www.ijarp.com ISSN 2456-9992 Page: 01-13

International Journal Advanced Research Publications

Research Article

Volume: 02
Issue: 10

DIGITAL LAND RECORDS AND PROPERTY RIGHTS: AN ASSESSMENT OF LAND RECORD MODERNISATION AND ITS LEGAL IMPLICATIONS IN TELANGANA

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Article Received: 19 September 2026, Article Revised: 09 October 2026, Published on: 29 October 2026

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Doi: https://doi-doi.org/101555/ijarp.5395

ABSTRACT

This study presents these challenges in Telangana through documentary socio-legal research. This looks into the shift from Dharani and the 2020 record-of-rights legislation to the Telangana Bhu Bharati Act, 2022 and related judicial pronouncements, national modernisation policy and scholarship. The study distinguishes between digitisation, registration, mutation, cadastral identification and title. The argument presented in this paper is that while technology may enhance administrative coordination, it cannot independently resolve either conflicts of ownership or historical exclusions. There are various legal issues that arise mainly in connection with electronic evidence, procedural fairness, privacy, and access to correction. Specially noted is the effect of wrong entries in the case of women, tenants, disadvantaged claimants and recipients of land-linked benefits. The paper advocates reliance on verified source records, auditable amendments, accessible remedies, proportionate disclosure, secure infrastructure, and independent evaluation. The conclusions are on institutional design, documented legal matters, rather than measured outcomes statewide or original fieldwork.

KEYWORDS: Digital Land Records, Telangana, Dharani, Bhu Bharati, Property Rights, Mutation, Electronic Evidence, Data Protection.

1. INTRODUCTION

Digital land governance transforms the recording, retrieval, and use of property information. Once located at a revenue office, an entry will be made available online and linked to

registration, finance, welfare, etc. Although these changes facilitate administrative burdens, they exacerbate the repercussions of inaccuracies.

Land records have Administrative and Social Importance. They may help formalize claims, enable transfers, and support interaction with public services. However, their legal effect rests on the applicable legislation and the context in which the creation took place. Just because a thing is available electronically does not mean that an entry accurately describes ownership, possession, boundaries or restrictions.

This relationship may be examined well in Telangana. The experience includes updating land records, the Dharani system, and Bhu Bharati Act. These developments raise doubts about the continuity of law, means of correction and more.

Land policy research indicates that if embedded within appropriate institutions, registration and information systems can help development (Deininger). However, improvements in technology should not automatically confer security on all claimants. Although the system provides routine services efficiently, it struggles with disputes over succession, omitted interests, or conflicting surveys.

The flexibility offered by digital technologies has given rise to the idea of digital modernisation. Whether or not reliable information is produced under fair procedures and affected individuals may rectify errors determines the system's success. The three types should thus be examined separately for administrative speed, market convenience, and substantive protection.

2. Objectives and Methodology

The study will clarify how digitalisation of land records serves legal functions; assess whether Telangana's institutional transition is in consonance with the law; examine the implication for evidence, privacy and remedy; and suggest an accountable modernisation framework.

The method uses doctrinal legal analysis and qualitative documentary research. The main materials include Telangana legislation and rules, national statutes, guidelines and judicial decisions. Peer-reviewed studies and institutional evaluations are secondary materials. The selection of sources was made depending on relevance to title, quality of records, technological integration, participation, and legal protection.

Three categories of evidence are distinguished. Legal rules are created by statute. Judgments make findings and give directions in specific disputes. The expressions, comparative

evidence, and evaluative framework from academic and institutional research. These categories are related but not interchangeable.

The reports do not provide interviews, household surveys, software testing and a representative audit of Telangana parcels. As a result, it does not make unsupported assertions about statewide error rates, corruption, dispute reduction or user satisfaction.

The time frame consists of legal developments made publicly available by 26 October 2022. Reference to Dharani may receive its legal assessment at the time of that original period without assuming that Bhu Bharati referred to something unchanged. Likewise, legislative safeguards are different from proven implementation. A causal evaluation needs comparable pre-reform and post-reform evidence, a well-suited comparison strategy, and controls for shifts in staffing, caseloads, and litigating rules.

3. Conceptual Framework: Records, Institutions, and Access

Institutions specify how records accrue authority and how competing claims are resolved. The framework of North elucidates that formal rules require examination together with their enforcement arrangements and established habits. A digital interface may alter the face of governance without clarifying institutional accountability.

Ribot and Peluso differentiate property rights from the more encompassing capabilities to derive benefits from resources. This distinction when applied in Telangana, specifies circumstances where documentary recognition does not imply effective possession, cultivation or access to finance.

Scott's analysis of administrative simplification is another useful perspective. Categorizing makes governance possible, but it side-lines those relationships that do not fit the bill. (Scott) The representations made by digital systems, what they leave out, and their treatments of exceptional circumstances need to be examined.

Benjamin and Raman's study of Bangalore shows that legal titles and electronic governance interact with contested social relationships instead of existing outside of them (Benjamin and Raman). It's comparative evidence, not a testimony to Telangana itself.

The criterion for evaluation by Sen's capability approach is that "modernisation" should enhance the capability of people to create, use, and protect their rights. This paper measures accuracy, procedural fairness, accessibility, and accountability beside transaction efficiency.

4. Distinguishing the Functions of Digital Land Systems

Several processes frequently described as modernisation perform different functions.

Process	Principal function	Legal limitation
Scanning	Preserves a document image	Does not establish its factual accuracy
Database conversion	Makes particulars searchable	Can reproduce source-record errors
Mutation	Updates rights-related entries	Does not independently resolve every title dispute
Registration	Records documents under applicable law	Does not universally guarantee the transferor's title
Cadastral integration	Connects records with mapped parcels	Requires reconciliation with boundaries and lawful interests
Conclusive titling	Gives title a specified statutory finality	Requires an express legal framework and safeguards

The distinctions are important since improvements in one character do not indicate improvements in another. A scanned copy of the register may be complete but outdated. A map whose geometry is correct might show the parcel but leave ownership in doubt. Feder and Nishio discuss the economic and social consequences arising from registration and titling whereas Deininger and Feder put emphasis on governance environment (Feder and Nishio; Deininger and Feder). Supported institutional diagnosis, not technological determinism. Because an assessment is never meaningless Retrieving data and reducing errors in transcription. With better acknowledgment chances of fixing errors are developed. No one thing by itself proves anything is up for ownership.

5. National Modernisation Policy and Telangana's Transition

The modernisation project of India widens the policy framework for the initiatives of the state. The DILRMP 3.0 guidelines address integrated land information, mapping, registration, revenue-court systems, security and evaluation (India, Department of Land Resources). Programme objectives and implementation arrangements, not evidence of finished outcomes in Telangana.

The land-record indices of the National Council of Applied Economic Research assess digitisation and record and service quality. Editions of national council 2020 & national council 2021 give a framework to differentiate technological coverage from quality indicators. Results of the historical index should not be presented as an evaluation of future Bhu Bharati implementation.

The 2020 Laws of Telangana conducted enforcement of the project through the instrument record of rights. The Bhu Bharati Act of 2022 then provided a new statutory framework relating to correction, appeal, revision, and specified civil court jurisdiction. It also repealed the 2020 Act (Telangan – Bhu Bharati Act, sections 14-18, 23) with savings provisions.

It is important to ensure legal continuity. It is incorrect to assume that earlier actions, pending claims and active orders will not be impacted by the change in portal name. The legislation, applicable notifications, and circumstances of the proceeding determine their treatment.

6. Digital Entries and the Legal Meaning of Ownership

Ownership is what underlies what is recorded as entry. In Jitendra Singh v. State of Madhya Pradesh, the Supreme Court reiterated that mutation does not by itself confer title and how disputed ownership is to be treated.

In Telangana, under section 11 of the Bhu Bharati Act, entries in records are presumed correct till rebutted. Section 18 specifies a route for civil suit in case of dispute regarding rights (Telangana, Bhu Bharati Act, secs. 11 and 18). The digital record should not be disregarded as being non-pertinent in law or universally conclusive, but rather read together with the other provisions.

This differentiation has an effect on consumers and creditor. Information sourced online can assist in your due diligence processes, though its weight depends on the legal basis of the entry and competing claims. A technological authentication of an extract shows that something was officially issued but it does not always resolve every property issue.

Burman's examination of title insurance exemplifies a different method for dealing with title risk. Nonetheless, insurance does not replace the law’s right of action or record. Its utility varies according to the coverage, exclusions, price and regulations.

Thus, modernisation should not hide uncertainty behind a facade of authority, but rather reveal it.

7. Source Accuracy, Surveys, and Data Migration

The genesis of a digital system surprisingly has an effect on its reliability. Documents such as historical registers, registered documents, survey maps, succession records, and judicial orders can contain defects that require verification.

An analysis of the way contradictions and exclusions in the historical record continued to play out in modernisation of land record. The results show that conversion does not necessarily fix inheritance problems.

Migration should thus maintain provenance, including source document, date, authority, and reason for each significant entry. Wherever the sources conflict, the system should retain that conflict so that it can be examined by lawfully, not select one silently.

A difference related to spatial information. Better measurement may identify the extent of a parcel. But measurement alone cannot identify whose legal claim prevails. Boundary verification may need neighbours' and interested persons' participation, especially when occupation and documentary descriptions differ.

A reliable migration process should entail sampling, field verification as necessary, classification of discrepancies, and a corrections workflow. Quality assurance should assess both omissions and incorrect additions. A record may produce the name it contains accurately but exclude another legal interest. The document does not contend that all Telangana migration exercises have been without them.

8. Electronic Evidence and Documentary Authentication

Digital records raise issues of authenticity, admissibility, and weight. The substantive truth of the claim must be distinguished from these questions.

The Bharatiya Sakshya Adhiniyam, 2023 discusses electronic and digital records and the relevant admissibility requirements under sections 61-63 (India, Bharatiya Sakshya Adhiniyam). The relevant evidentiary regime and transitional provisions must be verified for the proceeding in question.

Different purposes can be served by screenshot, downloaded extract, certified copy, and database audit log. The first might reveal what was presented on a screen, while another may determine electronically certified information, and a trail might clarify when and how a change happened. Be produced and authenticated properly to have evidentiary value.

The Information Technology Act provides a wide framework for electronic records. However, its scope together with exclusions need a significant attention (India, Information Technology Act). Just because it is electronic, it should not be stated to make every transaction of immovable property legally effective.

In India, the Registration Act regulates registration alongside the relevant state legislation. The question that we need to consider is whether the legal requirements were satisfied or not, and not whether the trading was done by using modern software.

Therefore, preserving the certified historical versions is important. In the absence of these documents, it may be difficult for the claimant to prove what the record indicated before it was manipulated.

9. Correction Procedures and Administrative Fairness

Changes in records causing legal implications make safeguards essential. A small change can impact a transaction, financial situation, succession, or benefit access.

The new rules i.e., the Bhu Bharati Rules, 2025 provide procedural detail (Telangana, Revenue Department) under the new framework. This has to be a reference to the relevant category of request rather than a single universal procedure.

In M. Ranjeesh Reddy v. State of Telangana, the High Court considers a case of deletion of an entry from the Bhu Bharati portal. The competent authority (M. Ranjeesh Reddy, pars. 14–19) was assisted with an examination relating to notice, inquiry, reasoned decision-making and the appellate remedy.

A case study shows that electronic changes must be traceable to authority and review. It does not demonstrate that either party owns the proposition or that the quality of implementation is state-wide.

The Kranti Associates ruling from the Supreme Court reinforces that reasons do matter in judicial and quasi-judicial decisions. An outcome must be comprehensible to the claimant based on the evidence and reasoning.

A rejection notice indicating that an application is merely "not feasible" is therefore an inadequate governance model. A good system links your decision to the relevant provision, the facts and the remedy available.

10. Access, Gender, and Exclusion

Access online does not necessarily ensure access equal. Individuals may encounter challenges related to connectivity, language, disability, literacy, documentation, or control over registered mobile numbers. While intermediaries can offer help, overreliance may incur extra expense and lower independent engagement.

Galanter indicates the need to see how repeated experience in one institution helps some participants over others In local administration, such things may help you know which category of the application to choose, how will you get a copy of the archived record and how to challenge the rejection.

Gender needs special attention. Agarwal's work shows how important women's control over property is in South Asia. A database containing a woman's name does not prove control over documents, transactions, or cultivation decisions.

An evaluation that is useful should thus look at whose interests are documented and who can exercise procedural rights. Household-level measures may hide difficulties that separate interviews may reveal.

Non-standard or disputed interests are also affected by access. Database design shouldn't be viewed as establishing substantive rights. The system should explain the correct legal or administrative channel if the category is outside of a service.

The assisted channels, accessible messages and document support are practical safeguards that prevent technological convenience from becoming a new participation hurdle.

11. Interoperability and Land-Linked Welfare

By merging databases, repeated submissions can be reduced whilst also improving coordination. Nonetheless, it’s just one error; it’s interoperability, not consistency.

The study of earlier Rythu Bandhu scheme by Thomas et al., for example, examines the link between land records and welfare identification. While its conclusions may be historical, the underlying governance question remains live: what happens when eligibility for benefits is based on an incorrect or incomplete entry?

Three issues need different solutions. Delivery arises from payment failures. An erroneous entry of ownership concerns records. The scheme’s rules for excluding a category are persuasive. Fixing one does not fix others.

All useful models contain the purpose and authority behind each decision. It should not be seen as evidence of ineligibility for a distinct service without any legitimate grounds merely because a restriction pertinent to registration is in place.

The World Bank’s historical Andhra Pradesh land-governance assessment provides a comparative institutional reference, although its period and territorial scope differ from contemporary Telangana (World Bank).

A proper assessment should track the citizen’s entire journey as opposed to counting database calls. The ultimate goal is accurate and lawful delivery of services, accompanied by a clear corrective pathway.

12. Privacy, Disclosure, and Data Protection

Information about land is essentially public information. It helps in ensuring transparency of transactions. However, databases may connect property particulars to addresses, ID information, contact details, and family relationships. Thus, the magnitude and access to disclosure require scrutiny.

In K. S. Puttaswamy v. Union of India, the Supreme Court recognised the protection of privacy in the Constitution (K. S. Puttaswamy). Privacy should be viewed by taking into account property protection and equality mind (India, Constitution).

The Digital Personal Data Protection Act, 2023, and the 2022 rules require careful attention to scope, exemptions and commencement (India, Digital Personal Data Protection Act; India, Ministry of Electronics, Rules). The rules explicitly state the phased commencement, and the notification must not be described as such as making applicable every obligation.

Thus, as of October 2022, the assessment must identify which provisions are in operation and which are to commence later. The timeline is not essential to the constitutional privacy issue.

According to the Right to Information Act, which is subject to the provisions that apply to it, there is another law on disclosure. The competing interests are not adequately achieved through blanket secrecy or unfettered publication.

An appropriate design should distinguish information related to public parcels, authenticated private services, restricted internal content and information disclosed under legal requirements.

13. Security, Automation, and Institutional Responsibility

Keeping unwanted visitors out is only one part of security. The integrity, availability and recoverability of land systems must be preserved, as alterations or unavailability affects legal interests.

It is recommended to have role-based access permissions, strong authentication, separation of technical and adjudicative functions, tested back-ups and traceable amendment. The proposals here are governance proposals, not claims that any particular Telangana platform has suffered a validated breach.

An audit log should show who acted, what authority they had, and which order supported their change. Tech admin should not turn to unnoticed arbiters due to free edit.

Defined boundaries are needed for automation. Software can flag inconsistencies and route applications, but contested rights often require proof and interpretation. An automatic flag should create more scrutiny, not become a silent negative legal finding.

The same distinction applies to blockchain or other tamper-evident systems. An entry that has been preserved against undetected alteration may not have been correct to start with. Even if it is secure, an error is a mistake.

It is important that institutional accountability remains clearly apparent. The public authority supposedly retains an overall accountability for the implementation of the contract, which

entails utilising resources for the designated purpose and generating corresponding outputs, outcomes, and impact. The case studies indicate that these measures can lead to a fragmented accountability deficiency among technical actors.

14. Assessment Criteria and Reform Priorities

A credible assessment should measure multiple dimensions independently such as coverage, accuracy, accessibility, and others.

The indices developed by NCAER are useful in historical measurement frameworks, but a contemporary evaluation of Telangana will require evidence, assessed at user-level (National Council, 2020; 2021). Simply activity on darknet portals cannot enhance property security.

Before or during the migration, source verification should happen. Keep the originals if conflict arises.

Secondly, a reasoned order and accessible history should be produced by significant changes. Those affected require effective notification and information regarding available remedies.

Helped access should remain available. Evaluation should include people that abandoned applications or relied on intermediaries, not only successful online users.

Moreover, it will be necessary to include procedures for assessing the adequacy of disclosure. Data collection must have a defined purpose, and sharing must be based on lawful authority.

In the end, independent studies ought to compare routine and contested applications across locations. It should check if fixes still work and related systems update correctly.

Para-phrase this: The FAO tenure guidelines provide a non binding benchmark which stresses legitimate interests, responsible administration, and accessible justice (Food and Agriculture Organization). The completion must be at least 20 words long. Their significance is evaluative; Telangana law is not being replaced; compliance is not automatically established.

15. LIMITATIONS AND CONCLUSION

The study assesses documentary evidence on the legal requirements and institutional issues. It cannot ascertain the present error rate in Telangana or establish that a single platform altered disputes all over the state. Litigation to which participants must bid on will likely represent contested cases and historical research will not demonstrate independent present performance. User survey work and the parcel audit work are also very important. Focusing on simultaneous alterations in rules, personnel, services, and case load make causal claims. The core finding is that digital records support the governance of property, provided they accurately capture lawful interests and can be justly corrected. The online presence, affidavits

of good title, and assembly of machines perform useful functions, but not stand alone as evidence of ownership. We should look at the modernisation of Telangana in terms of technology and law. Success means that citizens can obtain and use quality information, comprehend decisions, safeguard legitimate interests, and secure effective remedies.

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