

CHAPTER VI

LAND REVENUE

6.1 Tax Administration

The Chief Commissioner of Land Administration (CCLA) is responsible for administration of Revenue Board's Standing Orders (BSO), 'The Telangana Water Tax Act, 1988' and 'The Telangana Irrigation, Utilisation and Command Area Development Act, 1984'¹³⁵, 'Telangana Agricultural Land (Conversion for Non-agricultural Purposes) Act, 2006'¹³⁶, and Rules and Orders issued thereunder. There are 10 districts in Telangana and each district is headed by a District Collector who is responsible for the administration of the respective district. Each district is divided into revenue divisions and further into *Mandals*¹³⁷, which are under administrative charge of Revenue Divisional Officers (RDOs) and Tahsildars, respectively. Each village in every *Mandal* is administered by a Village Revenue Officer (VRO) under the supervision of the Tahsildar. VROs prepare tax demands under all the Acts mentioned above for each *Mandal* from the village accounts and get it approved by the *Jamabandi* officers¹³⁸ concerned. VROs / Revenue Inspectors are entrusted with work of collection of revenue / taxes such as water tax, conversion tax for agricultural lands etc. At Government level, Principal Secretary (Revenue) is in charge of the administration of Revenue Department.

6.2 Internal Audit

The Department did not have an Internal Audit Wing that would plan and conduct audit in accordance with a scheduled audit plan.

¹³⁵ Government of Telangana through G.O.Ms.No.45, Law (F) Department, dated 1 June 2016 adapted the said Acts of combined State of Andhra Pradesh.

¹³⁶ Government of Telangana through G.O.Ms.No.4, Revenue (Land Matters) Department, dated 5 January 2016, adapted the Andhra Pradesh Agricultural Land (Conversion for Non-agricultural Purposes) Act, 2006.

¹³⁷ *Mandals* are the jurisdictional area of each Tahsildar.

¹³⁸ *Jamabandi* officer is the District Collector or any other officer nominated by him not below the rank of Revenue Divisional Officer.

6.3 Results of Audit

Test check of records of 31 Land Revenue Offices conducted during the year 2015-16 showed under-assessment and other irregularities involving ₹ 19.52 crore in 22 cases, which broadly fell under the following categories:

Table 6.1: Results of Audit

(₹ in crore)			
Sl. No.	Category	No. of cases	Amount
Revenue Receipts			
1.	Non-finalisation of alienation proposals	8	19.21
2.	Non-levy or short levy of conversion tax	4	0.04
3.	Non-collection of lease amount	1	0.05
	Total	13	19.30
Revenue Expenditure			
1.	Irregular refund of stamp duty and other irregularities	9	0.22
	Total	9	0.22
Grand Total		22	19.52

During the year 2015-16, the Department accepted irregularity amounting to ₹ 5.25 lakh in a case pointed out during the year 2015-16.

A few illustrative cases of non-realisation of cost of land and non-levy or short levy of conversion tax etc. involving ₹ 8.13 crore, are discussed in the succeeding paragraphs.

6.4 Maintenance of Land Records

6.4.1 Introduction

Entry 18 under List II - State List of the Seventh Schedule to the Constitution, *inter alia*, empowers the State Government to legislate on land, that is to say, rights in or over land, land tenures, collection of rents, transfer and alteration of agricultural land, land improvement, etc. Maintenance of land records, survey for revenue purposes and records of rights fall within the scope of Entry 45 under the said State List of the Seventh Schedule to the Constitution.

As per Standing Order¹³⁹ (BSO) 34-A of Telangana Board of Revenue, it is necessary to maintain and update the land records on the basis of day-to-day changes, such as, sale, alienation, change of classification etc., in order to protect Government lands from encroachment, settle boundary disputes, correctly assess taxes and enable *ryots*¹⁴⁰ to establish their right over the land in court of law, etc.

¹³⁹ BSOs are the standing orders concerning revenue issued by the Telangana Board of Revenue during its existence. Later, it was replaced by the Revenue Commissioners under the Telangana Board of Revenue (Replacement by Commissioners) Act 1977.

¹⁴⁰ *Ryots* mean farmers.

6.4.2 Scope and Objectives

Audit was conducted from November 2015 to June 2016 covering the period of five *fasli*¹⁴¹ years from 1420 to 1424 (1 July 2010 to 30 June 2015). Out of ten districts in the State, test check of records was conducted in 26 *mandal* offices from eight districts, office of Deputy Director, Hyderabad, Survey and Land Records (one) and six offices of Assistant Directors¹⁴², Survey and Land Records.

Audit was conducted to ascertain the status of basic land records and maintenance of other land records at village level and *mandal* level, efficiency and effectiveness in maintenance of land records, completion of *jamabandi*¹⁴³ within the stipulated time frame for proper maintenance and updation of land records.

The basic land records to be maintained are:

- The *Sethwar* (also known as “A” Register) is the basic land record which contains details of survey numbers of the revenue village, total area, ownership, nature of land (*Inam*¹⁴⁴, Government / *Poramboke*¹⁴⁵), type of soil, source of irrigation, etc.
- The *Tippan* (Field measurement book) is the pictorial representation of survey fields / sub-divisions recorded in *sethwar*. It contains the details of the total extent of land in survey number, location of the land and its directions and boundaries.
- The Village Map (village plan) acts as an index to *tippan* and enables an inspecting officer to identify any field on the ground and is useful during investigation of disputed boundaries, detection of encroachments etc.

Deputy Director / Assistant Director, Survey and Land Records (DD/ AD, S and LR) is responsible for preparation and maintenance of *sethwards*, *tippans* and village maps of all the villages in a district. Tahsildar is responsible for overall maintenance of land records. Village Revenue Officer (VRO) is responsible for preparation and maintenance of village accounts.

At *mandal* level, Record of Rights¹⁴⁶ in Form I B (ROR I B), Government Land Register (Village Account 1), Register of Changes (Village Account 2), *Pahani*¹⁴⁷ (Village Account 3), Register of Assignments, Register of Transfer of Land, Register of Leased out Lands and Bought-in-land Register are

¹⁴¹ *Fasli* year means period of 12 months from 01 July to 30 June. By adding 590 to *fasli* year one can get the corresponding calendar year.

¹⁴² Adilabad, Khammam, Mahabubnagar, Nalgonda, Nizamabad and Ranga Reddy.

¹⁴³ *Jamabandi* means finalisation of Village Accounts.

¹⁴⁴ *Inam* lands are lands gifted by rulers in recognition of services.

¹⁴⁵ Lands reserved for State or communal purposes such as cart tracks, river and stream, burning and burial grounds.

¹⁴⁶ Record of Rights is the certificate issued to a person declaring the occupant as the owner of the property.

¹⁴⁷ *Pahani* is a very important record which contains details of land such as owner's details, extent, assessment, water rate, soil type, nature of possession of the land, liabilities, tenancy and crops grown etc.

important land records. Audit was confined to check of maintenance of land records.

Audit Findings

Audit observed the following deficiencies:

6.4.3 Non-conduct of re-survey despite expiry of first settlement

As per Para 1 of Chapter-XVI of Hyderabad Survey and Settlement Manual, first settlement is guaranteed only for a period of 30 years. For resettlement, re-survey has to be conducted. Survey / re-survey is an important work to run an efficient revenue administration and for issue of conclusive title for meaningful enjoyment of rights to a landed property. As per Para 3 of Introduction to the Andhra Pradesh Survey Manual of Departmental Rules (Vol. I), re-survey is required to be conducted when the changes in occupation and in the boundaries of fields are too numerous to be dealt with by the Revenue staff, or when the previous survey is considered defective.

Based on the information furnished by four AD offices¹⁴⁸, Audit observed that no re-survey was conducted in these districts for 20 to 68 years. Information in respect of the remaining three AD offices¹⁴⁹ was awaited.

While agreeing with the audit observation, ADs replied that Government had not taken any decision on re-survey.

6.4.4 Failure to conduct revision survey within prescribed time

As per Para 1 of Chapter-XVI of Hyderabad Survey and Settlement Manual, revision survey has to be conducted every 15 years. During revision survey, replacement of missing survey marks and measurement of changes in occupation, or in the physical features of the State have to be carried out. However, no revision survey has been conducted in the State in the last 69 years.

6.4.5 Status of availability of initial Land Records

As per Sections 86(1) and 88 of the Land Revenue Act, 1317 *Fasli* (Hyderabad Code Vol. I), each of the villages in the district must have one *sethwar*, one village map and each survey number of the village must have a *tippan*.

Office of the DD, S and LR, Hyderabad and six offices¹⁵⁰ of AD, S and LR have 7,428 villages and 22,87,193 survey numbers under their jurisdiction. Hence, these offices are required to maintain 7,428 *sethwars*, 7,586¹⁵¹ village maps and 22,87,193 *tippans*. As Hyderabad district is totally urbanised, Record of Measurement (ROM) and Town Survey Land Register (TSLR) are

¹⁴⁸ Adilabad, Nalgonda, Nizamabad and Ranga Reddy.

¹⁴⁹ Hyderabad, Khammam and Mahabubnagar.

¹⁵⁰ Adilabad, Khammam, Mahabubnagar, Nalgonda, Nizamabad and Ranga Reddy.

¹⁵¹ Variation is on account of dry and wet maps being maintained separately in Nalgonda district.

maintained. TSLR is also known as Final Check Operation Land Register (FCOLR).

Audit observed that only 4,712 *sethwars*, 7,392 village maps, 17,37,769 *tippans* were available. Rest of the records were missing.

Moreover, in Hyderabad district, out of 282 ROMs and 282 FCOLRs, 275 ROMs and 276 FCOLRs were available and the remaining were missing.

While agreeing to the audit observation, DD, Hyderabad and also other ADs replied that efforts would be made to prepare records on completion of re-survey.

6.4.6 Unfruitful expenditure on building up of Land Records under Bhu Bharati¹⁵² Project

Considering the improper maintenance of land records in the State, Government had taken an initiative to build land records by conducting re-survey under the project called “Bhu Bharati”. The Project was taken up on a pilot basis in Nizamabad district in the year 2005 with a time frame to complete the project within two years.

The project was contemplated with the following objectives:

- Creation of Register of Titles to grant conclusive titles;
- Integration of process of Survey, Revenue, Registration and Local bodies;
- Updation of Land Records;
- Title transfer (mutation) of property through e-conveyance; and
- Creation and enforcement of dedicated service centres to cater to the needs of citizens.

As a part of implementation, National Institute for Smart Government (NISG) was appointed (December 2005) to render consultancy services and a legal firm was entrusted with (February 2006) preparation of “Land Titling Act” to have legal backing to the project. However, draft bills prepared by the firm for declaration of titles in favour of land owners could not be passed as they were in contravention of the Central Acts, such as, Indian Stamp (IS) Act, 1899, Registration Act, 1908 etc. A society called “Land Titling Society of Andhra Pradesh” was formed (October 2007) to implement the project. National Remote Sensing Agency (NRSA) was appointed to conduct aerial survey of both agricultural lands and non-agricultural lands. However, aerial survey of non-agricultural lands could not be completed due to technical issues. Out of 914 villages, aerial survey of agricultural lands of 911 villages

¹⁵² Bhu Bharati is a pilot project taken up (2005) to reconstruct the basic land records in Nizamabad district vide G.O.Rt.No.158, Revenue (SS-I) Department, dated 28 January 2005.

was completed. Ground truthing¹⁵³ of Land Parcel Maps¹⁵⁴ (LPM) was completed (2007) by the Implementing Agency in respect of these 911 villages. But no conclusive titles to the landed property were established till April 2016 for want of legal backing to the project. Despite incurring an expenditure of ₹ 37.73 crore up to March 2015, the Department had not built up any legally enforceable land records. Thus, the expenditure incurred on the project was unfruitful.

6.4.7 Scanning / Computerisation of Land Records

Erstwhile Government of Andhra Pradesh had issued orders¹⁵⁵ (March 1995) to scan and computerise the basic land records.

Status of scanning / computerisation of land records till the date of audit is given below:

Sl. No.	Name of the AD, S&LR office	No. of villages	Sethwars			Tippans			Village Maps		
			Total	Scanned	Balance	Total	Scanned	Balance	Total	Scanned	Balance
1.	Adilabad	1754	1754	837	917	346674	288453	58221	1754	1731	23
2.	Mahabubnagar	1558	1558	986	572	543603	450531	93072	1558	1514	44
3.	Nalgonda	1155	1155	1019	136	380189	270815	109374	1313	1287	26
4.	Nizamabad	922	922	650	272	423271	314853	108418	922	849	73
5.	Ranga Reddy	1055	1055	541	514	369250	128755	240495	1055	1045	10
TOTAL		6444	6444	4033	2411	2062987	1453407	609580	6602	6426	176

In three districts¹⁵⁶ the reasons for not scanning were torn condition and non-availability of land records. In two districts¹⁵⁷, though records were available, complete scanning was not done. DD, S and LR, Hyderabad and AD, S and LR, Khammam had not furnished the details of scanning.

Action needs to be taken to construct missing records by conducting re-survey or revision survey.

Consequences of improper maintenance of Land Records

Proper maintenance of land data/records at village / *mandal* level and conducting periodical re-surveys and regular updation of basic land records are of vital importance. A few cases of land disputes due to incorrect maintenance of land records are discussed below:

6.4.8 Disputes on account of incorrect preparation of Village Maps

6.4.8.1 Audit observed (January 2016) in the office of the A.D, S and LR, Nalgonda that in Gandhamvarigudem village, two survey numbers (418, 419) overlapped a different survey number (417) in the village map. As per the *pahani*, the land pertaining to two survey numbers (418, 419) was *patta*

¹⁵³ In remote sensing, the verification of image interpretation by direct observation of the ground.

¹⁵⁴ Field measurement books.

¹⁵⁵ G.O.Ms.No.166, Revenue (SS) Department, dated 30 March 1995.

¹⁵⁶ Mahabubnagar, Nalgonda and Nizamabad.

¹⁵⁷ Adilabad and Ranga Reddy.

land¹⁵⁸ and belonged to 35 pattadars. The land (survey no.417), which got overlapped, was Government land assigned to landless poor. As a result, dispute arose between pattadars and assignees when the assignees tried to cultivate the land assigned to them. Pattadars (in survey nos. 418 and 419) objected to cultivation by assignees on the ground that the land belonged to them. Thus, incorrect preparation of village map and *tippan* led to dispute between two parties.

In reply, Tahsildar confirmed (January 2016) that due to incorrect village map and *tippans*, survey numbers were overlapping on a different survey number.

6.4.8.2 In the office of Tahsildar, Miryalaguda, Audit observed (December 2015) from the land records pertaining to the Alagadapa village of Miryalaguda *mandal* that realtors had purchased a patch of 3 acres and 28 guntas of land in survey number 695 and applied for conversion of 2 acres and 11 guntas of land.

Audit observed from the village map of Alagadapa that the survey number 695 which had 3 acres and 28 guntas of land was smaller in size than survey number 720 which had only 37 guntas of Government land.

Based on this discrepancy, the realtors had represented (May 2015) to the Department to interchange the survey numbers along with related extent of land to match the physical size of the survey numbers, which was not done till the date of audit.

Tahsildar, Miryalaguda, stated (December 2015) that the extent of land in survey number 695 (3 acres and 28 guntas) and the extent of land in survey number 720 (37 guntas) were mistakenly printed *vice versa* for which the case was referred (January 2013) to the AD, S and LR, Nalgonda. Reply from AD, S and LR Nalgonda was awaited (December 2016).

6.4.8.3 During scrutiny of records of Tahsildar, Shamshabad, Audit observed (May 2016) that as per *khasra pahani*¹⁵⁹, survey number 62 of Bahadurguda village contained 500 acres of Government land. However, in the *tippan* and village map, the physical size of survey number 62 was shown as smaller than the physical size of five survey numbers (53, 54, 56, 61 and 63 consisting of 9 acres 8 guntas, 15 acres 5 guntas, 7 acres 16 guntas, 16 acres 12 guntas and 15 acres 16 guntas respectively) totaling to 63 acres 17 guntas. Further, Tahsildar stated that the above Government land of 500 acres falling under survey number 62 was not physically available. Incorrect preparation, maintenance and monitoring of land records thus led to unavailability of Government land valued ₹ 24.42 crore.

In response, Tahsildar stated (May 2016) that the matter would be examined and a detailed report submitted.

¹⁵⁸ Lands which are owned by individuals (private lands).

¹⁵⁹ *Pahani* which was prepared for the year 1954-55 was known as *khasra pahani*.

6.4.9 Dispute on account of improper changes based on *Khasra Pahani*

6.4.9.1 As per Sections 79 and 89 of Land Revenue Act, 1317 *Fasli* (Hyderabad Code Vol. I), supplementary *sethwars* have to be issued to correct the survey errors, duly obtaining the orders of competent authority.

During the scrutiny of *Sethwar* and correspondence files in the office of AD, S and LR, Ranga Reddy, Audit observed that survey number 65 of Khanapur village, Rajendranagar *mandal*, Ranga Reddy district contained an area of 5 acres 30 guntas of land and a larger chunk of this land, which was located between the above survey number and the Osman sagar tank, was un-surveyed.

However, as per *Khasra Pahani*, the area in survey number 65 was shown as 547 acres 27 guntas and was sub-divided into 33 parts (i.e., 65/1 to 65/33). Out of this, an extent of 156 acres 17 guntas were recorded as patta and the remaining 391 acres 10 guntas was recorded as *Kharij khata*¹⁶⁰. The un-surveyed land located between the above survey number and Osmansagar tank was given a new survey number 297 with 350 acres. This indicates improper maintenance of land records.

On this being pointed out, AD replied that the matter would be examined and a detailed reply submitted in due course.

6.4.9.2 During scrutiny of records of AD, S and LR, Ranga Reddy, Audit observed that two survey numbers (36 and 37) of Gopanpally village of Serilingampally *mandal* consisted of 888 acres and 24 guntas without any subdivisions. Out of this, Government had allotted¹⁶¹ 205 acres and 20 guntas (survey number 37) and 191 acres and 36 guntas (survey number 36) of land to the Government Employees Housing Society and University of Hyderabad, respectively. However, some interested parties had made representations to the Department (December 2004) claiming right over 90 acres (44 acres in survey number 36 and 46 acres in survey number 37) in the above mentioned survey numbers.

Departmental inquiries disclosed that the revenue records were tampered with and wrong entries were recorded in the *Khasra Pahani* prepared in the year 1954-55. The Department, however, did not settle title of the land till date.

In response, AD, Ranga Reddy replied that the matter would be examined and a detailed reply would be submitted in due course.

6.4.10 Non-finalisation of disputes on *Maqtha*¹⁶² Land

As per Section 3(2) (b) of the Andhra Pradesh (Telangana Area) Abolition of *Inams* Act, 1955, all rights, titles and interests vesting in the *inamdars* in respect of the *inam* lands shall cease and be vested absolutely in the State, free from all encumbrances.

¹⁶⁰ Lands which have been relinquished by the pattadars.

¹⁶¹ G.O.Ms.No.589, Revenue (Assign-III) Department, dated 10 July 1991 and G.O.Ms.No.850, Revenue (Assign-III) Department, dated 24 September 1991.

¹⁶² *Maqtha* is a land grant similar to '*Inam*.'

6.4.10.1 During scrutiny of land records and correspondence files of the office of the AD, S and LR, Ranga Reddy, Audit observed that Mr. 'A' and his ancestors were the occupants of the *maqtha* land (to the extent of 196 acres and 11 guntas) in Fatheullahguda village of Ranga Reddy district prior to survey (1946) and even thereafter till the *Se-Salapahani*¹⁶³ for the years 1956-59. Survey of the lands was conducted in the year 1946 and the settlement records were published in 1952. These settlement records were implemented in revenue records of 1959 where the above mentioned lands were classified as *Gairan*¹⁶⁴ / *Poramboke*. Aggrieved by this, the claimants made several representations requesting the Department to verify the records and declare the title in their favour.

Though many departmental inquiries were conducted to verify the title over the land, no conclusive title was issued till April 2016. This resulted in dispute over land valuing ₹ 570.11 crore.

In response, AD, Ranga Reddy replied that the matter would be examined and a detailed reply submitted in due course.

6.4.10.2 Audit observed in the office of the Tahsildar, Malkajgiri that 16.01 acres of Government land in two survey numbers (578 and 585) of Pakalkunta area in Alwal village was classified as *maqtha* in the *Se-Salapahani*. However, the same lands were classified as *patta* lands in the village account 3 (*Pahani* for the year 2013-14). Based on this classification, occupants of the land made representations to the Department claiming ownership.

As *maqtha* is also a kind of *inam*, on abolition of *inams* under the above Act, all the *maqtha* lands were vested in the State. Thus, recording of the above land as *patta* in the *Pahani* was incorrect.

In reply, Tahsildar stated that the matter would be examined and a detailed reply submitted.

6.4.11 Non-updation of Sethwars of Forest Land

Audit observed (April 2016) in office of Assistant Director (AD), Survey and Land Records, Nizamabad that an area of 4,690 acres and 05 guntas was in dispute between the Departments of the Survey, Settlement and Land Records and Forests on the ownership of the land as a result, land records i.e., *Sethwars* were not updated till April 2016. The details of survey numbers, names of the villages and extent of land are given in Annexure-III.

In reply, the AD stated that non-furnishing of Gazette Notification issued by the Department of Forests declaring the above lands as forest lands along with handing over report of the Revenue Department to the Survey Department were the reasons for non-updation of land records.

¹⁶³ *Se-Salapahani* means *Pahani* prepared for the years 1956-57, 1957-58 and 1958-59.

¹⁶⁴ Grazing lands.

6.4.12 Delay in issue of Supplementary Sethwars

As per Sections 79 and 89 of Land Revenue Act, 1317 *Fasli* (Hyderabad Code Vol. I), supplementary *sethwars* are issued whenever there is a change on account of land assignment, land acquisition or change of irrigation sources and any other changes in settlement record. These are issued by conducting inspection of the lands after issuing notices to all the farmers having common boundaries with the subject land under Section 9(2) of Andhra Pradesh Survey and Boundaries Act, 1923. After approval of competent authority, this is to be issued to the Tahsildar concerned for implementing the changes in the revenue records.

During the scrutiny of records of offices of five ADs¹⁶⁵, Audit observed from the Register of Issue of Supplementary *Sethwars* that 830 applications had been received during 1994 to 2015 for correction of survey errors, subdivision of survey numbers on account of land assignment, land acquisition, etc., and to issue supplementary *sethwars*. Out of these, supplementary *sethwars* were issued in 500 cases leaving 330 cases pending as of April 2016. Of these, 94 cases pertained to office of AD, Ranga Reddy and were pending since 1994.

In response, AD, Nizamabad replied that inspection was completed and the work was under process; three ADs¹⁶⁶ replied that action would be taken to issue supplementary *sethwars* and AD, Ranga Reddy replied that issue of supplementary *sethwars* was pending for want of served copies of notices issued under Section 9(2) of Andhra Pradesh Survey and Boundaries Act, 1923.

6.4.13 Discrepancy in extent of Land between Sethwar and Pahani

During the scrutiny of records of office of the Tahsildar, Kamareddy, Audit observed that there was discrepancy in the extent of land between *sethwar* and *pahani* in respect of test checked village Rameshwarpally. As per *sethwar*, the total extent of land in the village was 1,198 acres and 20 guntas with 263 survey numbers. In 83 survey numbers, the extent of land in *Pahani* was 122 acres and 22 guntas more than that of the *sethwar* and in 36 survey numbers, extent of land in *Pahani* was less than that of the *sethwar* by 14 acres and 19 guntas.

In the office of the Tahsildar, Nalgonda, Audit observed that there was a difference of 819 acres and 35 guntas of land between *sethwar* (3,073 acres and 38 guntas) and *Pahani* (3,893 acres and 33 guntas) in respect of Panagal village.

In reply, two Tahsildars (Kamareddy and Nalgonda) stated that action would be taken to reconcile the discrepancy by verifying previous years' *pahanis* and information relating to mutations.

¹⁶⁵ Adilabad, Mahabubnagar, Nalgonda, Nizamabad and Ranga Reddy.

¹⁶⁶ Khammam, Mahabubnagar and Nalgonda.

6.4.14 Non-maintenance / Improper Maintenance of Village Level Land Records

Government of Andhra Pradesh had introduced¹⁶⁷ (March 1992) integrated village accounts and prescribed maintenance of nine types of village accounts¹⁶⁸ for different purposes. During scrutiny of records, it was observed that certain records were either not maintained or improperly maintained as discussed in the following sub-paragraphs.

6.4.14.1 Non-maintenance of Village Level Land Records

Out of 26 *mandal* offices test checked, Audit observed that in four *mandals*¹⁶⁹ Village Account 1 (Government Land Register) and in three *mandals*¹⁷⁰, Village Account 2 (Register of Changes) were not maintained.

In reply, all the Tahsildars stated that these village accounts would be maintained henceforth.

6.4.14.2 Non-updation of *Pahani*

During the scrutiny of the land records such as *pahani*, Village Account 2 and ROR I-B pertaining to Cheeryal village of Keesara *mandal*, the following discrepancies were observed.

As per the Village Account 2, five sons had succeeded to properties on the death of their father. Father had lands in three survey numbers (155, 156 and 157) of Cheeryal village. Sons of the demised, applied for mutation of land in their names to the Tahsildar. Audit observed that lands in these survey numbers, though mutated in ROR I-B, were not incorporated in *pahani* for the *faslis* 1420 (2010-11) and 1424 (2014-15).

Similarly, while verifying village accounts pertaining to Rampally village, it was observed that as per Village Account 2, applications for mutation of land (survey number 563) were received in the year 2010. However, the names of applicants were not included in *Pahani* for the *fasli* years 1420 and 1424 (2010-11 and 2014-15) against relevant survey numbers. As a result of this mutation in the above two cases was not completed.

In Papannapet *mandal*, during the scrutiny of Mutation Register (2010-11) and *Pahani* (2011-12), Audit observed that the names of the claimants were not updated (in *pahani*) though mutations were ordered by the Tahsildar. In three cases, there was variation in survey numbers between *Pahani* and Mutation Register.

¹⁶⁷ G.O.Ms.No.265, Revenue (L.R.-II) Department, dated 10 March 1992.

¹⁶⁸ Village Account 1 (Government Land Register), Village Account 2 (Register of Changes), Village Account 3 (Adangal), Village Account 4 (Register of holidays and Asami-wise Land Revenue Demand Register), Village Account 5 (Demand Collection and Balance Register), Village Account 6 (Chitta – Daily Collection Register), Village Account 7 (Irsalnama - Register of Reconciliation), Village Account 8 (Register of Irrigation sources) and Village Account 11 (Receipt Register).

¹⁶⁹ Adilabad, Ghatkesar, Malkajgiri and Shamshabad.

¹⁷⁰ Ghatkesar, Malkajgiri and Shamshabad.

Tahsildars replied that the matter would be examined and a detailed reply furnished.

Discrepancy in Land Records

6.4.14.3 As per Section 88 of the Land Revenue Act, 1317 *Fasli* (Hyderabad Code Vol. I), all the survey numbers of village have to be shown within the boundaries of village map.

During the scrutiny of *Pahani* of Tahsildar, Shamshabad, Audit observed that Survey Numbers 138 to 141 covering an area of 10 acres and 3 guntas formed part of Chinna Golkonda village. On verification of village map, these survey numbers were shown outside the boundary of Chinna Golkonda village i.e., under the jurisdiction of Bahadurguda village which was adjacent to it. However, these survey numbers except survey number 139 (11 guntas) were not shown in the village map of Bahadurguda village. As a result, 9 acres and 32 guntas of land was neither included in village maps of Chinna Golkonda village nor in Bahadurguda village.

In reply, Tahsildar replied that the matter would be examined and a detailed report submitted.

6.4.14.4 During scrutiny of the records of 26 *mandal* offices test checked, Audit observed that in four *mandals*¹⁷¹ there were discrepancies between different registers being maintained in the Tahsildar offices as discussed below:

In Bodhan *mandal*, there was variation in extent of land between the *Mandal* level Government Land Register and Village Account 1 as detailed in Annexure-IV (a).

In Mancherial *mandal*, there was discrepancy between Village Account 3 (*pahani*) and *khasra pahani* as detailed in Annexure-IV (b).

In Nalgonda *mandal*, there was variation in extent of land between the *Mandal* level Government Land Register, Village Account 1 and *Pahani* as detailed in Annexure-IV(c).

In Miryalaguda *mandal*, on cross verification of Village Account No.1, *pahani*, ROR I-B and *Mandal* level Government Land Register, discrepancies were observed in extent, sub-survey numbers and names of the owners as detailed in Annexure-IV(d).

After this was pointed out by Audit, all the four Tahsildars replied that action would be taken to rectify the discrepancies.

Discrepancy in allotment of Sub-survey Numbers

6.4.14.5 When a part of land in a survey number is alienated on account of sale, partition etc., for carrying out mutations in revenue records, the main survey number is to be sub-divided and if the sub-survey number is to be

¹⁷¹ Bodhan, Mancherial, Miryalaguda and Nalgonda.

divided further, then sub sub-survey numbers are to be given/ allotted to avoid confusion and litigation in future.

In three Tahsildar offices¹⁷², Audit observed that there were discrepancies while allotting sub-survey or sub sub-survey numbers as detailed in Annexure-V (a).

In Nizamabad *mandal*, 97 acres and 36 guntas of land was assigned without allotting sub-division numbers as detailed in Annexure-V (b).

After this was pointed out by Audit, four Tahsildars¹⁷³ replied that action would be taken to rectify the discrepancies.

6.4.15 Non-maintenance of prescribed Registers/ Records at *Mandal* Level

As per the provisions of BSO and *Mandal* Accounts Manual, Register of Bought-in-Lands, Register of Leased out Lands, Register of Relinquishment and Register of Transfer of Lands are to be maintained in *mandal* offices to ensure proper maintenance of land records.

During scrutiny of records, Audit observed that these registers were not being maintained in any of the 26 *mandals*.

In response, 22 Tahsildars¹⁷⁴ replied that the above registers would be maintained and Tahsildar, Papannapet replied that the matter would be examined and detailed reply submitted.

Tahsildar, Miryalaguda replied that as there were no cases, these registers were not being maintained. The reply of the Tahsildar is not acceptable as a Register is required to be maintained to watch the track of the cases by indicating the number of cases as 'NIL'.

Tahsildar, Asifnagar replied that as town survey system was introduced in the *mandal*, these registers were not applicable and Tahsildar, Shaikpet replied that transfer of lands register need not be maintained in this office. The replies of the Tahsildars¹⁷⁵ were not acceptable, as without maintenance of these registers, mutation or change in classification could not be known.

As per the provisions of BSO 15, Government lands are assigned to the landless poor either on payment of market value or free of cost. Details of such lands have to be entered in a register as *Mandal* Account No.4 and should be maintained permanently to watch that these lands are not alienated by the assignee and also to avoid another claim for assignment of land by the same assignee.

¹⁷² Bodhan, Miryalaguda and Suryapet.

¹⁷³ Bodhan, Miryalaguda, Nizamabad and Suryapet.

¹⁷⁴ Adilabad, Bahadurpura, Bodhan, Gadwal, Ghatkesar, Itikyala, Jannaram, Kalher, Kalluru, Kamareddy, Keesara, Khammam (Urban), Kothagudem, Malkajgiri, Mancherial, Nalgonda, Nizamabad, Shamshabad, Suryapet, Tirumalgiri, Wanaparthy and Zaheerabad.

¹⁷⁵ Asifnagar and Shaikpet.

It was, however, observed that no such register was being maintained in four Tahsildar offices¹⁷⁶.

In response, three Tahsildars¹⁷⁷ replied that the above register would be maintained from now onwards; Tahsildar, Asifnagar replied that the above register was not required to be maintained as town survey system had been introduced in the mandal. The reply of Tahsildar, Asifnagar was not correct as this is a permanent register and was to be maintained and updated regularly to maintain a list of assignees and to watch that these lands are not alienated by the assignees and also to avoid another claim for assignment of land by the same assignee.

6.4.16 Failure to complete *Jamabandi* within stipulated time

As per the instructions issued in BSO 12(5), *jamabandi* is to be completed before the end of *fasli* i.e., 30 June. *Mandal* demand statements must be closed within 15 days after the completion of *fasli*, so as to finalise the settled demand in respect of water tax, road cess and preparation and updation of land records such as Government Land Register (Village Account 1), Register of Changes (Village Account 2) and *Pahani* (Village Account 3).

Audit scrutinised *jamabandi* records pertaining to five *fasli* years from 1420 to 1424 of the 26 selected *mandals* except four *mandals*¹⁷⁸ of Hyderabad district where *jamabandi* was exempted.

Out of 110 *jamabandis* due in 22 *mandals* during the last five *fasli* years, 36 *jamabandis* (32.73 per cent) were completed with delays ranging from one to more than three years and in the remaining 74 cases (67.27 per cent) *jamabandi* was not completed.

In eight *mandals*,¹⁷⁹ *jamabandi* was not completed in any of the five *fasli* years (1420 to 1424) as detailed in Annexure-VI.

In reply, 17 Tahsildars¹⁸⁰ replied that the matter would be brought to the notice of higher authorities for taking necessary action; two Tahsildars¹⁸¹ replied that the matter would be examined; Tahsildar, Mancherial replied that though *jamabandi* for the *faslis* 1420 and 1421 was completed, records could not be traced and *jamabandi* of *faslis*, 1422 to 1424 was under process; Tahsildar, Malkajgiri replied that as there was no water tax demand, *jamabandi* was not conducted; and Tahsildar, Zaheerabad replied that *jamabandi* of *faslis* 1422 to 1424 was under process.

¹⁷⁶ Asifnagar, Bahadurpura, Malkajgiri and Tirumalgiri.

¹⁷⁷ Bahadurpura, Malkajgiri and Tirumalgiri.

¹⁷⁸ Asifnagar, Bahadurpura, Shaikpet and Tirumalgiri.

¹⁷⁹ Gadwal, Ghatkesar, Itikyal, Keesara, Khammam (Urban), Kothagudem, Malkajgiri and Shamshabad.

¹⁸⁰ Adilabad, Bodhan, Gadwal, Ghatkesar, Itikyala, Jannaram, Kalher, Kalluru, Kamareddy, Keesara, Khammam (Urban), Kothagudem, Miryalaguda, Nalgonda, Nizamabad, Shamshabad and Suryapet.

¹⁸¹ Papannapet and Wanaparthy.

As delay in completion of *jamabandi* affects preparation and updation of Village Accounts 1, 2 and 3, the Department should take steps for timely completion of *Jamabandi*.

6.4.17 Conclusion

Audit observed that in many offices Provisions of Land Laws relating to maintenance of land records were not complied with. Even though more than 60 years had elapsed, no re-survey was taken up. Though a pilot project was taken up to build up land records by expending ₹ 37.73 crore, the Department could not build up any legally enforceable land records. Early precautionary measures such as scanning / computerisation were not taken up to preserve the basic land records. Basic land records, Village Accounts and registers maintained at *mandal* level were either not being maintained or maintained improperly. The improper maintenance of land records led to improper changes based on *Khasra Pahani*, non-finalisation of disputes on *maqtha* land, non-updation of forest land and disputes between pattadars and assignees, etc. Further, there was undue delay in finalisation of Village Accounts and lack of co-ordination was also observed within and between the departments such as Forest / Survey, Settlement and Land Records.

6.5 Non-realisation of Cost of Land

As per the Board's Standing Order (BSO) No.24, read with Government order¹⁸² dated 14 September 2012, alienation of Government land to a company, institution or private individuals for any public purpose will normally be on collection of its market value and subject to the terms and conditions prescribed in the BSO. The BSO allows the Government to permit possession of the land in advance by the applicant in the event of any emergent circumstances pending formal approval of the alienation proposal.

Audit scrutiny (between September 2015 and February 2016) of alienation records in the offices of Deputy Collector & Tahsildar, Saroornagar, and Tahsildars, Shaikpet and Suryapet showed that in five cases, the Government had permitted advance possession of 16.37 acres of land in Nalgonda, Hyderabad and Ranga Reddy districts between 2011 and 2013 to three entities viz., a State Government Company, a State Government Corporation and a local body pending finalisation of alienation proposals. However, in the absence of a specific time limit, the alienation proposals were still pending finalisation even after a lapse of two to four years from the date of handing over of land. Thus, non-finalisation of alienation proposals resulted in non-realisation of cost of land amounting to ₹ 8.01 crore in five cases.

After Audit pointed out the cases (between December 2015 and February 2016), Tahsildar, Shaikpet replied (August 2016) that the matter had been taken up with District Collector, Hyderabad for realisation of cost of land. The Deputy Collector and Tahsildar, Saroornagar stated (June 2016) that the cost of land could not be realised as a writ petition (WP No. 22947/2009) was pending in the High Court pertaining to the land alienated. The reply was not correct as the land alienated fell in the survey number 197/1, whereas the WP

¹⁸² G.O.Ms.No.571, Revenue (Assignment.I) Department, dated 14 September 2012.

pending in Hon'ble High Court related to survey numbers 197/2 to 197/49. The Tahsildar Suryapet replied that the matter would be examined and detailed reply furnished in due course.

The matter was referred to the Department in June 2016 and to the Government in July 2016; replies have not been received (December 2016).

6.6 Non-levy / Short Levy of Conversion Tax and Non-levy of Penalty

Section 3(1) read with Section 4 (1) of Telangana Agricultural Land (Conversion for Non-agricultural Purposes) Act, 2006, stipulates that no agricultural land in the State shall be used for non-agricultural purposes, without prior permission of the competent authority. Every owner or occupier of agricultural land shall pay a conversion tax at the rate of nine *per cent* of the basic value¹⁸³ of the land converted for non-agricultural purposes. If any agricultural land has been put to use for non-agricultural purposes without obtaining permission, the RDO, being the competent authority to convert the land use from agricultural purposes to non-agricultural purpose, shall impose a penalty of 50 *per cent* of the conversion tax under Section 6 (2).

Audit scrutiny (December 2015 and January 2016) of conversion tax files for the *fasli* years 1415 to 1424 (2005 to 2014) in three offices¹⁸⁴ of Tahsildars, showed that 23.69 acres of agricultural land were put to use for non-agricultural purposes without prior permission of the competent authorities in five cases. However, the Department levied only conversion tax without imposing any penalty. It was further observed that conversion tax of ₹ 2.48 lakh was not levied / short levied in two out of five cases due to incorrect adoption of basic value and adoption of lesser extent of land used for non-agricultural purposes. Besides, penalty leviable in the above five cases worked out to ₹ 3.98 lakh at the rate of 50 *per cent* of conversion tax. Thus, the total non-levy / short levy of conversion tax and non-levy of penalty amounted to ₹ 6.46 lakh.

After Audit pointed out (December 2015 and January 2016) these cases, Tahsildar, Khammam (Urban) replied that the matter would be brought to the notice of the competent authority for taking necessary action. The two remaining Tahsildars replied that the matter would be examined and intimated to Audit in due course.

The matter was referred to the Department in June 2016 and to the Government in July 2016; replies have not been received (December 2016).

¹⁸³ 'Basic value' means the land value entered in the Basic Value Register notified by Government from time to time and maintained by the Sub-Registrar.

¹⁸⁴ Ghatkesar, Khammam (Urban) and Miryalguda.

6.7 Failure to execute Lease Deed and Non-collection of Lease Rent

BSO 24 A, provides for grant of Government land and buildings for temporary occupation for non-agricultural purposes in favour of individuals, private bodies, companies or associations and local bodies.

Audit scrutiny (September 2015) of records of the office of Deputy Collector & Tahsildar, Serilingampally, showed that State Government in its order¹⁸⁵ dated 30 September 2005, had allotted (September 2005) 1 *acre* and 36 *guntas*¹⁸⁶ of land in Khajaguda Village, Serilingampally Mandal on lease basis for a period of 25 years to AP Billiards and Snooker Association. The lease rent was fixed at ₹ 50,000 per year with a provision for enhancement of rent by 10 *per cent* on the existing lease rent for every five years and on a condition that the land should be utilised within two years from the date of grant of lease failing which the lease would automatically stand terminated.

It was, however, observed from the records that though the land was handed over to the said Association on lease basis in 2005, no action was taken to execute the lease deed and consequently rent was not being collected as of November 2015. This resulted in non-collection of lease rent of ₹ 5.25 lakh.

After Audit pointed out (September 2015) the case, Deputy Collector & Tahsildar replied that action would be taken to collect the amount and execute a lease deed.

The matter was referred to the Department in June 2016 and to the Government in July 2016; replies have not been received (December 2016).

¹⁸⁵ G.O.Ms.No.1699, Revenue (ASN.V) Department, dated 30 September 2005.

¹⁸⁶ 40 *guntas* make one *acre*.