respond, Then Chief Minister advised that this responsibility may be delegated to Agricultural Department.

### Smitha Sabharwal, IAS, CMO,

She stated that according to the public opinion, for the last two years the activity of ease of delivery of business is improved in the State of Telangana. It is observed that there is a drastic decline of Political corruption in past two years, It is time for simplifying the legislations and providing time bound services to the citizens, this two day workshop mainly intended to discuss 10-15 basic services. ROR, Title of Records, Monitory Mechanism, and Time Bound Service Delivery, all these things will bring transparency in revenue administration. The object of Public Services delivery Act is to provide the services within a particular time and in a particular manner.

She opined that without fresh blood we cannot push the things to the boundaries. There are immediate requirements to field establishments, Collectorate establishments in Districts. We need to have more robust system, in this age of technological advancement still we are following age old Acts. It is high time to imparting latest technology and use it wherever it is required.

She proposed to have an integrated document with regard to land titles, like pattadar passbook and Title deeds, it must be integrated and issued as one document or book.

She suggested purifying the data, keeping some supervision on revenue activities; Collectors should not keep away from core Revenue activities. Integrate the revenue documents or records, (Integration of Pattadar Pass Book and Title Deed)

·Linking of Khatha Numbers with Aadhar Card.

Khatha Numbers are linked with Aadhar in Ananthapur District of Andhra Pradesh State, 98% of Khatha Numbers are linked with Aadhar in Ananthapur District. Where as in Telangana 48% of Khatha's are linked with Aadhar.

·Linking of Aadhar will certainly bring accountability and transparency in revenue administration.

·Post Award activities on land acquisitions matters must be maintained in revenue records.

Training and capacity building activities to revenue officials are required.

1)Survey / Sub- Division Issues

2)Non updation of Survey Records

3)Fixation of Boundaries.

4)Redressal of Pendency within time prescribed specifically F-Line Petitions.

In the above mentioned areas our revenue system is completely disabled.

### Future Oriented Steps to be taken:

·False Title impleadings in the courts should be decreased

·Alert the Registration Department on Certain lands specially Government Lands not to be registered.

·Finalization of work status can be interlinked with another department through online. (Revenue and Registration Department)

### Chiranjeevulu IAS,

90 Village maps are missing in and around of Hyderabad then how we can conduct sub-divisional survey.

System required some inter linking and integration.

**Whenever registration takes place in the Registration Office concern MRO or Tahsildar can be called and he must sit and verify the Registration of land. He recommended amending the Registration Act.**

Miyapur village comes under Jagirdars; Records were not updated due to this, Miyapur and Kukatpally land scams were came into picture.

1.572 Village Maps are missing in Telangana.

2.Based on Tippons they are rebuilding the Village Maps

3.Mr. Devadas (Survey Dept) Said that 237 villages maps are missing in Telangana.

4.Around 100 Village maps are missing in Urban Areas (Hyderabad)

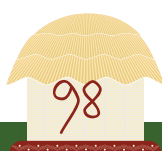
### Karuna IAS

1)She suggested that Tippons must be digitalized

2)Searching for original village maps or Tippons are taking 10 days of time.

3)Old chain system will consume more time to conduct survey. 98% of survey taking place by chain system.

4)ETS station or systems are very few in our hand, most of the time those systems are under repair only.





- 5) In survey accuracy is an important issue.
- 6) Availability of ETS machines are very less at present.
- 7) DGPS works through Satellite, whereas ETS comes under straight line.
- 8) Telangana Government does not have proper details on land records, lots of lands are in hand of Government but no record is there on such lands.
- 9) District Training Centers, Capacity Building is very much essential for Revenue Officials.
- 10) In security on land rights is across the globe.

### **Divya Rani IAS**

In Karnataka State before registration of any land the information will be entered in Divisional Office, after entry in SDO office then only registration can take place. In Karnataka State land registration is done by the Registrar after scrutiny of SDOs office with regard to concerned land and documents.

### **Tippon Village maps must be available in the hands of VROs and Tahsildars.**

Most of Tahsildars are not aware as to how to issue an order, and speaking orders too, on this some kind of reading materials and training programs are required to be conducted.

### **Participants Discussions:**

Transferring of surveyors power is vested with RJDs (Regional Joint Directors) that must be delegated to Collectors. At present in existing Districts, Deputy surveyors are more than Surveyors. So it's immediate requirement to appoint surveyors in each District of Telangana and also appoint a VRO in each village. These officers must be trained in Telangana Academy of Land Information Management.

VROs and licensed surveyors are taking training in TALIM and for giving a certificate TALIM is strict in passing. 66% is pass percentage in TALIM. Total number of surveyors in Telangana state are 850.

Land Surveyors duty not only identifying the encroachment on Government lands but also to protect the lands. 865 private licensed surveyors are there in the market as of now. 400 licensed surveyors may be in Hyderabad, but not in other Districts.

Appoint highly qualified people and train them on conducting of survey we can also test the efficiency of

trained VROs in survey aspects with licensed surveyors. Through this way we can see which will sustain either trained surveyors or VROs on survey.

In Mahabubnagar District there is no Meeseva facilitation centre for applying for survey. In Gadwal District they are following brick survey method.

Conduct survey in 3-4 Mandals as pilot project, to appoint train VROs make them trained in TALIM.

List of Applications for survey must be brought under the public domain. The applicant who is on possession of land, his land will be conducted survey by the surveyors. As a norm the applicant must be in possession of his land.

### **Rajath Saini IAS:**

In Serilingampally area 4000 survey applications were pending, with the instruction of District Collector to the surveyor for dispose applications within a time bound period, he disposed more than 3000 cases just to dispose sake. Here the surveyor not conducted survey and rejected more than 3000 applications without any reason, just for sake of showing figures in dispose column.

### **What is the order of subdivision of survey number? Either 112/A as first or 112/A1 which is the right method was a question among all participants.**

Digitalizing Sethwar, Khasra, Seesala, Vasool Baki, Tippons.

Digitalizing with proper indexing of Tippons and all other Revenue documents.

Digitalizing of Revenue Records and keep it for public domain is very much important.

Every decade Pahani must be digitalized.

### **Amendments to ROR Act:**

Pattadar Passbook details must keep in online.

Hardcopy must sent through post, and SMS alerts also should be given, since application was made or registration has been made.

Mahabubnagar District is place known to be a place for fake pass books. Running fake passbooks are in the banks and took loans from the bank; Revenue Authorities cannot be cancelled to those pattadar passbooks.

- 1) SRO-MRO modules for sale transactions



2)Mee-Seva Model only for succession

3)Pattadar Pass Books being sent through post and it must be available online. Dispatch Pattadarpass books through post/courier.

4)Mutation process should be converted in the process of VROs, Sr. Asst in Tahsildar and RIs should be given login.

5)All succession cases should be taken as Suo Motu and dispose the matters within 30 days.

6)When there is 10 mutation application has received then it must be disposed FIFO method, in case there is any confusion or ambiguity then that application at least complete the initiative process stage. Seniority of application must attend as first.

### **Presentations by Group 1:**

#### **Topics:**

#### **1.Survey/Sub- Division**

#### **2.Mutation – R.O.R**

#### **3.Pattadar Passbook Issuance**

#### **4.NALSAR Conversion**

**Group I- Members: Prashanth Patil IAS, Rajath Saini IAS, Karuna IAS, Zendage Hanumant Kondiba IAS, Valluru Kranthi IAS, DharmaReddy JC, Madhusudhan Rtd, Dy, Collector, Srinivas Rao Rtd Dy . Collector, Nageshwar Reddy, Mutyam Reddy, A. Narsimha Reddy, Devdas, Saidi Reddy, V. Balakista Reddy, Registrar & Professor, NALSAR University of Law, K. Shiva Charan Advocate & Research Associate from NALSAR University of Law.**

1)Vision – All Registrations to be done after Sub-Division and Automatic Mutation

2)Every transaction at SRO- Action at MRO

3)F- Line petitions to be disposed off in a time bound manner in private patta land cases. Through licensed surveyors and VROs (Trained in Survey)

4)All Survey numbers having mix of patta lands, and Government lands to be compulsory, sub-divided to stop NOC business and make a sacrosanct 22A list

5)Only online petition – FIFO principle.

#### **Problems Identified:**

·Huge pendency of F- Line Petitions

·Limitations on the number of petitions that a

surveyor can dispose off in a month, even if she/he is very sincere/ approx 20 per month.

·Lack of immediate and fast access to other survey, settlement and revenue records at the Mandal level in digital format.

#### **Systematic Improvement:**

·Digitalization and indexing of Tippons, Khasra Pahani, Seesala Pahani, Pahani of 1973 (for Inam Cases)

·Pahani of 1982 (for post Agricultural Ceiling Scenario)

·Any pahani of 90s and 2000s.

·Form 1, 18, 7 (Amendment Register)

·Indexing must throw up results of all the documents available for that particular sy.no.

·Many times one particular document is not available but other documents may provide a comprehensive solution to the problem at hand.

#### **Modernization of Department**

·Each Mandal - One ETS and One Hand held GPS

·Each Revenue Division – One DGPS

·Each Surveyor One – Laptop must be provided.

Mechanism to be developed so that survey report has to be brought to a logical conclusion, like correction in revenue records.

Ranga Reddy District 28 Surveyors. But most of them do not know how to use DGPS, ETPS and other modern survey equipments.

#### **Steps to be taken**

·One Mandal as pilot in every Division

·For registration after sub-Divisional only

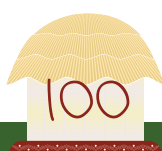
·865, licensed surveyors are in Telangana. Approximately half of them are in an around of Hyderabad.

·Vacant posts to be filled immediately by promotion or recruitment.

·Continuous capacity building programs

·Powers of AD to be delegated to District Survey Officer.

·Collector to be empowered to transfer surveyors within the District.



·In all surveys, small stones/ bricks to be put on the boundary points and photo of the surveyor and other persons present, to be captured which is practicing in Gadwal District.

#### **Mutation/ROR/PPB –TD/Issuance:**

·Duplication of applications in SRO-MRO integration module and Mee-Seva

Issuance of Manual PPB-leading to fake / bogus / multiple loans.

·Non- Updation of Revenue Records Regularly

·Dead persons names in revenue records.

·FOUTHI succession cases not being taken up Suomotu.

#### **Exclusively of SRO-MRO & Mee-Seva:**

·All transactions through SRO should be processed in SRO-MRO module only, in a time bound manner.

·No Separate application'

·All Succession cases to be processed through Mee-Seva.

·Those FOUTH (Succession) cases, for which no application within 90days, Tahsildar shall Suo-motu take up within next 30 days. Web land module.

·Linkage with death register of Panchayat Secretary.

·Form – 1 to be maintained.

#### **Process of Re-Engineering:**

·All process to be online, as VROs have TABS now.

·No discretion, with reference to time, sequence and process

SRO, MRO, VRO all steps online, time bound and non nondiscriminatory.

·No mutation without un objected and undisputed possession to be ascertained in a field enquiry.

·Photograph of person conducting enquiry with other officials present to be captured.

·Served copies of notices to be uploaded.

·Final outcome i.e. PPB/TD/Change in Pahani/Change in I-B/Reconciliation in Form-I

·All PPBs to be printed centrally with dispatch by post/courier.

#### **Presentation by Group – II**

#### **Topics:**

##### **1.Revenue Court Cases**

##### **2.Jamabandhi and Updation of Record and Section 13 S & LR's Act**

##### **3.Crop Booking**

##### **4.Certificates.**

Group – II Members: Surendra Mohan IAS, Divya IAS, Sunder Abnor, Shoba, Srinivasa Rao, Kishan IAS, Zahoor Ahmed, Gautam, Bhaskar, Madhusudhan Reddy, P. Uday Kumar IAS, Jitesh V Patil IAS.

Shantha Kumari IAS CMO as Session Chair on 17-6-2017.

Shanthakumari Garu said that Case management system, Court management system are effective systems to put the dispute an end in faster manner. Why we are failing to implement Land Management System. It's already there why not officers are not implementing is question posed by Shantha Kumari Garu, 99% of participants are not even know about the Land Management System which has developed by CCLA.

·Revenue Judgments/Orders/Proceedings should be uploaded in website and petitioner or anybody can view those orders.

·Most of orders or proceedings not being implemented, to implement such orders passed by MROs, RDOs, or Joint Collectors parties are approaching High Court for implementation.

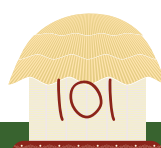
·Case Management System should be interlinked with web land

·Strict adherence to timings when Revenue Court is conducted. 10:30 AM to 4:30 PM time is sacrosanct on Saturdays. On such days proceeding officers may be exempted to perform any other duty like protocol officer whenever any minister or higher official are visiting in their jurisdiction.

·ROR, Inam, POT, Land Encroachment, LTR on these four enactments capacity building programs can be conducted.

·Most of the Tahsildars do not know how to write an order, specially speaking orders.

·Ready Reference or Ready reckoners are needed to know how to write an order, format orders, contents





of the order, Department is required some material or format, or model orders to write Revenue Orders. If a book is there on how to write an order it will be very much useful.

Mr. Surendra Mohan IAS shared his experience when he was visited Khammam District, that according to Sethwar 1500 Acres of land is there, where as in online 2500 Acres. So manual and online records must be in tune with originality.

Synchronizing of online records with Khasra, so problems will be lesser. Most of these things are happening for procuring bank loans through dubious/fake Pattadar Passbooks and Title Deeds.

The process of tallying Sethwar to Pahani, and Annual Assessment of Lands known to be Jamabandhi. It must be conducted time to time without fail.

High time to web land corrections or web purification.

### **Presentation by Group - III**

#### **Topics:**

##### **1)Urban Land Records**

##### **2)Training and Capacity Building**

##### **3)Land Acquisition**

##### **4)Record Management System**

##### **5)Welfare Schemes.**

**Group – III Members: Ronald Rose IAS, Sattaiah, Bhavani Shankar, Manohar, Chiranjeevulu IAS, Musharraf Farooqi, V G Naidu, B. Gopi, Badhavathi Santosh IAS, Srinivas.**

#### **Urban Land Records:**

1)One time cleaning of web land database, all transactions to be mandatory through web land.

2)One urban data base should be created it should be real time. It should be a single source to all the concerned departments.

3)Mapping of Government lands, and lands of Government interest should be done on Google or Satellite imagery.

4)Tippons should be prepared.

5)This data should be public domain

6)Jagir Lands, Protected Tenant Lands, Shikham

#### **Lands Finalization of Claim**

7)Dispute Resolution Mechanism. For existing disputes and those which may arise out of demarcation.

8)Regularization should be only for approved layouts.

9)Separate site map should be given at the time of registration.

10)Using satellite imagery to fix land boundaries in Urban areas.

11)Sub division should be made for blocking land registration under section 22A

12)Latitude – longitude mapping should be made compulsory for all land transactions and registration.

13)Legislation Proposal: Section 22A of Registration Act should be done on times with the Tamilnadu Model.

14)Staff: Outsourcing Agency can be appointed to do the one-time Survey.

15)Training and Capacity Building.

16)Land Acquisition: Post Award action should be made must.

17)Through it is existing in the Act, but it is not being implemented.

18)Proceedings should be generated online by the LAD. So that records upgraded real time.

19)Option should be added in web land to carry out post award action.

20)Old pending cases should be completed on high priority.

#### **Record Management System:**

1)Rebuilding missing Records on priority basis by using GIS technology.

2)Digital vault: should be used.

3)All existing records should be digitalized.

#### **Welfare Schemes:**

1)Caste certificates

2)Should be a single format acceptable by all. Should be issued one time and put in digital vault.

Birth Certificate:

- 1) Along with KCR kit
- 2) Registration at the hospital.
- 3) Both Registration at municipal/ panchayat within 3 months.
- 4) At Tahsildar level within 6 months
- 5) At RDO level within 6 months.
- 6) Birth Certificates issuance at Anganwadi centre.

#### **Presentation by Group – IV**

##### **TOPICS:**

##### **1) Integration of Revenue Records and Registration Department**

##### **2) Interlinking with Aadhar.**

##### **3) Purification of webland records.**

**Group – IV Members: Raghunandan Rao IAS, Ravi Naik, Ravinder Reddy, Ravindra babu, Sreedevi IAS, Shakuntala, OJ Madhu, P. Ramu, Srinivasulu, Twinkle, Priyanka Ala IAS.**

Integration of Revenue Records, Purification of Web land is an immediate step to be taken.

- Rhythu Samagra Survey
- Time bound plan for rectification module
- Health of pahani
- Extent to match
- Names to be correct and complete, have Aadhar numbers
- No names of dead persons on existing records
- No special characters in the description of survey numbers
- Tag the legal properties of the land to each survey numbers.
- Use the I-B, Tippon in the webland
- NALA module to be provided in webland and integrated with pahani.
- Inability to fully implement is an operational issue of Revenue.
- Post award actions information must be provided in webland on land acquisition matters.
- As of now a pahani is an erroneous document. It needs lot of corrections to bring a perfect form.

Integration of Revenue and Registration Department.

· Furnish updated list of lands in section 22-A as per high court orders. The list to be biometrically authenticated on web land by the Tahsildar for correctness and completeness.

· Copy of entries in web land to be given to buyers and sellers.

· Global search at Sy. No level for all ECS.

· Location sketch with reference to Sy.No to be made mandatory for registration.

· Debate on whether Geo referencing should be made mandatory.

· Mechanism to prevent unauthorized and illegal layouts.

· Poor IT infrastructure and IT security and almost no disaster recovery system. IT policy for user department should be framed and third party audit also to be a part of it.

Recruitment:

Direct Recruitment possible at 4 levels.

· VRO

· Junior Assistant

· Deputy Tahsildar

· Deputy Collector

Amend Rules to recruit probationary RIs (Revenue Inspectors)

Around Out of 584 Mandals, 60 Urban Mandals, and 68 Revenue Divisions are existing. The present requirement of Revenue Department 1000 Revenue Inspectors are required.

a) 1 PRI for every rural Mandal

b) 2 PRIs for every 2 Mandals

c) 3 PRIs for every RDO office.

d) 5 PRIs for every Collectorate

e) Let's recruit 500 VROs, 250 Junior Assistants, and 250 Deputy Surveyors.

Suggestion: Establish a land wing in each MRO office.

Brief Discussion with Spl Chief Secretary & Principal Secretary for Revenue Department after the Workshop on Key Amendments to ROR Act and an Ordinance to bring Amendments to ROR Act.

Amendments to ROR Act:

Section 2 (ii)

Section 5 (VI)

Section 6

FOUTHI Case

Section VI(c), VI (d) and 12 A is added this section may be scope for the lawyers to litigate.

### **FOREIGN DELEGATES VISITED NALSAR UNIVERSITY OF LAW**

On February 18, 2017, Ms. Maren Christensen, Senior Vice President of Intellectual Property Laws Counsel at Universal Studios in Los Angeles and Ms. Alessandra Silvestro, Vice President, Legal and Public Policy at Time Warner Incorporation at the Brussels visited NALSAR University of Law, Hyderabad today, and interacted with the Faculty and Students about various projects undertaken by NALSAR more particularly about the works undertaken by Centre for Tribal and Land Rights (CTLR), NALSAR in collaboration with Landesa (RDI), Hyderabad.

Interacting with the delegates, Prof. V. Balakista Reddy, Registrar, NALSAR University of Law highlighted the several good community models developed by NALSAR including the paralegal programme, village land clinics, land rights centers in district courts and revenue offices and various legal literacy initiatives. These projects have helped more than a million households in Telangana and Andhra Pradesh in securing land rights. Professor Reddy also mentioned about the participatory land laws review undertaken by the University for both Telangana and Andhra Pradesh States.

Speaking at the interaction session Mr. Sunil Kumar, Director, Land Laws and Policies, Landesa explained

the importance of this community driven land records model. He informed that the Government of India in continuation of a decade long efforts to modernize the land records recently announced the Digital India Land Records Modernization Project with a budget estimate of 15,000 crores to be spend over a span of four (4) years with an objective of upgradation and modernization of land records. Community participation is a major challenge in making the programme a success and in this regards the model developed by NALSAR is a valuable contribution in addressing this concern.

The next day delegates are also visiting Mahabubabad, Warangal and Jangaon Districts to observe the field work undertaken by Centre for Tribal and Land Rights (CTLR), NALSAR and Landesa teams who has done commendable work on various land related issues. In these districts, the community trained by NALSAR verified all the land records and submitted applications before the concerned authorities and all the land issues in one village have already been resolved. This model was appreciated by Government of India and the State Government and they are actively considering replicating this model under the Digital India Land Records Modernization Programme.

Ms. Maren Christensen and Ms. Alessandra Silvestro highly appreciated the efforts of Centre for Tribal and Land Rights (CTLR), NALSAR and Landesa and felt that this is a wonderful model worth replicating ever where in the globe. They also said that they will do everything possible to support these initiatives as they see these models as path breaking in providing secure rights to the poor.

Drafting of Legislations Works

### **Draft of Telangana Agricultural Produce Act & Rules**

Drafted of Telangana Agricultural Produce Act 2016 & Rules, during the years of 2016 & 2017 under the esteem stewardship of Prof (Dr) V. Balakista Reddy the team was constituted with expertized professionals by namely retired Acting Chief Justice



of erstwhile Andhra Pradesh High Court, Shri B. Prakash Rao Garu, Prof. G. B. Reddy, Osmania University, V. Sreedhar Reddy, Mr. A.P. Suresh, Practicing Advocates of Telangana High Court,

Dr. G. Mallikarjun Asst. Professor, Mr. K. Shiva Charan and Jyoti Research Associates of NALSAR. The team under the guidance of Professor V. Balakista Reddy had several brain storming sessions along with in depth research during drafting of the Telangana Agricultural Produce Act & Rules

The key highlights of this Act and Rules were amended in the following areas.

- Regulation of marketing of notified agriculture produce.

- Sale of notified agricultural produce in market.

- Terms and procedure of buying and selling.

- Power to levy market fees (Single point levy)

- Permission for transportation of notified agricultural Produce.

- Registration of functionaries.

Framing of Rules On Telangana Agricultural Produce and Livestock Marketing Act 1966.

The source of availability of agriculture produce in the market solely on the basis of untiring efforts of the farmers to nurse the plants, raise the crops and bring the agricultural produce to market for the consumption of the people.

In order to strengthen their efforts, it is proposed to provide online trading facilities which will help the farmers to get a competitive price and also the demand and supply of the products may increase on account of online trading.

The agriculture produce and its marketing is playing an important role to provide vegetables, fruits, grains, cereals and live stocks on competitive prices and availability of agricultural produce on account of online marketing. There is a need for strengthening online trading, which is possible only by systematic coordination among farmers, traders and consumers. The key players in these activities are farmers, market committees and consumers, therefore the need for

streamlining of marketing activities are is the need of hour.

It order to encourage farmers and facilitate farmers with latest technological development, proposed to introduce online marketing through NAM (National Agricultural Marketing), which was introduced by Hon'ble Prime Minister of India on 14th April, 2016. NAM is not a parallel market but a device to create national network of physical mandis, which can be accessed through online, it is a facility to enable the buyers situated even outside the state to participate in trading at the local level.

### **The objective of framing Rules:**

To provide adequate means to achieve the aims of Telangana Agricultural Produce live stocks and marketing Act 1966, and to help the farmers to sell their agricultural produce as early as possible to save time and money, which may encourage them to grown more and more agricultural produce.

The introduction of online marketing will systematize the products brought to the market by licensing farmers, agents, and consumers. The online marketing will also enable the farmers to know the demand and supply of agricultural products in the market on day to day basis.

### **Rule framing Initiative:**

In order to help the farmers, warehouse keepers, traders, and consumers it is necessary to frame the rules for regulating the activities of online marketing.

The introduction of online marketing will facilitate the consumers to inform the agricultural producers to bring a particular product of a particular quantity at particular date and time.

By introduction of online marketing facility the supply and demand of agricultural produce can be streamlined, thereby, which will results in balancing supply and demand to get a competitive price for farmers

In order to strengthen online marketing the co ordination of farmers, agents, and consumers are essential.

### **Policy coordination and consistency:**

The rules initiatives support the farmers, agents, and consumers.

### **The need for Creating key factors:**

The marketing committee shall oversee the activities of e-marketing in order to protect the interest of the farmers, traders and consumers.

Creating infrastructure for the purpose of implementation of law: The enabling infrastructure for the implementing legislative mandate, need to built, which includes changes in existing rules and regulations.

### **Effective Assessment of market committees and trade under the Act:**

Market committee activities, credible assessment and certification with regard to licenses for farmers, traders and consumers will be developed. The assessment, certifications and issue of licenses will enable the state to regulate the marketing activities.

### **Drafted Telangana Municipal Act 2019**

Drafting of Telangana Municipal Act 2019, during the month of June 2019 under the esteem stewardship of Prof (Dr) V. Balakista Reddy the team was constituted with expertized professionals by namely retired Acting Chief Justice of erstwhile Andhra Pradesh High Court, Shri B. Prakash Rao Garu, Prof. G. B. Reddy, Osmania University, V. Sreedhar Reddy, Mr. A.P. Suresh, Ms. Rajeshwari, Practicing Advocates of Telangana High Court, Dr. G. Mallikarjun, Faculty NALSAR, Mr. K. Shiva Charan and Jyoti Research Associates of NALSAR. The team under the guidance of Professor V. Balakista Reddy had several brain storming sessions along with in depth research during drafting of the Telangana Municipal Act 2019

The act was a result of several developments. After the TRS came into power, the number of districts in the state has been increased to 33. With many mandal headquarters now became district headquarters, rapid urbanisation is taking place in tier-2 and tier-3 towns and cities in the state.

A provision for a 'green budget' has also been laid down, constituting 10% of the total municipal budget,

which must be earmarked for taking up plantations. Ward members have been made responsible to ensure that at least 85% of these plants survive.

The roles of a Chairperson, Commissioner and ward members have also been clearly defined to ensure that municipalities collect garbage at the door, prevent encroachments, pull down unauthorised hoardings and ensure sanitation, regular water supply and proper amenities.

The Act also grants more power to the state Government as it can cancel any resolution passed by a civic body and can even suspend chairpersons, wielding control over Urban Local Bodies (ULBs), through District Collectors.

As far as citizens are concerned, the state government said that progress reports would be uploaded online with a time-bound plan to address their issues, failing which a penalty would be issued to officials concerned.

The Act also allows citizens to 'self-certify' plans for their plots and apply for property tax assessment online if they have a plot size of less than 500 sq metres. The government said that it would undertake random audits and any citizen found deviating from the plan given to the government would be fined.

"We want to decrease human interface to ensure a more transparent process. There will be no permission required for plot sizes less than 75 square metres. House tax will also be only Rs 100 annually, while their registration fee will be just Rs 1. They need to register with the municipality to ensure that they can avail amenities provided by the state by paying the token amount,"

The municipalities represented by the Municipal Commissioners will have a defined job chart which include construction and maintenance of roads, drains and other infrastructure work; ensure proper water supply; ensure sanitation; solid and liquid waste management; ensuring house to house garbage collection; regular sweeping of roads; safe transportation of waste; slum improvement and upgradation; maintenance of night shelter for urban homeless; provision of bus shelters; maintenance of

burial grounds and Vaikuntadhamam and electrical crematoriums; maintenance of street lights, parking places and road medians; regulation and management of slaughterhouses and any other State function and responsibility as entrusted by the State government from time to time.

The Municipal Commissioner and all the employees of municipalities shall work under the direct control and superintendence of District Collector. In order to bring transparency in Property Tax collections and provide ease of transactions to citizens, the calculation of Property Tax will be unit based and citizens will be able to file it online based on self-certification method regarding the area and its usage and accordingly the Property Tax will be levied. While the State Government would like to have greater trust on its citizens, there will be a system of strong deterrence including heavy penalty in cases where the self-certification is false or incorrect deliberately. All certificates and copies of certificates as required from the municipalities such as birth certificate, death certificate, land use certificate, child name inclusion in birth certificates and corrections in the certificates shall be issued online in a time bound manner after the individual has furnished self-certification along with required documents wherever necessary.

New Municipal Act is brought out which is in tune with changing times and addresses effectively the aspirations of urban Telangana. The new Act would be not only the most transparent Act aimed at zero tolerance for corruption and delays, but also the most powerful Act in terms of inbuilt mechanisms to ensure accountability and minimizing citizen discomfort points.

#### **Newly Elected Sarpanches Training Program at NALSAR**

During the month of February between 18 -22 of 2019, NALSAR trained newly elected Sarpanches of Medchal District, around 62 Sarpanches were trained on newly amended Telangana State Panchayat Raj Act 2019, Apart from this Act other relevant Acts were also taught to them, This 5 day training program was inaugurated by Medchal Constituency MLA Shri

Malla Reddy Garu, District Collector Shri M. V. Reddy I.A.S, Professor ( Dr) V. Balakista Reddy, Registrar, NALSAR University of Law, Shri Ravi Kumar District Panchayat Officer, MPDOs , EORDs and other Panchayat Raj officers were presented. The main emphasis of this 5 day training program on duties, responsibilities and powers conferred to Sarpanches under recently Amended Telangana Panchayat Raj Act 2018.

During these session Prof. Dr. V. Balakista Reddy, Registrar of NALSAR addressed the Sarpanches about the vision and mission of the NALSAR, so far their contributions to the society explained clearly, NALSAR achievements from International to National level. Their services also extended to villages in recent past, As a part of Academic Social Responsibility many initiatives have been taken for welfare measure of gross route people, The programs which are being conducted by NALSAR was highly appreciated by State and Central Governments. Being a premier institution in Legal field is fortunate to have in Medchal District. He highlighted the duties and powers of Sarpanches as per the newly amended Panchayat Raj Act, he further expressed NALSAR will definitely support the Sarpanches of Medchal District with regard any legal assistance to the villages of Medchal District.

During this Program Professor Shri Dr. Harati Wagheshan enlighten the newly elected Sarpanches on practical approach to how sarpanches have to coordinate villagers and provide good administration at villages, his tips were so useful for the gathering to how to identify the village problems and resolved by following all rules and regulations, his simple way of presentation went into depth of the audience to understand clearly on the village issues and challenges which usually face by the Sarpanches in discharging of their duties on regular basis. The practical examples which he addressed are very much appreciated by the Panchayat Raj Department officials and Sarpanches of Medchal District.

During this program Mr. K. Shiva Charan an Advocate & Research Associate of NALSAR University of Law, explained few legislations which



certainly Sarpanches supposed to know for a better administration at villages, he emphasized few important legislations covering both Civil and Criminal nature like, Land and Revenue Legislations, Agricultural Produce Act, Domestic Violence Act, Dowry Prohibition Act, Child Labour Act etc.,

During this 5 day training program officials from Panchayat Raj Department, Agriculture Department and NGO Sector people were trained these newly elected Sarpanches of Medchal District.

### **One Day Review Meeting to Newly Elected Sarpanches at NALSAR**

On 22nd October 2019, Medchal District Sarpanches Review meeting was organized at NALSAR University of Law, on this day Shri. C. Malla Reddy Garu, Hon'ble Minister of Telangana, M.V. Krishna Reddy I.A.S Medchal District Collector, Shri. Vidhya Sagar Joint Collector Medchal District, Shri. Prof. Dr. V. Balakista Reddy, Registrar of NALSAR, Sharath Chandra Reddy, Z.P. Chairman of Medchal District, ZPTC Members, MPTC Members and Sarpanches of Medchal District were present. During this review meeting how this public representatives able coordinate and cooperate for the development aspects such as lying of roads, water supply, construction of lavatories, and etc. they got immense support and encouragement time to time by Shri M.V. Reddy I.A.S. District Collector. He encouraged and motivated all the newly elected public representatives to prosper their villages and to be set as best model villages in the State. During this review meeting announced best model villages and rewarded nice prizes by Hon'ble Minister to them.

### **Interaction on Community Driven Land Records Updation Model With Representatives of Rural Development Department from 13 Countries, on 16th December, 2016.**

On 16th of December 2016, International Representatives from 13 countries have participated in one Day program in NALSAR University of Law. This program was inaugurated by Prof. (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law, Hyderabad. He heartily welcomed the

delegates who come from 13 different countries to participate in the program. Professor Reddy emphasized that the model which has been developed by NALSAR University of Law and Landesa will be useful to implement the programs designed by Central and State Governments for the purpose of modernization of land records. These International delegates have visited the villages and observed the role of community in modernization of land records developed by NALSAR and Landesa.

Professor (Dr) V. Balakista Reddy explained about the programs related to modernization of land records to 25 representatives who attended the program from 13 countries of the World, he also explained to the delegates about the pilot projects which are undertaken by NALSAR in collaboration with Landesa with the involvement of community and paralegals in verification, rectification and modernization of land and revenue records in Warangal, Mahabubabad and Janagaon Districts of the Telangana State. On the model developed by NALSAR, about four thousand problems were identified and rectifications were carried out.

Centre for Tribal and Land Rights of NALSAR University of Law, through the pilot project of modernization of land and revenue records, cleared the problems of land in remote tribal village called puttalabhupathi in Narsampet Division of Mahabubabad District. Since decades tribal are cultivating lands without any titles and ownership documents. With the intervention of NALSAR and Landesa with the help of Revenue Department able to conduct door to door survey and gathered the information, by following legal rules they demarcated the shares of the land of particular families in the Village, further by using of modern survey techniques demarcated the respective possessions of land and installed boundary stones to avoid future litigation among villagers. Thereafter handed over Pattadar Passbooks, Title Deeds and I-B Register documents to 72 families of Puttalabhupathi Village. The same type of method used and handed over to 55 families in Kanayapally Village of Raghunathpally Mandal in Janagaon District and

handed over to 25 Scheduled Caste families in Gopalgiri Village of Thorrur mandal of Mahabubabad District of Telangana State.

Mr. Sunil Kumar, National Director of Landesa, said that recently Central Government has announced that in next four years the Central Government planned to modernize the land and revenue records and allocated 15 Crores of Rupees of budget for this mission. Central Government has appreciated the models developed by NALSAR and Landesa for the

purpose of modernization of Land records, and the Government said that they will follow the same model developed by NALSAR and Landesa for other States of India. The delegates from Srilanka, Bhutan, Myanmar, Afghanistan, Indonesia, Russia, Ghana, Tanzania, Fizi, Timor, West African Countries, Nigeria and Sudan countries representatives who are working for Rural Development Departments of respective countries have participated and were impressed with the models developed by NALSAR and Landesa.



# Land Rights - Legal Aid Clinic - A Unique Experiment

## The Pilot Project

Landesa established a first-of-its kind Land Rights Centre at the premises of District Court and also two Sub-District Level Land Centres in Warangal district of Telangana. The Centres are established to provide free legal services to the poor on land matters.

As part of the Centres' Land initiatives, a community-driven process of verification of land records and ground-checking is being done in six villages in Warangal District of Telangana State. The selected villages are located in six mandals (including two mandals in the Scheduled Area) in three divisions of Warangal district. These villages are selected based on highest proportions of Scheduled Caste and Scheduled Tribe populations. This process is aimed at identifying and resolving land problems, updating land records, and securing clear titles

This pilot was undertaken in collaboration with NALSAR University of Law, Revenue Department of Government of Telangana and the Legal Services Authority in 6 villages covering six mandals under three sub-divisions with large Scheduled Caste and Scheduled Tribe population for focused interventions on land dispute resolution and legal empowerment of the poor. Six paralegals and 18 community resource persons were selected, trained and positioned to resolve land problems and spread legal awareness in villages. And two Advocates were hired to provide support to the team. Each of these personnel was trained through intensive fieldbased sessions and a one week course at NALSAR University of Law. Designed and tested methods and formats for identifying land problems at the village level using a multidimensional approach involving household surveys, physical inventory of land, land records verification and participatory rural appraisal in the project villages.

Landesa's mandate was straightforward enough but quite significant in the context of a nation rapidly digitalizing and of a State that is still nascent. It was to develop and test a model for creating informed demand for land rights for the poor and tribals.

Based on the learnings from the LNB study and the Land Caravan as well as Landesa's previous experience in piloting and scaling community-based paralegal programs in Telangana and Andhra Pradesh and a Community Resource Person (CRP) program in

Odisha, Landesa designed and established two sub-divisional level land legal aid centres at Jangaon and Narsampet in Warangal district.

## Mandate:

The mandate was to complete the following activities as part of the design, establishment and functioning of the centres:

1. Established two sub-divisional level land rights legal aid centres in Jangaon and Narsampet in Warangal district.
2. Selected six villages covering six mandals under two sub-divisions with large Scheduled Caste and Scheduled Tribe population for focused interventions on land dispute resolution and legal empowerment of the poor.
3. Selected, trained and positioned six paralegals, to process petitions and provide legal empowerment trainings; 18 community resource persons to identify land problems and spread legal awareness in villages; two community surveyors to deal with survey and boundary disputes; and two centre coordinators to be responsible for overall coordination of the centres. Each of these personnel was trained through intensive field-based sessions and a one week course at NALSAR University of Law in Hyderabad.
4. Designed and tested methods and formats for identifying land problems at the village level using a multi-dimensional approach involving household surveys, physical inventory of land, land records verification and participatory rural appraisal in the project villages. In the six selected villages, the team identified a total of 3712 land cases, problems or disputes.
5. Designed and tested techniques and materials to spread legal awareness among villagers and empower them on land matters. Landesa provided legal awareness training programs to 420 people (including 360 women) in the six project villages and provided legal empowerment training to 180 rural youth.
6. Out of the identified cases, thus far, the centres helped to file 559 applications filed for regularization of Sada Bainama (unregistered sale deeds) and to resolve 70 land cases in one of the pilot villages through village courts.



### Process:

The process of community mobilization started with the identification of representatives of the community who could be trained to become the drivers for the project. In each of the selected villages, three local youth have been identified, trained and positioned as Community Resource Persons. They have been selected by the Gram Panchayats in consultation with women self-help groups, farmers' groups, youth organisations under the supervision of the village revenue officer. Community Resource Persons had undergone six days training on land records and the process to verify on ground. The Pilot project involved a six-step process:

- Household Survey: The Community Resource Persons visited every household in the pilot villages to collect information pertaining to the land owner and any problems he might be facing. The details were written down in the prescribed format by talking to the persons in every household and verifying the available land documents.
- The second step was collecting Information from Land Records, including 1B, pahani, setwar, khasra pahani, village map, tippan, assignment register, Inam register and the government land register.
- And then it was the field verification with the CRPs visiting every parcel of land in the pilot villages to obtain information in the prescribed formats from the persons cultivating the land and the neighboring farmers. The CRPS also prepared a rough sketch of every land parcel (and a possible re-survey using GPS/Drone/other suitable technology).
- Data Analysis: Community Resource Persons under the supervision and guidance of Land Laws experts and retainer lawyers, listed out the land problems (owner-wise and land survey number-wise) by correlating the information obtained from household survey, land records and field verification.

It was then time to update land records and resolve problems. The correlated information and the list of land problems have been submitted to the revenue authorities and steps were taken to get the land records updated based on the information obtained. The Community Resource Persons, under the supervision and guidance of Land Laws experts and retainer lawyers, filed

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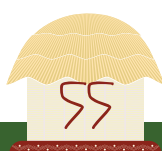
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The Community Resource Persons, under the supervision and guidance of Land Laws experts and retainer lawyers, filed applications before the revenue authorities concerned. The team also organized Gram Sabhas and Village Courts to resolve land problems and to update land records.

And finally, Land Records Kits and Land Legal Literacy have been handed over to the land owners in villages where the entire process has been completed.





All the land owners have been provided copies of updated land records. With this basic land legal literacy has been created in the pilot villages.

While it was a major exercise to collect authentic information from the land owners, the team had to wade through a sea of records to identify the right lands.

At places, land owners had segments of land at different places in the village and it was a laborious process to list them out, change the survey numbers and then bring them all under a single ownership as one parcel. It was a Herculean task but the project could achieve it.

#### **Report on Warangal Activities:**

1. During the period 2013 to 2018 the Land Rights Clinic has –

- a. Provided legal advice to about 1500 persons with land problems and helped them in getting their land problems resolved.
- b. Organized land legal literacy programmes in about forty villages in Warangal District and created awareness on land rights, records and procedures for getting the land problems resolved. Until now, about ten thousand rural

people reached through the legal awareness meetings organized in the villages.

- c. Organized training programmes on land matters to various stakeholders including paralegal volunteers, SHG women, Anganwadi workers, students, police officers, revenue officers, Advocates, media persons and members of civil society organisations. About 4400 people were given training.
- d. Village Clinics were established in six villages covering six mandals under three sub-divisions with large Scheduled Caste and Scheduled Tribe population for focused interventions on land dispute resolution and legal empowerment of the poor. In the six selected villages, the team identified a total of 3712 land cases, problems or disputes. The centres helped to file about 800 applications and resolved 340 land cases. One tribal village became land problems free with our efforts. Land records were updated in three out of the six pilot villages and new title deeds were issued to 220 poor families.
- e. Impressed by the success of the pilot initiative and in order to create a model for the Government of Telangana to update the land



records across the state, a two-village pilot was initiated in Suryapet district upon the request of the district administration. The Suryapet district administration extended the necessary financial and administration support. The team using the community driven land records updation model, resolved all the land problems in these 2 villages and got to land records updated. The team also organised a series of land legal awareness campaigns in these 2 villages.

e. Contributed to the monthly land magazine of the revenue officers association which is widely circulated among revenue officers and panchayats. The team is writing every month for five columns – 1) land records; 2) judgements; 3) land laws; 4) best practices; 5) land books review.

f. Provided training to more than 500 revenue officers

f. The work done by the Clinic in 8 villages served as the foundation for the state wide land records updation drive undertaken by the state government. The government of Telangana has undertaken land 100 days land records updation drive during September to December 2017 and purified 93% of land records in all the 11,000 revenue villages. The government has also issued new title deeds to all the 58 lakh farmers in the state.

g. The team has prepared a book on land records which helped the revenue officers across the state who are part of the land records updation drive.

h. As requested by the State Legal Services Authority, the team has provided training to the tribal youth across the state of Andhra Pradesh. About 400 tribal youth were given a three-day training on land records.

I. Team has also provided necessary support in organising the 10 district level consultations organised in collaboration with RDI.

2. During the period March 2018 to December 2018 the Land Rights Clinic has

a. Published a book on regularization of un-registered sales providing guidance to revenue administration and the farmers. About six lakh farmers applied for regularization of their titles.

b. Provided training to about one thousand farmers on the regularization of un-registered sale deeds

c. Assisted the government of Andhra Pradesh in enacting dotted lands regularization Act. Created awareness on the process the media. About one lakh farmers applied for regularization.

d. Organized five district level training programmes on land rights and the process to get the land problems resolved.





# Training the Para Legal - A Million poor Benefited

## ORDERS OF THE GOVERNMENT OF ANDHRA PRADESH ESTABLISHING LAND RIGHTS AND LEGAL ASSISTANCE CENTERS

### GOVERNMENT OF ANDHRA PRADESH

#### ABSTRACT

SERP- APDPIP/APRPRP- Approval of Budget for the year 2006-07- Comprehensive Guidelines on Land Component – Orders - Issued.

#### PANCHAYATI RAJ AND RURAL DEVELOPMENT (RD.IV) DEPARTMENT

G.O.Ms.No.312

Dated: 07.08.2006

Read the following:- 1. G.O.Ms.No.283, PR& RD (RD.IV) Department, Dt: 18.07.2006.

2. G.O.Ms.No.319, PR& RD (RD.II) Department, Dt: 08.09.2005.

ORDER: The Government have issued orders vide reference 1st read above allocating budgets for the year 2006-07 for APDPIP and APRPRP component-wise and budget line wise.

2. Indira Kranthi Patham has been focusing on the Land Purchase programme to facilitate the poor to access productive lands under assured sources of irrigation. In addition, non-land purchase initiatives are taken up as pilots in a few districts wherein issues regarding land access i.e. secured access to title and possession of the lands are addressed. Since the pilot initiatives have been very successful under IKP, Government has decided to implement non-land purchase component in all the districts from 2006-07 onwards, apart from the Land Purchase component. Following are the guidelines issued for implementation of Land Component.

#### 3. Land Purchase

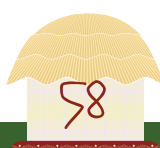
- 3.1. A budget of Rs.20 crore is allocated for purchasing lands during the current financial year district wise as given in Annexure I.
- 3.2. The Land Purchase strategy as enunciated in the G.O 2nd read above i.e. purchase of lands under assured sources of irrigation, shall continue to be pursued.
- 3.3. Apart from the individual purchase of good quality lands under assured source of irrigation, the Village Organizations also can

purchase land to raise fodder plots and for providing support to the community nutrition centers.

- 3.4. Priority shall be given to the SC/ST landless laborers.
- 3.5. The loan amount recovered shall be utilized for purchasing more lands and shall not be diverted for any other purpose.
- 3.6. Every beneficiary assisted under the scheme shall be facilitated to secure crop loans from the Banks.

#### 4. Non-Land Purchase Activities

- 4.1. It has been the experience of IKP that the poor are not able to take advantage of the Government's pro-poor land legislations and programmes due to lack of awareness, access to information and lack of facilitation support. They require a sensitive support mechanism to help them in accessing information, knowledge, records, justice etc. There is a need for a system which provides a platform to them and facilitators who support them in dealing with their land issues. In view of the above, it is decided to set up a support mechanism in the districts which is as below.
- 4.2. The activities will be implemented in 761 plain mandals and 65 tribal mandals covering all the districts. A budget of Rs.10.71 crore is allotted to the districts for taking up the following activities as given in Annexure II.
- 4.3. Land Rights and Legal Assistance Centers in ZillaSamakhya: The ZillaSamakhya in every district will set up a Land Rights and Legal Assistance Center to function as a sensitive support organization for the poor. The Center will handle all the activities relating to ensuring secured land access to the poor like creating awareness, providing access to information and land records, facilitating resolution of survey related issues, providing legal assistance wherever required etc., apart from liaisoning with the revenue machinery. The activities of the Center will be coordinated by a Land Manager, a retired



revenue officer. For handling the above activities the Center will position the following systems/personnel.

**a. Paralegals:** In each district rural youth/women from the community will be identified, trained in land and legal matters and positioned as paralegals. There will be one paralegal per mandal. Paralegals, with a qualification of graduation, are identified from the community by the Mandal Samakhya. They identify the land issues of the poor in their area and facilitate them to resolve these issues.

**b. Legal Coordinator:** A Coordinator with law background will provide functional support to the paralegals and also will liaison with the Legal Service Authorities. His/her services will be contracted by the ZillaSamakhya. There will be a separate coordinator for tribal areas.

**c. Land Managers:** Retired Deputy Collectors or Tahsildars from the Revenue Department with a pro-poor attitude will be positioned as Land Managers of ZillaSamakhya. They will assist the Legal Coordinators in their liaison with Revenue Machinery, coordinate the community surveyors and take care of all the necessary matters and ensure that the programme runs smoothly without any administrative delays or hindrances.

**d. Lawyers Panel:** For fighting out the land cases pertaining to the poor pending in both Revenue and Civil Courts, ZillaSamakhya will empanel a group of d. Lawyers Panel: For fighting out the land cases pertaining to the poor pending in both Revenue and Civil Courts, ZillaSamakhya will empanel a group of 5 pro-poor lawyers. Law students and paralegals will assist these panels.

**e. MoUs with Law Colleges:** The support of Law Colleges will be enlisted for utilizing the services of the law students in identifying land cases of the poor and also in doing preparatory work for the cases to be taken up in LokAdalats as a part of their Legal Aid Clinical Course. The DRDAs will enter into MoUs with the Law Colleges.

**f. Orientation to Revenue Machinery:** The Revenue Machinery from all the activity mandals will be trained on the Legal Assistance Programme. Their support will be solicited such as giving access to land records, files, conducting village courts etc. APARD,

supported by the Legal Coordinators and Land Managers, will organize these sessions. g. Community Surveyors: A group of about 25 rural youth will be trained in survey by the AP Survey Training Academy to evolve them into community surveyors. After training, these will be under apprenticeship with the regular Mandal Surveyors. The ZillaSamakhya will contract them and use their services to settle the survey related issues of the poor.

**g. Community Surveyors:** A group of about 25 rural youth will be trained in survey by the AP Survey Training Academy to evolve them into community surveyors. After training, these will be under apprenticeship with the regular Mandal Surveyors. The ZillaSamakhya will contract them and use their services to settle the survey related issues of the poor.

## 5. Working Model

- 5.1. All the pending land cases/ issues in the courts/offices of the Revenue Officers will be listed out.
- 5.2 Law Students/ Paralegals will obtain the required information from case files in Revenue offices.
- 5.3. Apart from the Revenue offices, the Paralegals also will map the land issues in the villages.
- 5.4. Paralegals will conduct local enquiry in identified cases and collect the information on all other cases pending in the villages and submit factual reports to the Revenue Officers.
- 5.5. The Revenue Officers will hold Village Courts to hear and dispose off the cases and resolve the land issues.
- 5.6. The support of the District Legal Services Authority will be sought to facilitate organization of LokAdalats for cases pending in the civil courts.
- 5.7. Wherever intervention of lawyers required, the Lawyers Panel will take up the cases providing legal aid.
- 5.8. Wherever survey related issues are reported, the ZillaSamakhya will send its community surveyors for resolving the same.

5.9. Efforts will be made for creating 'land litigation free villages'.

5.10. Community will be empowered by spreading legal awareness

#### 6. Centre for Land for the Poor in AMR-APARD

6.1. To provide support to IKP in the above endeavor, it is decided to set up a Centre in AMR-APARD which will act as a resource center for not only capacity building of various stakeholders of the programme but also to provide technical support in dealing with area specific land issues which are not resolved for years together like issues related to Inams, Tenancy, Plain paper transactions etc.

#### 6.2 The Center will perform the following specific functions.

- a. Initial training of Paralegals in land matters.
- b. Training of Legal Coordinators in pro-poor perspective.
- c. Selection and training of Land Managers.
- d. Orientation to the Revenue machinery in legal assistance programme.
- e. Development of training modules for all the above.
- f. Production of awareness films.
- g. Provision of infrastructure to the District Land Rights and Legal Assistance Centers.
- h. O&M support to the Land Unit of SERP.

#### 7. Support by NALSAR University of Law

SERP has entered into MoU with the NALSAR University of Law to provide support in

- a. Establishing a Land Rights Center exclusively meant for tribal areas.
- b. Running a paralegal certification course.
- c. Selection and training of legal coordinators.
- d. Orientation to the Revenue machinery in tribal areas.
- e. Orientation to the Lawyers Panels.
- f. LTR case law compilation. g. Organizing LokAdalats.

#### Fund Flow

8.1. The Land Purchase budget will be kept with the DPMU and will be released as per the

8.2. The budgets pertaining to the remuneration @ Rs.2500 and traveling allowance @ requirement. Rs.1000 per month for the paralegals will be released to the Mandal Samakhya who will pay the Paralegals after reviewing their work. If the traveling allowance claimed is more than Rs.1000 in a month, the Mandal Samakhya will then send the claim to the PD, DRDA for review and approval.

8.3. The budgets pertaining to the training of paralegals by APARD and NALSAR, training of legal coordinators, land managers, training of community surveyors, legal empowerment and legal literacy, land related communication etc. will be retained with the SPMU.

8.4. The budgets pertaining to the maintenance of Land Rights and Legal Assistance Centers, Lawyers Panels, MoUs with Law Colleges, Organizing LokAdalats, Obtaining Land Records, Apprenticeship of Surveyors, Physical inventory in tribal areas etc. will be placed with the Zilla Samakhya.

8.5. The funds flow along with the unit description and the unit costs are explained in detail in Annexure III. 9. A separate order is issued by the Government for ITDA Areas.

10. A copy of this order is available on the Internet and can be accessed at the address: <http://www.rd.ap.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. Raju

Principal Secretary to Government



## GOVERNMENT OF ANDHRA PRADESH

### ABSTRACT

SERP - APDPIP/APRPRP- Approval of Budget for the year 2006-07 - Comprehensive Guidelines on Land Component in Tribal Areas- Orders - Issued.

### PANCHAYATI RAJ AND RURAL DEVELOPMENT (RD.IV) DEPARTMENT G.O.Ms.No.313

Dated:07.08.2006

Read the following:

1. G.O.Ms.No.283, PR& RD (RD.IV) Department, Dt:18.07.2006.
2. G.O.Ms.No.319, PR& RD (RD.II) Department, Dt:08.09.2005.

### ORDER

The Government have issued orders vide reference 1st read above allocating budgets for the year 2006-07 for APDPIP and APRPRP component-wise and budget line wise.

2. Apart from its Land Purchase programme, Indira Kranthi Patham has been working on the land issues of the tribals in the ITDA areas of Utnoor (Adilabad), Eturunagaram (Warangal), Bhadrachalam (Khammam) and Kota Ramachandrapuram (West Godavari). Since these pilot initiatives under IKP have proved to be necessary for supporting the tribals in getting secured access to their lands, Government has decided to implement these activities in all the ITDA areas from 2006-07 onwards under the leadership of the Project Officers, ITDA. Following are the guidelines issued for implementation of Land Component of IKP in ITDA areas.

### 3. Land Purchase

- 3.1. A budget of Rs.20 crore is allocated for purchasing lands during the current financial year district wise as given in Annexure I. These funds are placed with the DPMUs of the concerned districts. Whenever Project Officers, ITDA propose to purchase lands for tribals, the Project Directors, DRDA will place required funds at their disposal on request.

- 3.2. The Land Purchase strategy as enunciated in the G.O 2nd read above i.e. purchase of lands under assured sources of irrigation, shall continue to be pursued.

- 3.3. Apart from the individual purchase of good quality lands under assured source of irrigation, the Village Organizations also can purchase land to raise fodder plots and for providing support to the community nutrition centers.

- 3.4. The loan amount recovered shall be utilized for purchasing more lands and shall not be diverted for any other purpose.

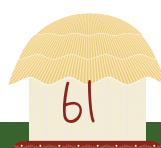
- 3.5. Every beneficiary assisted under the scheme shall be facilitated to secure crop loans from the Banks.

### 4. Legal Assistance Programme

- 4.1. It has been the experience of IKP that the tribals, in spite of the stringent Land Transfer Regulations, continue to lose lands due to lack of awareness, access to information and lack of legal support. They require a sensitive support mechanism to help them in accessing information, knowledge, records, justice etc. There is a need for a system which provides a platform to them and facilitators who support them in dealing with their land issues. In view of the above, it is decided to set up a support mechanism in the ITDA areas.

- 4.2. The activity will be implemented in 65 Mandals of the 8 Tribal areas of Seethampet, Parvatipuram, Paderu, Rampachodavaram, K.R. Puram, Bhadrachalam, Eturunagaram and Utnoor.

- 4.3. Land Rights and Legal Assistance Centers in ITDAs: The ITDAs will set up Land Rights and Legal Assistance Centers to function as sensitive support organization for the poor. The Center will handle all the activities relating to ensuring secured land access to the tribals like creating awareness,



providing access to information and land records, facilitating resolution of survey related issues, providing legal assistance in the LTR or Settlement cases etc., apart from liaising with the revenue machinery. The activities of the Center will be coordinated by a Land Manager, a retired revenue officer. For handling the above activities the Center will position the following systems/personnel.

a. Paralegals: In each activity mandal, rural tribal youth/women from the community will be identified, trained in land and legal matters and positioned as paralegals. There will be three paralegals per mandal. The Project Officers, ITDA will facilitate the Mandal Samakhya to select paralegals, preferably with a qualification of graduation. They identify the land issues of the tribals in their area and facilitate them to resolve these issues. All the paralegals must necessarily be tribals.

b. Legal Coordinator: A Coordinator with law background will provide functional support to the paralegals. His/her services will be contracted by the ZillaSamakhya of the district.

c. Land Managers: Retired Deputy Collectors or Tahsildars from the Revenue Department with a pro-tribal attitude will be positioned as Land Managers of Land Rights and Legal Assistance Centers. They will assist the Legal Coordinators in their liaison with Revenue Machinery, coordinate the community surveyors and take care of all the necessary matters and ensure that the programme runs smoothly without any administrative delays or hindrances.

d. Lawyers Panel: For fighting out the land cases pertaining to the poor pending in both Revenue and Civil Courts, the ZillaSamakhya will empanel a group of 5 pro-tribal lawyers. Law students and paralegals will assist these panels.

e. MoUs with Law Colleges: The support of Law Colleges will be enlisted for utilizing the services of the law students in identifying land cases of the tribals and also in doing preparatory work for filing of appeals as a part of their Legal Aid Clinical Course.

The ITDAs will enter into MoUs with the Law Colleges.

f. Orientation to Revenue Machinery: The Revenue Machinery from all the activity mandals will be trained on the Land enactments in the agency areas and also on the Legal Assistance Programme. Their support will be solicited such as giving access to land records, files etc. and also in restoring the lands to tribals. NALSAR University of Law, supported by the Legal Coordinators and Land Managers, will organize these sessions.

g. Community Surveyors: A group of about 25 rural youth from each district will be trained in survey by the AP Survey Training Academy to evolve them into community surveyors. After training, these will be under apprenticeship with the regular Mandal Surveyors. The ZillaSamakhya will contract them and use their services to settle the survey related issues of the poor. The POs, ITDA shall see that tribal youth with required qualifications are selected to undergo this training.

## 5. Working Model

- 5.1 Physical verification of all lands in the activity Mandals.
- 5.2 Scrutiny of the files of LTR cases disposed by or pending before the Agency Courts.
- 5.3 Preferring appeals in the cases that have gone against the tribals through a panel of advocates.
- 5.4 Facilitating restoration of lands to the tribals.
- 5.5 Establishing Land Rights and Legal Assistance Centers.
- 5.6 Creating legal Awareness.
- 5.7 Support to LTR authorities

## 6. Support from the Centre for Land for the Poor, AMR-APARD

The Centre in AMR-APARD acting as a resource center for capacity building will provide the following support.

- a. Initial training of Paralegals in land matters.

- b. Training of Legal Coordinators in pro-poor perspective.
- c. Selection and training of Land Managers.
- d. Development of training modules for all the above.
- e. Production of awareness films.
- f. Provision of infrastructure to the ITDA Land Rights and Legal Assistance Centers.

**7. Support by NALSAR University of Law SERP has entered into MoU with the NALSAR University of Law to provide support in**

- a. Establishing a Land Rights Center in the University exclusively meant for tribal areas.
- b. Running a paralegal certification course.
- c. Selection and training of legal coordinators.
- d. Orientation to the Revenue machinery in tribal areas.
- e. Orientation to the Lawyers Panels.
- f. LTR case law compilation.
- g. Organizing LokAdalats

**8. Fund Flow**

- 8.1. The Land Purchase budget will be kept with the DPMU and will be released to the TPMU as per the requirement of the POs, ITDA.
- 8.2. The budgets pertaining to the remuneration @ Rs.1500 and traveling allowance @ Rs.1000 per month for the paralegals will be released to the Mandal Samakhya who will pay the Paralegals after reviewing their work. If the traveling allowance claimed is more than Rs.1000 in a month, the Mandal Samakhya will then send the claim to the PO, ITDA for review and approval.
- 8.3. The budgets pertaining to the training of paralegals by APARD and NALSAR, training of legal coordinators, land managers, training of community surveyors, legal empowerment

and legal literacy, land related communication etc. will be retained with the SPMU.

- 8.4. The budgets pertaining to the maintenance of Land Rights and Legal Assistance Centers, Lawyers Panels, MoUs with Law Colleges, Obtaining Land Records, conducting Physical Inventory will be placed with the Project Officers, ITDAs.

- 8.5. The funds flow along with the unit description and the unit costs are explained in detail in Annexure III.

- 9. The Project Officers, ITDA will be responsible for every activity as explained above.

- 10. A copy of this order is available on the Internet and can be accessed at the address : <http://www.rd.ap.gov.in>

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**K. RAJU,**

**PRINCIPAL SECRETARY TO GOVERNMENT**

**KONERU RANGA RAO Land Committee Report on Land Litigations**

The Government of Andhra Pradesh constituted a Land Committee under the Chairmanship of Koneru Ranga Rao to suggest measures for more effective implementation of land laws. The below is the chapter on land litigations in the report submitted by the Committee.

For dealing with litigations on Government lands in a district, there are revenue courts at each mandal and Revenue sub-division and also three courts at the district level. This translates to, on an average, 40 -50 revenue courts in a district.

Presently the Revenue Courts are choked. Thousands of cases pertaining to land issues are pending in revenue courts. In the Hon'ble High Court the reare more than 3,000 cases on assignment alone. In



Hyderabad 8,000 10,000 cases are pending in CCLA and the revenue courts. With passing time the number of cases is only increasing.

The pendency in the revenue courts is because of multiple reasons. The number of land disputes is on the rise due to increasing pressure on land. There is no time bound disposal of cases as the Revenue Magistrates do not, in general, hold courts regularly as there is no time bar for a disposal of a case and also disposal of cases is not a part of the review of work of a revenue functionary.

Revenue magistrates do not make for confident magistrates. Except for an initial training no refresher trainings are given for efficient and effective discharge of magisterial functions. In the event of a promotion to a higher cadre, a revenue functionary almost always does not receive any training for discharging his magisterial functions in the new position.

A Significant number of land issues which can be resolved by knowing the facts of the cases land up in courts as court cases making the case load heavy. This is especially true of the sub district level courts, proportionately increasing as the level of the court decreases.

For the poor the effect of having their lands in a court is especially devastating. While on one hand, the Government is committed to ensuring secure land rights to the poor and towards this end has assigned approximately 60 Lakh acres of land to the poor, and has, to protect the interest of the poor, enacted several Acts like the Andhra Pradesh Assigned Lands (Prohibition Of Transfer) Act, AP Land Encroachment Act etc. In case of litigation on the lands assigned to the poor, it would be the bounden duty of the Government to protect the interests of the poor in the courts(revenue and civil), as this would only be consistent with the policy of the Government to ensure secure land rights to the poor.

However, as affairs stand today, the poor get little or no help as they go from one Revenue Court to

another, as the existing legal aid framework is weak. By the time a case reaches the apex revenue courts the average age of a case is 15-20 years. In every district on an average there are a few thousand cases pertaining to the lands of the poor. In Hyderabad alone there are 10,000 cases pertaining to the lands of the poor.

The present slotting of cases, which does not distinguish involvement of the poor as against the involvement of the non-poor, does not lend itself for legal aid or assistance to be provided to the poor. Through all this time, the poor are forced to engage lawyers, which costs them thousands of rupees forcing them into a debt trap. The state Government and the judiciary have recognized the need for provision of legal assistance and have set up legal services authorities, which provides legal aid for the poor. However, in revenue courts it is absolutely non-functional. For the poor it is justice delayed and therefore denied.

### **Recommendations**

- 10.1. The Government shall request the Hon'ble High Court to constitute a Special Bench for a time bound disposal of land related cases (assignment, LTR, Settlement Regulations, Land Ceiling Cases, Inams etc.) specifically for disposal of land related cases. The Government shall immediately request the Hon'ble High Court for setting up a special Bench. For representing the interests of the poor the Government shall with the help of Indira Kranthi Patham Legal Assistance program constitute a panel of distinguished and competent lawyers who shall by turn argue on behalf of the poor for a fee.
- 10.2. Time Limit shall be prescribed by the Government for disposal of land cases in all the revenue courts. In all the courts in the districts and state Head Quarters dealing with cases related to land, it shall be made mandatory that a case shall be disposed off in a maximum time period of 6 months. A legal assistance cell shall necessarily be set up in

each court. A time limit has to be prescribed for disposal of cases in Revenue Courts by the Revenue department.

10.3. It shall be made mandatory for the RDO and MRO ranked magistrates to hold village courts at least for 50% and 75% of cases respectively for disposing cases.

10.4. Strict administrative instructions should be issued by the Government to hold Revenue Courts at least once in a week in the forenoon or afternoon of a day preferably on Monday, as it happens to be a Grievance Day. The Collectors shall also review regularly the disposal of cases in Revenue Courts with concerned Officers at least once in a quarter.

10.5 The cases shall be slotted as pertaining to poor/non poor etc. At the admittance stage itself so that the system lends itself to a legal assistance program.

10.6. Legal Cells to be created at the State level at the CCLA office and at the district level consisting of CCLA/Special Commissioner and Joint Collector as chairman at the state and district level.

In addition, the Cells shall have Project Directors of DRDA and also prominent citizens, committed lawyers and representatives of Civil Society Organizations as members.

The Joint Collector is to be nominated as a member in the District Legal Service Committee, headed by the District Judge to render necessary legal aid to the poor.

Legal cells will not only provide legal assistance in terms of representation in the courts but also legal advice to the poor on handling their cases.

A panel of lawyers shall be constituted in each district that will represent the poor in the district and sub district courts. The fee for the lawyers shall be decided by the Legal Cell based on complexity of the case.

A Corpus fund is to be created at the State and District

level to provide legal aid to the poor tapping from poverty alleviation programs like Indira Kranthi Patham and APRLP towards payment of adequate remuneration to the Advocates of competence, so that the poor would get the benefit of best quality of legal assistance.

To create awareness among the public, especially the poor, about the provisions of the law providing for legal aid pertaining to the cases of Revenue Courts. A Legal Orientation Programme is required to be organized to sensitise the Revenue Officials in the matter of processing the cases and disposal of cases including drafting the orders.

10.7. Alternate dispute resolution mechanism shall be encouraged to resolve the land disputes.

The scheme of Paralegal workers being the bridge between the community and the system being implemented by SERP on pilot basis may be studied with care and replicated in the entire state for encouraging alternate dispute resolution and also supporting the community in fighting cases and the system in gathering authentic information on the cases.

### **Recommendations of the Committee on State Agrarian Relations and Unfinished Task of Land Reforms on Land Dispute Resolution**

The Committee on State Agrarian Relations and Unfinished Task of Land Reforms was constituted by the Government of India under the chairmanship of Union Minister for Rural Development to conduct in depth study on various land issues and suggest measures for improvement. The following is the extract from Committee report on land dispute resolution.

It is the considered opinion of all the Sub Committees that a poorly organized Land Management System as we have in most States is dispute promoting and not dispute resolved. The observation of the Koneru Ranga Rao Committee is most pertinent : "Presently the Revenue Courts are choked.

Thousands of cases pertaining to land issues are pending in revenue courts. In the Hon'ble High Court there are more than 3,000 cases on assignment alone. In Hyderabad 8,000-10,000 cases are pending in CCLA and there venue courts. With passing time the number of cases is only increasing." This state of affairs is on account of the following:

i) Inadequate time is given to Dispute Resolution by the Revenue Officials particularly the top revenue officials. This is on account of two factors – their excessive engagement otherwise and the lack of priority accorded to this subject. Perusal of the court records indicates that petty cases have lingered on for decades together. Each date given in the case means an additional expenditure on part of the poor litigant stretching his resources and leaves him worse off even if he were to win the case.

ii) The training given to the revenue officials is inadequate. They are trained better in court procedures than in resolution of disputes with the result that there is greater emphasis on form rather than content.. There is an excessive preoccupation with the court ceremonies, dress, decorum and other external forms of behavior while there is none on meeting justice to the poor person or to resolving the dispute expeditiously.

(iii) There is an excessive reliance on documents and oral evidence administered under oath while there is little credence given to knowing the facts by making a field visit. In parlance of the revenue administration a visit to the disputed land is worth more than hundreds of pages of written documents. Since the Courts are overburdened field visit takes a back seat.

(iv) Even where the visits take, place perusal of the records indicate that, the visit note is not properly recorded and at times there is deliberate effort to obfuscate the real issues where by the poor person normally stands to be harmed.

(v) There is also a lack of clarity regarding the role in case of most revenue officers. There is a difference between judicial and quasi-judicial proceedings. The revenue courts are not judicial courts. The presiding

officers of such courts cannot afford to forget that their primary job is to deliver justice to the poor and to protect the interests of the landless and the small farmers. Unless this attitude has to be inculcated the system will never work in favour of the poor.

vi) The legal help in the resolution of the cases is extremely weak. The poor litigant cannot argue his own case for the lack of articulation and excessive formalism relied upon by the Courts. Also the Courts have no patience or time to listen to him. On the other hand, the assistance rendered to the court from the Government side is often found weak and not free from biases of several kinds. Hence, an alternative form of justice has to be reconsidered.

(vii) The Dispute Resolution mechanism which traditionally existed in our society stands demolished. In some States there is a forum for resolution of disputes under the Panchayat system. However, it is not functional in most cases. Instead the Government of India proposes to come out with a Gram Nyayalay Bill whereby the formal judicial system being extended downwards to the Taluka or Mandal level. This would be disastrous as it would add to litigation. The Ministry of Panchayati Raj had come out with proposals of a Nyaya Panchayat which would be an alternative forum for dispute resolution at the village level. The Sub Group notes with constraint that the Ministry of Panchayati Raj has not been able to push through this legislation which is likely to provide an adequate forum of dispute resolution at the village level alternative to our existing formal system.

viii) The Sub Group, however, notes with a good deal of appreciation the Access to Land Movement being undertaken in the State of Andhra Pradesh under the aegis of the Veluguprogramme. Under this Movement dedicated teams of lawyers, concerned citizens, retired bureaucrats, students, social activists and government servants visit the rural areas, adopt villages and get these disputes resolved either through negotiation, arbitration or through the formal Court process. Where this drive to emerge as a regular system it would render a good deal of benefit



to the rural poor and provide them with linkages to the urban areas thereby adding to their social capital and also resolving their pending land issues. Still it is felt that the system needs to be institutionalized within a formal structure.

### **Recommendations**

- (i) It has to be clearly realised that the disputes arise from the way that we manage our lands. The present management system is incapable of delivering particularly on the fronts of distributive justice.
- (ii) Maximum reliance should be placed on field visits and the evidence of the boundary raiyats.
- (iii) In case of field visit the local inspection note should be properly recorded.
- (iv) The Nyaya Panchayat Bill should be enacted by the Government of India for better adjudication.
- (v) The Sub-Group appreciates the Access to the Land Movement of Andhra Pradesh and recommends its adoption by other States with such modifications as may be deemed proper to suit the local environment.

### **Paralegal Training program to 500 local village youth at NALSAR**

CTLR of NALSAR University of Law in collaboration with Landesa/RDI trained 500 Paralegal people and equipped them to understand ground route problems on land, resolved lakhs of disputes over on land and enable the poor to secure their rights on lands. The scheme of paralegal workers being the bridge between the community and the system being implemented by SERP on pilot basis studied with care and replicated in the entire state for encouraging alternate dispute resolution and also supporting the rural communities in legal battle. Paralegals are exercised their good efforts in resolving million land disputes in rural areas. Former Rural development Minister Shri Jai Ram Ramesh also opined in earlier International Conference which has happen in NALSAR University of Law in 2011 that paralegals associate with land issues in the country and study the potential of adopting the

paralegal model across the country in resolving the land problems of the poor. He was also promised to establish the first two paralegal centers in Adilabad and Khammam Districts. Paralegals only guaranteed with their constant effort in resolving millions of disputes on land in Telangana and erstwhile Andhra Pradesh State. The words which spoken by former Rural Development Minister Shri Jai Ram Ramesh came true at present. It must have to be integrated within the legal system to help the poor in rural areas. The trained paralegal consistently putting their efforts by imparting time to time knowledge by experts on land and contributing their learned knowledge in resolving disputes at rural level.

"Paralegal Centers with a steady stream of young men and women who will take up this as a mission can definitely help in resolving the land problems of the poor and tribal. We have shown in Andhra Pradesh that a vigorous five year plan with a committed civil administration and a sensitive judiciary, these paralegals can make a huge difference on the ground."

- Jairam Ramesh, Minister for Rural Development, Government of India (2011)



## Support in Regularizing the Sadabainama

### Training and sensitization program for Revenue officials on Saada Bainama Procedure at Mahabubnagar District (June 18th 2016)

Awareness and training program on “Saada Bainama” was organized On June 18th 2016, at Mahabubnagar District Collectorate Conference Hall. This occasion was graced by NALSAR University Professor & Registrar Sri. (Dr) V. Balakista Reddy Garu as a Chief Guest and Mr. Sunil Kumar , Landesa/RDI Director, Collector Smt Sridevi, DRO Bhasker, Joint collector and all District RDOs , Tahsildars , Deputy Tahsildars and other Revenue Officials. .

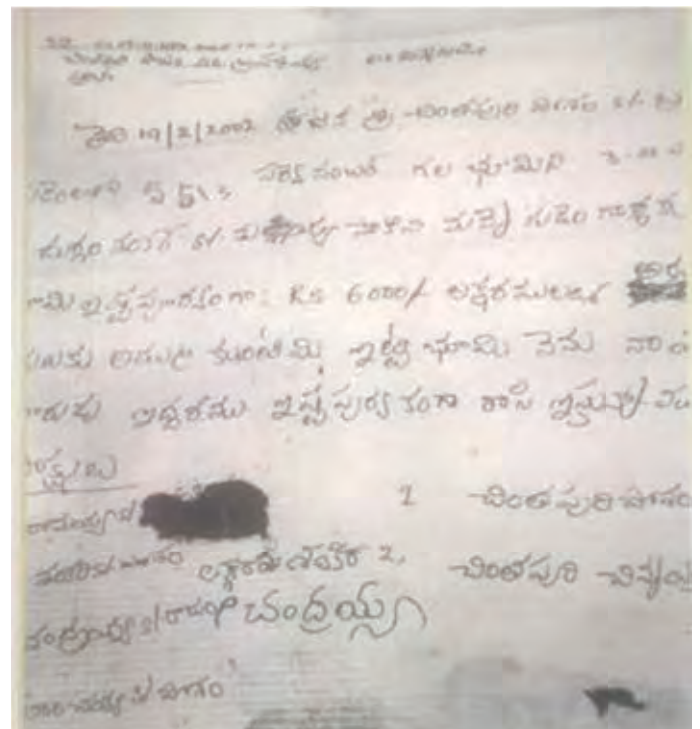
The age old problem of purchase and sale transaction of land on white papers was a major hurdle for the purpose of title to the Land. To mitigate such age old land problems introduced the scheme of SAADABAINAMA Regularization by our Hon'ble Chief Minister Shri. Kalvakunta Chandrashaker Rao Garu, it is an historical event in the Land Administration. Through this Regularization Scheme most of the farmers in rural areas will have title to the land and the advantage of getting loans and other benefits from the Government.

Our past experiences speak about the achievement of Telangana on land reforms like Bhoodan Movement resulted in community participation. Telangana is known for vast experience in land reforms. Which will enable them further innovations and improvements in Bringing of Land Reforms and encouraged through community participation.

Telangana Government is trying to introduce various farmer friendly schemes such as saada bainama regularization for the people who transacted sale and purchase of their lands on white papers, such transactions are void according to law, by introducing of regularizing of Saada Bainama Transactions has become an historical event in the country resulted in settling more than 10 lakhs land disputes in the rural areas of the Telangana State.

In this training program several deliberate discussions and doubts have clarified by Mr. Sunil

and explained in detail about the implementation procedure of Saadabainama. The initiative of such innovative programs by Telangana State is really a welcoming thing, Saada Bainama is going to resolve lakhs of land dispute in rural areas. Landesa/RDI Legal Coordinator Mr. Sudershan and NALSAR Research Associate MR. K. Shiva Charan are also participated and handed over the Saada Bainama Materials to Revenue Officials. In order to strengthen the hands of State Government of Telangana to implement the long cherished Saada Bainama scheme drafted the procedure of regulation of Saada Bainama by NALSAR and Landesa Team. The Government is implementing the Bainama scheme smoothly and farmers names are mutating in revenue records with that farmers can able to get the benefits of Government schemes, policies, crop loans, crop insurance, subsidized seeds, pesticides etc.





## Law Students in Village Innovative Legal Aid Clinic 2000 to 2004



### **Community based Paralegal Programme: Providing Facilitation Support and Free Legal Assistance to the Poor on Land Matters**

In 2004, to help rural poor families who are landless or lack secure legal rights, the state government launched a community based paralegal programme called land access program as part of the Society of Elimination of Rural Poverty (SERP) to resolve land problems of the poor. Land Access programme has been scaled across the state in 2006, by creating land centers at every district headquarter and in ITDAs (G.O.Ms.No. 312 and 313 of PR & RD Dept.). Chief Commissioner Land Administration issued five circulars facilitating the resolution of land problems.

**Land Rights and Legal Assistance Centers:** In every district head quarter and at every ITDA , a Land Rights and Legal Assistance Center is established to function as a sensitive support organization for the poor. The Center handles all the activities relating to ensuring secured land access to the poor like creating awareness, providing access to information and land records, facilitating resolution of survey related issues, providing legal assistance wherever required etc.

**Paralegals:** In each district rural youth/women from the community with a qualification of graduation, are selected, trained in land and legal matters and positioned as paralegals. One paralegal

is allotted per mandal. They identify the land issues of the poor in their area and facilitate them to resolve these issues.

**Legal Coordinator:** A Coordinator with law background is providing functional support to the paralegals.

**Land Managers:** Retired Deputy Collectors or Tahsildars from the Revenue Department are assisting the Legal Coordinators. **Community Surveyors:** About 25 rural youth per district are trained in survey by the AP Survey Training Academy and positioned as community surveyors to settle the survey related issues of the poor.

**Support by NALSAR University of Law:** NALSAR University of Law through the Centre for Tribal and Land Rights trained about 500 paralegals. NALSAR also selected and trained all the legal coordinators.

**Support by Landesa:** Landesa provided technical support in design, implementation and periodical assessment of the programme. Further, Landesa provided training materials to all the paralegals, community surveyors and legal coordinators.

### **Land in Telangana: Problems and Possibilities**

Telangana has a rich history linked to land reforms movement in the country starting from having the first village to have donated land under Bhoodan to having promulgated some of the most progressive







land legislations of the country. However, secured land rights continue to be a major area of concern. The vast majority of rural households in Telangana suffer from a drastically inadequate relationship with the land on which their well-being and livelihood depends. They lack any land to cultivate, lack even a homestead, or lack security and legal recognition for the land they do possess and use. The formation of the new state of Telangana has created new hopes for resolving these land issues. People believe that it's a historical opportunity to create, rebuild and strengthen institutions and systems to complete unfinished task of securing land rights to the poor.

**1. Land Problems/Disputes:** There are at least 100 to 200 land problems in every village. At least forty percent of farmers (about 20 lakh households) have insecure, undocumented or inadequately documented land rights in Telangana. About 12 lakh land problems were brought to the notice of revenue authorities during the revenue sadassulu held in 2012 and 2013. More than 90% of these problems are pertaining to Scheduled Caste and Scheduled Tribe population. It is estimated that about 2% of land in rural areas is in court cases and about 40% of land is in other problems. The poor are unable to get their land problems resolved because they lack legal awareness, cannot obtain legal aid services and cannot access adjudicating systems.

## 2. Land Administration:

Revenue department which deals with land administration has neither the time nor the required capacities for administering land. There is acute shortage of revenue staff at all levels. Thousands of land petitions are pending in various revenue offices.

**3. Land Records:** Majority of entries in all the land records do not reflect the field reality. Many times, names of the actual pattadars and cultivators are not entered in revenue records.

**4. Survey:** The major bottleneck in resolving any land problem and the root cause for many land problems is the lack of proper survey and survey records. It is required that re-survey should be done after every 30 years but the last survey in Telangana was done in 1940's. Most of the survey records (village maps and tippans) are in brittle condition.

**5. Land Alienation:** Significant percentage of land assigned to the landless poor is alienated. In the Scheduled Areas, in spite of the stringent Land Transfer Regulations prohibiting transfer of lands to non-tribal tens of thousands of acres of land have been illegally passed into the hands of the non-tribal. Non-tribal population holds as much as 51 percent of the lands in the scheduled areas and more and more lands are going in to the hands of non-tribal. An assessment of the cases disposed of by the LTR authorities in the scheduled areas of Telangana shows that more than 50% of the cases have gone in favor of the non-tribal. Out of 45,595 cases booked under LTR (1, 86, 664 acres), land is restored (at least on paper) in only 15, 556 cases (71, 273 acres).

**6. Tenants:** As per Government estimates, there are about 4 lakh tenant farmers in Telangana. Out of them, about 2 lakh tenant farmers have received Loan Eligibility Cards until now (which are valid only for one year). And, majority of the tenants who have received the Loan Eligibility Cards did not get crop loans.

**7. Landlessness:** Various studies suggest that about fifty percent of rural households in Telangana are landless. This means that about 25 lakh rural households have no land to cultivate. Majority of them belong to Scheduled Castes, Scheduled Tribes and other marginalized groups.

**8. Homelessness:** It's estimated that about 6 lakh rural households in Telangana are both landless and houseless. They could not even take the benefits under rural housing programmes as they do not have land to build their houses.

### **Results of the community based paralegal programme of SERP**

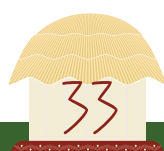
A focus on women has been a key feature of SERP's land work. This focus has received widespread support from both rural women and their husbands. Importantly, the work of the paralegals was accomplished through women's SHGs, and before the paralegals were hired by the state in 2010, they were initially employees of the SHG federation. Paralegals have focused their awareness and education activities through SHG mechanisms, so naturally many of the requests for assistance come from women, although most requests do not involve issues that are unique to women. By focusing on women and working through SHGs, the IKP program strengthens the ability of rural women to understand and defend their interests and those of their family. Between 2006 (when the SERP



community based paralegal programme was scaled up to all districts) and 2010, paralegals and community surveyors identified land problems of 610,000 rural poor involving 1.18 million acres of land, out of which, the paralegals and community surveyors helped to resolve land problems of 430,000 rural poor involving 870,000 acres of land. Two-thirds of land cases identified by SERP during 2006-2010 involve claims by members of SC and ST families. SC and ST land holdings are gradually decreasing (Land Committee, 2006). Understanding the gravity of land problems of the poor, SERP has undertaken the inventory of land holdings and land problems of SC and ST families during 2010-2012. The inventory identified 2.16 million land problems among 1.46 million SC and ST families, involving 2.41 million acres of land. Out of this, 980,000 land problems were resolved by organizing village courts during January to March 2012. Various committees appreciated SERP's community based paralegal programme and have recommended its expansion to remaining mandals in the state and also across the country. The Committee on State Agrarian Relations and Unfinished Task of Land Reforms recommended the program's adoption in other states with any modifications as may be deemed proper to suit the local environment (2008). The KRR Land Committee also recommended for the program's expansion to the entire state.



# Annexure







# Review of Land Laws in Telangana - A First of its Kind

## Telangana Land and Revenue Legislations Review Project:

The following perspectives have taken as major considerations while drafting land enactments of Telangana State.

- 1) Poor
- 2) Women
- 3) Tribal
- 4) Government
- 5) Political feasibility
- 6) Land Governance
- 7) Constitution
- 8) Owners and cultivators
- 9) Execution by revenue authorities

In order to review, revise and redraft Telangana State's Land and Revenue enactments to meet the present day challenges regarding activities on land, NALSAR identified 112 existing land and revenue related enactments. In this exercise Academicians of Law, Senior Officials of Revenue Department, Advocates, Senior Retired High Court Judges and Landesa played a crucial role. The team was headed by Professor V. Balakista Reddy, Registrar of NALSAR University of Law constituted a experienced team from relevant fields related to Land and Revenue matters. Though it's a short span of time to exercise such massive task of draft legislations could be achieved with the untiring efforts of the team day in and day out.

In order to draft Telangana state land enactments NALSAR University of Law in collaboration with Landesa/RDI has conducted two full day workshops, one work shop is on Land Rights with Women Perspective, and another one is on Land Rights with tribal perspective.

## Women Perspective Workshop on 30th of January 2016.

Inaugural session of this one day workshop was inaugurated by Sri. Prof (Dr) V. Balakista Reddy garu, Registrar of NALSAR University of Law, and chaired the sessions by women representatives came from different NGOs, professors, women forum representatives, senior journalists, Revenue officials, Centre for Good Governance representatives and etc.,

After inaugural session participants were divided into six groups, each team has discussed elaborately on

their day to day dealing issues with regard to land, Then after each group representatives was discussed their problems and suggestions to the chair persons. The following are their valuable suggestions and inputs.

- 1) After marriage joint patta on land must be given to Husband and Wife, so that wife will get an identity on land records.
- 2) Incorporating daughter names as legal heirs
- 3) Land distribution must be equally distributed to daughters and sister in laws
- 4) Distribution of land act must begin with women's name.
- 5) Protected Tenants rights for women must be recognized and issue 38 E certificates to them.
- 6) Tenancy pattas, cards must be issued in the name of husband and wife.
- 7) Women Receptionist cell must be establish in every revenue office.
- 8) Exemptions on stamp duties for women must be given.
- 9) Women must be informed when there is any land transaction with respect to her family land.
- 10) Collective farming schemes among women must be provided and encouraged.
- 11) Revenue records and laws literature must be provided in Telugu language.
- 12) Government Land Assignments, Inheritance laws, Land distribution, and Land developments schemes must be equally applicable with men.

Finally Professor (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law addressed the workshop on importance of women empowerment, its possible only through social, economical changes and the mind set of men in society. Women empowerment process will bring equal opportunities to women as like men in the society. Further he also stated that it's a high time to equip her with legal knowledge.

Because of poor awareness on legal system, land related laws and illiteracy women are backward in the society. These things became greater obstacles to secure her rights. In the process of redrafting of Telangana State land enactments this workshop is conducted to know the views from women perspective. This occasion was graced with many legal

acumens such as lawyers, women forum representatives, social activists, women revenue officials, professors, village women and etc.,

Later Landesa/RDI state director Mr. M. Sunil addressed the workshop that one must see the land laws with women perspective so that necessary changes can be incorporated in enactments by coordinating with gender perspective. To make successful of this important project for the future generations NALSAR, Landesa/RDI, and CGG conducting time to time programs in view of poor people, women, tribal and land cultivators perspective.

### **Land Laws with Tribal Perspective Workshop on 6th February 2016.**

Formation of new state is welcoming step for Telangana people, for effective and prosperous state we need to have proper laws to achieve good results; NALSAR University of law and Landesa/RDI has taken up this prestigious project of drafting Telangana state land enactments.

This workshop is inaugurated by Sri. B. Prakash Rao Garu, Retd High Court Justice of AP High Court, he addressed to the work shop that by providing legal aid assistance to tribal and implementing effectively tribal laws the tribal can get the benefits. It is very much important to see tribal perspective while reviewing of Telangana State land laws.

Though constitution has provided with many provisions for tribal people in implementation process they are failing. In implementation process there are certain obstacle at ground route level, out of those obstacles tribal are unable to secure their land rights. To curb all these issues effective legal aid to tribal and effective implementation of tribal laws is very much needed. Justice Prakash Rao Garu was very happy to being present and taking part in the process of reviewing Telangana state land laws project.

Then after Professor (Dr) V. Balakista Reddy Garu Registrar of NALSAR University of Law addressed the work shop that because of poor awareness on land laws and illiteracy tribal are unable to secure their rights. There are many obstacles for tribal empowerment like economical, political, legal education and etc. To overcome all these problems they must achieve 100% of literacy rate. This

workshop is graced with Rtd revenue officials, central forest officers, tribal representatives, political representatives of tribal, professors, lawyers and research scholars.

After inaugural session the participants has divided into 4 groups and made them to discuss the practical problems which they are facing in their day to day activities with the land in their respective areas.

The following problems and suggestions has made after their group discussions

- 1) Land in forest area is completely vested in forest.
- 2) Tribal lands are totally alienated though there are plenty governing laws to tribal.
- 3) Notified people to be tribal, but in practice many other sects also claiming that they are tribal. How best we can protect tribal rights and make them to enjoy their rights is a need of the hour.
- 4) Girglani committee has discussed elaborately on tribal issues his recommendations with regard to tribal must be implemented
- 5) Effective implementation and complete execution of LTR Act, settlement laws, and PESA Act,
- 6) Revenue courts, Agency courts must be operated effectively in tribal areas.
- 7) Jungseepai lands must be handover to the tribal people.
- 8) Making of accountability of revenue officers in case there is any duplication, misappropriation, fraud, unnecessary delay on LTR Cases.
- 9) Presiding officer orders must be final on LRT cases; there should not be any provision for appeals at High Court and Supreme Court.
- 10) Open casting activity must be prohibited in tribal area.
- 11) Tribal transactions through saada bainama among tribal must be registered and regularized.
- 12) Tribal people must be provided free education and health facilities.
- 13) Non tribal should not be chairman for tribal commission; Tribal person must be chairman for tribal commission.



- 14) Redressal units must exist; there must be penal sanctions for revenue officers who do mistakes in revenue records.
- 15) PESA Act must be implemented effectively.
- 16) In Land Acquisition process tribal must provided alternative land.
- 17) After thorough verification on fields only pahani entries must be made.
- 18) Non STs to ST alienations also strictly prohibited
- 19) Authorities whoever not implemented the orders under LTR must be punished.
- 20) Tribal lands must be surveyed properly.
- 21) Legal aid and assistance must be provided in case their land problem goes to the courts.
- 22) Limitation Act should be ruled out for tribal people.
- 23) ITDA officers must be provided in case of ineffective implementation of Tribal related Acts.
- 24) Koneru Ranga Rao and Girglani Committee reports must be implemented.
- 25) Whoever attempts to conspire to violate LTR laws must be punished.
- 26) Real estate people, clubs, resorts are establishing and misusing and spreading bad western culture in tribal areas.
- 27) Print materials on laws must be in telugu language. Few classes on land laws is highly recommended to the tribal people.
- 28) Time to time training programs must be conducted to the revenue officials whoever works in agency and tribal areas.
- 29) District Legal Services Authority must be constituted.
- 30) Establishment of women support centers in tribal areas at Mandal and District Levels.
- 31) Transparency in land records must be maintained. TAP (Transparency, Accountability, and participation) must be observed in tribal areas.
- 32) Fake cases should not be registered on tribal at the time encounter incidents, if any tribal is going to be arrested it must be intimated to tribal.

## **Telangana State's Land and Revenue Laws Project: 10 Districts Consultation Meetings**

### **5.1) "One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at Adilabad District Collectorate on 30-5-2017"**



On 30th May, 2017 Centre for Tribal and Land Rights of NALSAR University of Law in collaboration with Landesa Organized a one day District level consultation meeting was held on " Land Administration in Telanagana: Opportunities and Issues at Adilabad District Collectorate". This meeting was graced by District Collector Shri. Buddha Prakash Jyothi Garu as Chief Guest, Joint Collector Shri K. Krishna Reddy Garu, District Revenue Officer Shri Banoth Shanker Garu, as a Special Chief Guest Shri V. Madhushudhan Reddy Garu, Assistant Government Pleader of High Court of Judicature at Hyderabad for the State of Telangana Mr. Sunil, Landesa, National Director, Mr. K. Shiva Charan, Research Associate from NALSAR University of Law, Hyderabad, RDOs, Tahsildars and Revenue officials of the District have participated.

The District Collector Shri Buddha Prakash Jyothi, during the inaugural session he stated that the State of Telangana is striving with all its efforts to mitigate land problems of the farmers in rural areas, several reforms have been introduced after formation of Telangana in the process of land reforms which are set to be the need of the hour. Telangana State Government with the help of Centre for Tribal and Land Rights of NALSAR University of Law and Landesa has reviewed, revised and redrafted 112 land and revenue legislations, all these legislations were drafted in order to strengthen the hands of the farmers and to resolve the land disputes in rural areas. All

these efforts were possible through community participation. Regularization of land transactions on white papers through SAADA BAINAMA Scheme is an historical event in Indian history, through this scheme lakhs of land related disputes have been resolved, Digitalization of land records is another mile stone of Telangana State, Through Mission Kakathiya project providing water to barren lands, Distributing lands to land less Scheduled Caste and poor people. All these programs were initiated by the Government of Telangana for the welfare of rural community. All these initiatives may definitely lead to prosperity of the farmers. But lack awareness on land legislations, and information pertaining to land records are increasing the scope of land disputes. The District Collector directed all the revenue officials to create awareness among the farmers on land records to secure their lands. Further he stated that 50% of farmers do not have cultivable land, most of them belongs to Scheduled Caste category and tribal women. The District Collector emphasized that the State of Government of Telangana has introduced a scheme of distribution of the land to land less and Dalith people to the extent of 3 Acres per family

District Collector instructed the Village Revenue officials to gather the household information in each village relating to their land holdings, it is suggested that through Grama Sabhas and Village Revenue Courts the land disputes may be resolved. To attain the status of litigation free village, the officials have to put in efforts right from grass route level.

District Collector has appreciated the efforts and achievements of Centre for Tribal and Land Rights of NALSAR University of Law and Landesa organizations for their valuable social contributions as part of Academic Social Responsibility. All Revenue Officials must have thorough knowledge in revenue legislations and related laws. The Collector has focused on the immediate need for the Revenue Officials as well as rural people to acquaint themselves to the solutions of land related problems through awareness and sensitization programs to be conducted by NALSAR University of Law and Landesa. Centre for Tribal and Land Rights of NALSAR University of Law under the stewardship of Prof & Registrar Shri V. Balakista Reddy Garu has done a meticulous research work on land enactments.

Mr. Sunil Kumar, National Director of Landesa and



his team specially focused in today's conference on Revenue Records Updation, Problems related to Land titles and Rights, Issues related to Land Survey, Land encroachments, Tenancy Laws, establishing of advance Revenue mechanisms and other related



problems. The stake holders have given valuable inputs and suggestions on above topics for Good Governance on Land for the rural people.

The RDOs, MROs and Revenue officials are facing lot of problems to submit the documents related to court cases before High Court, resulting in delay in disposal of the cases, In order to mitigate this problem they



urged to have an Advocate who is well versed in Land Laws as well as Court Matters, they requested the authorities to have a Counsel well versed in the field of Law in each MRO office.

The same was acknowledged by V. Madhusudhan Reddy Garu, Assistant Government Pleader of High Court of Judicature at Hyderabad for the State of Telangana. In most of the cases parties on behalf of the Government are not submitting the relevant documents related to the land problem on timely, even if they submit, they are full of corrections and mistake, to avoid such kind of situations a legal counsel at each MRO office may be appointed to guide on such problems, which may help the Court for speedy disposal of the matters.

**5.2) “One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at Janagaon District” Collectorate on 28-2-2017**



According to Mr. Sunil Kumar Landesa National Director has opined that Livelihood of majority of the people is depending upon the Agricultural sector; any lack of transparency in agricultural sector will have the impact on the society. This One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at Janagaon District Collectorate in collaboration of NALSAR University of Law with Landesa NGO. Gopala Krishna Prasad Rao, Joint Collector was the Chief Guest of the Program and Professor and Registrar Dr. V. Balakista Reddy Garu was invited as the Special Chief Guest of the program.

Mr. Sunil Kumar rightly pointed out that State and Central Governments are top priority to Agricultural Sector. These Governments from time to time are

alerting the Revenue Officials from Village level to State Level to reach the Revenue Administration to the gross route level. To bring about any reform in agricultural sector, the top priority is to be given to implementation of land reforms and also to focus upon resolving the land disputes particularly related to boundary disputes of lands, regularization of land records, regularization of Saadabainama, distribution of licensed cultivators cards etc.,

As anticipated by our Honorable Chief Minister Shri K. Chandrashaker Rao Garu that all the land related disputes will be resolved upon through formation a separate State of Telangana. As he rightly said before forming the State of Telangana. Accordingly he has given top priority to land related problems by following innovative steps and schemes for effective Land Administration. As a part of such steps, he immediately announced to distribute 3 Acres of Land to land less scheduled caste people, this resulted in creating a confidence among landless Scheduled Caste people, and this is an opportunity to eke out livelihood.

Chief Minister K. Chandrashaker Rao Garu, has focused on reviewing, revising and redrafting of the Telangana State's Land and Revenue Legislations to cope up with the present day situation accordingly entrusted such a prestigious task of Reviewing, Revising and Redrafting of Land and Revenue Legislations to NALSAR University of Law.

The age old problem of purchase and sale transaction of land on white papers was a major hurdle for the purpose of title to the Land. To mitigate such age old land problems introduced the scheme of SAADABAINAMA Regularization; it is an historical event in the Land Administration. Through this Regularization Scheme most of the farmers in rural areas will have title to the land and the advantage of getting loans and other benefits.

The State of Telangana by introducing digitalization of land records made it easy and accessible to the farmers to know the information regarding their land and revenue records. Through introduction of Mission Kakathiya Program barren lands are turning into fertile lands, by this scheme State is advancing in achieving self sufficiency in food security.

Professor and Registrar of NALSAR University of Law Shri V. Balakista Reddy Garu is playing a key role to uplift the conditions of the gross route people specially



farmers and tribal people. As part of Academic Social Responsibility he has taken many initiatives and proposals to convince the State Government to initiate policies and legislations to uplift the farmers in order to cherish Golden Telangana.

Under the guidance and supervision of Professor V. Balakista Reddy Garu through Centre for Tribal and Land Rights in NALSAR University of Law has taken several initiatives like legal aid assistance to farmers and poor, Adopted Six Villages in erstwhile Warangal Districts to resolve land problems under the program of pilot project. This pilot project is managed by trained paralegals trained by NALSAR University of Law and Landesa.

In order to conduct the pilot project in these 6 villages appointed three community Resource Persons in each village, 6 para legals and two Advocates and trained them for 5 days on how they have to conduct door to door house hold survey as well as gathering field information relating to their land and revenue records information. In Narsampet Division of Warangal District, Puttalabhupathi a remote schedule village 77 house hold families are cultivating lands without any revenue record or title since generations. So with the intervention under the pilot project with the help of Revenue Department Officials NALSAR and Landesa team has conducted door to door survey by following of all scientific methods of survey and enable the villagers of Puttalabhupathi to receive Revenue Records like Pattadar Passbook, Title Deed and I-B Registers on free of cost.

NALSAR University of Law established a Land Legal Aid Centre at Warangal District Court Complex in the year of 2013, through this Centre as of now more than 1000 land related disputes were resolved.

In the year of 2005 NALSAR University of Law established Centre for Tribal and Land Rights Centre. Under the flagship of the CTR Professor & Registrar V. Balakista Reddy Garu have contributing magnanimous efforts for the rural areas development. Through this Centre from time to time conducting National and International Seminars to discuss various issues and challenges on Land related problems. Conducting seminars in order to enlighten the farmers and land related problems and also sharing the best practices of other States on land administration.

Our past experiences speak about the achievement of

Telangana on land reforms like Bhoodan Movement resulted in community participation. Telangana is known for vast experience in land reforms. Which will enable them further innovations and improvements in Bringing of Land Reforms and encouraged through community participation.

### 5.3) "One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at Kamareddy District Collectorate on 26-4-2017"



On 26th April, 2017 NALSAR University of Law in collaboration with Landesa Organised a one day District level consultation meeting was held on "Land Administration in Telangana: Opportunities and Issues at Kamareddy Collectorate". This meeting was graced by District Collector Shri Dr. Satyanarayana Garu, Joint Collector Mr. Sathaiha Garu, Smt Manimala, District Revenue Officer, as a Special Chief Guest NALSAR Law University Registrar & Professor Shri (Dr) V. Balakista Reddy Garu, Mr. Sunil, National Director, Landesa, and Revenue official of the District have participated.

The District Collector Dr. Satyanaraya has rightly pointed out that the importance of transparency in revenue records, unless there is transparency in revenue records, it will be difficult to resolve the problems relating to the land. 70% of people are depending upon the revenue services, mostly of these people depend upon the revenue officials for their activities on land and for the protection of the land to secure their land rights. On account of inaccuracy of revenue documents relating to land there are many problems coming before the Court. The District Collector emphasized that there are several issues interoven with the land, the Telangana Government is

trying to introduce various farmer friendly schemes such as saada bainama regularization for the people who transacted sale and purchase of their lands on white papers, such transactions are void according to law, by introducing of regularizing of Saada Bainaama Transactions has become an historical event in the country resulted in settling more than 10 lakhs land disputes in the rural areas of the Telangana State. The Government has taken initiative of updating and modernization of land records in tune with the latest development of technology. Further he said that the State is planning to bring barren lands into fertile cultivable lands through Mission Kakathiya Project. In spite of so many schemes introduced by Government for settlement of land disputes, lack of seriousness in implementation of laws is resulting in multiplying the land related problems. The result of these schemes is not encouraging, the District Collector has suggested that it is time for as many farmers and villagers are possible to take part in strengthening the hands of the Government to resolve the land problems through community participation.

NALSAR Law University Registrar & Professor (Dr) V. Balakista Reddy Garu in his address to the gathering stated that as his responsibility in the capacity as a Coordinator to Centre for Tribal and Land Rights of NALSAR University of Law, he is duty bound to report the Government with suitable suggestions and instructions on Land Administration matters. He focused on the need for simplification of legal assistance to the farmers which is the bottle neck relating to land matters, the process is underway.

Mr Sunil, National Director, Landesa, emphasized on the participation of community in land related issues is the best solution for resolving the disputes. We are taking the advantage of LEC Act which was introduced in erstwhile state of Andhra Pradesh and Title Guarantee Act in the State of Bihar, these two enactments have enhanced the confidence of the farmers as well as tenants towards agricultural activities. These Acts further created confidence not only on the Land Lords but also Tenants.

Centre for Tribal and Land Rights of NALSAR University of Law and Landesa had undertaken a pilot project in two districts of Telanagana Namely Janagaon and Mahabubabad Districts. For this field

level study from Janagon district Kanayapally Village of Raghunathally Mandal, Akkarajupally, Rangapuram Villages of Narmeta Mandal and from Mahabubbad District, Puttalabhupathi Village of Gangaram Mandal, Kongaragitta Village of Gudur Mandal, Gopalagiri Village of Thorur Mandal have been chosen.

In the above mentioned village of the two districts most of the villagers are belongs to Scheduled Castes and Scheduled tribes. During the field visits in the aforementioned villages, the experts of land issues found that these villages are entangled with around four thousand of land related problems; during their field visits the team has identified the following problems:

- a) 11 thousand survey numbers are wrongly entered in the I- B Register and Pahanies.
- b) Succession of land has not been updated or mutated by their successors when the land title holder dies, which is resulting in confusion to identify the original owner of the land.
- c) When original land owner dies his successors are not mutating their names in the revenue records to update. They are selling the land to the third parties with the documents in the name of deceased father or forefather which is resulting in confusion for the buyers to get loans and other benefits from the Government because of improper mutations.

In order to conduct the pilot project in these 6 villages appointed three community Resource Persons in each village, 6 para legals and two Advocates and trained them for 5 days on has to how they have to conduct door to door house hold survey as well as gathering field information relating to their land and revenue records information.

There after this team visited each house in the village and taken their land details and problems, they drawn rough land location map and verified the same in Pahanies, 1-B Register, Sethwar , Khasra Pahani and other revenue records.

NALSAR University of Law in collaboration with Rural Development Institute (RDI), Hyderabad established Legal Aid Clinic (Land Rights) at District Legal Service Authority (DLSA Office), Warangal on March 3, 2013.



This clinic is working in association with LANDESA and Andhra Pradesh Legal Services Authority.

The Clinic provides legal services to resolve land-related problems for the rural poor, as of now more than 1000 poor and tribal are benefitted by taking legal advice from the Legal Aid Clinic.

In NALSAR University of Law a Centre for Tribal and Land Rights was established in the year of 2005. The Centre for Tribal and Land Rights from time to time organising National and International Conferences to provide a forum for discussions on land and tribal issues across the country. The centre is playing a key role in drafting of State and Central Government Legislations, frequent field level visits are undertaken to know the ground realities of related disputes for effective research on drafting of legislations and study reports.

The above one day consultation meeting was graced by all the revenue officials of the District. District Collector Dr. Satyanarayana, Joint Collector Sathaiah, District Revenue Officer Smt Manimala, Yellareddy, Bhansuwada, Kamareddy RDOs, Sreenu, Devender, Rajender, Mandal Revenue Officers, and Revenue Inspectors were participated.

**5.4) “One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at Karimnagar District Collectorate on 19-4-2017”**



People Presented in Karimnagar District Consultation meeting.

1. Sri. B. Srinivas (Joint Collector & Addl District Magistrate, Karimnagar District)
2. Smt Aisha Masarath Khanam (District Revenue Officer)

3. Raja Goud (Revenue Divisional Officer)
4. R. Ashok (District Survey Officer)
5. Dr. P. B. Shanker Rao, (Senior Professor, NALSAR University of Law)
6. Mr. Sunil Landesa, RDI Director
7. Shiva Charan Research Associate, NALSAR University of Law.
8. Sudershan, Landesa, RDI Legal Coordinator
9. Ramesh, Landesa, RDI program coordinator
10. Jeevan, Advocate
11. Abhilash, Advocate
12. Rajesh Dasari, Landesa/RDI Legal Coordinator.

The main objective of consultation meeting held to discuss on the following subjects

- a) ROR Act
- b) Saada Bainaama
- c) Title Guarantee Acts
- d) Tenancy Laws
- e) Importance of Survey, and how it can resolve the land disputes

How the land records modernization will help to resolve the land disputes,

In Telangana there 10,800 villages are existing, most of the villages are affected with land related problems. Chief Minister K. Chandrashaker Rao rightly noticed the problems of the rural areas and immediately after resuming of Chief Minister Ship he issued a notification pertaining to resurvey in Telangana. For this project he allocated 1000 crores.

Supreme Court and National Crime Records Bureau gave proper information that 70% disputes are coming before the courts are related to Land.

As per analysis of Mr. Sunil, National Director, Landesa if the door to door survey pertaining to land records which they are undertaking in Telangana State even it is not successful, yet

- 1) It will provide 100 days employment opportunity for 30,000 people of the rural youth,
- 2) By this exercise the people of the State will come to know whether land is in dispute or free from the dispute.
- 3) Villagers will also come to know about the nature of the land like Patta Land, Government Land,



Assignment Land and etc.,

- 4) With the exercise such pilot projects will benefited to 5-6 lakhs of people.
- 5) Like as Health Check Ups in the hospitals, Land Rights Update or Check Ups also is required in present days.

### **Recommendations from RDOs and MROs in the Consultation Meeting**

While enacting any laws related to land, it is suggested to take the opinions of ground level officers who are serving at rural areas.

1. Karimnagar District enthusiastic to conduct survey in the villages of the District to update the land records and to minimize the litigation.
2. The need for Land literacy is must in rural areas.
3. Time to time training programs have to be conducted at all levels of Revenue Officials.
4. Smt Aisha Masarath Khanam (District Revenue Officer) rightly said that "Land is people's identity for their existence".
5. Joint Collector Sri Srinivas rightly pointed out that after GATT, WTO organizations community professions are disappeared in rural areas. Online mechanism is helping in transparency of land records. Practical implementation must be strengthen.

### **The following are the benefits as per Sunil's Land Rights Test**

It is time for introducing an officer for maintaining the land records of the land holders. Whenever any discrepancy arises, he may clarify and if any error occurs, after discussing with the parties he may correct the record accordingly.

If anybody undergoes the test of Land Rights they will come to know the following things

1. They will find the address of the land like as area of land, extent of land, Survey number and etc.,
2. They will hold the check list documents like, Pattadar Pass Book, I-B Register, Title Deed, Sethwar, KhasraPahani, Tippon, Village Map,
3. They will come to know the whether their land is Patta land, Pattadar Name, Enjoyer name and etc.,
4. If in case there is any problem on their land,

immediately they can apply for rectification of errors before concern Revenue Authorities.

5. They can preserve the Documents.

District Joint Collector Shri Badri Srinivas Garu emphasized that farmers have more interest in ploughing and sowing the seeds rather than showing interest on updating the land records which are very important, for want of updation of records the farmer may not be eligible taking loans and other benefits offered by the Government. Speaking on the occasion Joint Collector stated that the Revenue officials shall not come under influence of any person for disposing the matters relating to land and Revenue, as far as possible every work related to Land matters may be put on the paper so that it may lead to transparency. In youngest State of Telangana, NALSAR University of Law and Landesa NGO are playing a crucial role in creation of new Districts, new Divisions and new Mandals for effective Revenue Administration to reach gross route level. DRO Mrs. Ayesha Mashrath emphasized that Revenue Department Officials are required to update their skills on Revenue Laws from time to time by organizing sensitization and awareness programs on Revenue Laws, its implementation process and procedures, so that land related problems may be disposed off as early as possible.

### **5.5) "One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at KothaGudem Collectorate on 24-3-2017"**



On March 24th 2017 at KothaGudem Collectorate, District Revenue Officer Shri Kiran Kumar pointed out that providing security of land to the rural farmers for effective agricultural activities. The Revenue Officials

with cooperation and coordination of the community will result in effective Land Administration. The State Government of Telangana is focusing on Land Administration in order to achieve Good Governance on land matters keeping this in view, creating awareness, sensitization programs, consultations and workshop conducting.

NALSAR University of Law and Landesa opined that with the strict measures on implementation and settlement of land disputes will bring certainty in Agricultural activities. In order to accomplish this mission Centre for Tribal and Land Rights of NALSAR University of Law has submitted a detailed report to the Government of Telangana.

DRO instructed his subordinates to attend the land related problems as priority basis. He rightly pointed out that the duty of protecting and safeguarding the rights of land owners lies on the shoulders of Revenue Officials. In villages the problem of title to the land is an account of non registration of the land in the name of the Land Owner, resulting in land encroachments. He emphasized that it is the duty and time of the Revenue Officials to create awareness among the farmers the importance of entry of the name of the owner in the land records. The identification of land in rural areas is the responsibility of the VROs. Revenue officials have to identify the Tenant lands and assist them in getting crop loans, subsidies on pesticides, timely supply of seeds for sowing in the fields, timely compensations on account of Natural Calamities.

Tahsildars and VROs in their suggestions advised the panel the course of actions to be taken for burning land litigations in rural areas. Shri V.N.V.K Shasthri Garu, Retd Director of Tribal Cultural Research and Training Institute has enlightened the Revenue officials for implementation of PESA Act in tribal areas. This one day program was graced by DRO, RDOs, Rtd Revenue Officials, Tahsildars, VROs, Advocates, Women Representatives and NALSAR Representatives have participated.

#### **5.6) "One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at Mahabubabad at Nandana Gardens on 23-3-2017"**

The District Collector Preethi Meena stated that the hurdles for rural development the route cause is disputes related to Land, she suggested that every



Revenue Official shall contribute for speedy settlement of land disputes, will lead to prosperity of the District. In District Grievance Cell of the 5500 applications were received out of these 25% of applications are related to land disputes. This speaks of the urgent need for settlement of land disputes. The District Collector is observing since many years that disputes relating to land are growing steadily, Tahsildar alone cannot handle the disposal of the land disputes, all levels of Revenue Officials together examine or enquire the details at field level in order arrive at a viable solution. Lack of transparency in land administration may lead to lack of confidence of the common in the society. Land Activities are the major source of employment of rural people, hence the transparency in land administration is very much essential. She opined that implementation of Land Reforms is an important task on the shoulders of the Revenue Officials. The Collector instructed the Revenue Officials to resolve the disputes relating to Regularization of Land Records, Boundary disputes, Saada Bainama Regularizations, Distribution of Loan Eligibility Cards to Tenant Farmers. The District Collector appreciated the efforts of Centre for Tribal and Land Rights of NALSAR University of Law and Landesa in bringing about revolutionary land reforms and other initiatives to strengthen the farmer community. She thanked NALSAR University Registrar Prof. (Dr) V. Balakista Reddy and his team for creating land laws awareness programs throughout the State for a prosperous Land Governance in order to achieve The Golden Telangana.

As special Chief Guest of the Program Shri. Professor (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law attended the program and stated that from the date of establishment in the year 1998 as of date have resolved more than 10 lakhs of land



related disputes. State Government of Telangana entrusted to NALSAR University of Law to review, revise and redraft the Telangana State's Land and Revenue enactments. Further Professor Reddy emphasized that NALSAR's contribution is not only in producing socially relevant, technically sound and professionally competent legal fraternity but also simultaneously reaching out to the masses in providing free legal support, drafting of legislations for various Governments and providing trainings to various key stakeholders.

Mr. Sunil Kumar, National Director, Landesa, Stressed that the need for creating awareness on land laws among the farmers is the need of the hour. The Central and State Governments are planning to Modernization of Land Records, and conducting of resurvey estimated to spend 11,000/- Crores in villages. And farmers are requested to cooperate with the officials in collecting of the information. Mr. Sunil advised to Revenue Officials to conduct door to door survey to ascertain whether they own any land. On verification of Land Records, it is noticed that 76 types of land related disputes are existing. This exercise of Survey is in progress in the States of Odisha, Bihar and Karnataka. He opined that the participation of community in land related issues will result in speedy disposal of disputes.

Joint Collector Shri Damodar Reddy Garu in his address appreciated Mr. Sunil Kumar, Landesa, who hails from Manukota region, for his innovative thought on Land Related Matters which may result in bringing National level innovations may be considered for future foundation of Land Reforms. In this one day program District RDOs, DRO, RDOs, Tahsildars, Advocates, farmers, Women Representatives and Academicians have participated.

#### **5.7) "One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at Nagarkurnool at SJR Gardens on 7-6-2017"**

Joint Collector Surender Karan emphasized that due to the importance of several activities on land and growing value of the land day by day in and around of land there are many kinds of land disputes. The officials of Revenue Department and other departments should focus to curb the land issues on priority basis. Joint Collector opined that peoples need for land and increased land values on account of



growing population in India. Land disputes are increasing on par with population growth, Due to certain drawbacks in land laws, some people are encroaching on others lands and claiming as owners of the land and getting it mutated in their names in revenue records, which is against the spirit of justice. Through Saada Bainama Scheme in entire state more than 16 lakhs of applications have been received by the Revenue Department, whereas in Nagarkurnool District alone more than 11 thousand Saada Bainama applications have been received, Nagarkurnool District is standing in the 8th place in order of regularizing the Saada Bainama Transactions. He appreciated the efforts of Revenue Divisional Officers and Tahsildars in this mission. Joint Collector instructed the Tahsildars to select a village within their Mandal and conduct enquiry on land issues and solve their problems accordingly through these practices land disputes may be resolved in a speedy manner. With the help of people we struggled and convinced the Central Government to accord State hood of Telangana, the task of achieving dispute free lands for cultivation should not be a problem.

Mr. Sunil Kumar, National Director, Landesa stated NALSAR University of Law and Landesa are in the process of drafting a detailed report, referring to Land Enactments and Rules which can be effectively implemented in order to resolve the land disputes. Around 112 Land and Revenue Legislations are in force in Telangana, these enactments are to be made best use of depending upon the circumstances.

Mr. K Shiva Charan from NALSAR University of Law felt his immense pleasure to address the gathering in his own erstwhile District of Mahabubnagar. He addressed the gathering on behalf his Mentor



Professor V. Balakista Reddy, Registrar of NALSAR University of Law, he explained the activities which are initiated under the flag ship of Centre for Tribal and Land Rights Coordinated by Professor (Dr) V. Balakista Reddy who is brain behind all these activities related to farmers and welfare of rural people. Professor Reddy hail from the same District from a remote village called Parvathaya Pally born to Shri Rami Reddy and Smt Muthyalamma. He belongs to agriculture family; facing lot of hurdles he did his LL.B, LL.M, From Osmania University, M.Phil and Ph.D from Jawaharlal Nehru University in Delhi. As a student of JNU He contributed in research work and proposals to the Central Government with regard to Air and Space related laws and regulations. As a student he represented India in prestigious conferences conducted at United Nations. Though his specialization and expertise in International Law, Air and Space Law, he never forgot the struggles of farmers and rural area people. He joined as Professor in NALSAR University of Law almost 2 decades ago, Mentored many students and prepared them to face the challenges before them either professionally and personally.

After elevation as Registrar of NALSAR University of Law, with his enthusiasm and dynamism able to convince the Telangana Government to entrust proposed legislative drafting, relating to Land and Revenue, Juvenile and Justice Act, Agricultural Produce Act, Skill Development Act, etc., In order to gather field realities and to reflect the same in the reports he deputed expertise team to visit rural areas and gather the factual positions. His team visited remotest tribal villages under bad weather conditions for gathering ground realities by interviewing with the different heads of village administrators and villagers. It may not be out of place to mention that the efforts of the team members who are involved in drafting of Revenue and Land legislations, even though the time was given to draft the legislations is too short yet the team strived day in and day out have played a greater role in drafting of this enactments under the supervision of Professor V. Balakista Reddy.

Professor (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law is playing a crucial role as part of Academic Social Responsibility. There is always a blame on NALSAR University of Law, that NALSAR only produces Corporate Lawyers, But now

its disproved that NALSAR University with Aluminees turned up to contribute welfare activities of the State and Central Governments. At present NALSAR's contribution is not only in producing socially relevant, technically sound and professionally competent legal fraternity but also simultaneously reaching out to the masses in providing free legal support, drafting of legislations for various Governments and providing trainings to various key stakeholders. Professor Reddy by his hard work started from his village to World Standard speaks of his hard work day in day out. Thought he attained the International Stature yet he thinks of the welfare of the people at gross route level. In order to keep in touch with his gross routes has his responsibility he frequently visit his native place and discusses with the people has to how best he can help them to reach their standard of living on par with other parts of the State. He made efforts to encourage youth and other elders of the village to establish libraries in Villages for the benefit of the students and elders. Professor Reddy whenever he visits his native village encourages students to acquire knowledge to attain great heights in life, further he said that of knowledge and service for the community is much more than the value of currency. Professor Reddy's Simplicity, Accessibility, Helping Nature, Wisdom, Encouraging students to greater heights in their careers is a rare quality of human being, which is inspiring many of his students and people in rural areas.

In this one day consultation meeting, RDOs Nagarkurnool, Achampet and Kulwakurthy, District Agricultural Officer, Tahsildars, District Revenue Officials, Advocates, Farmers, Women Association Representatives, Journalists, Academicians have participated and shared their valuable inputs to the chair.

#### **5.8) "One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at Suryapet District Collectorate on 28-2-2017"**

District Collector of Suryapet Shri Surendramohan emphasized that Centre for Tribal and Land Rights of NALSAR University of Law is trying to find remedies for land related disputes. After formation of new district of Suryapeta as of date on grievance day 8,500 application have been received by the District Collector in Prajavani Program. Out of 8,500



applications 80% of applications are related to land disputes. It is unfortunate that land related problems are leading to murders in the villages. Police stations are receiving complaints relating to boundary disputes day in and day out. The nature of land disputes mostly relate to the dispute such as the person who is cultivating the land is not the owner of the land and the person who is owner of the land with the title deed is not able to possess the land for cultivation. Apart from this dispute there are disputes related to the information in the pahani is not tallying with the survey records. And confusion is with regard to survey number mentioned in the pattadar passbook is not tallying with the land cultivated. Though a farmer is cultivating the land is ownership to the land is not safe and secure. It is learnt that the fake passbooks are in circulation and the real owners of the land has harassed by fake title holders. It is reliably learnt that some of the persons who are claimed to be the farmers approaching the banks with fake passbooks for availing crop loans.

The present Collector when he was Joint Collector of Khammam District he has settled 40,000 (Forty Thousand) land related disputes and to the extent of 14,800 Acres of land was distributed to 6,700 tribal people. This type of fortune is available only to the officers of Revenue Department; he expressed immense happiness for distributing lands to landless tribal people in Khammam District. He further directed the Revenue Officials to make it a point to clear one Lakh land disputes before the end of the current year. He directed the officials to attend to the land problems of farmers on priority basis. On account of scheme of Saadabainama Regularization in his District one lakh ten thousand applications have been received.

The District Collector has requested the Centre for Tribal and Land Rights of NALSAR University of Law to adopt two villages as model villages to resolve the land related disputes in those two villages. After completion of the survey in these two villages, the same survey model implemented in rest of the villages for resolving the land disputes and to maintain a transparency and uniformity on land and revenue records. The Collector said that the special funds will be allocated for this mission. To encourage youth to participate in community programs, the District Collector said that the members of the voluntary organizations and people who are interested in social work from villages are also encouraged in this mission. To implement the pilot project District Collector will constitute a committee with the members of NALSAR University of Law, Police Department officials, Agricultural Department Officials and 5 Members from the Village. District Collector ensured that there shall be uniformity in Pahni Record, Survey Record and GIS information. The District Collector assured that the information related to land is secured in computers for safety and security. The District Collector informed that very soon the farmers will be in a position to get information at the swipe of computer by Revenue Officials with regard to survey numbers, extent of land, Name of Title holder and Cultivator details etc.,

As special Chief Guest of the Program Shri. Professor (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law attended the program and stated that from the date of establishment in the year 1998 as of date have resolved more than 10 lakhs of land related disputes. State Government of Telangana entrusted to NALSAR University of Law to review, revise and redraft the Telangana State's Land and Revenue enactments. To achieve the object of welfare of the State, the settlement of land disputes is an essential requirement. Further Mr. Sunil Kumar, National Director of Landesa Stated that the Government of Telangana, with the object of effective and transparent Land Governance entrusted to review, revise and redraft the existing 112 Land and Revenue Legislations to NALSAR University of Law. The cases which were pending since decades were disposed off with the intervention of Centre for Tribal and Land Right of NALSAR University initiatives. He also clarified the queries and doubts raised by the



Revenue Officials and other stakeholders who attended the program on land related issues.

The program was attended by District Joint Collector Shri Sanjeeva Reddy, DRO, RDOs, Advocates, Tahsildars, Revenue Inspectors, Surveyors, V.R.Os and other Revenue officials have participated.

**5.9) "One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at Vikarabad District Collectorate on 22-2-2017"**



NALSAR University of Law in collaboration with Landesa exploring all possibilities to resolve land related problems in rural areas of Telangana for prosperous Telangana. In order to help the rural area farmers a legal aid centre was established for speedy disposal of land related problems. The District Collector Ms. Divya Devarajan focused on the importance of conducting resurvey in Telangana for accuracy and transparency of land records. She instructed Tahsildars to focus on resolving land related disputes in speedy manner. The State Government of Telangana in order to resolve land related disputes several initiatives have been taken after formation of Telangana State. As a priority of State Government of Telangana it entrusted to NALSAR University of Law to review, revise and redraft Telangana State's Land and Revenue enactments NALSAR has suggested some revisions, amendments to the existing laws in order to meet the present day needs. District Collector opined that there are large number of boundary disputes on account of inaccuracy with regard to survey numbers and boundaries and hence there is need for resurvey in order to achieve accuracy boundaries, which may in turn help in disposal of land related disputes. According to District Collector, the

extent of land in some of the survey numbers is 300 to 2,000 acres of land which is leading to inaccurate boundaries and resulting in disputes.

According to District Collector some of the best practices in the State of Karnataka are that the purchaser's land is registered only after sub-division. In order to reduce land related disputes it is necessary to train revenue official has how to conduct survey and necessary steps to be followed for settling the land related disputes. It is time to strengthen the coordination among Registration Department, Revenue Department and Survey Department in order to avoid future land disputes. The Tahsildar after ascertaining the details of the enquiry at field level may pass the Orders on land disputes. It is proposed to establish a legal aid centre in the collectorate premises to assist the poor farmers who are facing land related disputes. The District Collector is planning to have a database with regard to the details of farmers who are cultivating lands in their respective District. There are apprehensions that whenever the Tenant farmer takes a farm loan the Pattadar of the Land is under apprehension that he may lose title to the land by issuing of Loan Eligibility Cards to Tenant farmers by Revenue Department. This apprehension from the minds of the Pattadars may be removed by giving an assurance that once a owner is always a owner. Apart from the land disputes among the farmers there are other disputes like Revenue Land and Forest Land Boundary disputes, which need immediate demarcation to avoid confusion. The Collector assured that with the cooperation of NALSAR University of Law and Landesa, they hope to sort of the land related disputes.

Prof. (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law, Hyderabad Stated that in order to solve the present problems on land related disputes, we have recommended certain amendments to existing laws on Revenue and Land , and also recommended for establishment of Certain Institutions like Land Tribunal, Revenue Academy, Land Legal Aid Centers in Districts etc., A Center for Tribal and Land Rights have been established in NALSAR University of Law, Under the flagship of this Centre Many National and International Conferences were organized. Through these seminars the Centre is able to know has to how the land administration is taking place in different parts. This Centre is useful for



the Researcher who wish to work on Land and Farmers problems.

Mr. Sunil Kumar, National Director, Landesa stated that all the existing Revenue laws of the State are being planned to bring under one Umbrella for the sake of accessibility and convenience. NALSAR University of Law and Landesa have taken up this prestigious responsibility to codification of Revenue Laws. In order to resolve the land disputes in Vikarabad District NALSAR University of Law is taking up a pilot project.

The one day District level Consultation program was graced by District Collector, Joint Collector, Sub-Collector, RDOs, Advocates, Tahsildars, Revenue Inspectors, VROs, Agricultural Department Officers, Farmers, Women Representatives etc., the interactions during the program were thought provoking and interesting for the Villagers, farmers and other participants.

**5.10) "One Day District Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at Warangal District Collectorate on 8-2-2017"**



District Collector Ms. Amrapali declared that they are taking serious steps for resolving land related issues. She opined that to minimize land disputes it is necessary that farmers should have awareness about land related laws. For speedy disposal of land disputes it is necessary to identify the reason to dispute. The Revenue Officials are the appropriate persons to identify the disputes and resolve them accordingly.

Prof. (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law said that they already submitted a detailed report for effective implementation of Revenue and Land Laws in the State of Telangana. Centre for Tribal and Land Rights of NALSAR

University of Law has trained paralegals in the area of Land and Revenue Laws, to help the farmers in rural areas with regard to their land disputes. In Spite of large number of land disputes are in Telangana, there are more than sufficient mechanisms for resolving those problems. On an average there are 200 varieties of disputes are there in every village of Telangana State.

Under the guidance and supervision by me through Centre for Tribal and Land Rights in NALSAR University of Law has taken several initiatives like legal aid assistance to farmers and poor, Adopted Six Villages in erstwhile Warangal Districts to resolve land problems under the program of pilot project. This pilot project is managed by trained paralegals trained by NALSAR University of Law and Landesa.

In order to conduct the pilot project in these 6 villages appointed three community Resource Persons in each village, 6 para legal and two Advocates and trained them for 5 days on how they have to conduct door to door house hold survey as well as gathering field information relating to their land and revenue records information. In Narsampet Division of Warangal District, Puttalabhupathi a remote schedule village 77 house hold families are cultivating lands without any revenue record or title since generations. So with the intervention under the pilot project with the help of Revenue Department Officials NALSAR and Landesa team has conducted door to door survey by following of all scientific methods of survey and enable the villagers of Puttalabhupathi to receive Revenue Records like Pattadar Passbook, Title Deed and I-B Registers on free of cost.

NALSAR University of Law established a Land Legal Aid Centre at Warangal District Court Complex in the year of 2013, through this Centre as of now more than 1000 land related disputes were resolved.

In the year of 2005 NALSAR University of Law established Centre for Tribal and Land Rights Centre. Under the flagship of the CTRLR we are contributing magnanimous efforts for the rural areas development. Through this Centre from time to time conducting National and International Seminars to discuss various issues and challenges on Land related problems. Conducting seminars in order to enlighten the farmers and land related problems and also sharing the best practices of other States on land administration.

Our past experiences speak about the achievement of Telangana on land reforms like Bhoodan Movement resulted in community participation. Telangana is known for vast experience in land reforms. Which will enable them further innovations and improvements in Bringing of Land Reforms and encouraged through community participation.

Smt. Priya Iyengar Advocate of High Court, emphasized that lack of legal knowledge farmers are approaching the Courts for petty disputes, which resulting inconvenience instead of remedy from the Courts. Village and Mandal level Revenue officers have to resolve the land disputes within their jurisdiction.

Revenue Department officials opined that the services of Revenue officials are being used for other purposes, which is resulting in lack of concentration on Revenue and Land Related matters. Apart from this reason Shortage of Revenue Staff is also one of the reasons for delay in disposal of the Revenue Disputes. The need for training the field level revenue officers in order to deal with the ground route problem and for effective disposal of dispute. Apart from the facility of web land records it is also necessary to maintain manual records as a safety measure. The Scheme of Saadabainama Regularization has put up lot of strain and stress on the Revenue officials for disposal of the Saadabainama Matters.

**“ONE DAY STATE LEVEL CONSULTATION MEETING ON LAND ADMINISTRATION IN TELANGANA: OPPORTUNITIES AND ISSUES HELD AT NALSAR UNIVERSITY OF LAW ON 18-5-2017”**

**TELANGANA TRIBAL WELFARE MINISTER DESIRES SCALING UP NALSAR AND LANDESA'S COMMUNITY DRIVEN PILOT TO ALL THE TRIBAL VILLAGES**

On 18th May of 2017 Shri Azmeera Chandulal, Hon'ble Minister for Tribal Welfare, Tourism and Culture, Government of Telangana while addressing the gathering as the Chief Guest at the inaugural function of One-day consultation on “Land Governance in Tribal Areas: Issues and Perspectives” at NALSAR said that the Tribals in Telangana suffer from inaccurate



land records and insecure rights to land. It is important to update all the land records and provide secure rights to tribals on the lands which they are cultivating. This is mandatory so as to enable the tribals to access all the benefits due to them as farmers including crop loans, insurance, crop damages and other benefits. In this regard, the innovative and unique community driven land records up-dation model developed and piloted by Centre for Tribal and Land Rights (CTLR) of NALSAR and Landesa are praiseworthy and worth scaling across Telangana.

Through this community driven process all the land problems in six villages of Mahbubabad and Jangaon Districts were identified and process initiated for resolving them. Land records were updated and land records kits were given to 200 poor families who have received secured titles to their land and all the village land records (pahani, 1B register, tippan and other records) were corrected and updated. The Hon'ble Minister also said that he is extremely happy that recently 73 tribal families in his constituency recently received pattas through this intervention. He also said





with a cost of one lakh rupees per village, using this model all the tribals can get the secured land rights. He committed scaling of this model to two districts with the help Centre for Tribal and Land Rights of NALSAR University of Law and Landesa. He also appreciated Centre for Tribal and Land Rights of NALSAR's efforts in reviewing the land legislations with a special focus on rights of the tribals.

Beneficiaries of Puttalabhupathi Villagers who received Pattadar Passbooks, Title Deeds, I-B Registers through the efforts of Centre for Tribal and Land Rights of NALSAR University of Law and Landesa paid their gratitude to NALSAR and Landesa in enabling them the land records in the presence of Hon'ble Minister Shri Chandulal Garu. The minister was extremely impressed with the efforts of Centre for Tribal and Land Rights and the glow on the faces of the Pattadar Passbook recipients and encouraged the farmers to make best use of the passbooks to get concessions, subsidies, pesticides, seeds and other benefits from the Government, and also requested Centre for Tribal and Land Rights of NALSAR University of Law undertake such programs to cover other areas of the State. The Hon'ble Minister assured that State will encourage and cooperate in such programs. During the session break Hon'ble Tribal Minister and Registrar of NALSAR University of Law interacted with the Puttalabhupathi Villagers and enquired about any problems and hurdles in their villages with regard to land and Agriculture issues.

Prof. (Dr.) Faizan Mustafa, Vice-Chancellor, NALSAR welcoming the participants thanked the Government of Telangana for all its support extended to the University especially for its social outreach programmes. Prof. (Dr.) V.Balakista Reddy, Registrar and Coordinator, CTLR, NALSAR University of Law, spoke on efforts of the CTLR in reviewing the land legislations, developing innovative pilots and taking up various initiatives to help the rural poor and tribal. Shri M. Sunil Kumar, National Director, Landesa/RDI highlighted the urgent need for updating the land records and spoke about the community driven pilot undertaken by Centre for Tribal and Land Rights of NALSAR University of Law and Landesa. Dr.V.N.V.K.Sastry, Retired Director, TCR & TI shared his valuable experience working with tribals in the last three decades and requested the concerned stakeholders to focus on implementation of PESA,

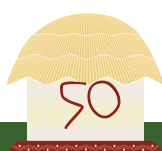
FRA, LTR and up-dation of Land Records.

Tribals from all the scheduled areas of Telangana, tribal beneficiaries of the community driven land records pilot implemented by NALSAR and Landesa, tribal researchers, academicians, representatives of NGOs, activists, officials of tribal welfare department, lawyers and other stakeholders participated in the day long discussion focusing on land records up-dation; implementation of ROR Act, PESA, LTR and FRA; and regulatory gaps in implementation of these laws and policies and devise methods to ensure effective execution of the same.

#### **"One Day State Level Consultation Meeting on Land Administration in Telangana: Opportunities and Issues held at NALSAR University of Law on 8-6-2017**

Under the flagship of Centre for Tribal and Land Rights of NALSAR University of Law in collaboration with Landesa an NGO organized a one day State level consultation meeting on Land Administration in Telangana: Opportunities and Issues was inaugurated by Prof. (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law as Chief Guest of the program. Mr. Sunil Kumar, National Director Landesa heartily welcomed Emiritus Professor Shri P.V. Rao Garu, V. Sreedhara Reddy Garu Advocate High Court of Judicature at Hyderabad for the State of Telangana and Andhra Pradesh and Mr. Lokesh, Director Landesa for the States of Andhra Pradesh, Telangana and Karnataka on the dias to preside over the program. He also welcomed the paralegals, Community Resource persons, Legal Coordinators, Farmers, and Tenants who have come from the remote villages of the State.

The object and purpose of this One Day State Level Consultation is to find the solutions for the problems of Telangana State's land related disputes, to find out innovative solutions to improve the existing land and revenue administrative systems and to find a peaceful solutions to avoid land related disputes to the rural area farmers for peaceful agricultural activities which may result in higher growth of agricultural produce. The people like Community Resource Persons, Paralegals, Legal Coordinators, Advocates who are working since 13 years on rural area land related disputes have given valuable inputs and suggestions to the Centre for Tribal and Land Rights of NALSAR University of Law and Landesa on this occasion.







In today's consultation the focus was on Implementation of ROR Act, Protected Tenants Act, Survey and Boundaries Act, Modernization of Land and Revenue Records, this program was attended by Advocates, Legal Researchers, farmers, NALSAR University Academicians, Community Resource Persons, Paralegals, Legal Coordinators and Landesa staff and was made a thought provoking exercise of finding viable solutions for above problems.

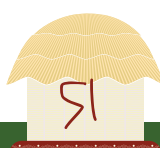
**“One Day Consultation Meeting with State Revenue Officer's Association on Land Administration in Telangana: Opportunities and Issues held at NALSAR University of Law on 17-7-2017”**



On 17th of July of 2017, under the flagship of Centre for Tribal and Land Rights of NALSAR University of Law organized a one day consultation meeting with State Revenue Officer's Association. Professor (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law heartily welcomed the Officials of Revenue Department and Inaugurated Program. He narrated the activities of Centre for Tribal and Land Rights and

its Aims and Objects of Establishment. Recently Centre for Tribal and Land Rights submitted the reports pertaining to Telangana State's Land and Revenue Laws Review, Revision and Redrafted reports to the Government of Telangana State. Since last two years under Centre for Tribal and Land Rights effectively involved in drafting of legislations related to Farmers, Tribals and poor people of the community. We are confident that these draft legislations and recommendations will strengthen the hands of the Government to achieve the aim of our Hon'ble Chief Minister which is Golden Telangana.

Mr. Sunil Kumar, National Director, Landesa further enlightened the gathering on the importance of Resurvey and Modernization of Land and Revenue Records, The Land Administration was strengthened in the States of Karnataka and Gujarat by introducing of Resurvey and modernization of land and revenue records. Every inch of land in Gujarat was reflected in Land Records by resurvey which is leading to improve the ease of business. These States are standing as Model for other States. Resurvey and Modernisation of Land and Records will play a greater role in transparency in records which will be useful to implement the policies and Schemes like subsidy of 4000Rs/- for cultivation for each acre of land, which was recently announced by our Hon'ble Chief Minister Shri Kalvakuntla ChandraShaker Rao Garu, Modernisation of Land and Revenue Records and Resurvey will enhance the transparency, stability for agriculture activities and reach the benefits of Schemes and policies introduced by the State Government.



The Revenue officials focused on the problems related to webland corrections, computer operations in dealing with revenue records, Due to over burden work, The Tahsildars and other Revenue officials are not able to dispose off the disputes relating to land within the time. These delays are due to overburden of work, misleading to deliberate delays and Revenue Officials are being victimized, with suspensions and ACB cases against the innocent Revenue Officials. Some of the web land operators are mischievously meddling with the revenue records for their illegal gratifications, without the knowledge of the Superior Officials. In these matters certain innocent officers are being blamed and victimized. Some people without complying the procedure for mutations online approaching the Tahsildar for demanding ROR Mutations which is against the procedure prescribed. When the officials asking the parties to followed the procedure they are not following it, on the contrary when they refused they are making false complaints against the innocent Revenue Officials stating that they are demanding money for making corrections in webland. ACB officials without going into the details and procedure simply lying trap on the innocent officials and resulting their victimization for no fault. It is unfortunate that even before a matter is displayed in web land the parties are coming for corrections in web land. In order to prevent the false complaints, it will be useful if the officials of Revenue and police officials are aware of the procedure related to Revenue Procedure and Administration, So that these type false complaints can be eradicated, and honest officials are not demoralized for no fault of theirs.

In the past there was a practice that the Revenue

Officials used to conduct a Jamabandhi day in villages to record the transactions of the land. Due to this practice most of the land transactions were to be recorded and updated.. Since that practice is not in force, the transactions in the village are not updated in revenue records and there will be a confusion has to title to the property and other benefits to which they are entitled from the Government. The congregation of the people of the villagers at one place is to look like a festival, everyone trying to have one sort of transaction or the other with the officials among themselves.

Revenue Officials suggested that the importance of collection of nominal revenue on lands. As a token of transaction of cultivation of land for being entitlement of ownership of land, which will be useful in case any land dispute arises. The collection of land revenue is in practice only on wet lands, but not on dry lands, most of the land litigation is coming on dry lands because there is no transaction between the State and the owner of the land., resulting in many land encroachment, illegal occupations, creating fake documents etc., Revenue Officials opined that there is need for establishment of Revenue Academy in order to equip the Revenue Officials with the existing Rules and Laws on Revenue and Land. This Academy will also provide as a forum for discussing the problems in implementation of Revenue and Land Legislations and also a training facilitator from VRO level to District Collector on Revenue related matters.

Today's consultation program was a thought provoking program wherein the participants enlightened the good practices in the respective areas and also raise their problems to get solution from the participants. NALSAR University of Law Professors, Research Associates, Advocates, Revenue Officers Association Members, and Landesa Team members were present and made it successful. The participants felt that they were enlightened with lot of information the members of NALSAR





# Community Driven Land Records updation and Resolving Land Disputes

## Updating Land Records, Resolving Land Problems And Securing Clear Land Titles Through The Community-Driven Process Involving Local Youth.

Up-to-date land records and clear land titles are the prerequisite for economic development and optimum utilization of the land by its owners. Land records which do not reflect the field reality, unclear or undocumented land titles lead to land disputes hampering the growth and development. Government of Telangana taking steps to update the land records and make them available online (<http://mabhoomi.telangana.gov.in/>). Further, the state government also took decision to undertake re-survey. A community-driven process of verification of land records and groundchecking undertaken on a pilot basis by Landesa and NALSAR is providing valuable learnings.

## UPDATED AND ACCESSIBLE LAND RECORDS: A PREREQUISITE OF SECURE LAND RIGHTS

Up-to-date land records and clear land titles are the prerequisite for economic development and optimum utilization of the land by its owners. Land records which do not reflect the field reality, unclear or undocumented land titles lead to land disputes hampering the growth and development. Unfortunately, land records in India are archaic and in most cases do not reflect the ground realities. As a result, majority of the land owners have insecure and unclear rights over the land. They are unable to get any benefits due to them as farmers including crop loans, crop insurance and input subsidies. automated and automatic mutation, integration between textual and spatial records, inter-connectivity between revenue and registration to replace the present deeds registration and presumptive title system with that of conclusive titling with title guarantee. Government of Telangana taking steps to update the land records and make them available online

(<http://mabhoomi.telangana.gov.in/>). Further, the state government also took decision to undertake re-survey.

Government of India is making efforts to modernize management land records, transparency in the land records maintenance system, and facilitate moving eventually towards guaranteed conclusive titles to immovable properties in the country. Digital India Land Records Modernization Programme (DILRMP) is launched by the Government of India to usher in a system of updated land records, Local youth can play a significant role in updation of land records

and identification of land owners in the course of implementation of this programme. The effective participation of the community with the involvement of local youth can significantly contribute in making the land records mirror the ground reality and resolving land problems.

**HOUSEHOLD SURVEY** Community Resource Persons visited every household in the selected village and collected the information pertaining to the details of land owned and land problems. Community Resource Persons took the details in the format given below by talking to the persons in every household and verifying the available land documents.

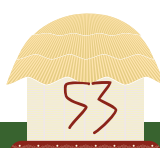
**COLLECTING INFORMATION FROM LAND RECORDS** Sub- Divisional Level Land Centres established by Landesa and NALSAR University of Law obtained the copies of all the important land records including 1B, pahani, setwar, village map, tippan, assignment register, inam register, government land register, khasrapahani and FRA title register for the six selected villages. Community Resource Persons collected required information from 1B and pahani in the formats given below.

**FIELD VERIFICATION** Community Resource Persons visited every parcel of the land in the selected villages, obtained information in the format given below from the persons cultivating the land and the neighboring farmers, and also prepared a rough sketch of the land parcel.

**DATA ANALYSIS:** Community Resource Persons under the supervision and guidance of Paralegals and the Centre Coordinator, listed out land problems (owner wise and land survey number wise ) by correlating the information obtained from household survey, land records and field verification.

## UPDATING LAND RECORDS AND RESOLVING LAND PROBLEMS:

Correlated information and the list of land problems are submitted to the revenue authorities. Steps taken to get the land records updated based on the information obtained. Paralegals, under the guidance of the Centre Coordinator collect the necessary documents and assist the people in filling applications before the concerned revenue authorities. If needed, services of lawyers is provided to the poor and needy.





## Policy & Advocacy

### One Day Workshop on Agricultural Land Leasing Laws and The Need for Improvements for Telangana state on 30th November, 2016.



One day workshop on “Agricultural land leasing laws and the need for improvements” was organized by CTLR, NALSAR in collaboration with Landesa on 30th November, 2016 at NALSAR while inaugurating the Sri Mohamood Ali, Hon'ble Deputy Chief Minister, Revenue, Relief & Rehabilitation, ULC, Stamps & Registration, Government of Telangana said that “There is greater need to build the capacities of Revenue Staff, correcting the land records and digitization,” Dr. T. Haque, Chairman, Land Policy Cell, NITI Aayog, New Delhi, Prof. (Dr.) FaizanMustafa, Vice Chancellor, NALSAR University of Law, Prof. (Dr.) V. Balakista Reddy, Registrar, Mr. Sunil Kumar Landesa and others have participated.

### Work Shop on Agriculture Land Leasing Laws and Need for Improvements held at Acharya Nagarjuna University on 23rd November 2016.

Hon'ble Vice Chancellor Sri Prof (Dr) A. Rajendra Prasad: Inaugurated the Workshop on Agriculture Land Leasing Laws and Need for Improvements on



23rd November 2016. Dr. Tajmul Haque, Chairman, Land Policy Cell, NITI Aayog. Explained how land leasing system existed from before Independence to present days in various parts of the country. Sri. Anil Chandra Punita, IAS (CCLA) emphasized few practical issues with regard to land leasing and land reforms. Dr. Chakra Pani (Rtd IAS) APHRD Director opined that leasing is primarily related to an ability of tenant to able to get institutional practice. Mr. Sunil, National Director, Landesa. Said that though we have Tenancy Act and Laws, These laws are not useful for farmers (Tenants) and Land Owners. Prof (Dr) V. Balakista Reddy, Registrar, NALSAR University of Law highlighted the various activities undertaken by CTLR. This workshop attended by Farmers, Licensed Cultivators, RDOs, Tahsildars, Deputy Collectors, Advocates etc.,

### Workshop on “Land Related Legal Services Needs of Poor: Experiences, Expectations and Innovations” and Inauguration of the University Auditorium

March 19-20 Of 2016

Land Rights for the poor and the marginalized is a high priority area in ushering social justice to those sections. NALSAR University of Law in collaboration with Landesa (Rural Development Institute) is organizing a two day workshop on 'Land Related Legal Services Needs of Poor: Experiences, Expectations and Innovations' from March 19-20, 2016.

On this occasion, Shri K. Chandrashekar Rao, Hon'ble Chief Minister of Telangana inaugurated the state of art university auditorium in the august presence of Honorable Supreme Court Judges including Hon'ble Mr. Justice Anil R. Dave, Hon'ble Justice Dipak Misra, Hon'ble Mr. Justice N.V. Ramana and Hon'ble Mr. Justice Dilip B. Bhosale, Acting Chief Justice of High Court of Judicature at Hyderabad and Chancellor, NALSAR University of Law, Hyderabad. Hon'ble Chief Minister appreciated the work done by Centre for Tribal and Land Rights, NALSAR.



In an inspiring special address to the gathering, Hon'ble Mr. Justice N.V. Ramana, Judge, Supreme Court of India appreciated the work done by CTLR of NALSAR and asked them to work more systematically on other entitlements of farmers like the crop insurance and other agriculture related issues apart from issues related to title. He appreciated the instruction material prepared by CTLR which was helpful to demystify the issue related to title and possession of land to the poor.



In his presidential address Hon'ble Mr. Justice Anil R. Dave, Judge, Supreme Court of India lauded the efforts of the Paralegals and said they are doing a job of conscientious teachers to the poor and the marginalized. He suggested for a change in the land record keeping system so that it can become accessible and simple. He advised CTLR of NALSAR to put efforts to spread the knowledge of important land laws in simple comprehensible manner to common people in local language. He also advised the paralegals to take the mediation and conciliation path to settle disputes related to land within the ambit of the village as the cost of litigation is soaring. He said according to an estimate every year land disputes are providing around Rs.750 crores as fees to the lawyers alone. He advised the paralegals to focus more on reducing the litigation and hence the drain of resources.



## **Field Visits to Remote Tribal Areas in Telangana and Andhra Pradesh States on Implementation of V Schedule of the Indian Constitution**

### **Kothagudem Bhadrachalam District's Tribal Villages Visit:**

As a part of preparation of V Schedule study Report assigned by Interstate Council Secretariat under Ministry of Home Affairs, Government of India to NALSAR University of Law.

Under the flag ship of Centre for Tribal and Land Rights, Professor (Dr) V. Balakista Reddy Constituted a team to visit remote tribal areas in Andhra Pradesh and Telangana State to ascertain the ground realities with regard to implementation of provisions of V Schedule of Indian constitution in Tribal Area.

### **Visakhapatnam ITDA Paderu Division Tribal Villages Visit:**

Under the guidance and stewardship of Prof (Dr) V. Balakista Reddy, Registrar NALSAR University of Law. On 25th – 26th December of 2016, A team headed by Prof (Dr) P. B. Shanker Rao and V. Madhusudhan Reddy Asst. Government Pleader for the Forest Department of the Judicature of High Court of Hyderabad, and a team consisting of Mr. K. Shiva Charan Advocate & Research Associate, NALSAR University of Law, Mr. Jeevan and Abhilash Advocates have visited Kotha Palem and Kitumula Villages under Chinthapalli Mandal, Paderu ITDA Division in Visakhapatnam District.

### **ADMINISTRATION IN TRIBAL AREAS: ISSUES AND CHALLENGES:**

Centre for Tribal and Land Rights of NALSAR University of Law organized a one-day consultation on “Governance in Tribal Areas: Issues and Perspectives” at NALSAR University of Law, Hyderabad on January 20, 2017.

While inaugurating the One-day Consultation, Chief Guest, Sri R. Laxman, Commissioner,



Tribal Welfare Department, Government of Telangana opined that social equality without economic equality has no meaning and the efforts of the state is to secure economic empowerment of the tribals. In this regard, the newly formed State of Telangana have launched several programmes and schemes for the benefit of tribals. He further noted that ensuring mainstreaming of tribals is essential for their development and prosperity.

Hon'ble Shri Justice B. Prakash Rao, Former Acting Chief Justice of A.P. High Court was speaking as the Guest of Honour noted that despite the Constitutional mandate providing safeguards to the Tribal Community, the implementation of the same has failed miserably and opined that on many occasions the tribals have been treated as second grade citizens of the country. To ensure speedy redressal of their disputes, Justice Rao advocated for establishment of the Munsif Courts and advocated for establishment of State and National level Tribunals presided by the judges of the High Courts and Supreme Court respectively. This Program was assisted by Dr. D. Balakrishna, Dr G. Mallikarjun, Dr. Harathi wagheshan, and Mr. K. Shiva Charan , Faculty of NALSAR.



## **Two Day Workshop on Streamlining the Citizen Service Delivery in Revenue Department on 16-6-2017 to 17-6-2017 at MCR HRD Institute, Jubilee Hills, Hyderabad.**

This workshop was attended by 31 district's of collectors of Telangana State, Principal Secretary for Revenue, CMO's of Telangana State and Prof. Dr. V. Balakista Reddy CTLR Director & Registrar of NALSAR and Mr. K. Shiva Charan Advocate & Research Associate of NALSAR.

The two day workshop highly intellectual based, discussed many contemporary land related problems and suggested with recommendations to adopt for resolving the land disputes. Then finally key amendments to ROR Act was made in immediate sessions of legislature.

### **Foreign Delegates Visited Nalsar University of Law:**

On February 18, 2017, Ms. Maren Christensen, Senior Vice President of Intellectual Property Laws Counsel at Universal Studios in Los Angeles and Ms. Alessandra Silvestro, Vice President, Legal and Public Policy at Time Warner Incorporation at the Brussels visited NALSAR University of Law, Hyderabad today, and interacted with the Faculty and Students about various projects undertaken by NALSAR more particularly about the works undertaken by Centre for Tribal and Land Rights (CTLR), NALSAR in collaboration with Landesa (RDI), Hyderabad.

### **Drafting of Legislations Works**

#### **Draft of Telangana Agricultural Produce Act & Rules**

Drafted of Telangana Agricultural Produce Act 2016 & Rules, during the years of 2016 & 2017 under the esteem stewardship of Prof (Dr) V. Balakista Reddy the team was constituted with expertized professionals by namely retired Acting Chief Justice of erstwhile Andhra Pradesh High Court, Shri B. Prakash Rao Garu, Prof. G. B. Reddy, Osmania University, V. Sreedhar Reddy, Mr. A.P. Suresh, Practicing Advocates of Telangana High Court,

Dr. G. Mallikarjun Asst. Professor, Mr. K. Shiva Charan and Jyoti Research Associates of NALSAR. The team under the guidance of Professor V. Balakista Reddy had several brain storming sessions along with in depth research during drafting of the Telangana Agricultural Produce Act & Rules

## **Drafted Telangna Municipal Act 2019**

Drafting of Telangana Municipal Act 2019, during the month of June 2019 under the esteem stewardship of Prof (Dr) V. Balakista Reddy the team was constituted with expertized professionals by namely retired Acting Chief Justice of erstwhile Andhra Pradesh High Court, Shri B. Prakash Rao Garu, Prof. G. B. Reddy, Osmania University, V. Sreedhar Reddy, Mr. A.P. Suresh, Ms. Rajeshwari, Practicing Advocates of Telangana High Court, Dr. G. Mallikarjun, Prof. Dr. D. Balakrishna faculty of NALSAR, Mr. K. Shiva Charan Advocate Research Associates, and Jyoti Research Associates of NALSAR. The team under the guidance of Professor V. Balakista Reddy had several brain storming sessions along with in depth research during drafting of the Telangana Municipal Act 2019

The act was a result of several developments. After the TRS came into power, the number of districts in the state has been increased to 33. With many mandal headquarters now became district headquarters, rapid urbanisation is taking place in tier-2 and tier-3 towns and cities in the state.

### **Newly Elected Sarpanches Training Program at NALSAR:**

During the month of February between 18 -22 of 2019, NALSAR trained newly elected Sarpanches of Medchal District, around 62 Sarpanches were trained on newly amended Telangana State Panchayat Raj Act 2019, Apart from this Act other relevant Acts were also taught to them, This 5 day training program was inaugurated by Medchal Constituency MLA Shri Malla Reddy Garu, District Collector Shri M. V. Reddy I.A.S, Professor ( Dr) V. Balakista Reddy, Registrar, NALSAR University of Law, Shri Ravi Kumar District Panchayat Officer, MPDOs , EORDs and other Panchayat Raj officers, Dr. D. Balakrishna, Dr G. Mallikarjun, Dr. Harathi wagheshan, and Mr. K. Shiva Charan , Faculty of NALSAR were presented. The main emphasis of this 5 day training program on duties, responsibilities and powers conferred to Sarpanches under recently Amended Telangana Panchayat Raj Act 2018.

### **One Day Review Meeting to Newly Elected Sarpanches at NALSAR**

On 22nd October 2019, Medchal District Sarpanches Review meeting was organized at NALSAR University of Law, on this day Shri. C. Malla Reddy

Garu, Hon'ble Minister of Telangana, M.V. Krishna Reddy I.A.S Medchal District Collector, Shri. Vidhya Sagar Joint Collector Medchal District, Shri. Prof. Dr. V. Balakista Reddy, Registrar of NALSAR, Mr. K. Shiva Charan Advocate & Research Associate, Sharath Chandra Reddy, Z.P. Chairman of Medchal District, ZPTC Members, MPTC Members and Sarpanches of Medchal District were present.

**Interaction on Community Driven Land Records Updation Model With Representatives of Rural Development Department from 13 Countries, on 16th December, 2016.**

On 16th of December 2016, International Representatives from 13 countries have participated in one Day program in NALSAR University of Law. This program was inaugurated by Prof. (Dr) V. Balakista Reddy, Registrar of NALSAR University of Law, Hyderabad. He heartily welcomed the delegates who come from 13 different countries to participate in the program. Professor Reddy emphasized that the model which has been developed by NALSAR University of Law and Landesa will be useful to implement the programs designed by Central and State Governments for the purpose of modernization of land records. These International delegates have visited the villages and observed the role of community in modernization of land records developed by NALSAR and Landesa.

Professor (Dr) V. Balakista Reddy explained about the programs related to modernization of land records to 25 representatives who attended the program from 13 countries of the World, he also explained to the delegates about the pilot projects which are undertaken by NALSAR in collaboration with Landesa with the involvement of community and paralegals in verification, rectification and modernization of land and revenue records in Warangal, Mahabubabad and Janagaon Districts of the Telangana State. On the model developed by NALSAR, about four thousand problems were identified and rectifications were carried out.

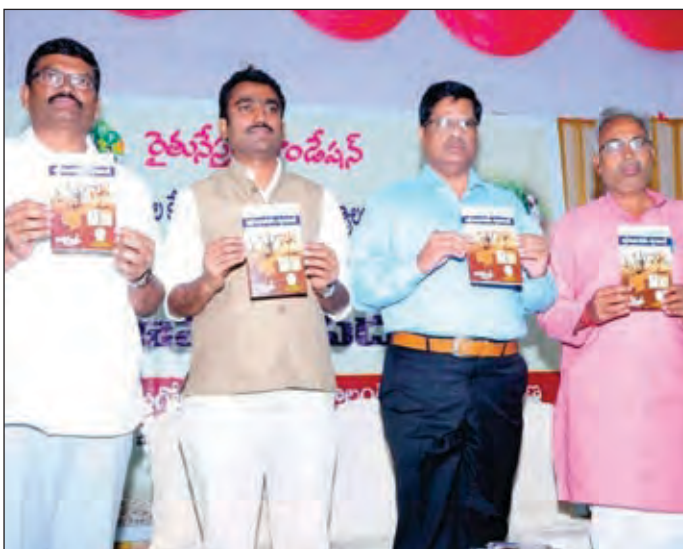
Centre for Tribal and Land Rights of NALSAR University of Law, through the pilot project of modernization of land and revenue records, cleared the problems of land in remote tribal village called puttalabhupathi in Narsampet Division of Mahabubabad District. Since decades tribal are cultivating lands without any titles and ownership

documents. With the intervention of NALSAR and Landesa with the help of Revenue Department able to conduct door to door survey and gathered the information, by following legal rules they demarcated the shares of the land of particular families in the Village, further by using of modern survey techniques demarcated the respective possessions of land and installed boundary stones to avoid future litigation among villagers. Thereafter handed over Pattadar Passbooks, Title Deeds and I-B Register documents to 72 families of Puttalabhupathi Village. The same type of method used and handed over to 55 families in Kanayapally Village of Raghunathpally Mandal in Janagaon District and handed over to 25 Scheduled Caste families in Gopalgiri Village of Thorur mandal of Mahabubabad District of Telangana State.

Mr. Sunil Kumar, National Director of Landesa, said that recently Central Government has announced that in next four years the Central Government planned to modernize the land and revenue records and allocated 15 Crores of Rupees of budget for this mission. Central Government has appreciated the models developed by NALSAR and Landesa for the purpose of modernization of Land records, and the Government said that they will follow the same model developed by NALSAR and Landesa for other States of India. The delegates from Srilanka, Bhutan, Myanmar, Afghanistan, Indonesia, Russia, Ghana, Tanzania, Fizi, Timor, West African Countries, Nigeria and Sudan countries representatives who are working for Rural Development Departments of respective countries have participated and were impressed with the models developed by NALSAR and Landesa.









## Training & Capacity Building

### One Day Training Programme For Forest Officers On Land Laws And Litigation



On 21st December 2016, Centre for Tribal and Land Rights, NALSAR University of Law, Hyderabad in collaboration with Telangana State Forest Academy organized a One-Day Training Programme for the Forest Officers working in the Telangana State for enhancing the knowledge on land and forest laws, court procedures and ways to protect the forest and forest rights of the people. The training programme focused on proper implementation of the forest laws in order to safeguard forest lands, flora and fauna. The Forest Department is continuously being faced with the problem of illegal encroachments which consequently leads to reduction of the forest land.

While inaugurating the programme by the Chief Guest, Shri. Swarna Subba Rao, Surveyor General of India shared his valuable experiences and highlighted the peculiar problems with boundary disputes, which consequently complicates the method and manner of evidence collection. He also referred to the technological concerns faced during surveys of lands including forest lands. He further informed that the Survey of India is in the process of developing a 'Continuously Operated Reference Station Network', a customized GPS system for the purposes of conducting a more accurate survey with an expected range of 10-20 cm. He explained the evaluation of survey technology starting from chain and cross stop to total station and the present aerial survey. He informed that Survey of India is actively working on use of drones in simplifying the survey and preparing standard operating procedure across the country.

Prof. Dr. V. Balakista Reddy, Registrar, NALSAR University of Law, while welcoming the audience, spoke about NALSAR's contribution is not only in producing socially relevant, technically sound and professionally competent legal fraternity but also simultaneously reaching out to the masses in providing free legal support, drafting of legislations for various Governments and providing trainings to various key stakeholders. He said if the forest officials are equipped with the legal knowledge and necessary legal skills they will be able to better protect the forests and the rights of the people for the present and future generations.

Shri M. Sunil Kumar, Director, Land Laws and Policies, Landesa spoke at the inaugural and subsequently took a session on understanding land records and interpreting forest laws for the protection and conservation of the forest. He highlighted the importance of updated and accessible land records for both forest department and common people in order to reduce land litigation. People with basic legal literacy and the empowered law implementing agencies are the only solution for securing rights for the people and protection of the forests.



Later on Professor P.B. Shanker Rao, NALSAR University of Law enlightened the Forest Department officials on the importance of Safeguard the Constitutional guarantees which are exclusively made for Tribals and forest living entities. Then Mr. A.P. Suresh Advocate has enlightened the Forest Officials on Civil and Criminal Laws, Forest Laws and Tribal Laws. Thereafter Mr.K. Shiva Charan who is working as an Advocate & Research

Associate under the flagship of Centre for Tribal and Land Rights explained in detail to the Forest Department Officials about the implementation of PESA Act, court cases which are pending in High Court, Boundary disputes between Revenue and Forest Lands. Procedure for filing the cases against forest regulations and laws violators in order to protect the forests.

The training programme was attended by more than 100 Forest Range Officers (FROs), Deputy Range Forest Officers (DRFOs), Forests Section Officers (FSO), Forest Beat Officers (FBOs) and Assistant Beat Officers (ABOs).

Before the inaugural, the dignitaries planted trees on the Campus.

### **Newly Elected Sarpanches Training Program at NALSAR**

During the month of February between 18 -22 of 2019, NALSAR trained newly elected Sarpanches of Medchal District, around 62 Sarpanches were trained on newly amended Telangana State Panchayat Raj Act 2019, Apart from this Act other relevant Acts were also taught to them, This 5 day training program was inaugurated by Medchal Constituency MLA Shri Malla Reddy Garu, District Collector Shri M. V. Reddy I.A.S, Professor ( Dr) V. Balakista Reddy, Registrar, NALSAR University of Law, Shri Ravi Kumar District Panchayat Officer,MPDOs , EORDs and other Panchayat Raj officers were presented. The main emphasis of this 5 day training program on duties, responsibilities and powers conferred to Sarpanches under recently Amended Telangana Panchayat Raj Act 2018.

During these sessions Prof. Dr. V. Balakista Reddy, Registrar of NALSAR addressed the Sarpanches about the vision and mission of the NALSAR, so far their contributions to the society explained clearly, NALSAR achievements from International to National level. Their services also extended to villages in recent past, As a part of Academic Social Responsibility many initiatives have been taken for welfare measure of gross route people, The programs which are being conducted by NALSAR was highly appreciated by State and Central Governments. Being a premier institution in Legal field is fortunate to have in Medchal District. He highlighted the duties and powers of Sarpanches as

per the newly amended Panchayat Raj Act, he further expressed NALSAR will definitely support the Sarpanches of Medchal District with regard any legal assistance to the villages of Medchal District.

During this Program Professor Shri Dr. Harati Wagheshan enlighten the newly elected Sarpanches on practical approach to how sarpanches have to coordinate villagers and provide good administration at villages, his tips were so useful for the gathering to how to identify the village problems and resolved by following all rules and regulations, his simple way of presentation went into depth of the audience to understand clearly on the village issues and challenges which usually face by the Sarpanches in discharging of their duties on regular basis. The practical examples which he addressed are very much appreciated by the Panchayat Raj Department officials and Sarpanches of Medchal District.

During this program Mr. K. Shiva Charan an Advocate & Research Associate of NALSAR University of Law, explained few legislations which certainly Sarpanches supposed to know for a better administration at villages, he emphasized few important legislations covering both Civil and Criminal nature like, Land and Revenue Legislations, Agricultural Produce Act, Domestic Violence Act, Dowry Prohibition Act, Child Labour Act etc.,

During this 5 day training program officials from Panchayat Raj Department, Agriculture Department and NGO Sector people were trained these newly elected Sarpanches of Medchal District.

### **One Day Training Program on Sensitizing the Developments of Municipalities in Telangana State for Self Governing Bodies of Municipalities.**

(Pattana Sthanika Samsthala Sammellananm, Pattanana Pragathi Avagahana Sadhassu)

On 19th February 2020, Prof. (Dr) V. Balakista Reddy, Registrar NALSAR University of Law, heartily welcomed the newly elected Municipal representatives of Medchal District, Municipal Commissioners and other Officers of Municipalities to their prestigious national eminence Law University. He congratulated all the newly elected municipal representatives. In his welcoming address



Prof. (Dr) V. Balakista Reddy stated about how this new Municipal Act 2019 was came into the present shape, NALSAR played a key role in drafting of Municipal Act 2019, under the esteem stewardship of Prof (Dr) V. Balakista Reddy the team was constituted with expertized professionals by namely retired Acting Chief Justice of erstwhile Andhra Pradesh High Court, Shri B. Prakash Rao Garu, Prof. G. B. Reddy, Osmania University , V. Sreedhar Reddy, Mr. A.P. Suresh, Ms. Rajeshwari, Practicing Advocates of Telangana High Court, Mr. K. Shiva Charan and Jyoti Research Associates of NALSAR. The team under the guidance of Professor V. Balakista Reddy had several brain storming sessions along with in depth research during drafting of the Municipal Act; this unique nature of drafting on such an important legislation has undergone a serious comparative and comprehensive research in consonance with different legislations in force. The team members were played a crucial role in drafting this very important legislature. During his talk Professor Reddy rightly pointed out about the urban mobility and migrations from rural areas to towns is increasing day by day, so how best the municipal administration should equip themselves to meet the challenges before them is need of the hour.

A one day training program was organized in NALSAR Law University, Shameerpet, Medhcal District, Hyderabad. This program was attended by the Medchal District Municipal Commissioners, newly elected Municipalities Members including Corporaters, Mayors Deputy Mayors, Councilors and Chairman. As Chief Guest of this program Medchal District Hon'ble Labour Department Minister of Telangana State Shri Chamakura Malla Reddy was graced the occasion, besides to him The District Collector of Medchal Shri Venkateshwarlu I.A. S, Assistant Collector Shri Samson, Joint Collector Shri Vidhya Sagar Garu, Shri Prof (Dr) V. Balakista Reddy Garu, Registrar NALSAR University of Law, Hyderabad, Mr. A.P. Suresh Advocate and Resource Person for training program on Telangana Municipal Act 2019, Mr. K. Shiva Charan Advocate & Research Associate and the Local Bodies of Villages of Medchal District were present.

NALSAR Resource Person Mr. A.P. Suresh, Advocate was highlighted the several important concerns on Municipal Administration in

consonance with recent amended Telangana Municipal Act 2019. He stressed more upon the duties, responsibilities and powers of Municipal representatives.

In this orientation and training program highlighted the issues and concerns within the jurisdiction of newly formed municipalities, funds, responsibilities, duties, and powers of Municipal Chairman, Vice-Chairman, Councilors, Mayors, Deputy Mayors and Municipal Commissioners. A day ago i.e on 18th February 2020. all these newly elected municipal members were inspired the very delighted speech of Hon'ble Chief Minister of Telangana Shri Kalvakuntla Chandrashaker, every one of them really appreciated and got motivated with his talk on Telangana Municipal Act 2019, which reminds about their duties and responsibilities towards the Municipalities, everyone among them really boosted by Chief Minister to work more diligently for promoting the Medchal District as best set of example for model municipalities across the State. During their last day visit at Siddipet they were inspired many developments within Siddipet, they were visited model integrated vegetable market, grave yard, dump yard, beautiful parks, greenery and water supply system, they were highly inspired after visiting these places, everyone among the



participant felt to develop the above said things in their own municipalities. As how Villages were become best model villages in Medchal District, the same way these municipalities also should stands as best model municipalities is expected by the District Collector. Up on the same the newly elected municipal representatives promised that they will work more on the above discussed areas, further they discussed about how to improve sewage and



drainage systems, constructing of model toilets within their Municipal jurisdictions, Sampling of adequate plants, sanitization in non-vegetarian places, building and town planning permissions and sanctions as per Telangana Municipal Act 2019.

Every one of them felt delighted and thankful for organizing such a knowledgeable gathering at NALSAR. Municipal and District Authorities expressed their deep sense of gratitude and Thanks to Prof. Reddy for University's in valuable efforts and hospitality provided to happen the program successfully at NALSAR.

### **Telangana Advocates Training Program**

NALSAR University of Law has entered into a MoU with the Telangana Advocates Welfare Trust, Department of Law, Government of Telangana to provide Training for Young practising advocates in the State of Telangana commencing from May 11, 2019. The MoU was signed by Prof. (Dr.) V. Balakista Reddy, Registrar, NALSAR and Shri B. Ramanjanyulu, Secretary, Telangana Advocates Welfare Trust in the august presence of Shri. B. V. Prasad, Advocate General, Telangana, Shri V. Niranjan Rao, Secretary, Department of Law, Telangana, Shri Gandra Mohan Rao, Trust Member, V. Madhusudhan Reddy, AGP High Court, Shri. A. P. Suresh Adovate, High Court, Mr. K. Shiva Charan Advocate & Research Associate of NALSAR. The aim of this MoU is to provide training for Young practicing advocates having 2 to 5 years of experience at trial courts in Telangana State. The first batch of Advocates consists of 100 Members across all Bar Councils of the State of Telangana.

As part of MOU with Telangana Advocates Welfare Trust, Department of Law, Government of Telangana NALSAR University of Law Provided rigorous and intensive 5 day training program. The object of training program is to enhancing the Advocacy skills which required for handling litigation matters or disputes arising before the court of law, Research Skills to carry out legal research on legal issues, Improvisation of skill-set to render legal advisory services to resolve pre-litigation issues, Specialized training in drafting legal documents, Contracts/Agreements and Court pleadings, Training to enable the trainee

Advocates to get a firsthand understanding and exact functioning of the Courts (from lowest to the Highest Court) in India, Training also to improve oratory skills in English, Professional Ethics: Dos & Don'ts of legal profession and breach of professional ethics and consequences arising thereof.

The first batch of training was commenced on 11th May 2019; this program was inaugurated by Hon'ble Chief Justice of Telangan High Court and Chancellor of NALSAR University of Law, Hyderabad. During 11th May 2019 to 12-6-2019 NALSAR training more than 300 Advocates, each batch was comprised around 100 Advocates. Three batches successfully completed training program and got benefitted with immense practical and working knowledge of law.

This training program was organized under the esteemed stewardship of Prof. Dr. V. Balakista Reddy, Director of CTRLR and Registrar, NALSAR the following esteemed faculty of NALSAR, Prof. Dr. KVS Sharma, Shri Prof. Dr. D. Balakrishna, Prof. Dr. G. Mallikarjun, Prof. Dr. SNA Shafi, and Mr. K. Shiva Charan taken the sessions.



## Training to Land Laws to Teachers, Students and Legal Aid Clinics



### CTLR Unique & Innovative Initiatives

- CTLR offering Land Laws as an elective course to LL.B. Students.
- Providing field Visits and Document Verification assistance programs to LL.B Students.
- Facilitating and Providing Internship Opportunities to LL.B Students.
- Drafted a proposed Course on Land and farmer related issues, in order to enhance the knowledge of the farmers and revenue officials on matters related to Land and Agriculture activities.
- Prepared Saadabainama Regularization Printed Material and Circulated soft copies across the state.
- Creating awareness among the Ph.D. Scholars from abroad as well as in India who visited Centre for Tribal and Land Rights on Tribal Land Related Problems and Solutions.
- Guiding time to time on Property matters, legal matters further drafting of applications and petitions on behalf of the illiterate poor people who are approached to the CTLR.

### Legal Aid Camp

**By Nalsar University Students In Pudur Village**



The students of NALSAR University of law, Hyderabad (Mr. P J Theja Saai, Mr. P Avinash Reddy, Ms. Pallavi Neha, Ms. Mrudula Karumanchi, Mr. Balaji Naik Azmeera, Ms. Shreya Naik and Mr. Benajamin Venlalvena) organized a Legal Aid Camp in Pudur village, Medchal (Mandal & District), Telangana on September 13,

2017. Prof. (Dr.) V. Balakista Reddy, Registrar, NALSAR University of Law, M. Sunil Kumar, National Director, Landesa and Smt Kolla Sravanti Venkatesh, Sarpanch, Pudur Village were chief guests of the camp. Due to heavy rains, the camp was shifted to a nearby temple at the last moment.





## Legal Aid Clinic at Muneerabad Village of Medchal District.



Centre for Tribal and Land Rights, NALSAR University of law, Hyderabad organized a Legal Aid camp in Muneerabad Village, Medchal Mandal & District, on July 17th, 2019. Legal Aid s Camp was inaugurated by NALSAR Registrar and Professor Shri Dr. V. Balakista Reddy Garu, during this inaugural program NALSAR Professor Shri. Dr. G. Mallikarjun and Mr. K. Shiva Charan Advocate & Research Associate of NALSAR along with NALSAR Students were present, The opening remarks of Sarpanch of Muneerabad village Shri Ganesh emphasized on the

activities which were carried by NALSAR Student Volunteers in their village, since a year the volunteer students were consistently coming their village during the evenings especially on Saturdays and Sundays and other days as per their convenience and requirements to the needy in their village, the activities which are being conducted in their village shows their enthusiasm to serve the gross route level people, the student community were actively involved in encouraging school drop outs, inculcated the value of learning English language, taken classes to interested school children on English Subject, created awareness programs on Domestic Violence Act, Dowry Prohibition Act, Land and Revenue matter issues, Importance of Cleanliness, Health issues, sewage systems, schemes related to public distribution systems and public welfare schemes introduced by Central and State Governments.

During this program Sarpanch of Muneerabad village has stated that Muneerabad Village was being selected Best Model village in the State and how they were trying further activities like rain water harvesting pits to every house, unless fulfilling of rain water harvest pits permissions were not being issued to construct any new buildings, such measures



making their village to prosper, time to time arrangements of carrying out garbage, drinking water facilities, clean roads and maintaining good sewage systems, proper working of street lights are the keen areas which the Sarpanch Mr. Ganesh paying attention. further public distribution systems like ration, and welfare schemes like Kalyanalakhmi, Shaadi Mubarak, Old Age Pensions, widow pensions, and minimum wages on employment guarantee schemes and Rhythu Bandhu Schemes etc are strictly enforcing. Further Mr. Ganesh Stated that their village is very fortunate for seeking any sort of legal assistance from NALSAR because it just very nearby to approach and student community and CTRLR assistance to their local village legal problems are helping a lot on time to time basis.

During this legal aid camp student community explained about various Acts which are useful to the villagers on their day to day activities, then NALSAR Registrar Shri Dr. V. Balakista Reddy assured the villagers that at any point of time NALSAR is ready to provide any sort of legal assistance to the villagers. Then Prof. Dr. G. Mallikarjun clarified few legal problems of villagers who were attended to this program. NALSAR Registrar Prof. Dr. V. Balakista Reddy, Professor Dr. G. Mallikarjun, Shri. Ganesh, Sarpanch of Muneerabad Village and the villagers were appreciated the Student volunteer team and CTRLR of NALSAR for conducting such a great program in Muneerbad village and they expressed their future support to villagers.

## **Interns Experience On Land Legal Aid Clinic At Warangal**

### **Introduction**

Under the flagship of Center for Tribal and Land Rights of NALSAR University of Law with guidance of Professor (Dr). V. Balakista Reddy Garu and Mr. Sunil Kumar, National Director, Landesa, NALSAR University Students Namely ThejaSaai, VirajithMendem, BalajiAzmeera and Nishant underwent an internship program during their summer vacations, and observed important issues as follows:

Land Rights Legal Aid Clinic at NyayaSevaSadan, District Court, Warangal with the support of State Legal Services Authority established Land Rights Legal Aid Clinic at NyayaSevaSadan, District Court,

and Warangal on March 3, 2013. This Clinic aims to provide free legal services to the poor and needy, creating awareness among the people about their rights and helping the litigants in all possible ways. A team of land experts of Landesa, faculty members and the students of NALSAR looks after the activities of the clinic with the support of State Legal Services Authority, Hyderabad. The clinic provides legal service for resolving land problems. The clinic acts as one stop service centre for the poor, needy and tribal with legal problems regarding land.

A pilot program was also initiated in six villages of Mahabubabad and Janagaon districts including two tribal villages to update land records and resolve land problems. In these six villages a unique community driven land records verification and updation process is undertaken with the involvement of local youth. Through this process all the land problems in six villages were identified and process initiated for resolving them. Members of Legal Aid Clinic played a key role in this programme and currently the same model is initiated in Suryapet District.

In addition to this, the in charge of the Legal Aid Clinic also tries to create awareness among many categories of people like Women, students of S.S.C and above, Farmers, Scheduled Tribes, Anganwadi teachers, Masters of Social Work (students), Paralegal Volunteers, Government officials etc. The material on land matters has been distributed where ever awareness camps are held.

## **A Systems Approach To Resolve Land Problems of The Poor and Tribal**

*"Access to land continues to be of critical significance in large parts of India, and the entire economic, social and political networks revolve around it... land provides not only economic sustenance but also plays a key role in enhancing the prospects of asserting citizenship in much of rural India."*

*- Report of the Committee on State Agrarian Relations and the Unfinished Task in Land Reforms (2008)*

*"Presently the Revenue Courts are choked. Thousands of cases pertaining to land issues are pending in revenue courts... The number of land disputes is on the rise due to increasing pressure on land... For the poor the effect of having their lands in a court is especially devastating."*

*- Report of the Land Committee constituted by Government of Andhra Pradesh (2006)*



# Preface

Land is mother. Everyone's life, from birth to death, is intertwined with mother earth. Millions of peoples' livelihood is dependent on it. Land is not only life and livelihood but it is an identity, culture and power. It gives social and economic security, self-respect, courage and strength. And this makes the relationships of persons with land through possession, ownership and other rights a critical issue.

NALSAR established Centre for Tribal and Land Rights (CTLR) which has undertaken several activities including assisting the State of Telangana, Andhra Pradesh and Government of India in drafting land legislations; trained about one thousand paralegals who helped in resolving more than one million land problems of the poor; provided training to various stakeholders working on land (revenue, forest and tribal welfare officials); and undertaken several legal literacy initiatives.

Providing technical assistance to the State Government of Telangana and Andhra Pradesh in review of all land laws in force in both the states. CTLR, after elaborate exercise, has submitted a detailed report to Government of Telangana. CTLR has provided technical support in drafting several important land laws. CTLR's advocacy efforts helped in getting the needed amendments in the law for regularising the un-registered purchases of agricultural lands by the poor farmers. The Centre has also published two booklets on this aspect which helped both the revenue machinery and farmers and conducted several training programmes on this aspect.

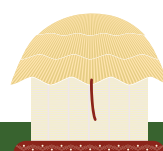
Centre for Tribal and Land Rights, NALSAR University of Law established a first-of-its kind Land Rights Centre at the premises of Warangal District Court, Telangana State. The Centre was established to provide free legal services to the poor on land matters. The Land Rights Legal Aid Clinic has

provided legal advice to about 1000 persons with land problems and helped them in getting their land problems resolved. Land Rights Legal Aid Clinic has organized land legal literacy programmes in about thirty villages in Warangal District and created awareness on land rights, records and procedures for getting the land problems resolved. About ten thousand rural people reached through the legal awareness meetings organized in the villages. Land Rights Legal Aid Clinic with the support of District Legal Services Authority organized training programmes on land matters to various stakeholders including paralegal volunteers, SHG women, Anganwadi workers, students, police officers, revenue officers, Advocates, media persons and members of civil society organisations. About 4000 people trained until now through the Land Clinic in Warangal District.

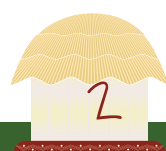
In continuation of the efforts of the Land Rights Legal Aid Clinic, Village Clinics were established in six villages and the team has identified a total of 3712 land cases, problems or disputes. Legal awareness training is given to 440 people (including 360 women) in the six villages and provided legal empowerment training to 180 rural youth. Out of the identified cases, thus far, the centres helped to file about 800 applications and resolved 120 land cases. One tribal village became land problems free with our efforts. The community-driven land records updation undertaken in these six villages was appreciated by the state government and Government of India.

This report gives details of the activities undertaken by CTLR and its impact in last two decades. CTLR's quest continues in providing needed help in securing land rights for the poor and marginalises. Recently, Government of Andhra Pradesh sought the help of CTLR to training the revenue officers and also prepare a single land Act for the state.

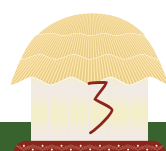
**Director, CTLR**







# Summary Report





# Review of Land Laws in Telangana - A First of its Kind

Telangana has a rich history linked to land reforms movement in the country starting from having the first village to have donated land under Bhoodan to having promulgated some of the most progressive land legislations of the country. There are about two hundred laws and rules including amendments in the undivided state of Andhra Pradesh. These include laws which are only applicable to Telangana, laws which are applicable only to Andhra and laws which are applicable to entire undivided state of Andhra Pradesh. Many laws which are enacted in Telangana before it was merged with Andhra Pradesh were either repealed or amended or modified during last several decades.

The Andhra Pradesh Reorganisation Act, 2014 mandates adoptions and modifications of all the laws made before the Telangana State came in to existence within a period of two years. Section 101 of the Act states that “For the purpose of facilitating the application in relation to the State of Andhra Pradesh or the State of Telangana of any law made before the appointed day, the appropriate Government may, before the expiration of two years from that day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority”.

The Andhra Pradesh Reorganisation Act, 2014 mandates adoptions and modifications of all the laws made before the Telangana State came in to existence within a period of two years. Section 101 of the Act states that “For the purpose of facilitating the application in relation to the State of Andhra Pradesh or the State of Telangana of any law made before the appointed day, the appropriate Government may, before the expiration of two years from that day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority”.

The State Government of Telangana issued orders vide G.O.RT.No. 470 dated 01-10-2015 for review of land laws in the state of Telangana with the assistance of NALSAR University of Law and Landesa. In

pursuance of the Government Order (Rt No. 470 dt. 1/10/2015), CGG entered into an MoU with NALSAR University of Law on November 24, 2015.

## GOVERNMENT OF TELANGANA ABSTRACT

Review of Land Laws in the State of Telangana – Proposals of Director General, Centre for Good Governance for review of Land Laws - Orders-Issued.

REVENUE (Assignment-I) DEPARTMENT

G.O.RT.No. 470

Dated: 01/10/2015

Read:

From the Director General, CGG D.O.Ir.No.CGG/KNV-  
GOV/PRM/04/LL/2015-16, dated.01.08.2015.

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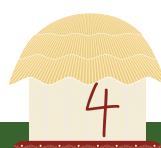
## ORDER

In the circumstances reported by the Director General, Centre for Good Governance in the reference read above, Government after careful examination hereby accept the proposal of the Director General, Centre for Good Governance for review of land laws in the State of Telangana with the assistance of NALSAR and LANDESA and the estimated

## 112 Land Laws in Telangana

A plethora of land laws are in force in the state, and most of them are even not known to people who are responsible for administering them. NALSAR and Landesa initially identified around 65 land legislations in force in the state. However, upon detailed research and wider consultations, the team identified 112 enactments including amendment Acts.

NALSAR and Landesa constituted team of legal experts to review the land laws in force in the State of Telangana. More than a dozen consultations were held at NALSAR with various stakeholders to seek suggestions on the needed changes in the laws. The team reviewed the recommendations of various important land committees' reports including the KRR Land Committee report, Girglani Committee report and reports from Nizam period. The team has gathered the relevant materials and reviewed all the 112 identified land laws and conducted series of brainstorming sessions with experts ranging from academia to litigators, to NGOs (who are working at the ground level) to judges to common people and also bureaucrats who brought in various perspectives, shared their invaluable experiences. These consultations helped in identifying various challenges faced by the existing legislation framework and deliberations took place on finding solutions to tackle them. We have also sought to



gather feedback from specific categories of traditionally underrepresented persons, including women and members of Scheduled Tribes in order to better understand their perspectives on the existing laws.

### **Stakeholders Consultation at District and State Level**

On January 30, 2016, a One-Day Workshop on Land Laws of Telangana: Women Perspectives was held at NALSAR University of Law to understand the challenges in securing access to land rights from the perspectives of women. The workshop saw representation from different NGOs, professors, women forum representatives, senior journalists, Revenue Officials and Centre for Good Governance representatives. It was unanimously agreed that one of the major reasons for failure in securing access to land rights was lack of awareness about the laws

governing land administration and vast illiteracy prevalent amongst women especially those belonging to the backward class.

The second consultative workshop on Lands Laws of Telangana: Tribal Perspective was held at NALSAR on February 6, 2016 to understand the challenges in securing access to land rights from the perspectives of tribal section of the society. Like the first workshop, this workshop also witnessed diverse representation from various sections of the society.

The third workshop on 'Land Governance in Tribal Areas : Issues and Perspectives ' was held at NALSAR on May18, 2017. Shri. Azmeera Chandu Lal, Hon'ble Minister for Tribal Welfare said that the Tribals in Telangana suffer from inaccurate land records and

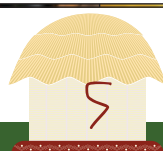
insecure rights to land. It is important to update all the land records and provide secure rights to tribals on the lands which they are cultivating. Hon'ble Minister Visited the CTRLR, NALSAR and appreciated the models and materials developed. He also appreciated CTRLR's efforts in reviewing the land legislations with a special focus on rights of the tribals.

The fourth workshop on 'Land Administration in Telangana: Opportunities and Issues' was held at NALSAR on June 8, 2017. Paralegals, Legal Coordinators, Advocates, Community resource persons who are working on Land issues for more than a decade participated and provided their inputs.

We have organised district level stakeholders consultations in ten districts with collaboration of Landesa and the district administration. The meetings were held at the district headquarters with an objective to discuss and understand different perspectives and aspirations of the people, and receive inputs on needed changes in existing laws. A broad range of stakeholders and experts from the Revenue department, farmer groups, civil society organizations, women's federations, academia, and other interest groups participated in the consultations.

### **Report Submitted to Government:**

A note on all the land laws prepared taking into account the perspectives of various stakeholders - women, tribal, poor, landowners, land administrators and considering best land governance models. The report has been submitted to the Government in the first week of May 2016.







State Consultation on Land Rights



State Consultation on Tribal Land Rights



District Consultation at Warangal



District Consultation at Kothagudem







District Consultation at Suryapet



District Consultation at Kamareddy



District Consultation at Adilabad



District Consultation at Jangoan





District Consultation at Mahabubabad



District Consultation at Vikarabad



District Consultation at Karimnagar



District Consultation at Nagar Karnool





## Their Land Their Rights : Community - Driven Land Record Updation Pilot Project:



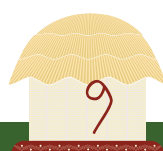
Up-to-date land records and clear land titles are the pre-requisite for economic development and optimum utilization of the land by its owners. Land records which do not reflect the field reality, unclear or undocumented land titles lead to land disputes hampering the growth and development. Unfortunately, land records are archaic and in most cases do not reflect the ground realities. Many times, names of the pattadars and cultivators are not entered in revenue records. People are facing many hardships due to non-update land records. As a result, majority of the land owners have insecure and unclear rights over the land. They are unable to get any benefits due to them as farmers including crop loans, crop insurance and input subsidies.

Government of India is making efforts to modernize management of land records, minimize scope of land disputes, enhance transparency in the land records maintenance system, and facilitate moving eventually towards guaranteed conclusive titles to immovable properties in the country. Digital India Land Records Modernization Programme (DILRMP) is launched by the Government of India to usher in a system of updated land records, automated and automatic mutation, integration between textual and

spatial records, inter-connectivity between revenue and registration, to replace the present deeds registration and presumptive title system with that of conclusive titling with title guarantee. Government of Telangana taking steps to update the land records and make them available online. Further, the state government also took a decision to undertake re-survey.

### Why better land records?

- **Economic Development:** Up-to-date land records and clear land titles are the pre-requisite for economic development and optimum utilization of the land by its owners.
- **Reducing Land Litigation:** Land records which do not reflect the field reality, unclear or undocumented land titles lead to land disputes hampering the growth and development
- **Reducing Crime:** land disputes are the root cause for most of the criminal cases
- **Ensuring Benefits to Farmers:** better land records ensures providing input subsidies, crop insurance, crop damages, Institutional Credit and other benefits to eligible farmers.





- Ease of Doing Business: better land records is one of the critical element for better ranking in ease of doing business

Earlier NRLMP scheme has been re-named as Digital India Land Records Modernisation Programme (DILRMP).In order to ensure economics of scale in the implementation of centrally sponsored schemes, the DILRMP has been restructured as Central Sector Scheme, and from financial 2016-17 it would be 100% funded by the Central Government. DILRMP is expected to be completed by 2021 with a cost of RS.11000 crores. Government of Telangana requested an amount of Rs. 256.49 crores in 2014-15. GoI sanctioned Rs.139.75 Cr and released Rs. 83 Crores.

Lack of requisite community involvement was identified as a major challenge during the recent review of the National Land Records Modernization Programme. NALSAR University of Law made efforts to address this gap by making local youth play a significant role in updation of land records and identify and resolve the land problems. The effective participation of the community with the involvement of local youth can significantly contribute in making

2%	Rural Land in Litigation
28%	Peri-urban Land in Litigation
12%	Murders due to Land Disputes
1.3%	GDP loss due to Land Problems
100 - 200	Land Problems per village
40% - 50%	Land owners have insecure land rights
60% - 70%	Petitions to District Magistrates are regarding Land Problmes
66%	Cases in Civil Courts are land disputes
80 thousand crores	Annual expenditure bu litigants in both civil and criminal cases (cost incurred to attend court and loss of wages. This does not include court cost and lawyers fee)

the land records mirror the ground reality and resolving land problems.

### Community-driven Land Records Updation pilot in 8 villages

Centre for Tribal and Land Rights (CTLR), NALSAR University of Law and Landesa with the support of Legal Services Authority established a first-of-its kind Land Rights Centre at the premises of Warangal District Court and also two Sub-

District Level Land Centres in Warangal district of Telangana. The Centres are established to provide free legal services to the poor on land matters. As part of the Centres initiatives, a pilot is undertaken in 6 villages of old Warangal district (now in Mahabubabad and Jangaon Districts) and later in 2 villages of Suryapet district to identify and resolve land problems. The below is process undertaken in the pilot:

**Preparatory work:** Selected 3 village youth as Community Resource Persons; Selection of Paralegals; obtained copies of land records; Training to Community Resource Persons and Paralegals at



NALSAR University of Law; Village meetings to explain the pilot; Preparing and printing the required format.

**Door-to-door survey:** Community Resource Persons visited every household in the pilot villages and collected the information pertaining to the details of land owner and land problems in the prescribed format by talking to the persons in every household and verifying the available land documents;



**Details from land records:** Collected information from important land records including 1B, pahani, setwar, khasra pahani, village map, tippan, assignment register, inam register and government land register in the prescribed formats;

**Visit to land:** Community Resource Persons visited every parcel of the land in the pilot villages to obtain information in the prescribed formats from the persons cultivating the land and the neighboring farmers, and also prepared a rough sketch of the land parcel

**Data correlation:** Data collected from household survey, land records and field verification is correlated and list of land problems are prepared and entries in land records which needs updation identified

**Discussion in gram sabha:** Data discussed in gram sabhas

**Updating Land records and Resolving land problems:** Correlated information and the list of land problems are submitted to the revenue authorities. Steps taken to get the land records updated based on the information obtained. Community Resource

Persons under the supervision and guidance of Paralegals filed applications before the concerned revenue authorities. Organised Gram Sabhas and Village Courts and resolved land problems and updated land records.

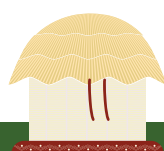
### Impact of the Pilot

All land problems identified in 8 villages – majority of 1828 landowners have land problems. A tribal village (Puttalabhupati) became free from land problems. Land Records updated. 73 tribal families received land records kits containing PPB, TD, Phani, IB, Proceedings copy and tippan. They have got about 22 L crop loan from the local bank. 50 SC families in Gopalagiri (village with predominant SC population) got pattas. 60 families in Kannayapally received pattas



### Scaling Across the State:

- Selection and training of 33 thousand village youth (3 per revenue village)
- Taking the services of land team in SERP – 145 Paralegals; 125 community surveyors, 10 legal coordinators
- Constituting village teams with VRO, Resource Persons and SERP team
- Providing copies of land records and required formats to the teams
- Starting the drive in one village in each of 584 Mandals in the first phase
- In all the revenue villages in the second phase
- House Hold Survey, Land inventory, verification







of land records by the teams

- Analyzing the data and identifying land ownerwise land problems
- Marking the entries in Pahani and 1B which needs updation
- Grama Sabhas to discuss the data and displaying the information in the villages
- Resolving land problems and updating land records

- Giving land records kits to farmers

### Cost and Benefits

With Rs. 90 per land owner; Rs. 46,000 per village; and Rs. 49.71 crores for the state –

- ✓ Real picture of land ownership and cultivation on ground can be obtained
- ✓ Discrepancies in land records and landowner wise land problems will be identified
- ✓ Land records will be updated and land problems will be resolved.
- ✓ About 33 thousand rural youth will get 100 days employment
- ✓ Farmers will get access to land records
- ✓ Improved awareness on land records, laws and procedures
- ✓ Re-survey of agricultural lands becomes easy





## Land Rights - Legal Aid Clinic - A Unique Experiment



Centre for Tribal and Land Rights, NALSAR University of Law and Landesa established a first-of-its kind Land Rights Centre at the premises of Warangal District Court, Telangana State. The Centre was established to provide free legal services to the poor on land matters. The Land Rights Legal Aid Clinic has been successfully running since last four years and innovatively supporting various categories of beneficiaries approaching the Clinic. In last four years, the Clinic provided legal advice to about 1000 persons with land problems and helped them in getting their land problems resolved. Land Rights Legal Aid Clinic with the support of District Legal Services Authority organized land legal literacy

programmes in about thirty villages in Warangal District and created awareness on land rights, records and procedures for getting the land problems resolved. Until now, about ten thousand rural people reached through the legal awareness meetings organized in the villages. Land Rights Legal Aid Clinic with the support of District Legal Services Authority organized training programmes on land matters to various stakeholders including paralegal volunteers, SHG women, Anganwadi workers, students, police officers, revenue officers, Advocates, media persons and members of civil society organisations. About 4000 people trained until now through the Land Clinic in Warangal District.



# Training The Para Legal - A Million Poor Benefited

<p>GOVERNMENT OF ANDHRA PRADESH</p> <p>ABSTRACT</p> <p>SERP- APDPIP/APRPRP- Approval of Budget for the year 2006-07- Comprehensive Guidelines on Land Component - Orders - Issued.</p> <p>PANCHAYATI RAJ AND RURAL</p> <p>DEVELOPMENT (RD.IV) DEPARTMENT</p> <p>G.O.Ms.No.312                      Dated:07.08.2006</p> <p>Read the following:- 1. G.O.Ms.No.283, PR&amp; RD (RD.IV) Department, Dt:18.07.2006.</p> <p>2. G.O.Ms.No.319, PR&amp; RD (RD.II) Department, Dt:08.09.2005.</p> <p>ORDER: The Government have issued orders vide reference 1st read above allocating budgets for the year 2006-07 for APDPIP and APRPRP component-wise and budget line wise.</p>	<p>GOVERNMENT OF ANDHRA PRADESH</p> <p>ABSTRACT</p> <p>SERP- APDPIP/APRPRP- Approval of Budget for the year 2006-07 - Comprehensive Guidelines on Land Component in Tribal Areas- Orders - Issued.</p> <p>PANCHAYATI RAJ AND RURAL</p> <p>DEVELOPMENT (RD.IV) DEPARTMENT</p> <p>G.O.Ms.No.313                      Dated:07.08.2006</p> <p>Read the following:</p> <p>1. G.O.Ms.No.283, PR&amp; RD (RD.IV) Department, Dt:18.07.2006.</p> <p>2. G.O.Ms.No.319, PR&amp; RD (RD.II) Department, Dt:08.09.2005.</p>
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## ORDERS OF THE GOVERNMENT OF ANDHRA PRADESH ESTABLISHING LAND RIGHTS AND LEGAL ASSISTANCE CENTERS

Community paralegals were initially tasked with securing land rights of the rural poor by: (1) identifying the land issues of the poor at the village level; and (2) facilitating the resolution of those issues through legal analysis, case investigation, land surveys and coordination with the Revenue Department (responsible for land administration in Andhra Pradesh).

SERP has recruited 379 rural youth from poor houses holds, especially from Scheduled Castes and Scheduled Tribe families, as paralegals by way of notification, a written test and an interview. They were given a one-month initial training, which was conducted in the districts and included a village stay. Later, they were given five-day training at the Andhra Pradesh Academy of Rural Development in Hyderabad. NALSAR University of Law, a premier law school in the country, conducted a ten-day paralegal certification course. Continuous capacity building for paralegals is done at the district level through fortnight meetings. Trainings given to paralegals include the basics of land records, land enactments, procedures, identification and resolution process of land issues. SERP appoints one paralegal per mandal (sub-district) to work with the Mandal Samakya (a federation of poor SHG women at the mandal level) under the guidance and supervision of the Land Centre at the district level (discussed below).

The principal activities of the paralegals are identifying and listing land issues in villages

(including, but not limited to, cases pending in Revenue Court of a given mandal), gathering the required factual information and documentation from case files and from speaking with the involved parties, preparing reports for Revenue Department functionaries and petitions for the administrative courts, assisting claimants and administrative court officials in resolving the issues and tracking the cases until they are resolved. Revenue Department functionaries, with the assistance of paralegals and other SERP staff, hold Village Courts to hear cases, resolving as many as possible on the spot.

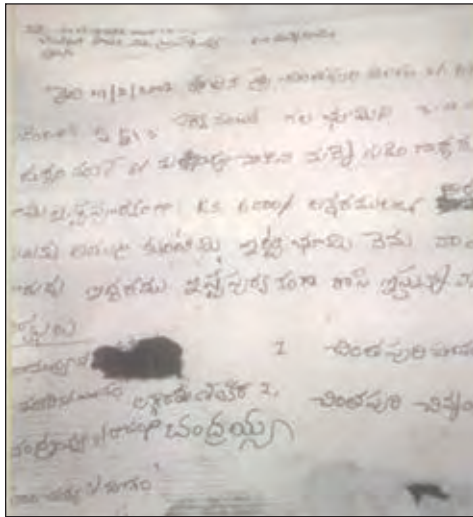
Between 2006 (when the SERP Land Access Program was scaled up to all districts) and 2010, paralegals and community surveyors identified land problems of 610,000 rural poor involving 1.18 million acres of land, out of which, the paralegals and community surveyors helped to resolve land problems of 430,000 rural poor involving 870,000 acres of land (SERP, 2013).

Two-thirds of land cases identified by SERP during 2006-2010 involve claims by members of SC and ST families. SC and ST land holdings are gradually decreasing (Land Committee, 2006). Understanding the gravity of land problems of the poor, SERP has undertaken the inventory of land holdings and land problems of SC and ST families during 2010-2012. The inventory identified 2.16 million land problems among 1.46 million SC and ST families, involving 2.41 million acres of land. Out of this, 980,000 land problems were resolved by organizing village courts during January to March 2012 (SERP, 2013).

Various committees appreciated SERP's Land Access Program and have recommended its expansion to remaining mandals in the state and also across the country. For example, the Committee on State Agrarian Relations and Unfinished Task of Land Reforms recommended the program's adoption in other states with any modifications as may be deemed proper to suit the local environment (CSARUTLR, 2008). The Land Committee of Andhra Pradesh also recommended for the program's expansion to the entire state to encourage alternative dispute resolution and to support the community in fighting cases and the system in gathering authentic information on the cases.



## Supporting in Regularizing the Sadabainama



Government of Telangana State taken up a landmark initiative extending the date for filling applications to regularize the land purchased through sada bainama (un-registered sales). There are about a million small and marginal farmers who are cultivating the land purchased through sada bainama and without having patta. Section 5-A of the AP Rights in Land Pattadar Pass Books Act, 1971 as amended in 2000 provides for regularization of sada bainama entered before 31st December 2000 and applied within the date prescribed by the Government. The last date for filling applications expired in March 2009.

Telangana State Government issued orders extending the date for filling applications until 22nd June 2016. Further, the cut-off date of sada binama extended from 31st December 2000 to 2nd June 2014 (the date of Telangana state formation). 11.19 lakh small and marginal farmers filled application for regularization



of sadabainama and 6.11 lakh of them got patta until date.

Centre for Tribal and Land Rights (CTLR) prepared a book on sada bainama regularization and circulated to all the concerned (Collectors, Joint Collectors, RDOs, Tahsildars and media). The book contains - 1) process of regularizing sada bainama; 2) FAQs; 3) actions to be taken by revenue officers; 4) needed steps by the applicant; 5) High Court Decisions on sada bainama regularization; and 6) provided copies of all the relevant forms and documents.

We have also provided training on sada bainama regularization to revenue officials in several districts including the old districts of Mahabubnagar, Warangal, Karimnagar and Nalgonda.





# Law Students in Village Innovative Legal Aid Clinic 2000 to 2004

## Grama Adalat & Revenue Adalat

For the poor, justice remains an elusive word. Lack of resources, corruption in the system result in the poor not getting their legal due for generations. This is especially true for land cases. A partnership between NALSAR, a premier educational Institution for legal education and IKP is now offering a window of hope to the poor. This initiative has acquired tremendous dimensions of scale as it gets rolled out as part of the Land component of IKP. It all began with Sunil Kumar, a fourth year student of NALSAR approaching STEER, the partnership unit of Velugu. Sunil explained the work done by a group of dedicated students under the umbrella of Shreyas an organisation he had founded, in his home district of Warangal. They were working on organising Gram Adalats in the villages. Modelled on the lines of Nyaya Panchayats the concept was people need not go to the court but the Judges will go the village. So speedy justice was ensured by finding practical solutions to problems. It gave an opportunity to solve other disputes in the village, which did not reach the judiciary. But Shreyas realized that effective solutions to problems. IT gave an opportunity to solve other disputes in the village, which did not reach the judiciary. But Shreyas realized that effective solutions to cases in the rural areas required a comprehensive approach for all criminal and civil cases in the village stem from political rivalry between strong individual or a land dispute. Finding a solution to these problems was integral to solve the pending cases.

With this approach they adopted four villages in Warangal district in December 2000, which had the highest number of backlogs in that District. The students got the pending cases list from the judiciary and interacted with the concerned judge and also the police officials to get a better understanding of the village in general and the pending cases in particular, In the village, they counselled the parties with regards to their pending Civil and Criminal cases in the courts, collect first-hand information about the cases, talked to village elders and received petitions on various problems of the people. After the daily visits, they used to report to the concerned judge on the pending cases and also persuade other Government

agencies to act on the petitions on various problems of the people. After the daily visits, they used to report to the concerned judge on the pending cases and also persuade other Government agencies. This facilitated in clearing around 100 pending civil and criminal and other disputes in the village. A good example is Datla Village in Narshimulapet MANDal in Warangal district. A rivalry between two persons, a landlord and a backward caste resulted in tension becoming a way of life. There was no transport facility from the main road to the village 2 km, people were scared to enter the village or leave the village after 6 pm; there was no development in the village and there were about 40 criminal and civil cases pending in various courts, all due to two land cases involving about hundred acres of land, police and other Government machinery had given up on the villagers.

After the Gram Adalat there is a sea of change and rapid development in the village. Both rivals are now investing their energies in development one is the Mandal president and the other became village Sarpanch. A proper road has been constructed and a linkage to the outside world set up through ten telephone booths.

Impressed by the commitment and work of Shreyas, STEER decided to begin by linking the students to the land component of Velugu. This component works on providing access to land for the poor in a comprehensive manner. Settling land pending land issues is a crucial part of the work. The Joint Collector of Mahaboobabad revenue division, consisting of 130 villages, handed them the list of land cases in various courts from this revenue division. The Velugu – Shreyas goal was to resolve all the land cases by organizing village courts and legal counselling. The Action plan was the following.

- Preparing detailed notes on each case by going through case files and interacting with the concerned officials.
- Fact – finding report on each case, (For this Fact Finding work, members visited the villages)

- Preparing case files based on fact finding report and case note (For this extensive legal research was done)
- Legal Counselling
- Organising Village court on the model, which we organised earlier by bringing revenue officials, judiciary and other concerned Government agencies.

When they started working they realised that pending cases are much more than what is given in the list and further there are many cases, which did not reach the courts, It took more than ten days to trace the files of the cases given in the list; there is no proper maintenance of the land files in the RDO's office and there was scepticism. Says Sunil, "A bench clerk in charge of land case files told us " Sir, at this age and having more than twenty years experience, I hesitate to do anything about these cases. Whenever we were asked to do something we will just send a reminder to the Mandal Revenue Officer and keep quiet. You are very young so why do you want to touch these cases?"

The students completed a study of all the cases in the list and during out study many other cases came to our notice. On all these cases we prepared a note after consulting the Revenue Development Officer and the other staff in charge of land cases. A Gram Adalat

was held in Neelikurthy village of Maripada Mandal in Warnagal district on 25th Jan 2004 where the concerned officer disposed off the cases. Here the rivalry between two upper caste people in the village results in the poor mostly backward castes not able to cultivate their lands which are their only source of livelihood. The police remarked that all criminal cases could be traced to these land disputes and factionism where the entire village was divided into two rival counselling. But finding a permanent solution to all these problems require a comprehensive approach and so we organised a Gram Adalat on 25th Jan 2004 by bringing Revenue officials. Judiciary and settled all the cases in the village were settled we are also took the help of other concerned government agencies to solve the problems in the village.

Encourage by this success story; the Velugu partnership with the NALSAR students was taken a step further by signing an MOU between NALSAR and Velugu. Today legal aid for land, para -legal systems. All form part of the teaching curriculum of NALSAR Faculty and Students go to the villages in rural Andhra Pradesh helping clear up long - pending legal cases and helping the poor get legal access to their lands. The initiative is being taken up now for the long pending tribal land issues.





## Training Program to Revenue & State Legislative Officers

### **NALGONDA District's Revenue Officials Training Program**

On October 7th 2015 NALSAR University of Law in collaboration with Landesa/RDI has conducted one day training session for VROs on "Maintaining of proper land records - Revenue laws.

To this occasion District Judge of Nalgonda Sri Anantha Padmanabha swami has invited as chief guest. The chief guest has addressed the gathering about the importance of maintaining proper land records that which helps to the poor farmers who are facing difficulties on land. He further stated that law department enormously providing solutions to resolve critical cases pertaining to revenue laws. He further stated that issuing of proper pattadar passbooks, title deeds and other records will provide instant justice to the farmers. He also mentioned that government lands, tank beds are occupying by illegal encroachments, to safeguard these lands revenue officials must take proper measures and actions. Finally he suggested to the VROS to make best use of this training program and do the needful justice to the people and farmers.

Later on District Collector of Nalgonda Sri. P. Satyanarayana Reddy addressed that these kinds of training programs will definitely helpful to enhance the knowledge, skills with regard to land and revenue laws. He further addressed to the VROs to make best utilization of this training program by NALSAR and Landesa/RDI and render their duties with utmost responsibility. He further stated that the importance and necessity of training programs on revenue laws for advocates and judges. He has also appreciated NALSAR University of Law for playing a key role in drafting new enactments to our state as well as for our country. He heart fully mentioned to everybody to make best use of these training programs which are conducting by International service organization Landesa/RDI, out of poor knowledge on revenue laws and immature thoughts land problems are increasing day by day and ultimately losing the faith on revenue officials. So it's a best opportunity to gain knowledge which will be useful for a better society.

Then after Registrar of NALSAR University of Law Sri. Prof (Dr) V. Balakista Reddy addressed the session that reviewing and redrafting of Telangana

State land laws project has assigned to NALSAR University of Law, in this regard on behalf of University he will definitely provide all sorts of needful help and cooperation.

Finally Landesa/RDI state director Mr. M. Sunil Kumar mentioned that one must work like as coordinators between people to higher level revenue officials and village revenue official for a better society. Further he stated that the necessity to increasing the capacity to maintain proper land records. Because of poor knowledge of VROs land problems are increasing, according to recent survey reports in every village there are 200-400 land related problems are registering, Then after High court Advocate Smt Priya Ayyanger addressed that 98% of land related litigation is coming out of improper maintenance of land records. In due course of this session Landesa/RDI team has telecasted few documentaries on revenue issues at village and Mandal levels for enlightening on live problems at ground route level.

### **In house Training Programme on legal writing & legislative drafting for Officers of Telangana State Legislature**

**Date: October 29th, 2018**

**Venue: Telangana State Legislature**

On October 29th of 2018 CTLR of NALAR University was organised a one day training program to the Officers of the State Legislature of Telangana. The importance of legislation must meet the needs of the society otherwise it will create many hurdles, difficulties while discharging the duties by the bureaucrats or any officials.

Legislation is one of the most important instruments of government in organizing society and protecting citizens. It determines amongst others the rights and responsibilities of individuals and authorities to whom the legislation applies. On the other hand, a law has little or no value if there is neither discipline nor enforcement.

Member of Legislatives are busy in their constituencies in many public related programs, Usually they were occupied with public related programs and party programs, so it is bit difficult for them to prepare legislations with legal knowledge.



## **Centre for Tribal and Land Rights (CTLR)** **NALSAR University of Law**

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