

SCORE

e - Registration in Bihar

**Registration, Excise & Prohibition Department,
New Secretariat, Vikash Bhawan,
Bihar, Patna**

SCORE

System for Computerized Registration

BIHAR

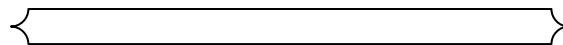


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The Indian Registration Act, 1908 contains provision regarding documents that are compulsory registrable and also those are optionally registrable. According to provision in the ACT, the registration gives legitimacy to documents like bond, Conveyance, contract, especially document relating to the properties. In case any compulsorily registrable document required by section 17 or by transfer of property Act is not registered, the same doesn't convey a legally valid title of immovable property to transferee.

In a state like Bihar with an agrarian economy, possession of land is a very important dimension in the social fabric. Registration of properties including land is crucial as it gives legitimacy to deeds. It protects against fabrication or loss of deeds, and prevents fraud and forgery. The Registration Department functions as a trusted record keeper for the citizens of Bihar by registering various documents related to transfer of property, society formation, marriage etc. The massive demand for services among citizen is reflected by the fact that more than 10(*ten*) lakh deeds are registered on an average every year in Bihar itself.

The system of registration of documents in Bihar dates back to later part of 18th century. The system, which was started in 18th century, was prevalent with certain variations and changes, till the new system of computerized registration was introduced. In conventional system of registration of documents, the documents admitted to registration were

copied serially in register books maintained in the office of the Sub Registrar and after making an Endorsement of final certificate of registration and after indexing them, they were delivered to the concerned parties. Gradually this system led to the huge backlog of 7 to 8 years not only in Bihar, but in other states also. In Bihar, a significant change in old manual system of copying the documents admitted to registration was brought in 2001 when the system of presenting the documents in two copies was introduced. The only difference in this system from the conventional system was that the parties were themselves getting the copy of the documents prepared instead of its being copied by the office staff. This system, however, made it possible to deliver the original documents same day or very next day. Since in this duplicate system also the marginal endorsements made on the original document were to be copied on Duplicate copy, the delivery of document was again being delayed, which too caused the delay in delivery of documents.

In earlier years the number of document being registered was lesser, so the infrastructure as well as Manpower strength/ Clerical staff in the Department was sufficient to handle the registration of the number of presented deeds. But Post Independence of the country and with radical change in economy, the nos. of volumes for deed registration gradually increased. Besides this, different conditions like, Old records in book volumes and index registers have turned fragile and tattered due to old age and repeated usage and during those times, the registered documents were copied word to word in these books and entries were

manually made in index registers, the process was very lengthy and cumbersome and prone to human errors. Thus, it made quite impossible to handle registration, delivery & upkeep of the critical public records. In these circumstances the Department Of Registration, Govt. of Bihar started searching other way to handle such a large no. of deeds presented for registration & their longevity.

The advancement of technology gave way for making a radical change in the process of governance and delivery of service to the citizens. It is pertinent to mention here that no government service is as custom made for use of computers, as is registration of documents and their archival. An ICT solution of the system of registration is expected to improve Efficiency, Objectivity and Transparency concurrently.

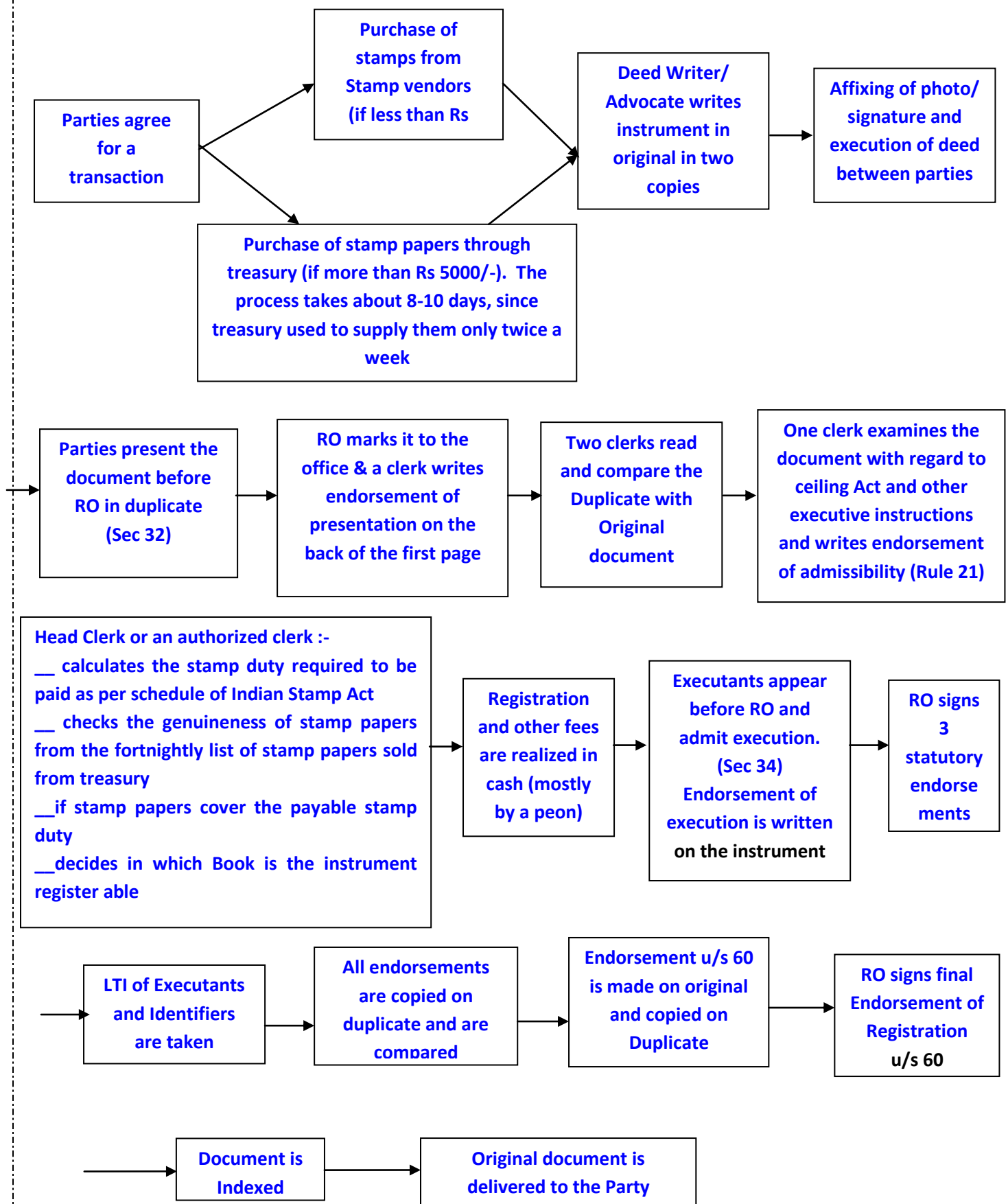
In the year 2005, the government of Bihar decided to computerize all the registration offices in the state. The objective of the computerization project was to make the registration process simple, transparent and fast and to ensure that stamp duty, registration fees and all other fees are to be deposited directly in the bank by the concerned parties through unified challans and verify the same from the bank account online. Then, the registered deed would be delivered within 20 to 25 minutes very much earlier than in the conventional manual system, which took years in some instances.

The prime utility of registration is to give legitimacy to a deed. The process guarantees genuineness of an instrument, prevent fabrication of documents and check fraud and forgery. Besides, it provides access and authentic information pertaining to the particular title.

Documents fulfilling required conditions and paying required stamp duty & registration fee are registered. A copy & abstract of registered documents, which affects immovable property is kept for the purpose of record in the Registration Office.

The process of manual registration started with writing of deeds by deed writers in different offices, which took an hour for completion. Then the deed is presented before the concerned registering officer. After verification of stamp duty and registration fee by the concerned office staff, the document is placed before the registering officer by the executants to admit the execution. Furthermore, the document with serial number & deed number is entered into different fee books and total collection is entered as receipt of the day in the cash book. The fee collected is deposited in the bank subsequently. After this process, the document is copied down in appropriate register books & indexed. On completion of this entire process, final endorsements are returned to the parties.

Flow Diagram of Process of Registration after 2001 (prior to computerization)



Need for Innovation

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The process of manually writing deeds and entering those in the registers was extremely tedious and time consuming and even created over plus documents that were to be copied. Apart from delaying service delivery, the manual process had made preservation of old records extremely difficult as some of the manually copied registers were as old as 150 years, which too were barely legible.

Technology driven governance encouraged computerization of registration processes across state in India. Computerization was perceived as a solution to improve the speed and quality of service delivery, along with bringing in transparency in governance.

The Registration department planned to initiate e-governance project in the department. The vision was to computerize entire working of the registration offices to eventually make them paper less, to provide efficient Government to Citizen Services and to digitize the record archives in all the registration offices in Bihar.

About the Initiative

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The advancement of technology gave way for making a radical change in the system of registration for making it more people friendly, objective and transparent. With a Visionary idea & for innovation in process of registration, the Registration Department of Government of Bihar alike other states also started taking initiatives to implement it also

in Bihar. A team of departmental officers and officers of NIC were also sent to study the system of computerized registration in different States. The NIC, Bihar Centre took the task of developing software for the project of Computerized System of Registration.

In the mean time, an offer came from a PSU who offered to run the system of computerized registration on BOT basis. The Government set up an Evaluation Committee to evaluate the offer of PSU. PSU offered to run a pilot project before the evaluation committee to which the evaluation committee agreed and the pilot project started in District Registration Office, Patna. The offer of PSU was very costly and it was not ready to take the services/assistance of departmental staff. If the offer of PSU was accepted, the clerical staff of the department would have been without work for the contract period of 5 years and the Government had to pay them the salary and other financial benefits without taking any work from them. This motivated the then Secretary of the Department to seek other options for the project and finally the idea of Hardware on Hire Basis (HOHB) model was tried. A parallel Pilot project was started in District Registration Offices at Muzaffarpur & Vaishali and in Sub Registry office at Danapur.

On comparative evaluation of the pilot project run by PSU and run on HOHB basis, it was found that the HOHB system was not only cost effective, but it also had other advantages, such as staff satisfaction due to their involvement, development of entrepreneurship among local people as the supplier of hardware. Hence after considering all the facts

the Government finally took a decision to implement the project through the innovative model of HOHB system.

Innovation

SCORE

SCORE facilitates the Registration of deeds with following reforms in the business which has not only helped the Registration offices internally sound in record keeping, search & copy, EC, but acted as an online instantaneous help desk for public in exactly evaluating their properties in terms of required stamp duty, registration fees and requisite enclosures. The monotonous jobs like maintaining so many registers for these documents have been taken care by the SCORE Back Office Computerization.

OBJECTIVES/AIMS of SCORE

1. Complete stoppage of manual registration for all types of documents
2. Design, development of Work-flow based ICT solution
3. Rapid replication of Software Solution to all Registration Offices
4. Quick delivery of Original Registered deeds to parties.
5. Extensive use of state-of-art technologies like web camera, finger print scanners etc.
6. Simplification, transparency, accountability to be achieved through Business Process Re-engineering (BPR)

7. A software solution which incorporates technologies along with auto-calculation of stamp duties, addl. Stamp. Duties, registration fees and other miscellaneous fees depending upon the location, land type, local body applicable, construction type, structure type criteria based on Market value.
8. Time targeted project completion.
9. Technical support to all registration offices and timely incorporation of amended rules in the software solution.
10. Generation of Index I, Index II, Index III, Index IV, daily fee book, monthly fee book, Finger print registers, non encumbrance certificate, search and copy etc.
11. Statistical exception reports for DSS and EIS like five documents with highest value re value registered at particular office, revenue earned for Municipal Corporation, head wise revenue accrued etc.
12. Preservation of old records and current scanned documents. And so on.

STRATEGIES ADOPTED for SCORE

1. Hardware suppliers (*Hardware on Hire Basis - HOHB*) were selected by inviting tenders from suppliers.
2. One supplier was to be allotted not more than 10 offices.

3. The suppliers were listed according to their quotation for a division.
4. The rate for each division was decided on the basis of minimum rate quoted for that particular division.
5. The suppliers were trained for installing the software.
6. Intensive training programmes were organized for both the officers as well as for clerical staff.
7. The suppliers were to keep a technical man to remove the trouble shootings, so that registration work may not hamper even for a day.
8. The running and maintenance of the system was entrusted to a District level Society called (Name of the District) SCORE. A state level society was also created which is called BISCORE to guide and monitor the function of district level societies.
9. These societies were registered under Societies Registration Act, 1860.
10. With the introduction of computerized system of registration, the system of realizing registration fee etc in cash was also abolished. For this purpose the system of depositing registration fee directly into the bank through a specific *challan* was introduced and for this purpose, the Finance Department of Government of Bihar made some amendments in Treasury Code.
11. Though the system of payment of stamp duty through stamp paper was allowed to continue, the system of depositing Stamp

duty either wholly or partly directly into the bank through the same challan was also made available to the registrant public.

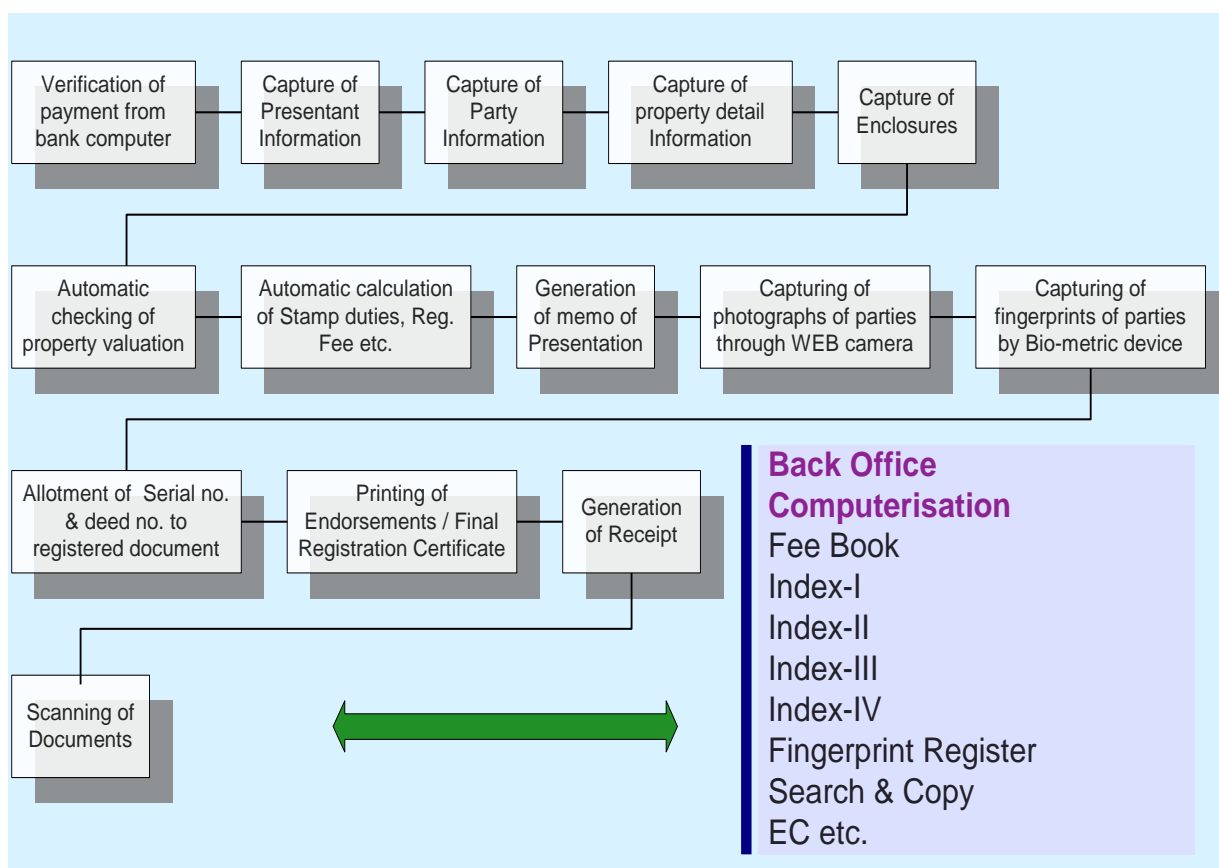
PROCEDURAL CHANGES

The system has been so developed that it has become self sustainable. The procedural changes have been incorporated by following statutory actions:—

1. Amendment in Section 47- A of the Indian Stamp Act
2. Amendment in Bihar Stamp (Prevention of Undervaluation of instruments) Rules, 1995
3. Amendment in Instructions in Stamp manual
4. Framing of new Registration Rules
5. Drafting of Byelaws of (Distt)_SCOREs & BISCORE

The system is running and maintained by (District)_SCOREs under the chairmanship of Collector and charge a service charge of Rs. 20/ to Rs. 25/- per scanned page to meet the expenditures for running and maintaining the system. It is not dependent on state budget or has created any liability on the State Government. The system is people friendly and also user friendly and has been capable of satisfying all stakeholders. Within a year it has sufficient savings for meeting capital requirements.

PROCESS FLOW



INNOVATIVE METHODS

Methods used in the project are as follows:

1. HOHB model was first time used in the country with no liability (either financial or technical or other) on the Government.
2. The payment of registration and other fees through cash in the registration offices was completely stopped and a new system of deposit of registration and all kinds of fees including stamp duty directly into the designated banks was introduced.

3. The option to pay stamp duty either through stamp paper or through deposit in bank or partly through stamp paper and partly through deposit in bank was also made available.
4. The system of making endorsements on the stamp paper was also changed from back page to the front page. This reduced around half of the scanning work.
5. Amendments in Bihar Stamp (Prevention of Undervaluation of instruments) Rules, 1995 were made in order to make MVR of properties (Structures)
6. Amendment in Section 47- A of the Indian Stamp Act was also made which provides for referring the documents undervalued after registering it. This has put a curb on the power of Registering Officer to refer a document even when there was not sufficient reason to do so.
7. The registering officers were directed to keep a visitor's register, so that the feedback from user public may be obtained.

CHALLENGES IN IMPLEMENTATION

The System for computerized registration seeks to bring in a paradigm shift in the entire working of the registration department. As the innovation altered the conventional methods of doing work, certain stiff challenges were faced.

- ✓ Resistance from Vested Interest Group - A Public Interest Litigation (PIL) was filed to challenge the procedure. Resistance was also faced from the deed writers who filed a detailed writ petition.

However, the department was successful in tactfully dealing with the resistance. The department illustrated the process of the computerized registration project and the way it has been designed to ensure taking care of all its stakeholders.

- ✓ Lack of Technical Infrastructure – In order to deal with the challenges in agrarian state of bihar, An innovative idea of HOHB (Hardware on Hire basis) was commenced , which facilitated Hardware comprises of all essentials components to operationalize the SCORE Application, on monthly rental basis from Hardware Vendor.

With Steep rise in documents presentation from last decades as well as less time while doing all the relevant essential activity for registration of documents, made impossible to rely on manual process.

POSITIVE OUTCOMES

1. The most important and significant outcome of the project was that the discretion of Registering Officer in the process of registration has been wiped out in following manner:-
 - (i) The minimum valuation of property is done by software on the basis of a 3 dimensional matrix of location, nature of use and quality of construction.
 - (ii) Earlier minimum value of the property used to be assessed through enquiry. This gave a long rope to the

RO or his enquiring officer as it could result into more stamp fee or even threat of impounding of the instrument. In the present system, RO is obliged to accept input regarding nature of use, location and quality of construction given by the party. He is expected to get these information verified after registration and in case of information being found wrong, he refers the case to the collector u/s 47A of Stamp Act.

(iii) The entire process of scrutiny of all type of instruments for registration is taken care of by the software.

2. The shortage or unavailability of stamp papers of required value or required denomination immediately came to an end. The public had now an option to deposit the stamp duty in the designated bank. This also had some other positive impacts:

(i) It stopped the monopoly of stamp vendors and also of treasury staff in vending stamps.

(ii) It was also cost effective as the amount paid to the vendors as commission was reduced and the cost of printing, transportation and storage of stamp was also reduced.

(iii) It also put a curb on circulation of fake stamp and black marketing of stamps.

3. The registration process was made simple with the help of the automated procedure.

4. It ensures transparency and accountability in registration process.

5. With no cash dealing system in the office, and transparency of the procedure has led to reduction in corruption. The project aims to take it to zero corruption level.
6. The software is user friendly and can be operated with convenience and ease.
7. The Software, with indexed data of all registered data, generates numerous analytics MIS reports, which in turn support while formulation of different policy.
8. It provides for the digital archiving of records and making searches from computerized indexes and for obtaining certified copies in accordance with the provisions of Registration Act, 1908.
9. It has promoted public private partnership as hardware has been obtained from private vendors on rent.
10. The project received wide welcome from registrant public.

The project also received “Prime Minister’s Award for Excellence in Public Administration” for the year 2007-08 instituted by the Government of India.

Impact of the Initiatives

SCORE replaces the manual process of registration with a complete automation process to provide efficient government to citizen services. Besides replacing the manual process and archiving deeds, the SCORE project also launched initiatives such as automatic

checking of property valuation, calculation of stamp duties and registration fees.

SCORE has enabled the registration department to easily comply with the Bihar Right to Public services Act 2011 that guarantees citizens the right to obtain notified services within a stipulated time. With the new efficient system of service delivery, it became possible to bring down the time taken in the process of registration of deeds and returning of original deeds to parties.

Replicability & Sustainability

SCORE e-Governance initiative that aims to change the working design of crucial public services delivered by the government with business process reengineering.

The Highlight of the project, it implementing tool of HOHB (Hardware on Hire basis) model without putting any effort on state exchequer, pioneered by the state of Bihar, in which registration offices procures required hardware on monthly rental basis from local entrepreneurs. The successful implementation of this project developed keen interest in studying as well as adopting it.

The Way Ahead

Some of the important activities that are to be taken up in continuation of the project are:

1. To upgrade the system with the technologies.
2. To take up the task of data entry and digitization/scanning of old records, so that the computer without any hassle may also generate non-encumbrance certificate relating to the records of manual period and the certified copy may be issued without any delay.
3. To provide information about transaction made to registrant public through m-governance.
4. To establish the computer connectivity between the registration offices within a district and also between a registry office and concerned '*Anchal*' (Circle) offices.
5. To develop public assistance systems like "May I help you" booth or information kiosk in all the offices.
6. To provide ICT solution for other services provided by the department, such as - Registration of firms & societies, different kinds of marriages etc.

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