

Land Administration (In A Nutshell)

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The Term "Land " denotes the surface of the earth, the material beneath, the air above and all things fixed to the soil both natural and man-made. It is the ultimate resource without which life on earth cannot to be sustained. The availability of land is the key to human existence and its distribution and use are of vital importance.

Countries have to manage not only the problems of feeding and giving shelter to the growing population but also for the all round development of its people with the land available to them. This needs control over land and the study of the land resources to ensure the sustainable development, which includes the question of providing security to land owners and maintaining order and stability etc.

This needs information of land and management of them. Land management is the process by which resources of land are put to good use.

Land management consists of activities associated with the management of land as a resource from both economic and environmental perspective. It can include farming, mineral extraction, property management, country planning. It also embraces aspects like environment etc. So the information of land and its management are the concern of land administration to support the country's land administration.

Cadastral survey and its map is the parcel based land information showing the demarcation of every parcel boundaries. It can be extended to the collection, processing and recording a wide variety of land information as demand by land administration, both in textual and cartographic form. Cadastral data in textual form may include land tenure, land use, land value and all other attributes of land required to the administration of land, all tied to the identifiable land parcels systematically covering parcels within a defined

area. Cadastral data in cartographic form includes geometric data as co-ordinates, control points etc. Based on survey finding on the ground, cadastral survey and cadastre can be made to contain any degree of precision in accordance to the value of land and its potential development.

Information on cadastre

Cadastral information may be designed to include:

- Fiscal cadastre or a register for levying property tax, which includes, location, size and value of the property. This register is established to cover the entire taxable land of the country.
- Legal cadastre or land register meant to register legal owner of each parcel of land identifying legal rights of landowners and those having interest in land with precise parcel boundary. It may also be negotiation of concerned parties and often-judicial determination of landowners.
- Multipurpose cadastre or a register that incorporates in one, fiscal and legal data plus data of many other attributes of land parcels as the data of land use, soil, infrastructure buildings etc. required to the economic development of the country. So cadastral survey system are the source of key information system for the comprehensive land information based on plan and parcels within plan. However the term land information system is also applied to a wide range of spatial information including environment, socio-economic data and related infrastructure. Land information system acquires, processes, stores and distributes all information about land.

The role of land registration in land administration is to maintain a living record up-to-data by doing away with the dead information and adding new information. It is exclusively concerned with ownership and other interest

on land. It need not be based on the complete coverage of land parcels of a country .In view of the important role of cadastre and land registration to serve the different needs of a nation and their citizen, FIG redefined the cadastre and land registration in 1995 to address environment protection, sustainable development etc. The new definitions are as follows

Cadastre

A cadastre is normally a parcel based and up-to-date land information system containing a record of interests in land (e g rights, restrictions and responsibilities). It usually includes a geometric description of land parcels linked to other records describing the nature of the interests, the ownership or control of those interests and often the value of the parcel and its improvements. It may be established for fiscal purpose (e.g. valuation and equitable taxation), legal purpose (conveyancing), to assist in the management of land and use (e.g. for planning and other administrative purpose) and enables sustainable development and environmental protection.

Similarly the re-defined land registration is as follows:

Land registration is the official recording of legally recognized interests in land and usually part of a cadastral system. From a legal perspective a distinction can be made between deeds registration, where the documents filed in the registry are the evidence of title and registration of title in which the register itself serves as the primary evidence. Title registration is usually considered a more advanced registration system, which requires more investment for introduction, but provides in principle greater security of tenure and more reliable information. Title registration usually results in lower Transaction Cost than deeds registration systems thereby promoting a more efficient land market.

In 1996 United Nations Interregional Meeting of Experts on the Cadastral was held at Bogor in response to the problems stipulated in agenda 21 and HABITAT II Global Plan of Action. Both provided additional justification for establishing and maintaining appropriate Cadastral Systems to serve the different needs of nations and their citizens. Both the documents address environmental protection, sustainable development and better living standards for all and identify a number of key areas of

responsibility for land administrators regarding access to information.

A working party on land Administration was formed in UNECE meeting on plan of action of HABITAT II summit held in Istanbul 1996 to study on it. The report was submitted in Human Settlement Committee of UNECE in 1997.

United Nations, World Bank and the International Federation of Surveys FIG held in Bathurst (Australia) in 1999 focused on the role of Land Administration for sustainable Development. This was at last adopted as Bathurst Declaration, for which United Nations Economic Commission for Europe (ECE) was working since 1993 to strengthen Land Administration Capabilities.

Land Administration Guidelines (UNECE 1996) introduced an umbrella concept for land registration and cadastre as a joint activity. The term conquers the world! The draft title "Cadastral Infrastructures for sustainable Development of Bathurst Declaration" was changed into Land Administration.

Land Administration is now defined in short as the process of determining, recording and disseminating information about the tenure, value and use of land when implementing land management policies.

Land Administration provides a means to allocate, control and enforce the rights and restrain affecting land. Effective and sustainable land management is impossible without land information.

The introduction of computer has revolutionarized information technology.

Land Information System has now expanded the horizon of Land Administration System by using computer to:

- Force standardization in the collection and processing land information.
- Decrease the cost and space required for storing land record.
- Facilitating access to land related data and improve their distribution.

These are only a few of the benefits given by computer to Land Administration. But the conversion of

data into computer readable form is an expensive and time-consuming task.

The use of computer has enabled to acquire vast amount of information more than what can be used. Decision maker has to make right judgment before acquiring information and before buying hardware and software, that helps meet nations object. But there is the risk that computer becomes driver than a tool serving our need.

Land Administration and Nepal

Administration on land to collect revenue existed from the time of Lichhabis (over 2000 year back) down to the Shah-Dynasty. Land taxation was the prime source of revenue to meet the needs of money to finance state activities.

Cadastral Survey, showing parcel boundary in map began since 1980 BS. The record was simply are inventory of land parcels, land classification and landowners.

With the introduction of land reform 2021 BS , Cadastral Survey got its continuity to the present. It served the tenancy survey and revenue survey with less emphases on the usual cadastral objects. The impetus of land reform-momentum to tenancy survey slowed down to non-existence. However Cadastral survey got its continuity till to day and covered the entire country except the pockets of Tarai village settlements and inaccessible remote areas. Cadastre, Land registers, tenants registers are the contribution of Cadastral Survey to Nepal.

Modern concept of Land administration is an outgrowth of Cadastral Survey and Land Reform programme. District Land Administration offices were established under the Land Administration Act 1967 where Cadastral Survey Completed works. Revenue oriented Land Administration Office worked with collection of Land tax, Land registration work and updating Land record and tenant record. Staffed mostly by land reform office and land revenue office with no experience on Land Administration and no training programmes arranged, it could not meet the new challenges. Land Administration Act 1967 was soon suspended and the offices were re-amalgamated to Land Revenue Offices.

A small unit of survey in the name of district maintenance survey, which previously attached to District Land Administration now worked with Land Revenue Office. It helped to up-date the land record in revenue office

when land transaction takes place in land requiring subdivision of parcels.

Cadastral Survey System is the source of key information for the comprehensive Land Information System that includes Cadastral mapping data, survey control data, survey record plan and parcel-identification. Land Administration without these accurate data cannot be imagined, our land information department is not yet put to working system. It is simply an archive. The challenge for the survey is to initiate reform to develop modern cadastre.