

## **Summary paper of “Bhoomi: ‘E-Governance’, or an Anti-Politics Machine Necessary to Globalize Bangalore?**

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For the complete study, please visit the website:

<http://www.casumm.net/downloads/Bhoomi%20Report.pdf>

### **Introductory Questions:**

Does the digitization of land titles need to be framed within larger issues of Governance and move beyond narrow techno-administrative narratives?

This research is based on detailed ethnographic research methods and looks at the consequences of digitizing land records in districts surrounding Bangalore.

### **Locations of Field Investigations:**

- ◆ Fieldwork was undertaken in all eight taluks in the Bangalore rural district, and within these, intensive interviews conducted in seven villages.
- ◆ Two broad categories of taluks were selected: Economically ‘depressed’, and those that are ‘development hot spots’.
- ◆ Of the eight taluks, three being in the northwest, west, and extreme east are rural in character and economically depressed.
- ◆ Three others, located in the southeast and Southwest are peri-urban in nature and development ‘hot spots’ known for better quality land and high value horticulture in addition to real estate. One of the taluks studied, similar to the ones in the northwest is depressed except for one part where a multi-national corporation has set up an auto-manufacturing plant.
- ◆ Detailed village level case studies are drawn in particular from four taluks – both development ‘hotspots’ and those ‘depressed’.

### **Main Findings:**

*The digitization of land records led to increased corruption, substantially increased bribes and time taken for land transactions.*

*Before Bhoomi there corruption did exist but was very less. Now with the Bhoomi program centralizing land management and providing open access to land records, corruption is cumulative various levels, and of a much higher amount.*

Illustrations:

**1) Increased Time taken:**

Before Bhoomi: Obtaining a copy of an RTC, or a mutation, took 2-3 days. After Bhoomi, all categories of landowners feel that any significant change like a mutation takes 3-4 months.

**2) Increased Bribes:**

**Copy of RTC**

Before Bhoomi: Rs. 5-10 available in the local village

After Bhoomi: Rs. 15 (private Kiosks: Rs. 25) + transport and days' earnings since this is available at the Taluk / Hobli HQs;

**Mutation:**

Before Bhoomi: Rs. 500-1000 (depending on location as being 'economically depressed' or a 'development hot spot')

After Bhoomi: In the less developed Taluks between Rs. 5000 to Rs. 10,000; In the development 'hot-spots' between Rs. 10,000 to Rs. 25,000

*This was despite the implementation of 'preventive' technical measures such as 'FIFO' (First in – First out!). Our field investigations suggest that over the last two years, the bribes have increased despite all administrative and technical innovations.*

**4) Subsidizes big business especially large real estate developers and IT firms.** The Bhoomi program is facilitating very large land developers catering to a global IT Market. Earlier, these firms would have to compete with smaller land developers who often would provide a better price to land owners. Also, the public land acquisition process uses eminent domain via the Industrial acts (KIADB) to notify large consolidated land parcels in favor of big business that in effect disadvantages smaller firms with less capital and far

less lobbying powers. Thus, what would have been illegal in previous times was from 1998 onwards, facilitated legally!

**5) New forms of criminality further the dispossession process.** The reframing of land records allow large players to capture vast areas of land from small, medium and marginal farmers including SC/ST groups. For instance, powerful interests seeking to consolidate land can use their access to centralized land records to instrument conflicts between families and via a divide and rule strategy, use the courts legally to capture land. In addition, to compliment this by using small time criminals to coerce families and poorer occupants to sell out. These new criminalities blur existing distinctions between legal and illegal as these are institutionally shaped by the new acquisition authorities like the KIADB, the mega planning agencies like the BDA, BMRDA, BIAL, BMIC, IT corridor planning and development authorities.

### **Other serious complaints:**

#### **4) Dependence on Agents, who are now power centers in an increasingly criminalized process**

The dependence of the farmers on agents as if farmers visit the taluk office (and lose their day's work), they may find that either the computer is down or that there is a power cut. Also, increasingly, since 2004 to the present, the Agents have being part of an extensive criminalized real estate process and thus, become substantive power brokers in their own right.

#### **5) Misuse of un-regulated access to land records with its administration moved up to district and taluk level:**

- ◆ Wrongly spelled names or the incorrect entry of survey numbers or measurement into the computer becomes complicated to rectify with increased bribes similar to the 'mutation' amounts.
- ◆ Criminal misuse of land documents for 'surety' in the courts, banks, and government agency subsidies without the occupant knowing what is done in their name.
- ◆ Very serious criminal activities, involving organized crime, where very powerful and well connected groups use the Bhoomi program to identify documents and owners to

target marginal, small, and medium land occupants to violently appropriate their lands. These groups also target large farmers with conflicts in their family as a way to appropriate their lands.

- ◆ The ‘Agents’ who are now empowered by the Bhoomi program since 2000, connive with the officers of the government land acquisition agency getting the latter to approach land owners where the threat of land acquisition is used to force him to sell at a lower rate.

## **Conclusion:**

The study concludes:

- ◆ When e-governance projects intervene in land issues, the political economy of land markets rather than techno-managerial features of the project can shape outcomes.
- ◆ Effective land tenure forms are societally evolved and reflect the consolidation of political and economic claims by a variety of groups including the poor. For the poor, it is not just the ‘de-jure’ that is critical but rather the establishment of ‘de-facto’ claims. Main problem is that development programs seem to specifically work to erase these diverse claims and forms of tenure to replace them with much narrower ones.
- ◆ The political economy of development programs around land titling seem to invariably portray ‘ownership’ and ‘value’ in their most narrow terms: ‘Ownership’, rather than representing broad-based claims, tend to exclude all but the very narrow elite. ‘Value’, rather than representing a wider range of social and cultural values associated with land, is narrowed down to not just its economic value but rather a particular part of the economic spectrum where the poor have the least claims to. The main consequence is that poverty becomes even more deeply entrenched and opening productive land to a takeover by the elite, and those who are politically connected at higher levels of government. In some places, as in high growth conditions of the urban periphery, this is likely to promote a severe criminalization of politics centered around real estate practices.

- ◆ There is need to replace politically neutered concepts like 'transparency', 'efficiency', 'governance', and 'best practice' conceptually more rigorous terms that reflect the uneven terrain of power and control that governance embodies.

### **The way forward:**

We see some critical issues:

- ◆ Who should frame programs? Specifically, what overseeing role should political authority and democratic structures have in this process?
- ◆ When should computerization of land records, and other 'e-governance' measures be sequenced as part of a larger approach of decentralized local level management?
- ◆ If land records have to be made 'public' (as made so via higher levels of administrations in the Bhoomi program) which level and type of authority should oversee the process?

Our response is as follows:

**1: Rather than digitizing land records, access to these should be framed as part of a process of decentralized political process undertaken by local elected councils and not in isolated ways by higher levels of administration.**

*There are useful examples from Karnataka. Some gramthana panchayat like those of Bellandur, with support of the state's rural development department, undertook a range of local mapping exercises that helped built a data base that informed their local management system. The management system includes that of computerization of land records and property and other tax registers*

– developed by the Gramthana council. Udupi in coastal Karnataka, witnesses over the last 5 years, it's Municipal Council with assistance of an NGO, initiate extensive ward level mapping in 8 coastal wards deprived of basic infrastructure. Now, with financial support of the elected council, this activity is being extended to all 35 wards of the town.

**2: The exact programmatic details of the management of land should be framed not just in consultation with any elected body, but after being wetted and cleared by the local elected council. They should be free to approach the State or Central government agencies, as well as the market for any specific technical and 'domain' knowledge.**

**3: Any management system is a dynamic process in response to actual field experiences and especially of deprived groups. The nature of deprivation' can be quite varied from place to place. Hence, modifications to the program or its implementation should be initiated and framed by the elected council, rather than a higher level administration initiating a technocratic change in a 'top down' manner.**

**4: Access to land records and related documents should be processed via the local panchayat council, rather than these being provided to any person with particular survey numbers and locality details approaching District level officers for these documents. The village level management of land records, in the Karnataka case, should be re-introduced rather than it's present centralization to the District level after the Bhoomi program.**

*A senior technical officer of the National Informatics Centre described that when the Andhra Pradesh State Legislature debated setting up a 'Bhoomi' type program for that state, they rejected the idea of any person with a survey number being provided a copy of the RTC. They felt that if even in the Indian Railway's computerization reservation system for train tickets, where names are withheld from being mentioned to avoid misuse, how is it that for such critical issues like land, these are openly provided without any checks in the system. The AP legislature felt that doing so would result in corruption, criminalization, and the deprivation of the poor and marginalized groups by the rich and powerful. As detailed in our research of 8 taluks in Bangalore City's periphery, such fears have come true.*

**5: Claims to land, forms of recording, and uses is a continuing and dynamic process. However, this has to be socially and politically moderated. Land has serious political and economic consequences. Hence, it is the Gram panchayat's elected councils who should decide on the exact continuation of tenure categories and forms of recording, rather than these be 'reduced' for managerial purposes by higher levels of government.**