
TRANSITIONING PROPERTY REGISTRATION IN INDIA: A COMPARATIVE AND STAKEHOLDER-CENTRIC ANALYSIS OF THE REGISTRATION BILL, 2025 VIS-À-VIS THE REGISTRATION ACT, 1908

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ABSTRACT

The legal framework governing property registration in India continues to be anchored in the Registration Act, 1908, a statute designed for a vastly different socio-economic and administrative context. While the Act has historically served as a mechanism for recording transactions and providing evidentiary value, its reliance on manual processes, fragmented record systems, and a presumptive title regime has rendered it increasingly inadequate in addressing modern challenges such as fraud, delays, and transactional opacity. In response, the Draft Registration Bill, 2025 proposes a significant shift towards a technology-driven registration system, introducing provisions for digital registration, integration with land records, and enhanced identity verification mechanisms.

However, this paper argues that the transition to a digital framework, while necessary, is not sufficient in itself to resolve the deeper structural deficiencies embedded within the existing system. The Bill does not fully address persistent concerns relating to title uncertainty, data protection, digital exclusion, and the constitutional balance between the Union and the States in matters of land governance. Through a critical analysis of the proposed reforms, this study highlights the gap between technological advancement and legal certainty.

The paper concludes that although the Registration Bill, 2025 represents an important step towards modernisation, its effectiveness will ultimately depend on the incorporation of robust safeguards, institutional coordination, and an inclusive implementation strategy that goes beyond digitisation to ensure transparency, accessibility, and trust in property transactions.

Keywords: Property, Registration, Registration Bill 2025, Registration Act 1908, Land Reforms, Digital Reform.

I. Introduction

Property registration forms the backbone of land governance in India, serving as the primary mechanism through which rights in immovable property are formally recorded, recognised, and made enforceable. In a country where land continues to hold immense economic, social, and cultural value, the reliability of the registration system is directly linked to legal certainty, investment security, and dispute resolution. Yet, despite its centrality, the existing framework remains governed by the Registration Act, 1908, a colonial-era statute conceived in a vastly different socio-economic and administrative context. While the Act has historically provided a structured process for recording transactions and conferring evidentiary value upon registered documents, its continued reliance on manual procedures, fragmented record systems, and a presumptive title regime has rendered it increasingly inadequate in addressing contemporary challenges.

Over time, these structural limitations have manifested in persistent issues such as delays in registration, lack of coordination between registration authorities and land record departments, and the prevalence of fraudulent transactions, including impersonation and forged documentation. The system's inability to guarantee conclusive title further exacerbates uncertainty, placing the burden of verifying ownership on purchasers and contributing significantly to property-related litigation. As urbanisation accelerates and real estate transactions grow, the resulting inefficiencies not only undermine public trust in land administration but also hinder economic development by increasing transaction costs and legal risks.

It is against this backdrop that the Draft Registration Bill, 2025 has been introduced as a comprehensive attempt to modernise the property registration framework in India. The proposed legislation marks a significant departure from the traditional model by envisioning an end-to-end digital registration system, integrating registration processes with land records and other governmental databases, and strengthening identity verification mechanisms. It aligns with broader policy initiatives aimed at promoting digital governance and improving ease of doing business.

However, the shift towards digitisation raises important questions that extend beyond administrative efficiency. Existing academic and policy discourse has largely focused on the inadequacies of the Registration Act, 1908 or has welcomed the move towards digital systems

as a necessary reform. Yet, there remains a noticeable gap in critically assessing whether technological integration, in itself, is capable of resolving deeper structural issues embedded within the property registration regime. Concerns relating to title uncertainty, data protection, digital exclusion, and the constitutional distribution of powers between the Union and the States remain insufficiently examined. In particular, the assumption that digitisation will automatically lead to transparency and reduced disputes overlooks the complex legal and institutional dimensions of land governance.

This paper seeks to address this gap by undertaking a critical analysis of the Registration Bill, 2025 within the broader context of property law reform in India. It examines whether the proposed transition from a largely procedural, deed-based system to a technology-driven framework can effectively enhance legal certainty and transactional transparency.

The paper argues that while the Registration Bill, 2025 represents a significant and necessary step towards modernising property registration, its effectiveness cannot be assessed solely in terms of technological advancement. The success of the proposed framework will depend on its ability to address fundamental issues such as the absence of conclusive title, the need for robust data protection safeguards, the challenges of federal coordination in a state-driven domain, and the risk of excluding individuals lacking access to digital infrastructure. By situating the proposed reforms within legal, constitutional, and policy perspectives, this paper aims to provide a balanced evaluation of the evolving registration framework. It contributes to the ongoing discourse by highlighting the need to move beyond a technology-centric approach and towards a more integrated model of land governance that ensures transparency, inclusivity, and legal certainty in property transactions.

II. Conceptual Shift: From the Registration Act, 1908 to the Registration Bill, 2025

The transition from the Registration Act, 1908 to the proposed Registration Bill, 2025 represents a significant conceptual shift in the philosophy underlying property registration in India. At its core, the existing framework is rooted in a deed-based system, wherein the function of the State is limited to recording transactions rather than verifying or guaranteeing the legal validity of title. This model treats registration as a procedural formality, primarily concerned with ensuring that certain documents are executed and recorded in accordance with statutory requirements. As a result, registration under the 1908 Act confers evidentiary value but does not establish ownership with finality, leaving the burden of due diligence and title verification

on private parties.

Judicial interpretation has consistently reinforced this limited role of registration. In *Suraj Lamp & Industries Pvt Ltd v State of Haryana*¹, the Supreme Court clarified that registration of a document does not, by itself, confer title unless the transaction is legally valid under substantive law. Similarly, in *Prem Singh v Birbal*², the Court held that although a registered document carries a presumption of validity, such presumption is rebuttable and does not guarantee absolute ownership. These rulings highlight the inherent limitation of a deed-based system that prioritises recordation over verification.

This procedural orientation has historically shaped the functioning of the registration system. The role of the registering authority is largely administrative, with limited scope to examine the substantive legality of transactions or the authenticity of underlying claims. In *Satya Pal Anand v State of Madhya Pradesh*³, the Supreme Court emphasised that the Sub-Registrar does not possess adjudicatory powers to determine title or cancel a registered document once it has been duly registered. This restricted mandate underscores the structural weakness of the framework, where even fraudulent registrations often require prolonged judicial intervention for redressal.

The persistence of a presumptive title regime where registered documents serve only as prima facie evidence rather than conclusive proof has contributed to widespread uncertainty and a high incidence of property-related disputes. The risks associated with such a system are evident in cases like *Thota Ganga Laxmi v Government of Andhra Pradesh*⁴, where the Court had to intervene to prevent misuse of registration processes through unilateral cancellation deeds. These judicial interventions demonstrate that the existing framework often reacts to disputes rather than preventing them.

The Registration Bill, 2025 seeks to reorient this framework by introducing a more integrated and technology-driven approach to property registration. One of the most notable aspects of the proposed reform is the shift from a purely deed-based system to a digitally integrated model that links registration processes with land records and other governmental databases. By

¹ (2012) 1 S.C.C. 656 (India)

² (2006) 5 S.C.C. 353 (India)

³ (2016) 10 S.C.C. 767 (India)

⁴ (2010) 15 S.C.C. 207 (India)

enabling end-to-end electronic registration, the Bill reduces reliance on physical documentation and manual verification, thereby addressing some of the inefficiencies associated with the existing system. The incorporation of digital identity verification mechanisms further aims to curb impersonation and fraudulent transactions that have historically exploited procedural gaps.

Beyond digitisation, the proposed framework reflects a broader movement from a procedural model towards a governance-oriented approach. In contrast to the passive role envisaged under the 1908 Act, the State under the new regime assumes a more active role in managing and coordinating property-related information. The integration of registration data with land records has the potential to reduce discrepancies between different repositories of information, thereby improving consistency and reliability. This shift suggests an evolving understanding of registration not merely as a record-keeping function, but as a central component of land administration.

However, while the Registration Bill, 2025 introduces significant structural improvements, it does not fundamentally alter the underlying legal nature of property rights in India. The proposed system continues to operate within a presumptive title framework, where the State does not guarantee ownership but merely facilitates the recording and accessibility of information. Judicial precedent has long recognised this limitation. In *Narandas Karsondas v S.A. Kamtam*⁵, the Supreme Court held that ownership in immovable property can only be transferred through a duly executed and registered conveyance, but even such registration does not cure defects in title. This principle continues to hold relevance, indicating that digitisation alone cannot resolve issues of defective ownership.

This partial transition raises important questions about the extent to which technological innovation can substitute for substantive legal reform. While the move towards digital governance may streamline procedures and reduce opportunities for fraud, it does not eliminate deeper structural issues such as historical inaccuracies in land records, overlapping claims, and inconsistencies across jurisdictions. The risk, therefore, lies in digitising an inherently imperfect system, thereby giving procedural efficiency the appearance of legal certainty.

Furthermore, the shift towards a governance-based model introduces new dimensions of

⁵3 S.C.C. 247 (India)

regulatory control and institutional coordination. The centralisation of data and the integration of multiple databases raise concerns regarding data management, accountability, and the distribution of powers between different levels of government. Given that land is constitutionally a State subject, the move towards a more standardised framework may create tensions within the federal structure, particularly in the absence of clear mechanisms for coordination.

In evaluating the transition from the 1908 Act to the Registration Bill, 2025, it becomes evident that the reform reflects a broader evolution in the role of the State in property governance. The movement from a passive, record-keeping institution to an active, digitally enabled regulator marks a significant departure from traditional models. At the same time, the persistence of the presumptive title regime and the limited engagement with substantive legal certainty indicate that the transformation remains incomplete. The proposed framework enhances efficiency and transparency, but stops short of fundamentally redefining the nature of property rights or the allocation of risk in property transactions.

Accordingly, the conceptual shift embodied in the Registration Bill, 2025 can be understood as a transition from procedural formality to digital governance, rather than a complete restructuring of the legal foundations of property registration. It represents an important step towards modernisation, but one that must be complemented by deeper legal and institutional reforms if it is to achieve its stated objectives.

III. Key Reforms under the Registration Bill, 2025: A Comparative Analysis with the Registration Act, 1908

The Registration Bill, 2025 represents a significant legislative attempt to modernise India's property registration framework by addressing the procedural, technological, and institutional limitations of the Registration Act, 1908. While the 1908 Act was designed to provide a formal mechanism for recording transactions relating to immovable property, its structure reflects a paper-based, decentralised, and largely procedural system. In contrast, the 2025 Bill introduces a digitally integrated and governance-oriented framework. This section undertakes a comparative analysis of key reforms introduced under the Bill, with specific reference to corresponding provisions under the 1908 Act.

i. Introduction of Electronic Registration and Digital Processes

One of the most transformative changes under the Registration Bill, 2025 is the formal recognition of electronic registration. Under the Registration Act, 1908, there is no provision for online registration. The process is inherently physical, requiring in-person presentation of documents before the Sub-Registrar and manual verification. The Act contemplates registration as a physical act tied to territorial jurisdiction and physical records.

In contrast, the Registration Bill, 2025 introduces electronic registration through Sections 24, 25, and 28⁶, enabling online submission of documents, use of electronic signatures, and issuance of digital registration certificates. This marks a shift from a location-bound process to a potentially remote and technology-driven system.

This reform addresses long-standing inefficiencies such as delays, bureaucratic discretion, and logistical barriers. However, the shift also raises concerns regarding digital authentication and procedural safeguards. As seen in *Suraj Lamp & Industries Pvt Ltd v State of Haryana*⁷, the Supreme Court emphasised that registration is only one component of a valid transaction and cannot substitute legal compliance. The move to digital systems must therefore ensure that technological convenience does not dilute substantive safeguards.

ii. Digital Maintenance of Records and Integration with Databases

Another critical reform lies in the transformation of record-keeping practices. The 1908 Act, particularly under Section 51, mandates the maintenance of physical books and registers for recording transactions. This system has historically resulted in fragmentation, inconsistencies, and vulnerability to manipulation. The Registration Bill, 2025, under Sections 65–67⁸, introduces electronic maintenance of records and integration with other government databases. This enables the creation of a unified and searchable repository of property records.

While this reform enhances accessibility and transparency, it does not automatically guarantee accuracy. In *Narandas Karsondas v SA Kamtam*⁹, the Court clarified that registration does not

⁶ Ministry of Rural Development, Government of India, *Draft The Registration Bill, 2025* (2025), <https://cdnbbsr.s3waas.gov.in/s3d69116f8b0140cdeb1f99a4d5096ffe4/uploads/2025/05/20250526906486876.pdf>

⁷ (2012) 1 S.C.C. 656 (India)

⁸ *ibid.*

⁹ 3 S.C.C. 247 (India)

validate defective title. Digitising inaccurate or incomplete records may therefore perpetuate existing defects in a more efficient system. The success of this reform depends on prior verification and standardisation of land records.

iii. Expansion of Compulsory Registration

The scope of compulsory registration has been significantly expanded under the new Bill. Under Section 17¹⁰ of the Registration Act, 1908, compulsory registration is limited to specific categories such as sale deeds, gift deeds, and leases exceeding one year. The Registration Bill, 2025, under Section 12¹¹, broadens this scope to include agreements to sell, powers of attorney, sale certificates, equitable mortgages, and instruments arising from court orders.

This expansion is aimed at reducing informal and unrecorded transactions, thereby enhancing transparency and evidentiary value. Judicial experience has shown that unregistered agreements often lead to disputes, as seen in *Prem Singh v Birbal*¹², where the Court emphasised the evidentiary importance of registered documents. However, increased compulsory registration may also impose compliance burdens, particularly on small stakeholders. If not supported by simplified procedures, this reform may unintentionally discourage formalisation.

iv. Aadhaar-Based Identity Verification and Authentication

The 2025 Bill introduces modern identity verification mechanisms. The Registration Act, 1908 does not provide for any standardised identity verification system, leaving room for impersonation and fraud. The Registration Bill, 2025 introduces Aadhaar-based authentication (with consent) and alternative identification mechanisms as part of its digital registration framework. This aims to enhance the authenticity of transactions and reduce fraudulent practices.

While this is a significant improvement, it must be viewed in light of constitutional concerns. In *Justice KS Puttaswamy v Union of India*¹³, the Supreme Court recognised privacy as a fundamental right and emphasised the need for proportionality in data collection. The

¹⁰ Registration Act 1908, s 17.

¹¹ Draft Registration Bill, 2025, § 12

¹² (2006) 5 S.C.C. 353 (India)

¹³ (2017) 10 S.C.C. 1 (India).

integration of identity and property data therefore requires strong safeguards to prevent misuse and ensure compliance with constitutional standards.

v. Clarity on Powers and Functions of Registering Authorities

The Registration Bill, 2025 provides greater clarity regarding the role and powers of registering officers. Under the 1908 Act, the functions of the Registrar and Sub-Registrar are largely administrative and not clearly defined in terms of decision-making authority. This has led to ambiguity regarding their powers to refuse or question registration.

The 2025 Bill, under Sections 58–63¹⁴, explicitly lays down grounds for refusal of registration and provides a structured mechanism for appeals and remedies. It also introduces provisions for cancellation of registration under Section 64, which was not recognised under the earlier framework. This reform enhances accountability and reduces arbitrariness. However, it also expands administrative discretion. In *Satya Pal Anand v State of Madhya Pradesh*, the Court held that registering authorities do not possess adjudicatory powers over title. The new provisions must therefore be carefully implemented to avoid overreach into judicial functions.

vi. Introduction of Registration Certificate

A notable addition under the 2025 Bill is the formal recognition of a “Registration Certificate.” While Section 60¹⁵ provides for endorsement of registration, it does not conceptualise a separate certificate. The Registration Bill, 2025 introduces a formal registration certificate under Section 52, standardising proof of registration and aligning it with digital processes. This enhances clarity and usability of registered documents. However, it is important to note that such certification does not alter the legal position regarding title, which remains presumptive.

vii. Institutional and Administrative Reforms

The administrative structure under the 1908 Act is relatively limited, consisting primarily of the Inspector General, Registrars, and Sub-Registrars (Sections 3–7). The Registration Bill, 2025 expands this framework by introducing Additional, Joint, and Deputy Inspectors General under Sections 3–11. This reflects an attempt to strengthen institutional capacity and improve governance. While a broader administrative structure may enhance efficiency, it also raises

¹⁴ Draft Registration Bill, 2025

¹⁵ Registration Act 1908, § 60.

concerns regarding bureaucratic expansion and centralisation. Effective coordination mechanisms will be necessary to ensure that administrative growth translates into better service delivery rather than increased complexity.

viii. Cancellation and Rectification of Registration

The 1908 Act does not provide a clear mechanism for cancellation of registered documents, often requiring parties to approach civil courts. The Registration Bill, 2025 introduces provisions for rectification and re-registration under Section 57 and cancellation under Section 64. This is a significant reform aimed at providing quicker remedies. However, the exercise of such powers must be carefully regulated. In *Thota Ganga Laxmi v Government of Andhra Pradesh*, the Supreme Court cautioned against unilateral cancellation of registered documents, emphasising the need for due process. The new framework must therefore ensure procedural safeguards to prevent misuse.

Therefore, The Registration Bill, 2025 reflects a clear departure from the procedural and paper-based framework of the Registration Act, 1908, introducing a technology-driven, integrated, and administratively robust system. The reforms address long-standing issues of inefficiency, lack of transparency, and limited scope of registration.

However, the comparison also reveals that while procedural and technological aspects have been significantly modernised, the fundamental legal structure particularly the presumptive nature of title remains unchanged. The Bill represents an evolution rather than a complete transformation of the registration framework.

For the reforms to achieve their intended objectives, they must be supported by parallel efforts in improving land records, ensuring data protection, and maintaining constitutional balance. Without such measures, the shift to a digital system may enhance efficiency without fully resolving the deeper challenges of property law in India.

IV. Critical Analysis of the Registration Bill, 2025: A Stakeholder-Centric Evaluation

The Registration Bill, 2025 represents an ambitious attempt to modernise India's property registration framework through digitisation, expanded scope, and administrative restructuring. While the objective of reform has been broadly welcomed, stakeholder responses reveal a complex landscape of concerns that go beyond technical implementation and engage with

deeper structural, constitutional, and socio-economic issues. A critical evaluation of these responses demonstrates that the Bill, in its present form, reflects an incomplete transition one that prioritises technological efficiency without fully addressing foundational questions of legal clarity, accessibility, and institutional balance.

i. Conceptual Ambiguity: Registration as Procedure or Legal Guarantee

One of the most fundamental concerns raised by stakeholders relates to the conceptual positioning of registration within the legal framework. The draft Bill, much like the earlier regime, continues to treat registration primarily as a procedural mechanism rather than a substantive guarantee of title. Stakeholders have rightly emphasised that registration, in practice, performs a far more significant role. It forms the basis of documentary title, supports evidentiary claims, and underpins both civil and criminal adjudication involving property disputes.

The failure to clearly articulate this role in the preamble and statement of objectives reflects a deeper conceptual ambiguity¹⁶. Without explicitly recognising registration as central to legal certainty, the framework risks perpetuating the limitations of the existing system. This concern is further reinforced by stakeholder demands for a transition towards a title-based system. The continued reliance on a deed-based regime, even in a digitised environment, suggests that the reform remains procedural rather than transformative.

ii. Over-Reliance on Digitisation Without Structural Backing

A recurring theme in stakeholder feedback is the Bill's strong emphasis on digitisation without a corresponding statutory commitment to the infrastructure required to support it. While the proposed framework envisions end-to-end digital registration, it does not impose a clear legal obligation on governments to establish and maintain secure, interoperable, and efficient digital systems.

This gap raises serious concerns regarding implementation. Digitisation, in itself, is not a solution; it is a tool that depends on the quality of underlying systems. Without robust infrastructure, standardised data formats, and reliable interoperability across departments, the

¹⁶ Ministry of Rural Development, Government of India, *Summary of the Feedback/Comments Received from States/Public/Stakeholders on the Draft Registration Bill, 2025* (2025), <https://cdnbbsr.s3waas.gov.in/s3d69116f8b0140cdeb1f99a4d5096ffe4/uploads/2025/08/20250828784033500.pdf>

digital framework may lead to inconsistencies, errors, and operational inefficiencies. Stakeholders have also highlighted the risks associated with integrating multiple databases, particularly in the absence of clear protocols for data verification and synchronisation.

The emphasis on technological solutions, therefore, appears to outpace the institutional readiness required to sustain them. This imbalance risks creating a system that is technologically advanced in design but fragile in practice.

iii. Data Privacy, Security, and Surveillance Risks

The large-scale digitisation and integration of property and identity data have given rise to significant privacy concerns. Stakeholders have pointed out that the Bill does not adequately address issues of data protection, cybersecurity, and accountability. Given that property records often contain sensitive personal and financial information, the absence of explicit safeguards creates the risk of misuse, unauthorised access, and data breaches.

Moreover, the centralisation of data raises broader concerns about surveillance and control. The ability to aggregate property ownership information with identity databases introduces the possibility of profiling and monitoring that extends beyond the intended purpose of registration. Stakeholders have therefore called for the incorporation of strict data protection standards, including encryption, audit trails, and limitations on data access and sharing.

In the absence of such safeguards, the digitised framework may expose individuals to new vulnerabilities, undermining trust in the system and raising constitutional concerns relating to privacy and informational autonomy.

iv. Federal Tensions and Lack of Administrative Flexibility

Another significant issue emerging from stakeholder feedback is the potential impact of the Bill on the federal balance. Land is a State subject, and registration processes have historically evolved in accordance with regional administrative structures and practices. The proposed framework, however, appears to move towards a more standardised and centralised model without adequately accommodating these variations.

Stakeholders have highlighted the diversity of administrative arrangements across states, including differences in designations, hierarchies, and operational procedures. The failure to

recognise and incorporate this diversity may lead to implementation challenges and institutional friction. A uniform framework, if imposed without flexibility, risks undermining the autonomy of states and disrupting existing systems that are tailored to local conditions.

This concern is compounded by the perceived lack of meaningful consultation in the drafting process. In a federal system, legislative reform in areas affecting state functions requires collaborative engagement. The limited transparency surrounding stakeholder consultations raises questions about the extent to which the Bill reflects the diversity of perspectives across jurisdictions.

v. Accessibility and the Risk of Digital Exclusion

While digitisation is often presented as a means of improving accessibility, stakeholder responses reveal a more complex reality. The transition to a fully digital system assumes a level of technological access and literacy that is not uniformly available across the country. In rural areas, where infrastructure remains limited and digital literacy is low, the shift to online processes may create new barriers rather than remove existing ones¹⁷.

Stakeholders have emphasised the need for a hybrid model that combines digital processes with physical modes of access. The absence of such a model risks excluding vulnerable groups, including elderly individuals, economically weaker sections, and those unfamiliar with digital systems. There is also concern that increased reliance on technology may inadvertently strengthen the role of intermediaries, exposing citizens to potential exploitation. Inclusivity, therefore, emerges as a central challenge. A registration system that prioritises efficiency without ensuring accessibility risks undermining its own legitimacy.

vi. Expansion of Administrative Power and Risk of Misuse

The Bill's attempt to strengthen administrative mechanisms has also raised concerns regarding the expansion of discretionary powers. Stakeholders have pointed out that increased authority, particularly in areas such as refusal, cancellation, and verification, must be accompanied by clear safeguards to prevent misuse.

The potential for arbitrary decision-making is heightened in a system where digital processes

¹⁷ *ibid.*

may obscure transparency. Without robust grievance redressal mechanisms, individuals may find it difficult to challenge administrative actions or correct errors. Stakeholders have therefore recommended the establishment of digital grievance platforms, appellate mechanisms, and independent oversight structures. The need for accountability is further underscored by suggestions such as videography of registration proceedings and public disclosure of certain administrative actions. These measures reflect a broader demand for transparency in the exercise of administrative power.

vii. Practical and Technical Implementation Challenges

Beyond conceptual and legal concerns, stakeholders have identified several practical challenges that may affect implementation. These include the need for training of registration officials, public awareness programmes, and capacity-building initiatives. The transition to a new system requires not only technological infrastructure but also human readiness. Technical issues, such as inaccuracies in translated versions of the Bill and inconsistencies in drafting, have also been highlighted. Such issues, though seemingly minor, can have significant implications for interpretation and application. Additionally, the absence of regulation for intermediaries such as deed writers has been identified as a gap that may affect the quality and reliability of documentation.

Therefore, These concerns indicate that successful implementation requires attention to detail at multiple levels, from legislative drafting to administrative execution. Taken together, stakeholder feedback reflects a clear message that while reform is necessary and widely supported, it must be approached with greater sensitivity to legal, institutional, and social realities. The Registration Bill, 2025, in its current form, represents an important step forward but falls short of achieving a comprehensive transformation.

The suggestions put forward ranging from the adoption of a title-based system to the incorporation of data protection safeguards, hybrid access models, and institutional reforms highlight the need for a more balanced approach. Technological innovation must be complemented by legal clarity, administrative flexibility, and a commitment to inclusivity.

The stakeholder-centric evaluation of the Registration Bill, 2025 reveals that the challenges it faces are not merely technical but fundamentally structural. The Bill succeeds in identifying the need for modernisation but does not fully resolve the tensions between efficiency and

equity, centralisation and federal autonomy, or digitisation and legal certainty.

For the reform to achieve its intended objectives, it must evolve beyond its current framework and incorporate the insights provided by stakeholders. A more nuanced and context-sensitive approach one that integrates technology with strong legal safeguards and inclusive practices will be essential in creating a registration system that is not only efficient but also just, reliable, and accessible.

V. Recommendations

While the Registration Bill, 2025 represents a necessary step towards modernising property registration in India, its long-term success depends on complementary legal and institutional reforms that address underlying structural concerns. The following recommendations aim to strengthen the effectiveness, inclusivity, and constitutional soundness of the proposed framework.

i. Transition Towards a Conclusive Title System

A fundamental limitation of the existing framework, which continues under the proposed Bill, is the absence of a conclusive title system. The adoption of a system similar to the Torrens model where the State guarantees title and assumes responsibility for inaccuracies would significantly enhance legal certainty in property transactions. Such a shift would reduce the burden of due diligence on individuals and minimise litigation arising from disputed ownership. While a nationwide transition may be complex, pilot projects in select jurisdictions could serve as a starting point for gradual reform.

ii. Strengthening Data Protection and Privacy Safeguards

Given the extensive digitisation and integration of property and identity data, it is imperative to incorporate robust data protection mechanisms within the registration framework. Clear provisions must be introduced to regulate data collection, storage, access, and sharing, in line with constitutional principles of privacy. Safeguards such as purpose limitation, user consent, data minimisation, and accountability for breaches should be explicitly embedded. Without such protections, the benefits of digitisation may be undermined by risks to individual privacy and security.

iii. Ensuring Federal Coordination and Flexibility

Any reform in property registration must operate within the constitutional framework that recognises land as a State subject. The implementation of the Registration Bill, 2025 should therefore prioritise cooperative federalism, ensuring that States retain sufficient autonomy in adapting the framework to their specific legal and administrative contexts. A structured coordination mechanism between the Union and State governments is essential to facilitate standardisation without compromising flexibility¹⁸. This may include consultative bodies, model guidelines, and phased implementation strategies.

iv. Promoting Inclusive Access through Hybrid Models

To address the challenges posed by the digital divide, the transition to a digital registration system must be accompanied by measures that ensure accessibility for all stakeholders. A hybrid model combining online processes with assisted access centres can help bridge the gap for individuals lacking digital literacy or infrastructure. Such centres, operated at the local level, can provide guidance, technical support, and grievance redressal, thereby ensuring that digitisation does not result in exclusion.

v. Improving Data Integrity and Record Verification

Before fully integrating registration systems with land records, it is essential to undertake a systematic process of data verification and standardisation. Inaccurate or outdated records, if digitised without correction, may perpetuate existing errors within a more efficient system. Investment in updating and harmonising land records across jurisdictions is therefore a necessary precondition for successful integration.

vi. Exploring Emerging Technologies such as Blockchain

The use of blockchain technology in land registration has been explored in various jurisdictions as a means of enhancing transparency, security, and immutability of records. While its application in India remains at a nascent stage, pilot projects could be undertaken to assess its feasibility within the existing legal framework. Such initiatives should be approached cautiously, ensuring that technological innovation complements, rather than replaces,

¹⁸ Mili Gupta, *Digital Turn in Land Law: Federalism, Privacy, and Registration Bill, 2025*, LiveLaw (Aug. 8, 2025), <https://www.livelaw.in/articles/digital-turn-land-law-federalism-privacy-registration-bill-300318>

necessary legal safeguards.

VI. Conclusion

The Registration Bill, 2025 represents a significant attempt to modernise India's property registration framework by embracing digital technology and integrated governance systems. It acknowledges the limitations of the existing regime and seeks to address long-standing issues of inefficiency, delay, and lack of transparency. In doing so, it aligns with broader policy objectives aimed at improving administrative efficiency and facilitating ease of doing business.

However, as this paper has demonstrated, the proposed reforms are not without limitations. The continued reliance on a presumptive title system, the absence of comprehensive data protection safeguards, potential tensions with the federal structure, and the risk of digital exclusion raise important concerns regarding the overall effectiveness of the framework. While digitisation enhances procedural efficiency, it does not, by itself, resolve deeper structural challenges embedded within property law and land governance.

The success of the Registration Bill, 2025 will therefore depend on its ability to move beyond a purely technological approach and engage with these foundational issues. A balanced framework that combines legal certainty with technological innovation, respects constitutional principles, and ensures inclusive access is essential for meaningful reform. Without such an approach, there is a risk that the system may become more efficient without becoming more reliable.

Ultimately, the transformation of property registration in India requires not only digital advancement but also a rethinking of the legal and institutional foundations that govern property rights. The Registration Bill, 2025 provides an important opportunity in this direction, but its promise can only be realised through careful implementation and sustained reform efforts.