Land Titling
and
Registration Systems
in Sri Lanka

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Survey Department
Land is the most important resource of a country

- Proper land management is crucial for development.

- Optimum utilization is essential as the land is a limited resource.
Present Status of Lands in Sri Lanka

- Total extent 65,000 Sq kms.- 6.5 Mn. Ha.
- Available 55,000 Sq. kms.– 5.5 Mn. Ha.
- Per capita extent
- Beginning of 20th century – 1.53 Ha.
- Today 0.26 Ha
- Diminishing resource
- Needs better management
History of Land Registration of Sri Lanka

- King was the owner/trustee of all lands
- Disposed by the King to certain institutions and nobleman
- People had the right to use land for living and cultivation
- 1800 survey plan was made mandatory for disposition of land
Registration of documents
Ordinance

- Ordinance No. 8 of 1863,
- Focused on two provisions
  - Registration of Titles
  - Registration of Deeds.
- In 1877 The sections on the ordinance dealt with Registration of Titles repealed.
Title Registration attempt

- Another attempt on Title Registration was made in 1907 – Wellawatta- Kirulapona area
- Still continuing as an improved deed system
Registration of documents

- Ordinance No. 23 of 1927 exclusively deals with Registration of documents under which all the deeds related to land transactions are registered.
What is a Deed

- Is document on a Land transaction between two or more parties
- On a certain format
- Should be attested by a Notary at the presence of two witnesses.
- Land is defined by a schedule describing lands to four directions
- Stamp Fees are paid
- Vender has signed the deed
Problems and pitfalls in Document Registration System

- Uncertainty of ownership.
- Difficulties in delays in finding related documents.
- Lengthy procedures to prove ownership.
- Avenues for fraud in the system.
- Difficulties of identifying actual land and the boundaries.
- Even if there is a survey plan available, reestablishing boundaries may not be possible.
- Boundary disputes causing negative social impacts.
Remedial Action

• It has been identified that land Title Registration is a possible solution to this problem. (Land Commission Reports- 1927, 1955,1985)

• Several efforts have been made to introduce land titling and were not successful in the past.

• In 1998 Registration of Title Act (RTA) passed by the Parliament
Present state of Land Ownership in Sri Lanka

• According to the information collected in working areas it has been found that in terms of land parcels
• Only 35-40% lands have a clear title. (Accepted by Banks)
• Nearly 20% are co-owned
• 10% is state owned
• Other 30% does not have a clear title
• Situation is further worsened as land ownership is not properly transferred in many cases. Intestate cases make the situation worse in private and state lands.
Land Title Registration

- Provides an avenue to Land Development and Personal Development through clear ownership of land to support a positive Socio Economic Development of the country by providing necessary information for better land management.
Registration of Title Act No. 21 of 1998

- Commissioner General of Title Settlement
- Surveyor General
- Registrar General of titles

- Like Issuance of a Identity Card
- Each Land Parcel carries an unique number
Principles of Torrens System

- Introduced in South Australia 1858 by Sir Robert Richard Torrens
- Land is registered along with owner, rights, restrictions and encumbrances (Mortgages / Servitudes etc.)
- Register is the conclusive evidence of ownership
Three principles of Torrens system

- **Mirror Principle** – The register reflects accurately and completely the current facts of Title
- **Curtain Principle** – History is no longer important and need not looked
- **Insurance Principle** – Provides compensation of loss for an error in registration – Makes title indefeasible
Land Titling Efforts by Land Settlement Department

- In 1995 an effort has been taken by the Land Settlement Department
- This activity had serious problems as new system was not connected to previous.
- Only about 20% of the lands were converted.
- Conversion process takes a long time
- Effectiveness of the program was in question
Sri Lanka Land titling and Related Services Project

- A Learning and Innovation Program was selected as a vehicle to achieve project objectives.
- World Bank Supported Project
- Duration three (03) years
Pilot Areas

- Udadapalatha
- Balangoda
- Homagama
- Tambuttegama
- Divulapitiya
- Doluwa
- Balangoda
Divisions taken up for surveying up to 2014

Legend
- Red: Completed Division
- Blue: Work in progress 2014
- Grey: Balance division to take up
- Solid line: Province Boundary
- Dashed line: District Boundary

1:2,200,196
## Divisional Secretariats Areas taken up

<table>
<thead>
<tr>
<th>District</th>
<th>Completed</th>
<th>Functioning</th>
<th>Planned for 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colombo</td>
<td>Rathmalana, Moratuwa</td>
<td>Homagama, Kesbewa, Dehiwala,</td>
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<tr>
<td>Kalutara</td>
<td></td>
<td>Panadura, Kalutara, Horana</td>
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<tr>
<td>Gampaha</td>
<td>Divulapitiya</td>
<td>Mirigama, Attanagalla, Jaela, Wattala, Gampaha, Minuwangoda, Katana, Dompe, Mahara, Kelaniya, Negombo, Biyagama</td>
<td></td>
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<tr>
<td>Anuradhapura</td>
<td></td>
<td>Rajanganaya, Thambuttegama, Thalawa, Nuwaragampalatha East</td>
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<tr>
<td>Kurunegala</td>
<td></td>
<td>Rideegama, Kurunegala, Pannala, Mallawapitiya, Wariyapola</td>
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<tr>
<td>Kegalle</td>
<td></td>
<td>Galigamuwa</td>
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<tr>
<td>Polonnaruwa</td>
<td>Medirigiriya</td>
<td>Hingurakgoda</td>
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<tr>
<td>Rathnapura</td>
<td></td>
<td>Balangoda, Weligepola, Kuruwita, Rathnapura, Ayagama(part)</td>
<td>Nivithigala, Godakawela</td>
</tr>
<tr>
<td>Puttalam</td>
<td></td>
<td>Wennappuwa</td>
<td>Puttalam</td>
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<td>Badulla</td>
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<td>Ridimaliyadda, Mahiyanganaya</td>
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</tbody>
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<tbody>
<tr>
<td>Monaragala</td>
<td>Siyambalanduwa</td>
<td></td>
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<tr>
<td>Matara</td>
<td>Matara, Weligama</td>
<td></td>
<td>Thihagoda</td>
</tr>
<tr>
<td>Hambanthota</td>
<td>Tissamaharama, Lunugamwehera, <strong>Beliatta, Hambantota</strong></td>
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<tr>
<td>Kandy</td>
<td>Udapalatha, Doluwa</td>
<td>Udunuwara, Harispattuwa, Gangawatakorale, <strong>Yatinuwara</strong></td>
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<tr>
<td>Matale</td>
<td>Dambulla, <strong>Galewela</strong></td>
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<td>Pallepola</td>
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<tr>
<td>Galle</td>
<td>Galle, <strong>Hikkaduwa</strong></td>
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<tr>
<td>Nuwara Eliya</td>
<td>Kotmale</td>
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<tr>
<td>Kilinochchi</td>
<td>Karachi (State Lands only)</td>
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<tr>
<td>Mannar</td>
<td>Musali (State Lands only)</td>
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<tr>
<td>Jaffna</td>
<td>Nallur</td>
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<tr>
<td>Vavniya</td>
<td>Vavniya North (State Lands only)</td>
<td></td>
<td>Vavniya South</td>
</tr>
<tr>
<td>Mulative</td>
<td>Maritime Pattu (State Lands only)</td>
<td></td>
<td></td>
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<tr>
<td>Batticalao</td>
<td>Koralepattu South (State Lands only)</td>
<td></td>
<td>Manmunai North</td>
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<tr>
<td>Trimcomalee</td>
<td>Trincomalee, Kantale (State Lands only)</td>
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“Bim Saviya” Program – Enhance the power of people through Land

- “Bim Saviya” National Land Titling Program is launched in 2007
  - Introduction of Title Registration
  - Providing solutions to land disputes
  - Development of a Land Information System

- Expected to complete the program in 2020 covering the whole country.

- Government has agreed to provide local funds for the whole program. (Rs.32 Billion)
Process of Title Registration

- Gazetted of an area by Hon. Minister
- Divisional Secretary areas selected
- CTS requests SG to prepare Cadastral Maps
- Village level awareness programs carried out
- Investigation to collect ownership information and to identify boundaries.
- Surveyor General prepares village wise Cadastral Maps
- CTS staff carry out Land Registry Searches
Improvements to Deed Registration

- Land Registries were strengthened (43)
- Scanning Land Registers / Critical Data keyed in allowing building title chain
- Colombo / Delkanda Completed
- Deed Registration made faster 6 months to Couple of days
- Declarations are checked before registering
Procedure

- CTS publish cadastral Maps and call for claims from claimants – Section 12
- Collection of claims
- Conduct further investigation where several claims for ownership – Section 13
- Determine ownership
- Publish determinations in Gazette
  - Viewing period of one month
- Sending information to Registrar General for Registration
## Total Outputs of Title Registration

<table>
<thead>
<tr>
<th>Land Parcels</th>
<th>2002-2005</th>
<th>2006-2016</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surveyed</td>
<td>117,900</td>
<td>1,061,000</td>
<td>1,178,900</td>
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<tr>
<td>Determinations</td>
<td>22,900</td>
<td>535,600</td>
<td>558,500</td>
</tr>
<tr>
<td>Registered</td>
<td>22,900</td>
<td>488,100</td>
<td>511,000</td>
</tr>
</tbody>
</table>
Issues and remedial action

- Improved public /professional / academic awareness
- Conversion process is slow /expediting
- Dispute resolution – Better process
- Time taken to survey lands – Simpler methods to employ – Parcel Fabric
- Sub Divisions time consuming / costly
- Deed registration and Title together – Dual system
- Improved Deed Registration
Proposed changes to RTA

- Re defined in order to expedite the process
- Allow More efficient and effective problem solving
- Provisions to register co-ownership
- Change provisions of intestate properties
Conclusion

- Secured land ownership is a critical factor for development activities
- “Bim Saviya” will help everybody by enhancing utilization potential of land
- Improved opportunities for utilization of land as an security for credit will be a booster to many farmers and low income categories.
- Efficient planning and management through Land Information System
- Improved land transactions – Increased government revenue
- Less land disputes – Peace and Harmony
- Faster availability of Lands for Development activities
- Socio Economic Growth of the country
Survey Department of Sri Lanka

Our Mission
To provide high quality land information products and services through professionally qualified and dedicated personnel.

Our Vision
Our Vision is to be the leader of land information right through.

As the oldest Government Department of Sri Lanka, established on 2nd August 1800, the Sri Lanka Survey Department (SLSD) is the National Surveying & Mapping Organization pioneering the fields such as Land Surveying.
Land Information System developed by the Survey Department is a geographic information system that created using Cadastral survey data. It is designed specifically to contain the spatial information related to the defined area so called land parcel. The input for this LIS is surveyed land parcel boundaries.

Digital data of the surveyed land parcels are being received by the LIS branch at the Head office. Those data are subject to data processing in order to convert to the LIS data model which could be viewed through the web.
The 'Land Information System' user interface is composed of several sections, each of which is described below.
Hope we can make this world a better place
Thank you