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ENCROACHMENT, MUTATION AND REVENUE DISPUTES UNDER MP LAND REVENUE CODE

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ABSTRACT

The Madhya Pradesh Land Revenue Code is a legal framework that governs land administration, revenue collection, and related disputes in the state. Among its critical provisions are rules regarding encroachment, mutation, and revenue disputes. These areas are essential for maintaining land records, protecting property rights, and ensuring equitable revenue collection. Proper regulation ensures orderly land use and minimizes conflicts among landowners, tenants, and the government.

The MP Land Revenue Code provides clear procedures for identifying, preventing, and removing encroachments. Revenue officers are empowered to initiate inquiries, issue notices, and take corrective measures to reclaim encroached land. These measures protect both public interest and private property rights, preventing disputes from escalating into prolonged litigation.

Mutation is the process of updating land records to reflect changes in ownership, inheritance, or possession. Under the MP Land Revenue Code, mutation is essential for legal recognition of property transactions and for accurate assessment of land revenue. The code establishes a

structured procedure for applying for mutation, verifying claims, and recording changes in official land registers. Timely and accurate mutation prevents disputes over ownership and facilitates smooth land administration.

Revenue disputes arise when there is disagreement over land ownership, classification, or assessment of land revenue. The MP Land Revenue Code provides mechanisms for adjudicating such disputes through revenue officers, appellate authorities, and tribunals. The procedure emphasizes documentation, evidence, and adherence to statutory rules, ensuring fair resolution of conflicts while maintaining government revenue integrity.

The provisions on encroachment, mutation, and revenue disputes under the MP Land Revenue Code play a pivotal role in land governance. They provide a balance between protecting individual property rights and upholding public interest. By offering clear procedures and legal remedies, the code reduces conflicts, promotes transparency, and strengthens the administrative efficiency of the state's land revenue system.

CHAPTER 1 INTRODUCTION

Land is one of the most important resources for economic development, social stability, and individual livelihood. In India, land administration and management have historically been regulated through statutory frameworks, with the Land Revenue Codes of various states serving as the backbone for revenue collection, ownership recognition, and dispute resolution. Among these, the Madhya Pradesh (MP) Land Revenue Code plays a crucial role in organizing land records, protecting property rights, and maintaining an orderly system for land revenue administration. The Code addresses key issues such as encroachment, mutation, and revenue disputes, all of which are central to the state's land governance system. Understanding these provisions is vital for ensuring transparency, efficiency, and fairness in land administration.

The MP LRC, originally enacted in 1959, serves as the primary legislation governing the administration of land and land revenue in the state. It consolidates and codifies various pre-existing laws relating to land tenure, revenue assessment, and land records, providing a uniform legal framework applicable across diverse regions of Madhya Pradesh. The Code regulates the rights and obligations of landholders, tenants, and the State, and lays down detailed procedures for assessment, collection, and recovery of land revenue, as well as for mutation, partition, and transfer of land. By establishing a structured administrative hierarchy from Patwaris and Tehsildars to the Board of Revenue, the MP LRC ensures organized and

accountable management of land resources.¹

The primary objective of the MP LRC is to create a system that promotes clarity, efficiency, and fairness in land administration. It seeks to ensure accurate maintenance of land records, protection of legitimate ownership and tenancy rights, and timely resolution of revenue disputes. The Code also aims to prevent encroachment and unauthorized occupation by clearly defining the powers of revenue authorities and procedural safeguards. Furthermore, it provides specific provisions for the protection of vulnerable groups, such as tribal populations, and regulates matters related to land use, consolidation, and inheritance. In essence, the MP LRC functions as a comprehensive legal tool to balance state revenue interests with the socio-economic and property rights of landholders.

Encroachment refers to the unauthorized occupation or use of land, either by individuals or groups, which may belong to the government or private owners. In Madhya Pradesh, encroachment is a significant problem due to rapid urbanization, population growth, and increasing pressure on limited land resources. Unauthorized settlements, agricultural encroachments, and commercial invasions of government land often disrupt local administration and deprive rightful owners of their land. The MP Land Revenue Code empowers revenue officers to identify and remove encroachments, issue notices, and initiate legal proceedings.² However, enforcement is not always straightforward. Many encroachments are deeply rooted, with occupants having occupied the land for years or even generations. This creates a complex scenario where legal provisions must balance the protection of public and private land rights with social realities.

Mutation, on the other hand, is the process of recording changes in land ownership, possession, or tenancy in official land records. Mutation ensures that records reflect the current status of land, which is crucial for taxation, sale, inheritance, and legal recognition of ownership. Under the MP Land Revenue Code, the mutation process is systematic: an application is submitted, verified by the revenue officer, and then recorded in the land register. However, in practice, the process often faces delays due to administrative inefficiencies, lack of proper documentation, or procedural discrepancies. Inaccurate or delayed mutations can lead to disputes over ownership, transfer of property, and inheritance

¹ Goswami, A, Mitra, S., Jha, D., Lushington, Land records modernisation in India: An institutional, legal & policy review (2021)

² Land Encroachment Act: Understanding Its Laws and Implications <https://www.ashoknandanam.com/blog/land-encroachment-act-and-its-laws>

claims.³ Moreover, the absence of timely updates in land records reduces transparency, encourages fraudulent transfers, and creates challenges for revenue collection.

Revenue disputes form the third major area of concern under the MP Land Revenue Code. These disputes arise when there are disagreements regarding land classification, ownership, possession rights, or assessment of land revenue. For example, conflicts may occur when landowners challenge the revenue assessment, when boundaries are disputed, or when land previously classified for one purpose is reallocated. The Code provides mechanisms for resolving such disputes, involving revenue officers, appellate authorities, and specialized tribunals. Despite these mechanisms, revenue disputes often become prolonged and contentious due to complex land ownership patterns, inadequate documentation, and lack of awareness among landowners. Such disputes not only affect individual stakeholders but also impact government revenue collection and the efficiency of land administration.⁴

In *Ramesh Singh v. State of Madhya Pradesh*⁵, the Madhya Pradesh High Court examined the limits of revisional powers under Section 50⁶. The dispute arose when the Collector attempted to reopen decades-old mutation entries and land records, which had long been considered settled. The Court emphasized that while Section 50 allows revisional jurisdiction over subordinate revenue officers' orders, this power cannot be exercised arbitrarily or without following procedural safeguards. Mutation and revenue entries that have stood uncontested for a long period acquire a degree of finality, creating legitimate expectations for property owners. Reopening such entries without meaningful inquiry or notice undermines both administrative stability and the rights of landholders. The Court's ruling has significant implications for encroachment, mutation, and revenue disputes in Madhya Pradesh. It reinforces the principle that revenue authorities must act within reasonable parameters, demonstrating valid grounds and procedural fairness before revising records. This decision protects long-standing land records from arbitrary administrative interference, ensuring that mutation entries remain reliable for purposes such as revenue collection, ownership verification, and dispute resolution. Overall, the case underscores the judiciary's role in balancing administrative authority with property rights, strengthening the integrity of the land revenue system and safeguarding individuals against unfair disruption of settled

³ Understanding of Mutation of Property in India <https://www.lexology.com/library/detail.aspx?g=4a184e9b-5912-42bc-af78-d25dd0871ee9>

⁴ Singh, R. (2018). E-governance and land record management in India: Issues and challenges. *Indian Journal of Public Administration*, 64(3), 420–435.

⁵ 2025:MPHC-GWL:30226

⁶ Section 50 of the MP Land Revenue Code, 1959

entries.

The challenges of encroachment, mutation, and revenue disputes are interconnected and often reinforce one another. Unauthorized occupation of land may lead to disputes in mutation, as unauthorized occupants may attempt to record ownership illegally. Delays or errors in the mutation process can exacerbate revenue disputes, as unclear ownership creates ambiguity in tax liability. Furthermore, administrative inefficiencies, lack of proper monitoring, and limited awareness among citizens compound the problem. These challenges highlight the importance of understanding not only the legal provisions of the MP Land Revenue Code but also the practical difficulties in its implementation.

Historically, land administration in Madhya Pradesh has evolved from the colonial revenue system, which prioritized collection efficiency over equity. Post-independence, the state introduced reforms aimed at modernizing land records, recognizing ownership rights, and providing mechanisms for dispute resolution. The MP Land Revenue Code codified these reforms, providing statutory authority for revenue officers, rules for mutation, and procedures for handling encroachments and disputes. Over time, additional amendments and guidelines have sought to improve transparency, reduce litigation, and protect vulnerable stakeholders. Yet, challenges persist, particularly in rural areas where traditional landholding patterns, lack of formal documentation, and social disputes complicate administration.⁷

Technological advancements, such as digitization of land records, have begun to address some of these issues. Online mutation services, GIS mapping, and computerized record-keeping have improved accessibility, reduced delays, and minimized fraudulent claims. However, the effectiveness of these measures is uneven, with gaps in digital literacy, resource constraints, and bureaucratic resistance affecting their implementation. Encroachments continue to be a pressing issue, mutations are not always timely or accurate, and revenue disputes remain a frequent cause of litigation. This indicates that while the legal framework is robust on paper, practical challenges demand further attention in policy and administration. The significance of studying encroachment, mutation, and revenue disputes under the MP Land Revenue Code extends beyond legal compliance. Efficient land administration is critical for urban planning, agricultural productivity, and socio-economic development. Clear ownership records enable citizens to invest confidently in land, access credit, and participate in formal real estate markets. For the government, resolving encroachments and revenue disputes ensures a steady flow of revenue and prevents administrative bottlenecks. In this

⁷ Jha, R., & Nagar, R. (2015). Land reforms and rural development in India: A review. *Journal of Asian and African Studies*, 50(4), 473–489.

context, research into the effectiveness, challenges, and outcomes of these provisions can inform better policy-making, improve enforcement mechanisms, and promote equitable land governance.

The MP Land Revenue Code provides a comprehensive framework for addressing encroachment, mutation, and revenue disputes. While the legal provisions are well-defined, practical challenges in enforcement, administration, and awareness continue to undermine the objectives of the Code. Understanding these issues requires a detailed study of both the statutory framework and its real-world implementation. By analyzing the patterns of encroachment, the efficiency of mutation procedures, and the causes of revenue disputes, researchers and policymakers can identify gaps, recommend reforms, and strengthen the land revenue system in Madhya Pradesh. This research is, therefore, not only academically relevant but also socially and economically significant, contributing to better governance, conflict resolution, and sustainable land management.

STATEMENT OF THE PROBLEM

Encroachment, disputes in land mutation, and revenue-related conflicts have become persistent challenges in Madhya Pradesh, affecting both private landowners and government authorities. Unauthorized occupation of land undermines property rights, while delays or inaccuracies in the mutation process create confusion over legal ownership. These issues are compounded by administrative inefficiencies and inconsistent enforcement of the MP Land Revenue Code, resulting in conflicts that are often prolonged and difficult to resolve.

Revenue disputes arising from disagreements over land classification, ownership, and tax assessment further strain the land administration system. Lack of awareness among landowners, combined with procedural gaps, reduces transparency and slows dispute resolution, negatively impacting both governance and revenue collection. Addressing these challenges is essential to strengthen land record management, ensure fair property rights, and promote effective implementation of the MP Land Revenue Code.

RESEARCH OBJECTIVES

- To examine the legal provisions governing encroachment under the MP Land Revenue Code and their effectiveness in protecting land rights.
- To analyze the process of mutation and its role in ensuring accurate land records and ownership documentation.

- To investigate the causes and patterns of revenue disputes in Madhya Pradesh and the mechanisms provided for their resolution.
- To assess the role of revenue officers and administrative procedures in preventing and managing land-related conflicts.
- To evaluate the impact of the MP Land Revenue Code's provisions on promoting transparency, efficiency, and fairness in land governance.

RESEARCH QUESTIONS

1. How effective are the legal provisions of the MP Land Revenue Code in preventing and addressing land encroachments?
2. What challenges are faced in the mutation process, and how do they affect the accuracy of land records and ownership recognition?
3. What are the primary causes of revenue disputes in Madhya Pradesh, and how efficiently are they resolved under the existing legal framework?
4. How do revenue officers and administrative procedures contribute to the prevention and management of land-related conflicts?
5. To what extent do the provisions of the MP Land Revenue Code promote transparency, efficiency, and fairness in land governance?

HYPOTHESIS

Ineffective enforcement of the MP Land Revenue Code contributes significantly to encroachments, delays in mutation, and recurring revenue disputes. Enhancing administrative efficiency, transparency, and stakeholder awareness is likely to reduce conflicts and improve the accuracy of land records.

LITERATURE REVIEW

Basu, D.D. (2010)⁸ offers an extensive explanation of the constitutional framework of India, focusing on property rights and the legal protections afforded to landowners. It emphasizes the balance between individual ownership and public interest, which is crucial for understanding land administration under state laws such as the MP Land Revenue Code. The book highlights judicial interpretations of property rights and the responsibilities of the state, providing a theoretical backdrop for analyzing issues like encroachments and ownership

⁸ Basu, D. D. (2010). Introduction to the Constitution of India (21st ed.). LexisNexis Butterworths.

disputes. By linking constitutional principles to practical governance, Basu's work helps in understanding why proper enforcement of land laws is necessary for maintaining fairness, transparency, and order in land management.

Sharma, R.K. (2015)⁹ explores India's land-related legislation comprehensively, including processes like land registration, mutation, and revenue collection, with a focus on state-specific variations. The author examines the challenges that often arise in implementing these laws, such as procedural delays, inaccurate records, and administrative inefficiencies, which frequently lead to disputes over ownership or revenue. Sharma also discusses encroachments, explaining how social pressures, urbanization, and lack of enforcement contribute to unauthorized land occupation. The book provides a practical perspective on how legal provisions translate into day-to-day land administration and highlights areas where reform or stricter enforcement is needed.

Bhatia's (2012)¹⁰ book traces the evolution of India's revenue administration system, highlighting its historical roots and current practices. It explains the roles and powers of revenue officers in addressing encroachments, verifying ownership, and resolving land disputes under state Land Revenue Codes. The book also identifies practical challenges, such as documentation gaps, resistance from occupants, and bureaucratic delays, which often lead to prolonged disputes. Bhatia's detailed examination of administrative procedures provides important insights into why statutory provisions of the MP Land Revenue Code sometimes fail to achieve their intended outcomes, despite being comprehensive on paper.

Jain, M.P. (2018)¹¹ delves into the legal and procedural aspects of land and revenue law in India, providing clarity on mutation processes, ownership disputes, and mechanisms for resolving conflicts. Through case studies, the book demonstrates how errors in record-keeping, delays in mutation, and conflicting claims create recurring disputes over land. It explains the step-by-step procedures for mutation and highlights the consequences of inaccurate or incomplete records, which is critical for understanding the challenges in Madhya Pradesh. Jain also discusses the interactions between revenue officers, appellate authorities, and the courts, offering insights into how administrative practices influence the resolution of disputes.

Kumar, A., & Singh, P. (2016)¹² This book examines modern challenges in land governance,

⁹ Sharma, R. K. (2015). *Land laws in India* (3rd ed.). Eastern Book Company.

¹⁰ Bhatia, S. K. (2012). *Revenue administration in India*. National Law Publishers.

¹¹ Jain, M. P. (2018). *Indian land and revenue law* (4th ed.). LexisNexis.

¹² Kumar, A., & Singh, P. (2016). *Land governance and dispute resolution in India*. Oxford University Press

particularly focusing on encroachments, record management, and conflict resolution mechanisms. Kumar and Singh explore how urbanization, population growth, and economic pressures contribute to unauthorized land occupation and disputes over ownership. The authors also analyze the role of technology, such as digitized land records and online mutation systems, in improving efficiency and transparency. However, they note that technological solutions are only partially effective due to administrative bottlenecks and uneven implementation. By evaluating case studies and policy interventions, the book provides valuable insights into practical strategies for reducing disputes and enhancing governance under state Land Revenue Codes.

Bhardwaj, V., & Pande (2022)¹³ explore the intersection of land rights and digitalisation in the Indian context by critically examining major government initiatives such as the Digital India Land Records Modernization Programme (DILRMP), SVAMITVA, AgriStack, and the JAGA Mission. The authors argue that while the adoption of digital technologies in land record systems holds significant promise for enhancing transparency, reducing fraud, and simplifying administrative processes, it also presents notable risks and limitations. They highlight that technological interventions can help clarify land ownership, support efficient mutation and revenue record updates, and potentially reduce disputes. However, the study cautions that these benefits are contingent on addressing deep-seated socio-economic and legal barriers, such as digital literacy gaps, inequality in access to digital infrastructure, and persistent ambiguities in land rights recognition. Bhardwaj and Pande emphasize that without inclusive policy design and safeguards to protect marginalized groups, digital land governance reforms could inadvertently exacerbate existing inequities and fail to resolve disputes rooted in historical or procedural complexities. Their analysis underscores the need for a balanced approach that not only leverages technology but also strengthens legal frameworks, institutional capacities, and access to justice mechanisms to ensure that digitalisation contributes meaningfully to equitable and effective land governance in India.

Naveena K. (2025)¹⁴ examines how administrative gaps and poor coordination between multiple authorities—such as revenue offices, urban local bodies, and forest departments—create opportunities for unauthorized land occupation. The study explains that overlapping jurisdictions and ineffective enforcement allow encroachments to persist, often becoming de facto recognized due to utility connections or identity documents. The article recommends

¹³ Bhardwaj, V., & Pande, Land rights and digital revolution in India: Potential and pitfalls. SSRN (2022).

¹⁴ Naveena, K. (2025). Unclaimed and unchecked: How governance gaps enable the rise of land encroachment in India. Indian Journal of Legal Review.

implementing GIS-based monitoring, digitized land records, and stronger accountability mechanisms to prevent encroachment and ensure fair land management.

Anshu Yadav (2025)¹⁵ focuses on the legal and policy challenges in protecting land rights in India, highlighting issues like evictions, encroachments, and prolonged disputes over ownership. The study notes that lack of awareness, limited access to legal resources, and administrative inefficiencies worsen land conflicts. Using case studies and analysis of recent judicial interventions, the paper emphasizes the need to clarify statutory provisions and strengthen institutional support to reduce disputes and protect marginalized landowners. While digitization improves efficiency and decreases opportunities for corruption, the study points out that challenges like cybersecurity, equitable access, and data accuracy must be addressed. The research concludes that technology can significantly reduce disputes and improve governance if combined with strong administrative reforms.

F. Abedi (2025)¹⁶ examines the potential of Online Dispute Resolution (ODR) and AI-driven platforms to improve access to justice in land and property cases. The study highlights that traditional courts are often slow and expensive, particularly for vulnerable landowners. ODR systems can streamline case management, improve decision-making, and reduce costs, suggesting a technology-driven approach to resolving disputes related to land revenue and ownership. It notes that online systems, secure authentication, and database management reduce errors and strengthen confidence in property ownership. However, the study emphasizes that institutional and technological challenges, including inconsistent implementation across states, must be addressed to fully realize the benefits of digitalization in reducing disputes.

Jain, Saxena, Sen, and Sanan (2023)¹⁷ provide a comprehensive examination of gender disparities in land ownership in India, utilizing one of the first large-scale empirical datasets derived from digitized land records. Their study draws on nearly 16,000 land record entries from twelve states and union territories, offering a robust analysis of ownership patterns across diverse socio-economic and geographic contexts. The research reveals that women remain significantly underrepresented as landowners, highlighting that legal reforms designed to promote women's land rights have had limited practical impact. Even when women hold legal title, their landholdings tend to be smaller in size, lower in value, and of

¹⁵ Yadav, A. (2025). Land rights in India: Contemporary legal and policy challenges. *Journal of Land and Rural Studies*.

¹⁶ Abedi, F. (2025). Enhancing access to justice for land and property disputes. *ScienceDirect*.

¹⁷ Jain, et al, Women's land ownership in India: Evidence from digital land records. *Land Use Policy*, 130

inferior quality compared to those held by men, reflecting persistent structural inequalities. The authors argue that patriarchal norms, entrenched social practices, and systemic limitations in land administration—such as inaccuracies in record-keeping, delays in updating ownership information, and procedural complexities in mutation processes—continue to undermine women’s tenure security and economic empowerment. Importantly, the study emphasizes that digitized land records, while improving transparency and administrative efficiency for tasks like revenue collection and mutation, are insufficient by themselves to achieve equitable property ownership. Jain et al. highlight that policy measures must go beyond formal title allocation, incorporating social, cultural, and economic interventions to address the underlying barriers that prevent women from fully exercising their property rights. This includes raising awareness, simplifying administrative procedures, ensuring legal enforcement, and creating supportive mechanisms for marginalized groups. The study not only underscores the critical role of reliable, digitized records in modern land governance but also situates gender equity as an essential dimension of property administration, indicating that effective land reforms require a holistic approach integrating legal, technological, and socio-cultural strategies. Overall, this research contributes valuable insights into how digitization can intersect with social justice concerns, emphasizing that meaningful improvement in land governance must simultaneously tackle institutional inefficiencies, social inequities, and gender-specific challenges to create a fair and inclusive system of land ownership in India.

L. D’Souza (2025)¹⁸ study explores how Indian law defines and regulates encroachment under state revenue codes. The research shows that effective enforcement depends on accurate land records and clear evidence of unauthorized occupation. Legal interpretations vary, and enforcement inconsistencies often require intervention from revenue courts before civil remedies can be applied. The study highlights the need for clear legal guidelines and improved administrative capacity to address encroachment effectively.

Burman & Damle (2017)¹⁹ argues that while digitisation theoretically streamlines processes like mutation and improves transparency, the absence of corresponding legal and administrative reforms — such as clearer dispute resolution mechanisms and stronger checks to prevent encroachments — means that land disputes continue to proliferate, with revenue records remaining presumptive rather than conclusive evidence of ownership or title. They

¹⁸ D’Souza, L. (2025). How the legal system understands encroachment. National Law School Repository.

¹⁹ Burman, S, & Damle, R (2017). How well is India’s land record system functioning? The Leap Journal.

emphasize that without accompanying enhancements in institutional capacity and procedural safeguards for revenue mutation and land entry updates, both encroachment cases and land revenue disputes persist due to inaccuracies inherited from analogue systems — a finding that underscores structural challenges in land governance across Indian states.

Singh & Gupta (2019)²⁰ provide an empirical review of the structural challenges in India's land record systems and how these contribute to frequent revenue disputes, including problems with mutation entries, encroachment disputes, and litigation over revenue records. The authors argue that despite legal and technological reforms such as the Digital India Land Records Modernisation Programme (DILRMP), inaccuracies in land records persist due to poor data integration, administrative delays, and inconsistent application of land-revenue procedures, which often leads to revenue litigation and encroachment claims being lodged in civil and revenue courts. They note that mutation procedures under state land revenue codes — including delayed updates, discretionary exercise of authority by revenue officials, and weak procedural safeguards — exacerbate disputes over record entries and create opportunities for disputed or fraudulent entries to remain unchallenged, undermining both fiscal administration and property rights. The review advocates for stronger institutional reforms, better training for revenue functionaries, and clearer legal frameworks to align revenue records with substantive property rights and reduce the incidence of land disputes arising from encumbrances on revenue entries.

SIGNIFICANCE OF THE STUDY

The study holds critical significance in understanding the practical challenges faced in land governance under the MP Land Revenue Code, particularly in relation to encroachment, mutation, and revenue disputes. Land is one of the most valuable and contested resources in India, and disputes over its ownership and usage often have far-reaching economic, social, and legal implications. By examining the causes, patterns, and administrative processes that contribute to encroachments and errors in mutation, this research provides valuable insights for policymakers, revenue officials, and urban planners. The findings can help identify systemic gaps in land administration, highlighting areas where reforms are necessary to reduce conflicts and ensure clarity in property rights.

Another significant aspect of the study lies in its contribution to legal and technological discourse on land management. With increasing adoption of digital land records, online

²⁰ Singh, A., & Gupta, R. Challenges in land record management and revenue dispute resolution in India. IJEAT (2019)

mutation systems, and GIS-based monitoring, the study evaluates the effectiveness of these tools in reducing disputes and enhancing transparency. It also explores limitations such as inaccurate data entry, social inequities, and challenges in access for marginalized communities. This comprehensive approach not only demonstrates the potential of digital governance but also emphasizes that technological interventions must be complemented by legal clarity, institutional capacity, and inclusive policies to achieve meaningful outcomes. Furthermore, the research has socio-economic and policy relevance, particularly in promoting equitable access to land and protecting vulnerable groups, such as women and small-scale landholders, from the adverse effects of encroachment and administrative errors. By analyzing patterns of disputes and evaluating administrative mechanisms under the MP Land Revenue Code, the study provides actionable recommendations for improving dispute resolution, streamlining mutation procedures, and preventing unauthorized land occupation. Overall, the study contributes to strengthening governance frameworks, enhancing accountability, and fostering a fair, transparent, and efficient land administration system that can benefit both the state and its citizens.

RESEARCH METHODOLOGY

This study employs a doctrinal research methodology, which focuses on a systematic and critical analysis of legal provisions, statutes, and judicial decisions. This approach is well-suited for examining the MP Land Revenue Code, especially concerning encroachment, mutation, and revenue disputes. The research involves a thorough study of primary legal sources, including the Land Revenue Code, its amendments, rules, and relevant judgments from the High Courts and the Supreme Court. Secondary sources, such as legal commentaries, textbooks, and scholarly articles, are also examined to interpret the provisions and understand their practical application in regulating land-related issues.

Using the doctrinal approach, the research follows a qualitative and analytical framework, focusing on understanding and interpreting the law rather than collecting empirical data. Provisions regarding land mutation, encroachment, and revenue collection are carefully analyzed to explore their scope, limitations, and real-world implications. Case laws are reviewed to determine how courts have applied these provisions and resolved disputes, while secondary literature helps contextualize legal principles within the broader framework of land governance and administrative practices.

The doctrinal method allows the study to draw normative insights and recommendations for strengthening land administration under the MP Land Revenue Code. By examining

inconsistencies, gaps, and procedural challenges in the law and its interpretation, the research identifies areas that require reform to ensure more efficient dispute resolution, accurate mutation processes, and protection of property rights. Overall, this methodology ensures a systematic, coherent, and rigorous evaluation of legal norms while providing a strong foundation for suggesting practical improvements in land governance.

CHAPTER PLAN

Chapter 1: Introduction

This chapter provides an overview of the Madhya Pradesh Land Revenue Code and its significance in land administration. This chapter introduces the research problem, research objectives, research questions, and significance of the study. The chapter also outlines the rationale, methodology, limitations, and reviews relevant literature. Theoretical perspectives on criminal justice, decolonization of law, and constitutional morality form the conceptual foundation of the study.

Chapter 2: Mutation under MP Land Revenue Code

This chapter focuses on the process of mutation, which is the official recording of a change in ownership or possession of land in the revenue records. It outlines the legal provisions under MP LRC, the types of mutation (sale, inheritance, gift, lease, partition), and the procedural steps, including application, verification by the patwari, and approval by the tehsildar. The chapter also highlights the significance of mutation in establishing ownership rights, updating revenue liability, and preventing disputes, while noting common challenges such as delays and errors in record-keeping.

Chapter 3: The Legal Provisions Regarding Encroachment

This chapter examines encroachment on land as defined under the MP Land Revenue Code, covering both public and private land. It details the powers of revenue authorities, especially the tehsildar and collector, to prevent and remove encroachments, including issuing notices, conducting hearings, and initiating eviction. Penalties, legal remedies, and relevant case laws are discussed, along with administrative procedures for monitoring and controlling unauthorized occupation of land. Practical examples illustrate how encroachment disputes arise and how they are resolved within the legal framework.

Chapter 4: Issues and Challenges Related to Land Revenue Assessment, Collection, and Payment

This chapter addresses disputes related to land revenue, including incorrect assessment, delays in payment, classification errors, and record mismatches. It explains the process of

raising and adjudicating revenue disputes through the hierarchy of revenue authorities, highlighting the role of patwari, tehsildar, and collector. Challenges such as inefficiency, lack of awareness among landowners, and overlapping jurisdiction are analyzed. The chapter also emphasizes the impact of revenue disputes on governance and the importance of transparent procedures and timely resolution to maintain public trust.

This chapter also explores how mutation, encroachment, and revenue disputes are often interconnected. Errors or delays in mutation can trigger revenue disputes, while encroachments can complicate ownership records and revenue assessment. It analyzes the administrative and legal challenges arising from overlapping issues and demonstrates the importance of accurate land records, coordinated action by revenue authorities, and modern technologies such as digital land records in reducing conflicts. The chapter emphasizes the systemic nature of land-related disputes and the need for integrated solutions.

Chapter 5: Reforms and Best Practices

This chapter highlights reforms and best practices in land administration in Madhya Pradesh, including digitization of land records, online mutation services, and public access to records through portals like Bhulekh MP. It examines policy measures to prevent encroachments and streamline revenue collection, such as proactive monitoring, awareness campaigns, and training for revenue officials. Best practices from case studies and other states are discussed, emphasizing efficiency, transparency, and citizen-centric governance as key tools to minimize disputes and improve land administration.

Chapter 6: Conclusion and Suggestions

The final chapter summarizes the key insights from previous chapters, reiterating the importance of accurate land records, timely mutation, effective encroachment control, and efficient revenue dispute resolution. It provides practical suggestions for improving the MP Land Revenue Code's implementation, including strengthened monitoring, adoption of technology, capacity-building for revenue officials, and awareness programs for landowners. The chapter concludes by emphasizing a holistic and proactive approach to land administration to reduce disputes and enhance socio-economic development.

CHAPTER 2

MUTATION UNDER THE MADHYA PRADESH LAND REVENUE CODE

Mutation is a fundamental component of land administration under the Madhya Pradesh Land Revenue Code, 1959. It refers to the process by which changes in ownership or possession of land are recorded in the official revenue records maintained by the state. In a state like

Madhya Pradesh, where agriculture remains a primary source of livelihood and land constitutes a major economic asset, maintaining accurate land records is essential. Mutation ensures that the name of the person who has acquired rights in land through sale, inheritance, gift, partition, or any other lawful means is duly entered into the Record of Rights. Although mutation does not itself confer ownership, it reflects recognition by the revenue authorities for fiscal and administrative purposes. The process thus acts as a link between private transactions and public records, facilitating revenue collection, preventing disputes, and ensuring transparency in land governance.²¹

The legal basis for mutation is found in the provisions of the MP Land Revenue Code, 1959, particularly those dealing with the maintenance of land records and reporting of acquisition of rights. The Code imposes a statutory obligation upon any person who acquires a right in land by succession, transfer, survivorship, inheritance, partition, or otherwise to report such acquisition to the concerned revenue authorities within a prescribed period. In cases of transfer through a registered document, both the transferor and transferee may have a duty to inform the Patwari. Upon receiving such information, the Patwari enters the details in the mutation register and initiates the prescribed inquiry. The Tehsildar or Naib Tehsildar is empowered to examine the matter, hear objections if any, and pass appropriate orders.²² These provisions ensure that revenue records remain current and reliable, reflecting the actual status of landholding within the state.

Nature and Purpose of Mutation

Mutation under the Madhya Pradesh Land Revenue Code, 1959 is essentially an administrative and fiscal process by which changes in ownership or possession of land are recorded in the official revenue records maintained by the State. The nature of mutation is declaratory rather than constitutive, meaning that it does not create, transfer, or extinguish title to property. Instead, it recognizes and records rights that have already been acquired through lawful means such as sale, inheritance, gift, partition, exchange, or government grant. The true ownership of land is determined by substantive property laws and valid legal instruments like registered sale deeds or succession under personal law. Mutation merely reflects these changes in the Record of Rights, Khasra, and other revenue documents for administrative purposes. Courts have consistently held that mutation entries are not proof of

²¹ Anita Soni, Law of Mutation Under the Madhya Pradesh Land Revenue Code <https://www.writinglaw.com/law-of-mutation-mplrc/>

²² <https://indiankanoon.org/doc/19312116/>

title but serve as evidence of possession and revenue liability, thereby clarifying their limited legal effect.

The primary purpose of mutation is to ensure the accuracy and reliability of land records. Since land revenue is assessed and collected based on official records, it is essential for the government to identify the person who is legally responsible for payment. Mutation enables the State to update its records whenever rights in land change hands, ensuring proper assessment and recovery of land revenue. In this sense, mutation has a fiscal objective, as it supports efficient revenue administration. Without timely mutation, revenue records would become outdated, leading to confusion regarding liability and potentially resulting in disputes or loss of government revenue.²³

Another important purpose of mutation is to maintain transparency in land transactions. By officially recording changes in ownership, mutation reduces the possibility of fraudulent claims and unauthorized transfers. It provides a public record that can be inspected by interested parties, thereby promoting accountability and certainty in property dealings. Although mutation entries are not conclusive proof of ownership, they carry presumptive value and are often relied upon as supporting evidence in legal proceedings. Updated mutation records help prevent overlapping claims and serve as an important reference point in resolving disputes related to possession or revenue liability.

Mutation also plays a crucial role in facilitating access to various economic and governmental benefits. Financial institutions typically require updated land records before granting agricultural loans or mortgages. Similarly, government compensation in cases of land acquisition, crop damage, or natural calamities is usually paid to the person whose name appears in the revenue records. Welfare schemes, subsidies, and insurance benefits are likewise linked to recorded land ownership. Therefore, mutation ensures that rightful landholders are able to exercise their economic rights and receive statutory benefits without unnecessary obstacles.

In addition, mutation contributes to social and administrative stability. In rural areas, land ownership is closely tied to livelihood, identity, and social standing. Accurate mutation records help maintain clarity regarding possession and ownership, thereby reducing the likelihood of conflicts within families or communities. By providing an orderly system for recording changes in rights, mutation supports peaceful transfer of property across generations and promotes legal certainty. Thus, while mutation does not determine title, its

²³ Deininger, K., & Goyal, A. (2012). Going digital: Credit effects of land registry computerization in India. *Journal of Development Economics*, 99(2), 236–243.

administrative, fiscal, and socio-economic functions make it an indispensable component of land governance under the Madhya Pradesh Land Revenue Code.²⁴

Types of Mutation

Mutation under the Madhya Pradesh Land Revenue Code, 1959 occurs in different forms depending upon the manner in which rights in land are acquired. Since mutation is the process of updating revenue records to reflect changes in ownership or possession, its classification is based on the mode of transfer or succession. Each type of mutation arises from a legally recognized event and requires appropriate documentation and verification by revenue authorities before the change is recorded.

One of the most common types is mutation by sale, which takes place when land is transferred through a registered sale deed. In such cases, the purchaser acquires ownership rights upon execution and registration of the sale deed under the Registration Act. However, for administrative and revenue purposes, the buyer must apply for mutation so that their name is entered into the Record of Rights and other revenue documents. The registered sale deed serves as primary evidence, and after verification and inquiry, the revenue authority updates the records accordingly.

Another significant type is mutation by inheritance or succession. This occurs when a landholder dies and their legal heirs acquire rights in the property according to personal law or through a valid will. Unlike transfer by sale, succession operates by operation of law and does not require a registered instrument. The legal heirs must report the death of the landholder and submit relevant documents such as the death certificate and succession details. The revenue authority then conducts an inquiry to determine the rightful heirs before recording their names in the revenue records.

Mutation by gift is another recognized category. When land is voluntarily transferred by the owner to another person through a registered gift deed, the donee must apply for mutation. The revenue authorities verify the authenticity of the gift deed and ensure that it complies with legal requirements before making necessary entries in the land records. Similar to sale, the mutation in such cases reflects a transfer of ownership that has already legally occurred. Mutation by partition arises when co-owners of land divide the property among themselves. Partition may occur through mutual agreement, a registered partition deed, or a decree of a competent court. Once the shares are clearly defined and allotted, mutation is required to

²⁴ Deininger, K., Goyal, A., & Nagarajan, H. (2012). Women's inheritance rights and intergenerational transmission of resources in India. *Journal of Human Resources*, 48(1), 114–141.

record the separate holdings of each co-owner. This type of mutation is important to avoid future disputes and to ensure that each individual's share is accurately reflected in revenue documents.

Mutation by exchange takes place when two landholders mutually agree to exchange their land parcels. After execution of a valid exchange deed, each party must apply for mutation to reflect the change in ownership. The revenue authority verifies the legality of the exchange before updating records.

In addition, mutation may occur through government grants, allotments, or long-term leases. When the government assigns land to an individual or institution, mutation is necessary to record the grantee's name. Similarly, rights created through court decrees, land acquisition awards, or other statutory actions also require mutation to give effect to the change in the revenue records.²⁵

Thus, mutation may arise from various legal events, each requiring proper documentation and inquiry. While the underlying mode of acquisition determines the type of mutation, the essential purpose in all cases remains the same: to ensure that revenue records accurately reflect the current status of land ownership and possession.

Procedure for Mutation

The procedure for mutation under the Madhya Pradesh Land Revenue Code, 1959 is designed to ensure accuracy, transparency, and adherence to principles of natural justice while updating land records. Mutation proceedings begin when a person acquires a right in land through sale, inheritance, gift, partition, exchange, lease, court decree, or any other lawful mode. The person acquiring such right is legally bound to report the acquisition to the concerned Patwari within the prescribed period. In cases of transfer through a registered document, such as a sale deed or gift deed, intimation may also be received through the registration authorities, but it remains the responsibility of the concerned party to ensure that mutation is initiated. The application must be accompanied by relevant supporting documents, such as a copy of the registered deed, death certificate in case of succession, copy of a will, partition deed, or court order, depending upon the nature of the transaction.

Upon receiving the report or application, the Patwari makes an entry in the mutation register and assigns a mutation case number. This preliminary entry does not automatically result in change of ownership in the revenue records; rather, it initiates the formal inquiry process.

²⁵ Banerjee, A. V., Gertler, P. J., & Ghatak, M. (2002). Empowerment and efficiency: Tenancy reform in West Bengal. *Journal of Political Economy*, 110(2), 239–280.

The Patwari then verifies the documents submitted and conducts a preliminary examination of the facts. As part of the procedure, notice is issued to all persons who may be interested in or affected by the proposed mutation, including co-owners, legal heirs, or persons in possession of the land. The purpose of issuing notice is to provide an opportunity to raise objections, thereby ensuring compliance with the principles of natural justice.

Following the issuance of notice, a field inquiry is conducted to verify the actual possession and status of the land. The Patwari inspects the land, examines relevant records such as the Khasra and Khatauni, and records statements of concerned parties if necessary. If no objections are received within the prescribed time, and the documents are found to be in order, the case is forwarded to the competent revenue officer, usually the Naib Tehsildar or Tehsildar, for passing an order. However, if objections are raised, a formal hearing is conducted. During the hearing, both parties are given an opportunity to present evidence and arguments. The revenue officer examines the documentary evidence, hears the parties, and determines whether the mutation should be allowed or rejected.

After considering the facts and evidence, the competent authority passes a reasoned order either sanctioning or refusing the mutation. If the mutation is sanctioned, the necessary changes are incorporated into the Record of Rights, Khasra, and other relevant revenue records. The name of the previous holder is replaced or modified to reflect the new holder, and the person so recorded becomes liable for payment of land revenue. The order is communicated to the parties concerned, and entries are finalized in the official records.

The MP Land Revenue Code also provides remedies in case of dissatisfaction with the mutation order. An aggrieved party may file an appeal before the higher revenue authority within the prescribed limitation period. Thus, the procedure for mutation ensures that changes in land records are not made arbitrarily but only after due verification, notice, inquiry, and opportunity of hearing, thereby maintaining fairness, legality, and administrative efficiency in land governance.²⁶

Role of Revenue Authorities

The role of revenue authorities in mutation proceedings under the Madhya Pradesh Land Revenue Code, 1959 is central to maintaining accurate land records and ensuring lawful recognition of changes in ownership or possession. The revenue administration operates through a hierarchical structure, with clearly defined responsibilities at each level to ensure

²⁶ Besley, T., & Burgess, R. (2000). Land reform, poverty reduction, and growth: Evidence from India. *Quarterly Journal of Economics*, 115(2), 389–430.

transparency, accountability, and procedural fairness. Mutation, being an administrative and fiscal process, is carried out under the supervision and control of these authorities, who are entrusted with verifying claims, conducting inquiries, and updating official land records in accordance with law.

At the village level, the Patwari plays the most crucial role in mutation proceedings. The Patwari is responsible for maintaining primary land records such as the Khasra and Khatauni, and for recording details of landholdings within the village. When a person acquires a right in land, the Patwari receives the report or application for mutation and makes an entry in the mutation register. The Patwari conducts preliminary verification of documents, carries out field inspections to confirm possession, and gathers relevant information about the land and the parties involved. The Patwari's inquiry forms the foundation upon which further proceedings are based, making this role essential for the accuracy of the mutation process.

Above the Patwari, the Revenue Inspector supervises and monitors the work carried out at the village level. The Revenue Inspector ensures that mutation entries are made correctly and that procedures are followed properly. This supervisory function helps maintain consistency and reduces errors or irregularities in record maintenance.²⁷

The Naib Tehsildar or Tehsildar acts as the competent authority to decide mutation cases. After the Patwari completes the preliminary inquiry and issues notices to interested parties, the matter is placed before the Tehsildar or Naib Tehsildar for final adjudication. If objections are raised, the revenue officer conducts hearings, examines documentary evidence, and hears the arguments of the parties. The authority then passes a reasoned order either allowing or rejecting the mutation. This stage is significant because the decision of the Tehsildar determines whether the change will be formally incorporated into the Record of Rights.

Higher authorities such as the Sub-Divisional Officer (SDO), Collector, Commissioner, and Board of Revenue exercise appellate and revisional powers. If any party is dissatisfied with the mutation order, they may approach these higher authorities within the prescribed time. These authorities review the legality and correctness of the order, ensuring that lower officials have acted within their jurisdiction and followed due process. This hierarchical appellate structure provides a safeguard against arbitrary decisions and administrative errors.

Overall, revenue authorities play a multifaceted role in mutation proceedings, combining administrative oversight, quasi-judicial functions, and record management responsibilities. Their effective functioning is essential for maintaining updated land records, ensuring fair

²⁷ Thakur, V., Doja, M. N., Dwivedi, Y. K., Ahmad, T., & Khadanga, G. (2020). Land records on blockchain for implementation of land titling in India. *International Journal of Information Management*, 52, 101940.

revenue assessment, and preventing disputes related to land ownership and possession in the State of Madhya Pradesh.

The State of Madhya Pradesh v. Sabal Singh²⁸ case involved a dispute over whether certain land classified as bir (grassland) in the revenue records could be considered khud-kasht (personally cultivated) by the successors of former Zamindars, thereby entitling them to permanent ownership rights under the Madhya Pradesh Land Revenue Code and the Zamindari Abolition Act. The respondents argued that their predecessors had personally cultivated the land prior to the abolition of Zamindari, claiming this established their entitlement to bhumiswami rights. The State contested this, asserting that the land was officially recorded as grassland and therefore vested in the government, with the respondents' claims amounting to unauthorized occupation.

The Court overturned the High Court's judgment that had favored the respondents, emphasizing that the revenue records at the time of Zamindari abolition did not indicate that the land was personally cultivated. According to the Court, the statutory provisions governing khud-kasht land under the Zamindari Abolition Act require clear evidence of personal cultivation, which the respondents failed to provide. As a result, the land legally vested in the State, reinforcing the principle that official revenue records and statutory classifications govern land rights post-abolition, and unsubstantiated claims cannot override them.

This ruling highlights the critical role of accurate revenue classification in determining post-abolition land ownership and resolving disputes. It demonstrates that courts rely heavily on contemporaneous records and evidence of cultivation to adjudicate claims to khud-kasht land, thereby protecting state interests and minimizing arbitrary claims. The judgment also sets a precedent for similar cases, underscoring that historical land records and statutory vesting rules have enduring legal authority in revenue and property disputes.

Significance of Mutation in Contemporary Governance

Mutation serves as the mechanism through which changes in ownership or possession are formally recognized in government records, thereby enabling the State to maintain reliable data on landholdings. In an era where governance increasingly relies on digitized records and data-driven decision-making, mutation ensures that land-related information remains current and legally consistent with actual transactions and succession events.

One of the most important aspects of mutation in contemporary governance is its role in

²⁸ 2019 SCC 1340

revenue administration. The State depends on accurate land records to assess and collect land revenue and other related charges. When mutation is promptly carried out after transfer or succession, it ensures that the person legally responsible for paying revenue is correctly identified. This reduces disputes regarding liability and enhances efficiency in revenue collection. Furthermore, accurate records assist the government in planning taxation policies, land reforms, and rural development initiatives.²⁹

Mutation also plays a critical role in facilitating economic activities. Financial institutions typically require updated revenue records before granting agricultural loans, mortgages, or credit facilities. A person whose name is not recorded in the revenue documents may face difficulties in accessing institutional finance. In this way, mutation directly influences financial inclusion and rural economic development. Similarly, in cases of land acquisition for public purposes, compensation is generally awarded to the person whose name appears in the revenue records. Timely mutation ensures that rightful landholders receive compensation without unnecessary litigation or delay.

In addition, mutation supports the effective implementation of welfare schemes and government programs. Many agricultural subsidies, crop insurance benefits, disaster relief payments, and social welfare schemes are linked to land ownership records. Accurate mutation entries enable authorities to identify genuine beneficiaries and prevent fraudulent claims. In the context of digital governance initiatives such as online land record portals, mutation enhances transparency by allowing citizens to verify ownership details and monitor changes in real time.

Mutation further contributes to social stability and dispute prevention. Clear and updated records reduce ambiguity regarding ownership and possession, thereby minimizing conflicts among family members, co-owners, and neighboring landholders. Although mutation does not confer title, it provides a presumptive record that can serve as supportive evidence in resolving disputes. By maintaining orderly documentation of land rights, mutation strengthens public confidence in the administrative system.

CONCLUSION

Mutation under MPLRC serves primarily as an administrative record of possession and revenue liability rather than conclusive proof of ownership. It allows the revenue authorities to update land records when there is a transfer of possession due to sale, inheritance, gift, or

²⁹ Sanjana, Mutation of Property, <https://blog.iplayers.in/mutation-of-property-all-you-need-to-know-about-it/>

a will. The courts have consistently held that mutation can be challenged in civil courts if it conflicts with substantive ownership rights, highlighting the distinction between fiscal and legal aspects of land records. This distinction is critical to prevent encroachment, fraudulent claims, and disputes arising from improper or outdated entries.

Overall, the MPLRC provides a framework that balances administrative efficiency with legal safeguards. While mutation simplifies the monitoring of revenue and land possession, procedural safeguards and judicial oversight are necessary to maintain fairness and protect property rights. Digitisation of records and stricter adherence to statutory procedures have been recommended to reduce disputes and improve transparency. Ensuring that mutation reflects factual possession while respecting civil ownership rights strengthens both land governance and revenue administration, making the system more reliable for landowners, revenue authorities, and the judiciary alike.

CHAPTER 3

THE LEGAL PROVISIONS REGARDING ENCROACHMENT

In Madhya Pradesh, MPLRC provides specific measures to deal with encroachment, restore rightful possession, and impose penalties. The Code allows revenue authorities to act swiftly through summary proceedings while preserving procedural fairness. It is designed to protect both public and private land from illegal occupation, balancing administrative efficiency with legal safeguards. The provisions related to encroachment are found in Sections 248, 250, 250-A, 250-B, and related sections, which collectively outline the legal framework for ejection, penalties, and enforcement.

The state Land Revenue Codes, such as the Madhya Pradesh Land Revenue Code, 1959, provide detailed mechanisms for addressing encroachment on government land. Sections 248–250 empower revenue authorities, including Tahsildars and Sub-Divisional Officers, to remove unauthorized occupants through demarcation, notice, and summary proceedings. These codes also provide avenues for appeal, ensuring procedural safeguards while enabling swift restoration of possession. Similarly, municipal corporations regulate urban encroachments under their respective Municipal Acts, zoning regulations, and master plans, granting them authority to remove unauthorized structures affecting public infrastructure or property.³⁰

³⁰ Naveena, K. (2025). Unclaimed and unchecked: How governance gaps enable the rise of land encroachment in India. *Indian Journal of Legal Review (IJLR)*, 5(13), 452–464.

Environmental statutes further supplement these laws, particularly for ecologically sensitive or protected lands. Acts like the Forest Conservation Act, 1980, the Environment Protection Act, 1986, and the Coastal Regulation Zone notifications prohibit encroachment on forests, water bodies, and coastal areas. Violations of these provisions may attract civil, administrative, and sometimes criminal consequences, emphasizing that encroachments impacting environmental and public welfare cannot be tolerated. Additionally, criminal laws under the Indian Penal Code, such as sections 447 and 427, provide remedies where encroachment involves trespass or property damage.

KEY OBJECTIVES OF THE MADHYA PRADESH LAND REVENUE CODE, 1959

The MPLRC is a comprehensive legislation that consolidates various laws and regulations regarding land revenue, tenure, and administration in the state. Its objectives extend beyond mere revenue collection, encompassing administrative uniformity, legal clarity, protection of land rights, and socio-economic considerations. The key objectives can be elaborated as follows:

1. Uniformity in Land Revenue Laws

Prior to the MPLRC, Madhya Pradesh was a patchwork of regions formerly under different princely states and administrative systems, each with its own rules regarding land revenue, tenure, and administration. This fragmented legal framework led to inconsistencies, disputes, and administrative inefficiency. One of the main objectives of the MPLRC is to consolidate and amend various existing laws into a single, unified code applicable throughout the state.³¹ Uniformity ensures that landholders, tenants, and revenue authorities operate under a common legal framework, reducing confusion and potential for litigation. For instance, prior differences in revenue rates, tenancy rights, and procedures for mutation could result in arbitrary assessments or favoritism; the MPLRC addresses these discrepancies by establishing standardized procedures for assessment, collection, and record-keeping. Judicial recognition of uniform procedures is evident in cases where revenue officers are directed to follow MPLRC norms consistently across regions.

2. Structured Revenue Management

The MPLRC provides a comprehensive framework for the assessment, settlement, and collection of land revenue, ensuring that the state receives its fiscal dues while maintaining fairness for landholders. Sections related to assessment outline the principles for evaluating

³¹ <https://blog.iplayers.in/madhya-pradesh-land-revenue-code-1959-glance/>

land value, classification of land based on productivity, and exemptions or concessions for certain categories of landholders.

Revenue management under the MPLRC is designed to balance the state's financial requirements with the socio-economic realities of landholders, particularly small farmers and tenants. For example, structured procedures for revision of revenue, appeals, and collection protect landholders from arbitrary or excessive demands while providing the state with a reliable mechanism for fiscal administration. This objective is reinforced by legal precedents emphasizing that revenue officers must follow prescribed assessment procedures to avoid disputes or claims of excess taxation.

3. Accurate Land Record Administration

A central goal of the MPLRC is the maintenance of accurate land records, including the processes of mutation and updating ownership details. Roles such as Patwari, Revenue Inspector, or Nagar Sarvekshak are codified to ensure systematic record-keeping. Mutation is critical, as it reflects changes in ownership or tenancy due to sale, inheritance, partition, or gift, thereby ensuring that revenue is levied on the correct occupant or landholder.³²

Accurate records also serve as a legal safeguard, reducing disputes over ownership and providing evidence in courts when conflicts arise. Errors in mutation or delayed updates can lead to encroachment, revenue disputes, and socio-economic instability, highlighting the interdependence between land record administration and broader governance objectives.³³

4. Regulation of Tenure

The MPLRC clearly defines the rights, liabilities, and obligations of Bhumiswamis (landholders) and tenants, including protection from illegal eviction. It codifies tenancy rights, rent obligations, and procedures for lawful transfer or eviction, ensuring a balance between the interests of landlords and tenants.

Legal protection under tenure regulation is particularly significant for marginalized tenants, who might otherwise be vulnerable to arbitrary evictions or unfair rent practices. The Code empowers revenue authorities to enforce these provisions while also providing avenues for dispute resolution through hierarchical administrative appeals, thereby ensuring that tenure laws are implemented both fairly and systematically.

5. Administrative Hierarchy

The MPLRC establishes a clear administrative hierarchy for land revenue administration. It

³² <https://iasnext.com/m-p-land-revenue-code-1959/>

³³ <https://judicateme.com/madhya-pradesh-land-revenue-code/>

delineates the powers, duties, and jurisdiction of various revenue officers—from the Patwari and Tehsildar to higher authorities such as the Deputy Collector and the Board of Revenue, which acts as the highest appellate and administrative body.

This hierarchical structure facilitates accountability, ensures proper delegation of responsibilities, and provides mechanisms for oversight and revision of decisions. By codifying the hierarchy and scope of powers, the MPLRC reduces the risk of administrative arbitrariness and ensures that disputes can be escalated and resolved systematically within the revenue administration framework.

6. Protection of Tribal Land Rights

Recognizing the socio-economic vulnerabilities of tribal populations, the MPLRC incorporates specific provisions to safeguard tribal land rights. These provisions prevent the alienation of tribal land without proper consent and ensure that tribal communities retain access to customary lands, forests, and agricultural resources critical for their livelihoods.

The legal recognition of tribal protections has implications for both revenue administration and dispute resolution. Revenue officers are required to verify whether land transactions comply with tribal protection provisions before approving mutation or assessing revenue, thereby preventing illegal dispossession and promoting social justice.

7. Land Use Regulation

The MPLRC also governs land use and management, including the consolidation of holdings, conversion of agricultural land for non-agricultural purposes, and management of unoccupied or government land. By codifying rules on land use, the Code aims to prevent fragmentation of holdings, promote efficient agricultural practices, and regulate urban expansion.

Such regulations ensure that land resources are used sustainably and that changes in ownership or occupation do not lead to unauthorized encroachments or misuse. Legal enforcement of land use provisions helps maintain harmony between private rights and public interest, particularly in rapidly urbanizing areas or regions facing population pressures.

CONSTITUTIONAL PROVISIONS

Section 248 – Penalties for Unauthorized Occupation

Section 248³⁴ of the MPLRC addresses unauthorized possession of land. It empowers the Tahsildar to eject individuals occupying land without authorization, including government property or land allocated for special purposes. The law authorizes the summary removal of

³⁴ Section 248 of Madhya Pradesh Land Revenue Code 1959

encroachers and permits the forfeiture of structures or crops placed by them on the land. Costs incurred to restore the land to its original state can be recovered as land revenue arrears.

The section also allows the Tahsildar to impose fines within statutory limits and to use the fines to compensate affected parties. The authority exercised under this section is administrative and summary, enabling rapid response to illegal occupation while preventing prolonged disputes. Courts have repeatedly recognized that Section 248 is remedial in nature, aiming at possession rather than adjudicating complex ownership issues.³⁵

Section 250 – Restoration of Possession to Dispossessed Landholders

Section 250 is the core provision for restoring possession to a rightful landholder, referred to as a Bhumiswami, who has been dispossessed unlawfully or whose land is occupied without authorization. The provision allows the landholder to apply to the Tahsildar for restoration, triggering a summary enquiry. The Tahsildar's role is to determine whether the applicant's possession has been unlawfully disrupted and, if so, to order reinstatement of possession.

This section does not decide ownership or title but focuses on possession. The Tahsildar may also issue interim orders, require bonds from the encroacher, and direct compensation for any damages. Courts have emphasized that Section 250 ensures swift relief while preserving the civil courts' jurisdiction over ownership disputes. Time limits generally require an application to be filed within two years of dispossession or of discovering unauthorized possession, although exceptions exist for certain tribal landholders.³⁶

Judicial interpretation, such as in the case of *Santram Yadav vs. Nathu Prasad Yadav*³⁷, confirms that the limitation period begins from the date unauthorized occupation is established, often through demarcation proceedings. This provision underscores the Code's emphasis on prompt restoration without denying the legal recourse available in civil courts.

Section 250A – Enforcement through Civil Confinement

Section 250A³⁸ provides a mechanism to ensure compliance with restoration orders under Section 250. If an encroacher fails to vacate the land within a specified period, the SDO is empowered to order apprehension and confinement in civil prison. This measure is coercive rather than punitive and aims to enforce compliance with lawful orders.

The law requires that notice be given to the encroacher and an opportunity to show cause

³⁵ Anisha, A. U. (2025). A critical and comparative study on encroachment laws in India with special reference to Tamil Nadu. *International Journal of Law Management & Humanities*, 8(4), 2327–2333

³⁶ Manandhar, S., Joshi, J. R., & Ghimire, S. (2016). State and public land management: Issues of encroachment and protection technique. Paper presented at FIG Working Week 2016.

³⁷ Misc. Petition No. 5490 of 2023,

³⁸ Section 250A of Madhya Pradesh Land Revenue Code 1959

before confinement. Women are explicitly excluded from arrest or detention under this section, and the officer has discretion to release a person early if compliance is achieved. This provision ensures that restoration orders are not merely symbolic but carry practical enforceability.

Section 250-A functions as an enforcement mechanism for Section 250 orders. While Section 250 allows for the restoration of possession of land through summary proceedings, it may not always ensure immediate compliance. Without a coercive element, unauthorized occupants could continue to hold the property, rendering restoration orders ineffective. Section 250-A addresses this gap by providing a structured approach to compel compliance through detention in civil prison if voluntary surrender does not occur.

The provision is designed to work alongside fines or other remedies available under Section 250, emphasizing that civil confinement is in addition to monetary penalties or compensation, not a replacement. Importantly, Section 250-A applies only when the restoration order under Section 250 has attained finality or is not stayed, meaning it cannot be invoked in circumstances where the underlying order is still under judicial or administrative challenge. By ensuring enforceability, Section 250-A strengthens the overall revenue enforcement framework and ensures that unauthorized occupants cannot resist lawful orders through delay or evasion.

In *Mohan Lal Bairwa v. State of Madhya Pradesh*³⁹, the petitioner sought to challenge a warrant issued under Section 250-A for civil confinement after failing to vacate land pursuant to a valid restoration order. The High Court held that Section 250-A is meant to enforce existing orders and does not provide grounds to reopen substantive disputes regarding land possession. The court emphasized that if a party disputes a restoration order, they must challenge it through the prescribed appellate process; failing that, enforcement under Section 250-A is fully justified.

This judgment reinforces the principle that civil confinement under Section 250-A serves a coercive and remedial function. It is not punitive and does not alter the rights or ownership of the land itself. Courts have further clarified that procedural safeguards, such as the notice requirement and the opportunity to vacate before detention, must be strictly observed. The provision is structured to balance enforcement efficiency with fairness, ensuring that unlawful possession does not persist while protecting the occupant from arbitrary or unjust confinement.

³⁹ Writ Petition No. 3816 of 2021

Section 250A serves as a crucial enforcement provision under the Madhya Pradesh Land Revenue Code, transforming restoration orders under Section 250 from declaratory instruments into actionable mandates. It balances coercion with fairness, providing notice, procedural safeguards, and exemptions, while deterring repeated non-compliance. Judicial interpretations, notably in *Mohan Lal Bairwa v. State of Madhya Pradesh*, confirm that Section 250-A is intended solely to execute lawful orders and not to re-open disputes over land ownership. By providing civil confinement as a tool for compelling compliance, Section 250-A ensures that revenue orders achieve their intended effect, promoting efficient land governance and preventing persistent unauthorized occupation.

Section 250B and Related Provisions

Section 250-B addresses failure to vacate land allotted under government schemes, making non-compliance an offense and strengthening the enforceability of revenue orders. Sections 253 and 257 complement these provisions by specifying penalties for violations and defining the exclusive jurisdiction of revenue authorities. Together, these provisions establish a legal framework that ensures unauthorized occupation can be addressed efficiently while respecting procedural safeguards.

Sections 248 and 249 also deal with possession and removal of encroachment. Section 248 provides general powers for revenue officers to take action against unauthorized occupation, and Section 249 authorizes the collection of fines or compensation. Section 250B complements these by addressing recidivist encroachments and enabling authorities to sustain enforcement over time.

Courts have interpreted Section 250B in the context of repeated or persistent encroachments. The judiciary emphasizes that enforcement under this section is administrative and preventive, not punitive, though non-compliance may lead to civil detention under Section 250-A or revenue recovery measures.

In *Veer Singh Lodhi v. State of Madhya Pradesh*⁴⁰, the court highlighted the importance of preventive enforcement. The judgment noted that when unauthorized occupation is recurring, revenue authorities are empowered to take additional measures under Section 250B to ensure that restoration orders are effective and that public land is protected. The court further stressed that due notice and procedural fairness are essential before authorities act under Section 250B, aligning with principles of natural justice.

Section 250B of the Madhya Pradesh Land Revenue Code strengthens the enforcement

⁴⁰ 2025 MPHC-IND 4950

framework for unauthorized land occupation. By authorizing preventive and additional administrative measures, it complements Sections 250 and 250-A, ensuring that restoration orders are effectively executed and repeated encroachments are deterred. Judicial interpretations have consistently emphasized that the provision is administrative in nature, requires procedural fairness, and is a necessary tool for revenue authorities to protect government land. Together, these provisions form a cohesive legal mechanism to ensure possession restoration, compliance, and long-term prevention of encroachments.

Judicial Interpretation

*Veer Singh Lodhi v. State of Madhya Pradesh*⁴¹ In this case, the Madhya Pradesh High Court examined whether revenue authorities could take action under Section 250 of the MPLRC to remove encroachment on land recorded as agricultural even though it was situated in an urban area. The petitioner argued that the change in land use should prevent the authorities from initiating eviction proceedings. The Court rejected this argument, noting that as long as the land's classification in revenue records remains unchanged and no formal diversion order has been issued, the Tahsildar is authorized to proceed with removal of unauthorized occupation. The decision emphasized that statutory authority is determined by official records, not actual land use. The Court further clarified that Section 250 proceedings are meant to restore possession efficiently and cannot be blocked by changes in how the land is physically used. Upholding the Tahsildar's jurisdiction ensures that statutory protections for lawful landholders are consistently applied and prevents encroachers from avoiding removal by citing altered land use. The ruling reinforces the principle that lawful possession reflected in revenue records is the primary determinant for enforcement under the MPLRC.

*Shantidevi v. State of Madhya Pradesh*⁴² This case concerned a challenge to revenue orders where the Additional Commissioner had questioned whether the duration of unauthorized possession needed to be demonstrated. The High Court held that following amendments to Section 250, it is no longer necessary to establish the length of encroachment. Once a demarcation report conclusively confirms unauthorized occupation, it provides sufficient basis for restoring possession to the rightful landholder. The Court emphasized that demarcation findings, when final, form the factual basis for removal proceedings and cannot be disregarded based on procedural objections. The judgment highlighted that insisting on proof of encroachment duration would create unnecessary delays and undermine the Code's

⁴¹ Writ Petition No. 5309/2025

⁴² *Shantidevi v. State of Madhya Pradesh*, WP No. 3639/2024

purpose of efficient enforcement. By confirming that Section 250 empowers authorities to act once unauthorized occupation is established, the Court ensured that encroachers cannot rely on technicalities to prolong possession. This approach reinforces the legislative objective of swiftly restoring possession to lawful owners.

*Miss Harpal Kaur v. State of Madhya Pradesh*⁴³

In this case, the High Court upheld eviction orders under Section 250 despite the encroachers having made minor improvements to the land. The petitioners argued that such constructions justified continued possession. The Court rejected this claim, stating that unauthorized modifications or structures do not create legal rights for encroachers. Possession remains unauthorized unless supported by lawful entitlement, and revenue authorities are empowered to enforce restoration regardless of minor improvements on the land. The Court emphasized that the primary objective of Section 250 is to restore lawful possession without allowing superficial obstacles to interfere. By reinforcing that improvements cannot prevent eviction, the ruling protects the integrity of revenue enforcement and ensures that encroachers cannot exploit technicalities to delay removal. This decision strengthens the statutory mechanism for prompt dispossession of unauthorized occupants.

In *Agyaram v. State of Madhya Pradesh*⁴⁴ case, the court considered challenges raised by encroachers seeking to obstruct Section 250 proceedings. The Court confirmed that the statutory purpose of Section 250 is to allow landholders to regain possession promptly and prevent unauthorized occupiers from evading eviction through procedural maneuvers. It was held that revenue authorities acted correctly in processing the application and directing the Sub-Divisional Officer to adjudicate the matter in accordance with law. The judgment also stressed that procedural tactics should not undermine substantive enforcement. If statutory requirements are met, the authorities must proceed with removal. This case highlights the remedial nature of Section 250, emphasizing prompt and effective restoration of possession over delays caused by technical objections or strategic litigation by encroachers.

*Abdul Majid v. Union of India*⁴⁵ This case involved a challenge to encroachment removal proceedings after a significant delay of nearly 30 years. The High Court focused on procedural fairness, ruling that even after long delays, the affected party must be given a proper hearing before any coercive action is taken. The Court directed that the petitioner be granted an opportunity to respond and that a reasoned order be issued before eviction is

⁴³ *Miss Harpal Kaur v. State of Madhya Pradesh* WP No 3010 (2017)

⁴⁴ 2024:MPHC-GWL:18269

⁴⁵ 2 (1986) ACC 197

carried out. Although this case did not hinge on a specific section of the MPLRC, it establishes that procedural safeguards remain essential in encroachment proceedings. Even when enforcement is delayed, authorities must ensure natural justice is observed. The judgment balances statutory authority with fairness, demonstrating that while unlawful possession must be addressed, affected parties cannot be deprived of their right to be heard. In *Munna v. State of Madhya Pradesh*⁴⁶, the petitioner Munna contested the cancellation of a land patta that had been legally allotted to him in Sheopur district. The land in question was originally granted to a tribal individual, Fudya, but the tribal allotment was cancelled in the mid-1990s, rendering the property government land. Subsequently, a new patta was issued to Munna, who cultivated the land and maintained it according to revenue records. Later, SDO issued a notice under Sections 170-A and 170-B of MPLRC, eventually cancelling Munna's patta, a decision upheld by the Collector. Munna approached the High Court, contending that the statutory provisions relied upon by the authorities were not applicable to his circumstances.

The Court carefully examined Sections 170-A and 170-B, which are designed to prevent improper transfers of tribal land and to facilitate reversion when land is acquired illegally from tribal holders. The Court noted that these provisions are only triggered when land is transferred directly from a tribal person to another individual. In Munna's situation, the tribal patta had already been cancelled, and the land had become government property before the new patta was issued to him. Therefore, there was no direct transfer from a tribal landholder to Munna, and the statutory conditions for cancellation under Sections 170-A and 170-B were not met. The Court also pointed out that claims regarding "Bhu Dan" land were not cited in the show-cause notice nor supported by the law, making the cancellation orders legally unsustainable.

The Court quashed both the SDO's cancellation and the Collector's appellate orders, reinstating Munna's patta. The case emphasizes the importance of applying the correct statutory provisions and ensuring that revenue authorities meet all legal prerequisites before acting. It also reinforces the principle that quasi-judicial orders must be reasoned and properly documented, and that arbitrary or unexplained cancellations of land rights are invalid. Importantly, the decision highlights the need for procedural fairness in the exercise of revenue powers, particularly in cases involving former tribal land allotments, and underscores the role of meticulous adherence to the MPLRC in preventing improper

⁴⁶ (2012) ILR (MP) 1859

revocation of land rights.

CONCLUSION

The Madhya Pradesh Land Revenue Code, 1959, provides a robust legal framework to address encroachment. Section 248 allows swift penalties and ejectment of unauthorized occupants, while Section 250 ensures restoration of possession to lawful landholders. Sections 250-A and 250-B reinforce enforcement and compliance. Judicial interpretations emphasize summary relief without undermining civil court authority, ensuring that administrative efficiency and legal fairness coexist. Collectively, these provisions maintain the integrity of land records, protect public and private land, and provide effective remedies against encroachment.

Judicial interpretation has reinforced that encroachments cannot be legitimized merely through long-term occupation or minor improvements. Courts have consistently held that revenue officers' orders under Sections 250, 250-A, and 250B are quasi-judicial but binding, and non-compliance may invite coercive measures while still respecting principles of natural justice. Overall, the legal provisions reflect a balanced approach, combining coercive enforcement, preventive action, and safeguards against misuse, to ensure that land is used lawfully and public resources are protected. This framework underscores the state's commitment to maintaining lawful possession, curbing encroachment, and upholding both social and environmental responsibilities.

CHAPTER 4

ISSUES AND CHALLENGES RELATED TO LAND REVENUE ASSESSMENT, COLLECTION, AND PAYMENT

Mutation proceedings—intended to update ownership records after sale, inheritance, or transfer—are frequently delayed due to procedural complexities, lack of proper documentation, and administrative backlog. These delays create uncertainty in title, restrict access to credit, and give rise to fraudulent transactions and multiple claims over the same property. Revenue disputes further burden the system, as appeals and revisions before revenue authorities consume significant time, reflecting gaps in coordination, transparency, and digitization of land records.

Land revenue assessment, collection, and payment processes also face structural and operational difficulties. Inaccurate or outdated land surveys, improper classification of land use, and inconsistencies in record maintenance affect fair assessment of revenue. Collection

mechanisms are often hindered by limited field staff, resistance from defaulters, and socio-economic vulnerabilities of small and marginal farmers. Additionally, lack of awareness among landholders regarding revenue liabilities, penalties, and procedural remedies contributes to non-compliance and litigation. While digitization initiatives and modernization of land records aim to enhance transparency and efficiency, effective implementation, regular updating of data, and grievance redressal reforms remain essential to address systemic challenges in land revenue administration under the MP Land Revenue Code.⁴⁷

ISSUES IN LAND REVENUE ASSESSMENT

Outdated Land Records

One of the most persistent challenges in Madhya Pradesh's land revenue administration is the presence of outdated and inaccurate land records. Many of the official documents, such as khasra (land parcel records) and khatauni (ownership registers), were prepared decades ago and often fail to reflect the current realities of land ownership, land use, or subdivision patterns. Over time, land may have been subdivided among heirs, sold, or converted to different uses, but these changes are frequently not updated in the official records. This discrepancy creates significant challenges for revenue officials tasked with assessing taxes accurately. Farmers and landowners may be overcharged or undercharged, leading to disputes and dissatisfaction.

Despite the government's efforts to digitize records through portals such as MP Bhulekh, the coverage remains uneven. In remote areas, the infrastructure for digitization is limited, and many rural landholders are unfamiliar with online procedures. Consequently, reliance on outdated manual records continues in numerous districts, perpetuating errors and complicating the assessment process. Without accurate records, the state risks both loss of revenue and the erosion of public trust in the revenue system.

*Balwant Singh v. Daulat Singh*⁴⁸ In this case, the Supreme Court held that mutation of land in revenue records does not create or extinguish title nor has it any presumptive value regarding ownership. Mutation entries are maintained primarily for fiscal purposes, namely for the collection of land revenue. The Court clarified that ownership rights arise from valid legal transactions such as sale deeds, inheritance, or decrees of competent civil courts, not from mere entries in revenue records. The judgment addresses a recurring challenge in land

⁴⁷ Harpreet Singh, Land Revenue Administration: A Historical Perspective, IJFMR (2025)

⁴⁸ (1997) 7 SCC 137

revenue administration—misconception among landholders that mutation equals ownership. This misunderstanding often leads to prolonged disputes, improper revenue assessment, and multiplicity of litigation. The ruling reinforces the distinction between administrative revenue functions and substantive property rights, thereby safeguarding due process in land title adjudication.

Boundary Disputes and Demarcation Errors

Errors in settlement maps and field demarcation are another critical challenge in Madhya Pradesh. Accurate land measurement is essential for determining tax liability, yet mistakes in mapping or unauthorized alterations by officials can lead to underpayment or overpayment of land revenue. These errors may arise from historical inaccuracies, poor-quality survey equipment, or human error during the recording process.⁴⁹

The MPLRC stipulates that only Settlement Officers or Collectors are authorized to correct official maps. However, in practice, lower-level officials sometimes make changes without proper authorization, causing disputes between landholders and the administration. Resolving these discrepancies often requires extensive field verification and can involve litigation in revenue courts. Such disputes not only delay revenue assessment but also strain the relationship between landholders and revenue officials, making further administration more complex.

Pendency of Revenue Cases

A significant number of land revenue cases remain pending across districts in Madhya Pradesh. These cases often relate to mutation (changes in ownership), boundary disputes, corrections in land records, or division of plots. The backlog creates a bottleneck in the assessment process because unresolved cases prevent the updating of official records, resulting in uncertainty about revenue liabilities.

The consequences of such pendency are multifold. Farmers may be unsure about their obligations, leading to delayed payments or disputes. The state, meanwhile, experiences inefficiency in revenue collection and planning because accurate data is unavailable. High case volumes in revenue courts or administrative offices further slow down resolution, creating a cycle of delay and confusion. This systemic pendency undermines confidence in the revenue system and highlights the need for streamlined procedures.

Suraj Bhan v. Financial Commissioner⁵⁰ The Supreme Court reiterated that entries in revenue

⁴⁹ <https://testbook.com/ias-preparation/land-revenue-system-in-india-upsc-notes>

⁵⁰ Suraj Bhan v. Financial Commissioner (2007) 6 SCC 186

records are only for fiscal purposes and do not confer title. The Court observed that such records are primarily meant to enable the State to assess and collect land revenue. Therefore, mutation entries cannot be relied upon as conclusive proof of ownership in title disputes.

This judgment highlights systemic issues in land revenue administration where reliance on revenue entries without proper title verification leads to disputes. It underscores the limited evidentiary value of revenue records and emphasizes that civil courts retain jurisdiction over title matters. The case strengthens procedural clarity between revenue authorities and civil adjudication, thereby reducing administrative overreach.

Jitendra Singh v. State of MP⁵¹

In this case, the Supreme Court once again clarified that mutation proceedings are summary in nature and do not decide title. The Court held that revenue authorities cannot adjudicate complicated questions of ownership and must confine themselves to maintaining records for revenue purposes. The decision exposes structural challenges in revenue administration, especially when revenue officers attempt to decide title disputes beyond their jurisdiction. By reaffirming that mutation does not determine ownership, the Court aimed to prevent misuse of revenue mechanisms for settling civil disputes. This ensures proper demarcation of functions between revenue authorities and civil courts.

Physical Verification Constraints

Physical verification of land parcels is an essential step in accurate revenue assessment. Revenue officials must visit each plot to confirm ownership, assess land use, and verify boundaries. However, this process faces several constraints in Madhya Pradesh. Monsoon seasons make many regions inaccessible due to flooding or muddy terrain. Dense forests, hilly landscapes, and thick vegetation in districts like Jabalpur, Shahdol, and Chhindwara complicate verification efforts.

Moreover, verification often coincides with peak agricultural periods, such as the kharif cropping season, when farmers are busy in their fields. Delays in physical verification can result in assessments that do not reflect actual land use or ownership changes. Over time, this leads to discrepancies in records and recurring disputes among landholders. Farmers may lose faith in the fairness of assessments if they perceive errors to persist year after year.

Encroachments and Illegal Transactions

Illegal occupation of land, including government property or private holdings, presents another significant challenge in land revenue assessment. Encroachments distort the taxable

⁵¹ Jitendra Singh v. State of Madhya Pradesh (2021) SCC 802

land base, reducing potential revenue for the state. Additionally, benami transactions—where land is registered in someone else’s name to hide the real owner—complicate ownership records and assessment calculations.

Enforcing rules against illegal occupations is resource-intensive and often constrained by legal hurdles. Recovery of encroached land can take years due to prolonged court procedures or resistance from influential local parties. Consequently, unauthorized transactions and encroachments create a dual problem: they reduce revenue collection and provoke disputes among legitimate landholders, further straining the administrative machinery.

Challenges in Revenue Collection

Administrative Delays and Bottlenecks

Once land revenue is assessed, the collection process itself encounters significant obstacles. Administrative delays, overlapping jurisdictions, and weak coordination between district and sub-district offices can result in confusion among landholders about payment obligations. For example, a farmer may receive conflicting notices from a Tehsildar and a Patwari regarding payment deadlines, leading to delayed compliance.

Such bottlenecks are particularly acute in districts with large rural populations, where the sheer volume of accounts can overwhelm revenue officials. Even when payments are made, delays in updating records can result in repeated notices or confusion about arrears, further complicating the system.

Transparency and Accountability Issues

Many landholders in Madhya Pradesh report difficulty in accessing accurate information about revenue dues, penalties, and payment procedures. Inadequate transparency in the assessment and collection process erodes trust between the administration and the public. For instance, a farmer may be uncertain about the basis for a penalty or the method used to calculate assessed revenue.

The lack of clear audit trails and reporting mechanisms compounds this problem. Without a transparent system, landholders may perceive unfair treatment, which discourages timely payment and increases grievances against revenue officials.

Corruption and Unethical Practices

Instances of corruption, such as bribery or favoritism by local revenue officials, though not pervasive, create significant challenges in collection. Landholders may be asked to pay unofficial fees to expedite processes like mutation, verification, or record updates. Such unethical practices undermine the integrity of the revenue system, breed mistrust among taxpayers, and reduce overall compliance rates.

Even when formal digital platforms are available, these informal practices persist, particularly in remote or rural areas where oversight is limited. This combination of systemic and informal corruption hinders efficient revenue collection and discourages citizen participation in legal procedures.

Revenue Loss Due to Encroachments

Encroachments and illegal occupation directly reduce the taxable land base in Madhya Pradesh. When land is occupied without authorization, the government is unable to levy appropriate revenue, resulting in financial losses. Enforcement efforts are complicated by legal disputes, lack of manpower, and the influence of local interest groups.

Furthermore, unresolved encroachments can distort long-term planning for revenue collection and development projects. In districts where encroachment is widespread, the cumulative loss to the state's revenue can be substantial, affecting funding for infrastructure, public services, and welfare schemes.

Tarachandra v. Bhawarlal⁵² The Supreme Court held that a mutation application based on a registered Will cannot be rejected outright by revenue authorities merely because it arises from testamentary succession. The Court clarified that while mutation can be granted on the basis of a Will, such an entry remains subject to the outcome of any civil suit challenging the Will. This judgment addresses practical difficulties in mutation proceedings, particularly delays and refusals in updating revenue records after inheritance. It balances administrative efficiency with protection of property rights by allowing mutation for fiscal purposes while preserving civil court jurisdiction over title disputes. The ruling promotes smoother revenue collection without prejudicing substantive rights.

Balwant Singh & Anr. v. Financial Commissioner⁵³ In matters concerning revisional jurisdiction of revenue authorities, courts have consistently held that powers of revision must be exercised within reasonable time and with due process. Arbitrary reopening of settled mutation entries after long delays creates uncertainty in land records and disrupts revenue administration.

This principle is particularly relevant under provisions like Section 50⁵⁴, where no strict limitation period is prescribed. Courts have intervened where revenue authorities attempted to reopen long-settled entries without sufficient cause. Such rulings aim to ensure certainty in land records, protect bona fide purchasers, and maintain stability in revenue assessment

⁵² Tarachandra v. Bhawarlal & Anr. (2025 INSC 1485)

⁵³ Balwant Singh & Anr. v. Financial Commissioner (1997) 7 SCC 137

⁵⁴ Section 50 of Madhya Pradesh Land Revenue Code 1959

and collection systems.

Problems in Land Revenue Payment

Confusing or Burdensome Payment Mechanisms

While the government has introduced online payment options via portals like MP Bhulekh, many rural landholders remain unfamiliar with these systems or lack access to the necessary technology. Traditional payment methods, such as paying directly at Tehsildar offices, remain prevalent but are often time-consuming and prone to errors.

This combination of limited digital adoption and cumbersome traditional procedures contributes to delayed payments. Farmers may also avoid official channels due to fear of miscalculated dues or lack of clarity about assessment notices, leading to accumulated arrears.⁵⁵

Penalties and Arrears

Late payment of land revenue often attracts penalties or interest charges. For small and marginal farmers who rely on seasonal income, these penalties can become a heavy financial burden. Inflexible schedules and strict enforcement can exacerbate distress, making timely compliance difficult.

Over time, arrears accumulate, further complicating collection efforts. High penalties can create resentment among landholders and discourage cooperation with revenue officials, creating a cycle of non-compliance and administrative difficulty.

Disputes Over Payment Liability

Ongoing disputes related to land ownership, boundary discrepancies, or mutations often delay payment obligations. Landholders may refuse to pay revenue until disputes are resolved, fearing unfair charges or incorrect assessments.

These delays create backlogs in revenue collection and increase administrative workload. Legal procedures in revenue courts or civil courts can take months or even years, prolonging uncertainty for both the landholders and the state. This not only affects revenue flow but also erodes confidence in the revenue administration system.

Administrative Reforms and Campaigns

Revenue Maha Abhiyan

To address backlog and administrative inefficiencies, Madhya Pradesh periodically conducts

⁵⁵ Gupta, R. (2023). Emerging paradigm for land records in India: Transparency, technology, and legal challenges. *Smart and Sustainable Built Environment*, 12(5), 963–982.

Revenue Maha Abhiyan campaigns. These initiatives focus on clearing pending cases, resolving mutations, correcting land records, and addressing boundary disputes. Previous campaigns have successfully resolved millions of cases, demonstrating the potential of focused administrative drives to improve system efficiency.⁵⁶

However, implementation varies by district, and some areas continue to experience delays due to administrative capacity constraints. Sustained effort and monitoring are essential for long-term improvement.

Digitization of Land Records

The MP Bhulekh portal enables citizens to view land records online, submit applications, and track case status digitally. Digitization aims to reduce errors, improve transparency, and make revenue administration more accessible.

Despite these benefits, rural adoption remains uneven. Poor internet connectivity, lack of digital literacy, and limited access to devices hinder effective utilization. Bridging this digital divide is crucial for maximizing the benefits of modernization.

Judicial and Administrative Streamlining

The establishment of dedicated revenue courts and judicial officers in MP aims to expedite dispute resolution. By integrating administrative and judicial processes, the state seeks to reduce pendency, provide timely remedies to landholders, and improve accountability among officials.

Streamlined processes help ensure that revenue collection and assessment are not hampered by prolonged legal disputes. However, continued investment in infrastructure, staffing, and training is required to maintain the effectiveness of these reforms.

Socio-Economic Impacts

Farmer Distress

Errors in assessment, delayed payments, and high penalties create significant financial stress among farmers. Small and marginal landholders are particularly vulnerable, as they often lack savings or alternative income sources. This financial strain limits their ability to invest in land improvement, purchase seeds or fertilizers, or adopt modern agricultural technologies, ultimately affecting productivity and livelihoods.

Land Disputes and Social Tension

Boundary disputes, encroachments, and conflicts over ownership contribute to social tensions

⁵⁶ <https://prsindia.org/policy/analytical-reports/land-records-and-titles-india>

within rural communities. Prolonged litigation and slow administrative processes exacerbate frustration among landholders, reducing trust in government authorities. In some cases, disputes escalate to conflicts within villages, undermining community cohesion.

State Revenue Loss

Unresolved disputes, encroachments, and inaccurate records collectively reduce the effective revenue base in Madhya Pradesh. This diminishes state funds available for infrastructure, rural development, and welfare programs. In addition, administrative resources are diverted toward managing disputes and backlogs rather than proactive development, affecting overall governance efficiency.

Corruption and Lack of Transparency

Manual record-keeping systems and discretionary powers sometimes lead to corrupt practices. Bribery, manipulation of land records, and favoritism erode trust in public institutions. Socio-economically weaker groups are particularly vulnerable to exploitation within such systems.

Cost of Litigation

Revenue disputes frequently escalate to higher authorities and civil courts. The cost of litigation—both financial and emotional—places an additional burden on rural households. Long-drawn legal battles may disrupt agricultural activities and strain community relationships.

Barriers to Institutional Loans

Banks and financial institutions rely on updated land records to grant agricultural loans. Errors or delays in revenue records restrict access to formal credit. This exclusion limits farmers' ability to expand agricultural activities or diversify income sources.

Loss of Faith in Institutions

Frequent disputes, delays, and lack of timely grievance redressal reduce public confidence in revenue authorities. This weakens the legitimacy of state institutions and hampers effective governance.⁵⁷

Interrelation Between Mutation, Encroachment, and Revenue Disputes

The interrelationship between mutation, encroachment, and revenue disputes under the Madhya Pradesh Land Revenue Code (MP LRC) is intricate, reflecting the interplay between administrative efficiency, legal clarity, and socio-economic consequences. While mutation,

⁵⁷ Naveena, K. (2025). Unclaimed and unchecked: How governance gaps enable the rise of land encroachment in India. *Indian Journal of Legal Review*, 5(13), 452–464.

encroachment, and revenue disputes are distinct processes, they are mutually dependent. A disruption or inefficiency in one area often triggers challenges in the others, creating a cyclical chain of legal and administrative issues. Understanding these linkages is critical for ensuring effective land governance, equitable revenue collection, and protection of property rights.

(a) Mutation and Encroachment

Mutation is the administrative process of updating land records to reflect changes in ownership or occupancy due to sale, inheritance, gift, or partition. Accurate mutation is crucial not only for revenue assessment but also for establishing the rights and obligations of landholders. However, delays or errors in mutation often create gaps in official records, which can encourage encroachment. When land ownership appears unclear, individuals may occupy land under the assumption that it is unclaimed or not actively monitored. Such unauthorized occupation may be deliberate or opportunistic, exploiting the administrative lag in updating records.

At the same time, existing encroachments complicate mutation proceedings. Revenue officers are required to verify claims and ensure that legal ownership corresponds to physical possession before recording changes in land records. This verification process can be time-consuming, particularly in areas with multiple claimants or disputed boundaries. Courts have repeatedly emphasized the need for proper verification to prevent wrongful mutation. In *Keshav Murari v. Praveen Kumar*⁵⁸, the Madhya Pradesh High Court highlighted that revenue officers cannot record mutation in favor of a party without ensuring that no encroachment exists and that ownership claims are legally valid.

Thus, the relationship between mutation and encroachment is bidirectional. Delayed or inaccurate mutation increases the likelihood of encroachment, while encroachments themselves delay mutation. This feedback loop perpetuates administrative inefficiency, leaving land records outdated, ownership unclear, and enforcement challenging.

(b) Mutation and Revenue Disputes

Revenue disputes typically arise when there is a disagreement over the assessment, collection, or liability of land revenue. Discrepancies in mutation records are a primary source of such disputes. When the person recorded in official land records differs from the actual possessor or user of the land, revenue authorities may either demand payment from the wrong party or penalize rightful occupants who are unable to provide updated mutation

⁵⁸ 2024 MPHC JBP 55195

documentation.

Judicial precedents underline the legal significance of mutation in revenue disputes. In *Balwant Singh v. Daulat Singh*⁵⁹, the Supreme Court clarified that while mutation does not confer ownership, it is essential for administrative purposes, including the assessment of land revenue. Courts have stressed that revenue collection must rely on accurate, updated mutation records to prevent arbitrary demands and ensure fairness. Consequently, inefficiencies in mutation directly contribute to the emergence of revenue disputes, as discrepancies create ambiguity regarding liability.

Moreover, delayed mutation can exacerbate disputes over exemptions, classification, or valuation of land. For instance, a landholder entitled to concessional revenue rates based on legal inheritance may face arrears if the mutation reflecting inheritance is pending. Such disputes are often compounded when multiple claimants file competing mutation applications, highlighting the administrative burden on revenue authorities and the legal complexity of resolving overlapping claims.

(c) Encroachment and Revenue Disputes

Encroachments themselves are a significant trigger for revenue disputes. Unauthorized occupation often results in non-payment or partial payment of land revenue, as occupants may refuse to pay revenue until their claim or possession is regularized. Revenue authorities are constrained by law from forcibly removing encroachers without following due process, as per Sections 145–149 of the MP LRC. These legal safeguards, while protecting the rights of individuals, can prolong the dispute and delay revenue collection.

Encroachments also make it difficult to reconcile fiscal responsibility with actual possession. When land is occupied illegally, determining the correct liable person becomes complicated. If revenue authorities attempt to collect dues from the recorded owner while an encroacher occupies the land, litigation may ensue, further delaying resolution. In this context, revenue disputes are both a consequence of encroachment and a factor that perpetuates it, as unresolved fiscal obligations create opportunities for continued unauthorized occupation.

In *Oran Singh v. Bhoopat Singh*⁶⁰, the petitioner contested the denial of an interim injunction by the civil courts, which had dismissed his application seeking to prevent the respondents from constructing a new access path across his agricultural land (Survey Nos. 62 and 63) in Parwariya village, Bhopal district. The petitioner claimed ownership and continuous

⁵⁹ (1997) 7 SCC 137

⁶⁰ 2025 MPHC-JBP-50525

possession of the land, arguing that the respondents had no legal entitlement to traverse it. The respondents, however, had applied to the Tehsildar under Section 131⁶¹, seeking recognition of a customary right of way to reach their fields, and the revenue authorities had approved the request. The civil courts refused temporary relief, holding that there was insufficient evidence of irreparable harm to the petitioner's crops and noting that the respondents had no alternate access routes.

On appeal, the Madhya Pradesh High Court reviewed whether the revenue authorities acted within their statutory powers under Section 131 MPLRC and whether the civil court had erred in denying interim relief. The Court emphasized that revenue officers are empowered to recognize customary paths if it is shown that such routes have historically been used and that no feasible alternative exists. It clarified that a customary way need not appear in formal revenue registers to be valid. The Tehsildar and Sub-Divisional Officer had conducted inquiries and gathered village reports confirming the necessity of the route for the respondents. The High Court concluded that, at the interim stage, the civil court should not override the findings of revenue authorities unless there is a clear abuse of power or jurisdictional error, and therefore upheld the revenue orders.

The decision highlights important principles regarding the interplay between revenue authority powers and civil court intervention under the MP Land Revenue Code. It affirms that properly constituted revenue officers can grant customary rights of way based on evidence of historical use, even in the absence of formal registration in revenue records. The judgment also demonstrates that civil courts should exercise restraint when considering interim relief against such administrative decisions, intervening only if there is manifest error or legal overreach. Overall, the case reinforces the authority of revenue officers while clarifying the limited scope for temporary injunctions in disputes involving customary land rights.

The Feedback Loop: Administrative and Socio-Economic Implications

The interrelationship among mutation, encroachment, and revenue disputes creates a self-reinforcing feedback loop. Delayed or inaccurate mutation encourages encroachment; encroachment complicates revenue assessment and collection; unresolved revenue disputes delay mutation updates and prolong encroachment resolution. This loop not only affects administrative efficiency but also has significant legal and socio-economic consequences.⁶²

⁶¹ Section 131 of Madhya Pradesh Land Revenue Code 1959

⁶² Abedi, F., Rajabifard, A., & Shojaei, D. (2025). Enhancing access to justice for land and property disputes through online dispute resolution and artificial intelligence. *Computer Law & Security Review*, 106

From a legal standpoint, the overlapping jurisdictions of revenue authorities and civil courts further complicate the situation. Revenue officers are tasked with collection and assessment, while ownership disputes fall under the purview of civil courts. Misalignment between these jurisdictions often leads to procedural delays and repeated litigation, further straining administrative resources.

Socio-economically, this cycle disproportionately affects small and marginal farmers, tribal communities, and other vulnerable groups. Unclear mutation records can prevent access to institutional credit, delayed encroachment resolution may threaten land security, and revenue disputes impose financial stress. The resulting uncertainty reduces agricultural investment, disrupts rural livelihoods, and can even exacerbate social tensions in affected communities.

CONCLUSION

The issues and challenges related to land revenue assessment, collection, and payment in states like Madhya Pradesh highlight the complex interplay between administrative efficiency, legal clarity, and socio-economic equity. Inaccurate land records, delays in mutation, procedural bottlenecks, and administrative inefficiencies not only undermine the revenue system but also exacerbate rural distress. Small and marginal farmers, tribal communities, and other vulnerable groups are disproportionately affected, facing financial insecurity, restricted access to credit, and uncertainty regarding land ownership. These challenges also create opportunities for disputes, encroachments, and social conflict, which further destabilize rural economies and erode public trust in governance.

Addressing these challenges requires a multi-pronged approach that balances fiscal objectives with social justice. Digitization of land records, streamlined mutation processes, periodic land surveys, and transparent grievance redressal mechanisms can enhance efficiency and reduce disputes. At the same time, legal awareness campaigns, capacity building for revenue officials, and equitable assessment policies are essential to protect vulnerable landholders and promote inclusive development. Ultimately, a fair, transparent, and efficient land revenue system not only secures state finances but also fosters rural economic stability, social harmony, and long-term sustainable development.

CHAPTER 6

REFORMS AND BEST PRACTICES

The MP LRC, 1959, governs land revenue administration, mutation of records, management of encroachments, and resolution of revenue disputes in the state. Despite its comprehensive

framework, practical implementation reveals persistent challenges, including delayed mutation, widespread encroachments, and frequent revenue disputes. These challenges undermine administrative efficiency and impact socio-economic stability, particularly affecting small landholders, women, and tribal communities.

Addressing these issues requires specific and actionable reforms across legal, administrative, technological, institutional, and socio-economic dimensions. This essay explores such reforms, highlighting their rationale and strategies for effective implementation.

Legal Reforms

Clarifying the Legal Nature of Mutation

Mutation under the MP LRC serves primarily to update revenue records following changes in ownership, inheritance, or transfer. However, a longstanding challenge is the misconception that mutation confers ownership. Judicial precedents such as *Balwant Singh*⁶³ and *Jitendra Singh*⁶⁴ cases have consistently clarified that mutation is evidentiary, not conclusive proof of title. Despite this, administrative practice often treats mutated records as de facto ownership evidence, leading to disputes in revenue collection, land transfers, and encroachment cases.

Critical Analysis: Codifying this distinction within the Code is crucial because it addresses the root cause of recurring litigation. Without legal clarity, revenue officers risk acting on incomplete or misleading information, while landholders may face disputes or harassment. Explicitly recognizing mutation as administrative evidence rather than ownership proof would also align statutory practice with judicial interpretation, reducing both revenue disputes and litigation costs.

Delimiting Jurisdiction Between Revenue and Civil Authorities

Revenue officers sometimes hear disputes concerning proprietary rights, a domain legally reserved for civil courts. Such overlap has created inconsistent orders and prolonged litigation, often delaying mutation and revenue assessments.

Critical Analysis: Introducing a statutory clause delineating revenue and civil jurisdiction would reduce confusion, ensure proper adjudication, and prevent the revenue system from being misused for matters beyond its mandate. However, careful implementation is necessary: overly rigid demarcation may slow administrative enforcement of minor disputes,

⁶³ *Balwant Singh & Anr. v. Financial Commissioner* (1997) 7 SCC 137

⁶⁴ (2021) SCC 802

while too flexible a framework could perpetuate jurisdictional ambiguity. Hence, a balanced approach—where revenue authorities manage administrative corrections and civil courts decide ownership—is legally sound and practically feasible.⁶⁵

Establishing Limitation Periods for Mutation and Revenue Challenges

The MP LRC currently does not specify a limitation period for raising objections to mutations or revenue assessments. This creates a protracted window for disputes, which encroachers or opportunistic claimants can exploit, often destabilizing land governance.

Critical Analysis: Introducing fixed limitation periods—two years for mutation challenges, three years for revenue assessments, and one year for encroachment objections—would encourage timely resolution and strengthen legal certainty. However, limitations must also allow flexibility for genuine cases of fraud, natural calamities, or administrative lapses. The challenge is balancing finality in land records with equitable remedies, ensuring reforms do not unfairly penalize vulnerable landowners.

Codifying Encroachment Procedures

Encroachment is a recurring problem under the MP LRC, often arising from delayed mutations or unclear land records. Currently, enforcement is inconsistent, and legal safeguards for affected parties are vaguely defined, leading to disputes and social unrest, particularly in tribal and rural areas.⁶⁶

Critical Analysis: Legal reforms should establish standardized notice procedures, timelines for removal, and appeal mechanisms. Incorporating social safeguards—such as Gram Sabha consultation and protection of tribal rights—balances enforcement with justice. Critically, without such procedural clarity, enforcement may remain arbitrary or discriminatory, undermining trust in land governance and exacerbating conflicts between authorities and local communities.⁶⁷

Specialized Tribunals and Appeals

The current hierarchical appeals system is slow, with cases frequently oscillating between revenue offices and civil courts, causing delays and conflicting judgments.

Critical Analysis: Establishing district and divisional revenue tribunals would centralize expertise, expedite dispute resolution, and reduce litigation costs. Timelines for adjudication (e.g., 120–180 days) and binding tribunal orders would improve predictability. Yet, tribunals

⁶⁵ <https://www.maheshwariandco.com/press-releases/mutation-of-revenue-records-based-on-will/>

⁶⁶ Rao, S. (2025). Mutation entries and title disputes in Indian land law: Administrative entries versus civil adjudication. *Indian Journal of Property Law*, 7(2), 89–110.

⁶⁷ Ibid

must maintain adequate checks and balances, as overly centralized authority risks bureaucratic rigidity or bias. A hybrid model incorporating expert revenue officers and judicial oversight would balance efficiency with fairness.

Protecting Vulnerable Landholders

Women, tenants, and tribal populations are often disadvantaged in mutation processes or encroachment enforcement. Legal reforms mandating inclusion of women's names in mutation records, Gram Sabha consultation for tribal lands, and tenant protections would promote equity.

Critical Analysis: Such measures are socially progressive and reduce litigation. However, they may face resistance from entrenched local power structures or revenue officers accustomed to traditional practices. Effective implementation requires not only statutory amendments but also awareness campaigns, training, and monitoring to ensure substantive rights translate into actual practice.

Recognition of Digital Records

The adoption of MP Bhulekh, GIS, and other digital platforms has modernized land record management. However, the MP LRC does not explicitly recognize electronic mutation entries or digital surveys as legally valid.

Critical Analysis: Legally recognizing digital records would reduce disputes caused by errors in manual systems, enhance transparency, and improve accountability. Yet, reforms must address data security, authentication, and access rights. Without proper safeguards, digital systems could be vulnerable to manipulation, raising new categories of legal disputes. Therefore, legislation must balance efficiency and reliability with enforceable procedural checks.⁶⁸

Administrative Reforms

Standard Operating Procedures for Mutation

Mutation delays often result from inconsistent procedures, missing documents, or discretionary practices. Standardizing procedures through SOPs ensures uniformity across tehsils. SOPs should specify required documentation, timelines (e.g., 30 days for mutation post-submission), and escalation mechanisms. This improves transparency, reduces arbitrary delays, and ensures fairness.

Performance Metrics for Revenue Officers

⁶⁸ Verma, P. (2025). A critique of the land revenue system in India: Constitutional and administrative perspectives. *IJMRS* 8(3), 145–160

Delays in mutation and encroachment resolution often stem from lack of accountability. Introducing Key Performance Indicators (KPIs)—such as the percentage of mutations completed on time, encroachment cases resolved, and accuracy of records—linked to promotions or incentives, can motivate officials and improve service delivery.

Decentralization to Local Governance Bodies

Revenue offices are often overburdened, while local officials have better knowledge of ground realities. Empowering Block Resource Centres and Gram Sabhas to conduct initial document verification, boundary mapping, and preliminary encroachment fact-finding accelerates processes and strengthens community participation.

Technological Reforms

GIS-Enabled Land Records

Outdated maps and inconsistent survey data contribute to boundary disputes and encroachments. Integrating land records with Geographic Information Systems (GIS) allows accurate spatial mapping, overlays for forest or tribal lands, and public access via online portals. GIS integration ensures precision, reduces disputes, and enhances transparency.

Blockchain-Based Record Management

Mutation histories are vulnerable to manipulation and errors. Implementing blockchain technology can create an immutable log of all mutation events, land transfers, and rights transactions. Blockchain ensures security, transparency, and auditability of land records.

Mobile Platforms for Citizen Access

Landowners often lack real-time access to mutation and revenue information. Developing mobile applications linked to MP Bhulekh can provide updates on mutation status, enable complaint submission for encroachment, and notify users about revenue payments or pending actions. This democratizes access and reduces dependence on intermediaries.

Dispute Resolution Reforms

Specialized Revenue Tribunals

Revenue disputes currently follow hierarchical appeals or go to civil courts, causing delays. Establishing District and Divisional Revenue Tribunals, with statutory timelines for adjudication, ensures faster resolution and uniform interpretation of laws.

Alternative Dispute Resolution (ADR)

Encroachment and mutation disputes often escalate to litigation unnecessarily. Incorporating mediation and conciliation within revenue offices can settle disputes efficiently while

preserving relationships. Settlement agreements should be enforceable to encourage compliance.⁶⁹

Fast-Track Encroachment Cells

Encroachment cases often linger due to procedural hurdles. Creating fast-track adjudication cells with dedicated hearing schedules, enforcement coordination with local authorities, and defined timelines ensures swift resolution and discourages unauthorized occupation.

Protection of Vulnerable Landholders

Gender-Sensitive Policies

Women are frequently excluded from mutation entries despite legal entitlement. Implementing a Gender Sensitive Mutation Scheme ensures both spouses' names appear in records, prioritizes female claimants, and raises awareness of women's land rights.

Tribal and Forest-Dependent Communities

Encroachment removal can inadvertently affect tribal and forest-dependent populations. Amending the MP LRC to require social impact assessments and Gram Sabha consultations, aligned with PESA and the Forest Rights Act, protects customary rights while enabling legal enforcement.

Capacity Building and Institutional Strengthening

Training and Certification for Revenue Officials

Officials must be trained in legal principles, digital record management, GIS, blockchain, and ADR. Linking certification programs to career progression ensures continuous professional development and improves service quality.

Public Performance Dashboards

Transparency is enhanced by public dashboards showing pending mutation cases, encroachment resolutions, and revenue collection statistics. Public access encourages accountability and fosters trust in governance.

Inter-Departmental Coordination

State Land Governance Council

Land governance involves multiple departments. Establishing a State Land Governance Council ensures coordination among revenue, survey, forestry, tribal welfare, and urban planning authorities. Regular reviews and policy recommendations prevent conflicting actions.⁷⁰

⁶⁹ <https://www.drishtiiias.com/to-the-points/Paper2/alternative-dispute-resolution-adr-mechanisms-paper-2>

⁷⁰ Jitender Singh, Keswani, and Chaturvedi, (2019). E-Governance model to ease the management of revenue court cases and land records. IJEAT, 8(6S), 876–882

Gram Sabha Land Monitoring Committees

Community participation is critical. Gram Sabha Land Monitoring Committees can validate boundaries, detect encroachments early, and assist with mutation verification. This strengthens grassroots oversight and reduces disputes.

Funding and Incentives

Dedicated Land Governance Fund

Reform implementation requires resources. A Land Governance Fund can finance GIS infrastructure, training programs, tribunals, and ADR mechanisms, ensuring sustained and efficient reform execution.

Incentives for Voluntary Regularization

Rigid enforcement can exacerbate disputes. Offering conditional, time-bound regularization of encroachments with reduced penalties encourages voluntary compliance, reduces litigation, and integrates informal landholders into the formal system.

Monitoring and Feedback Mechanisms

Independent Audits

Biennial audits by independent experts ensure the accuracy of land records, mutation updates, and encroachment resolution rates. Audit results should be public and tabled in the state legislature for accountability.

Citizen Feedback Portals

Establishing citizen grievance platforms enables public reporting of discrepancies, monitors complaint resolution timelines, and improves responsiveness. Feedback loops enhance public trust and service delivery.

BEST PRACTICES

Mutation Management

Timely and Accurate Mutation

One of the most effective practices is ensuring timely updates of mutation records. Delayed or inaccurate mutations often create ambiguities that encourage encroachment and revenue disputes. Standard Operating Procedures (SOPs) for mutation—defining timelines, required documentation, and escalation mechanisms—are critical to reducing errors.

Digital Record-Keeping

Integration of land records with digital platforms, such as MP Bhulekh, ensures transparency, reduces human error, and allows real-time updates. Digitization of mutation processes also facilitates easier monitoring and verification by authorities and stakeholders.

Public Access and Awareness

Providing landowners with online access to mutation status and revenue obligations empowers citizens and reduces dependence on intermediaries. Awareness campaigns about mutation rights and procedures also reduce disputes arising from misinformation or misunderstanding.

Best Practices in Preventing and Managing Encroachment

GIS-Based Land Mapping

Using Geographic Information Systems (GIS) for mapping land parcels allows authorities to identify encroachments quickly and accurately. Public availability of maps promotes transparency and deters illegal occupation.

Community Participation

Engaging Gram Sabhas and local land monitoring committees in encroachment detection ensures community oversight and strengthens local governance. Early identification of encroachments reduces the likelihood of long-term disputes.

Structured Enforcement Mechanisms

Clear legal procedures for encroachment notices, timelines for compliance, and statutory enforcement mechanisms reduce arbitrary action and potential litigation. Best practices involve balancing enforcement with social safeguards, especially for tribal or vulnerable communities.

Best Practices in Revenue Assessment and Dispute Resolution

Standardization and Accountability

Revenue disputes often arise due to inconsistencies in assessment. Implementing uniform procedures, training revenue officers, and defining Key Performance Indicators (KPIs) ensures accuracy and accountability.

Specialized Revenue Tribunals

Establishing district and divisional tribunals with statutory timelines ensures speedy and expert resolution of revenue disputes. Such tribunals reduce the burden on civil courts and improve administrative credibility.

Alternative Dispute Resolution (ADR)

Mediation and conciliation within revenue offices provide a cost-effective and timely mechanism for resolving disputes before they escalate to formal litigation.

WAY FORWARD

Addressing the interlinked challenges of mutation delays, encroachment, and revenue disputes under the MP Land Revenue Code requires a multi-pronged strategy that combines legal, administrative, technological, and socio-economic reforms.

Integration of Technology: One of the most important steps forward is the full integration of technology into land governance. Platforms such as MP Bhulekh and GIS-based land mapping should be expanded and linked with blockchain or other secure digital verification systems. Digitization not only reduces human errors and manipulation of records but also allows real-time monitoring of mutations, revenue collection, and encroachment trends. Legal recognition of digital mutation records, GIS maps, and electronic notices ensures that these modern tools have enforceable authority, reducing disputes that arise from manual record-keeping. Additionally, mobile applications for landowners can provide notifications about mutations, revenue dues, and encroachment warnings, increasing transparency and stakeholder participation.

Capacity Building and Training: Technology alone is insufficient without trained personnel. Revenue officers and field-level staff require continuous training on legal provisions of the MP LRC, digital platforms, GIS mapping, and dispute resolution mechanisms. Training programs should emphasize the distinction between administrative mutation and ownership rights, the proper procedure for encroachment notices, and timely resolution of revenue disputes. A well-trained workforce ensures that reforms are implemented effectively and that errors, delays, and disputes are minimized.

Community-Centric Governance: Engaging communities is critical to preventing encroachment and ensuring accurate land records. Gram Sabhas and local monitoring committees can be formally incorporated into the land administration framework to provide oversight, verify boundary disputes, and flag unauthorized occupation. Community participation not only promotes accountability but also strengthens social legitimacy, particularly in rural and tribal areas. In addition, involving local stakeholders helps identify historical encroachments and customary land rights, preventing legal conflicts from escalating.

Legal and Policy Reforms: Clear legal provisions are essential for an effective way forward. The MP LRC should codify the administrative nature of mutation, introduce limitation periods for challenges, define jurisdictional boundaries between revenue authorities and civil courts, and establish procedures for encroachment removal with social safeguards. Creating specialized revenue tribunals at district and divisional levels with defined timelines can

expedite dispute resolution, reduce backlog, and ensure consistency in judgments. Together, these legal measures provide clarity, fairness, and predictability in land administration.⁷¹

Socio-Economic Safeguards: Protecting vulnerable groups is central to sustainable reforms. Women, tenants, and tribal communities must be explicitly included in mutation records and protected during enforcement actions. Implementing social impact assessments, compensation mechanisms, and participatory decision-making ensures that modernization of land administration does not harm marginalized stakeholders. By reducing grievances and potential litigation, these safeguards contribute to more harmonious land governance.

Monitoring and Evaluation: Finally, continuous monitoring and evaluation mechanisms, such as public performance dashboards, independent audits, and grievance redress systems, are essential to assess the effectiveness of reforms. Feedback loops allow authorities to refine policies, address administrative gaps, and improve citizen satisfaction, creating a culture of accountability and responsiveness.

The interlinked issues of mutation delays, encroachments, and revenue disputes under the MP LRC highlight systemic inefficiencies and socio-economic vulnerabilities. Implementing legal codification, administrative streamlining, technological adoption, dispute resolution mechanisms, protection of vulnerable populations, institutional strengthening, and financial support can effectively address these challenges.

Adoption of these reforms can transform land governance in Madhya Pradesh into a system characterized by legal clarity, administrative efficiency, technological modernization, social justice, and public accountability. This will secure land tenure, reduce disputes, improve revenue collection, and empower marginalized stakeholders, contributing to equitable and sustainable rural development.

CHAPTER 6

CONCLUSION AND SUGGESTIONS

CONCLUSION

The interlinked challenges of encroachment, mutation delays, and revenue disputes under the Madhya Pradesh Land Revenue Code (1959) illustrate the complex nature of land governance in the state. The MP LRC, while providing a structured legal framework for land record maintenance, revenue assessment, and dispute resolution, has encountered practical, administrative, and socio-legal difficulties in its implementation. This dissertation has

⁷¹ https://www.lbsnaa.gov.in/storage/uploads/pdf_data/1740658416_20-Tribal_Land_Rights_in_India.pdf

highlighted how inefficiencies in one area—such as delayed mutation—often create ripple effects that exacerbate encroachment and revenue disputes. Conversely, encroachments hinder accurate mutation and revenue collection, creating a cyclical problem that undermines the effectiveness of the Code. The culmination of these challenges emphasizes the urgent need for legal, administrative, and technological reforms, alongside socio-economic safeguards, to ensure that the principles of transparency, equity, and efficiency in land governance are realized.

A primary issue that emerges from the analysis is the misconception regarding the legal status of mutation. Despite judicial clarity in cases like *Balwant Singh v. Daulat Singh* and *Jitendra Singh v. State of Madhya Pradesh*, mutation is often treated by both revenue authorities and landowners as equivalent to ownership. This misinterpretation leads to disputes over revenue collection, encroachment, and subsequent litigation in civil courts. The lack of statutory clarification in the MP LRC has created both legal and administrative uncertainty. As this dissertation has argued, a key reform is to codify the legal nature of mutation explicitly: it is an administrative record for revenue purposes, not a conclusive proof of ownership. Such a reform would align practice with judicial interpretation, reduce unnecessary litigation, and strengthen the authority of revenue officers in executing their statutory responsibilities without overstepping into civil jurisdiction.

Encroachment emerges as both a symptom and a cause of inefficiency in land administration. Delayed mutations, ambiguous boundaries, and incomplete record-keeping create opportunities for unauthorized occupation. At the same time, encroachments complicate revenue assessment and the correction of land records, further delaying mutation and creating revenue disputes. Legal reforms must therefore incorporate procedural clarity, due process, and socio-legal safeguards to prevent arbitrary action while protecting the rights of vulnerable stakeholders. For instance, formalized notice procedures, time-bound compliance requirements, and appeal mechanisms can ensure that encroachment removal is efficient yet just. Simultaneously, recognizing the customary and tribal rights of marginal communities is essential to maintain social equity, reduce conflicts, and avoid litigation arising from perceived discrimination or displacement.

Revenue disputes under the MP LRC are often exacerbated by the lack of limitation periods, inconsistent assessment practices, and unclear administrative hierarchies. Stakeholders frequently raise objections decades after mutation or revenue assessments, creating administrative backlogs and legal uncertainty. Establishing statutory limitation periods for mutation challenges, revenue assessments, and encroachment objections would introduce

predictability and finality into the system. Equally important is the demarcation of jurisdictional boundaries between revenue authorities and civil courts. Revenue officers should handle administrative, fiscal, and record-keeping matters, while civil courts adjudicate proprietary or ownership disputes. This separation reduces conflicting orders, streamlines dispute resolution, and ensures consistency in legal interpretation.

The dissertation also underscores the importance of technological interventions as part of the solution. Digitization of land records, the use of GIS for precise mapping, and blockchain-based verification systems enhance transparency, accuracy, and accountability. Digital platforms like MP Bhulekh provide real-time mutation updates, revenue notifications, and encroachment alerts to stakeholders, minimizing dependence on intermediaries and reducing administrative errors. However, technology must be legally recognized, with clear standards for authentication, modification, and dispute resolution. Without statutory backing, digital records may face challenges in courts, undermining the potential benefits of modernization. Another critical dimension highlighted is the social and economic impact of land governance inefficiencies. Delayed mutation, encroachment, and revenue disputes disproportionately affect marginal landholders, women, tenants, and tribal populations. Women are often excluded from mutation entries, tenants may face unfair eviction, and tribal communities may lose rights to customary lands. Legal reforms must, therefore, embed equity and inclusivity in land governance. Mandating the inclusion of women in mutation records, requiring Gram Sabha consultations for tribal lands, and ensuring procedural fairness in encroachment actions protect vulnerable populations and reduce disputes. A socially sensitive approach not only ensures compliance with constitutional principles but also strengthens public trust in land administration.

The institutional reforms suggested in this dissertation further enhance dispute resolution mechanisms. Establishing district and divisional revenue tribunals with statutory timelines ensures speedy adjudication and reduces reliance on civil courts. Incorporating alternative dispute resolution (ADR) mechanisms within revenue offices, such as mediation and conciliation, allows cost-effective resolution of minor disputes before escalation. Together, these reforms balance administrative efficiency with procedural justice, ensuring that landowners, revenue officers, and other stakeholders can navigate disputes without excessive delay or litigation burden.

In synthesizing the findings, it is evident that the challenges of encroachment, mutation, and revenue disputes are interconnected, multi-dimensional, and deeply rooted in both legal and administrative structures. Piecemeal reforms are unlikely to produce lasting results. A holistic

approach is necessary, integrating legal clarity, administrative efficiency, technological innovation, socio-economic safeguards, and community participation. Such an approach ensures that land records are accurate, revenue collection is fair, disputes are resolved efficiently, and vulnerable stakeholders are protected.

Looking forward, the MP Land Revenue Code must evolve to reflect contemporary realities. Legal codification of mutation's administrative status, procedural clarity for encroachment, limitation periods for challenges, jurisdictional demarcation, recognition of digital records, and inclusion of marginalized stakeholders form the cornerstone of a modernized framework. Coupled with technology-enabled transparency, institutional reforms, and community engagement, these measures can transform Madhya Pradesh's land governance into a robust, equitable, and efficient system. The success of these reforms, however, depends on effective implementation, capacity building, monitoring, and periodic evaluation, ensuring that statutory provisions translate into tangible benefits for landowners and the state alike.

In conclusion, this dissertation demonstrates that addressing encroachment, mutation delays, and revenue disputes is not merely an administrative exercise but a matter of legal, social, and economic significance. Implementing a holistic set of legal and institutional reforms under the MP LRC can significantly reduce litigation, enhance revenue collection, safeguard property rights, and strengthen public confidence in the state's land administration system. Madhya Pradesh has an opportunity to serve as a model for other states by combining legal clarity, technological modernization, and socially inclusive governance, ultimately ensuring that land administration functions efficiently, equitably, and transparently for all stakeholders.

SUGGESTIONS

- **Codify the Legal Status of Mutation:** Mutation should be legally recognized as administrative evidence for revenue purposes and not proof of ownership. This distinction will reduce disputes over revenue collection and prevent misuse of land records. Codifying this in the MP LRC aligns administrative practice with judicial interpretation.
- **Introduce Limitation Periods:** Statutory time limits should be set for challenging mutations, revenue assessments, and encroachment notices. Fixed periods promote timely resolution and legal certainty for landowners and authorities. This prevents old disputes from resurfacing and clogging the administrative and judicial system.

- **Delineate Jurisdiction:** Clear boundaries must be established between revenue authorities and civil courts. Revenue officers should handle administrative and fiscal matters, while civil courts address ownership and title disputes. This separation reduces conflicting orders and improves dispute resolution efficiency.
- **Digitize Land Records:** Land records and mutation entries should be fully digitalized, incorporating GIS mapping and secure verification mechanisms like blockchain. Digital records reduce errors, increase transparency, and allow real-time monitoring of land changes. Legal recognition of these records ensures their enforceability in disputes.
- **Establish Specialized Tribunals:** District and divisional revenue tribunals should be created with defined timelines to adjudicate disputes. Specialized tribunals expedite resolution and reduce the burden on civil courts. Their expertise ensures uniformity and consistency in legal decisions.
- **Codify Encroachment Procedures:** The MP LRC should clearly outline notices, timelines, and appeal mechanisms for encroachment cases. This prevents arbitrary actions and ensures due process for affected landholders. Combining legal clarity with social safeguards reduces disputes and potential litigation.
- **Include Vulnerable Stakeholders:** Women, tenants, and tribal populations must be explicitly included in mutation records and safeguarded during enforcement actions. Ensuring their participation strengthens equity and protects land rights. This approach also reduces conflicts and promotes social justice in land governance.
- **Capacity Building for Revenue Officers:** Revenue officers require continuous training in legal provisions, digital tools, GIS mapping, and dispute resolution. Skilled personnel improve administrative efficiency and reduce errors in mutation and revenue collection. Capacity building ensures reforms are implemented effectively on the ground.
- **Community Participation:** Gram Sabhas and local committees should be actively involved in land record verification and encroachment monitoring. Local participation enhances transparency and early detection of disputes. This also builds trust between authorities and communities, improving compliance and governance.
- **Monitoring and Evaluation:** Regular audits, public dashboards, and grievance redress systems should be implemented to monitor performance. Continuous evaluation

identifies bottlenecks, administrative lapses, and recurring disputes. Feedback loops enable timely corrective action and improve overall land governance.

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