

Short Communication

Iran's registration of rural residential texture

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There are lots of plans and policies through development and especially rural development. In Iran, "Registration of Rural Residential Texture" is one of those projects that are used to gain security and ownership in rural areas. Now, after three decades of its implementations some challenges still came up. This paper tries to review the history of Land Documentation in Iran, explains the process and discusses the different points of view in this case.

Key words: Documentation, ownership, deeds, rural texture, Iran.

INTRODUCTION

Development has received different definitions by experts. From Meache Todaro's point of view, it is a multiple process of basic changes in social cluster, people's and organization's attitude, economical enhancement and poverty reduction (Todaro and Stephen, 2008). In practical field, development plans are too complicated to serve the purposes properly, especially in developing countries. Registration of rural residential texture in Iran is a project aiming to rural development, however, after three decades of its implementation, still there is no agreement among experts. Some planners count on it as a positive developing plan, while others consider it a negative movement. In this paper, it has been tried to clarify different aspects of this project.

EXPERIMENTAL PROCEDURES

Background

The land documentation in Iran does not have a long history. In 1911 the Document Registration Act was approved and The Act of Deeds and Property Registration was passed in 1923 by the fourth parliament. At first land titling activity concerned everywhere, but gradually, because of feudalism in rural areas, it has been limited to urban parts of country. Also, land registration was not obligatory until 1927. In 1960s land reforming happened in Iran with three phases. According to its rules many peasants became independent of proprietors and to be included as joint owners or petty land owners. Thus, appropriate title deeds were given when documents had been registered (Shahri, 2005). It means legitimate resident villagers gradually, became the owners of the lands on which they worked, but no formal provision was made for the official registration of their houses (Abedi, 1991).

Public institutions responsible for rural development have come to recognize the significance of rural heterogeneity in determining the outcome to policy interventions (Bogdanov, 2007). So, after the victory of the Islamic revolution, in 1997 there was a note about Rural Land's documentation on the second five-year development plan of Iran. The Housing Foundation of Islamic Revolution (HFIR) was entitled with the collaboration of State Registration Department complying with laws and the concerning applicable regulation, subsection 71 to prepare division maps for villages starting with population of over 400 families (Athari, 2010).

The systematic registration activated under the program is restricted by law to Guide Plan. And, it had been continued as 140th article of law on the third Development Plan. This procedure was again explicitly set forth in applicable regulation in section 133 subsection 4 of five-year development plan of Iran, so that HFIR became responsible to obtain housing texture documentation according to the present conditions for all the country side which have got an Islamic council, together with all rural districts centers and sending them to the appropriate register department, where the district is located within its territory (Matani, 2005).

The project implementation

The project set out a strategy to grant security to landholders, motivate the remaining in country side, increase investing and stabilize land's ownership, to facilitate use of easiness which have been provided by government and planning a well-balanced physical development in all rural areas throughout the country, through rural development (Azami, 2001).

As indicated previously, HFIR has executive instructions for registration of rural residential texture. This process is as followed in brief: In the first step, HFIR publishes a notification about surveying in local press for announcement. After twenty two days, topographers go to villages and pick up points for mapping in two formats. The A4 map is in scale of 1/450 for each house or land and the Cadastral map of "Residential rural limits" is in scale of

1/1000. Also, province name, district name, village name, number of main and secondary plates, owner name and address are written for every single land. As the village Head is an active participant in the adjudication process, he helps and guides the expert team for data collection to make an accurate map. In the second step, a group of HFRI's staff go to check the adaptation, randomly. The mapping problems must be corrected. For the third step, HFRI's experts go to village and with cooperation of village Head, make a file of each owner. The A4 map and preliminary agreement of everybody must be confirmed with a village Head stamp. Later, a list of ownership titles is been declared on a bulletin board in the village. HFRI is been waiting for twenty days to see if there is any complaints about the list. Sometimes there is an illegally occupied land or the house was occupied by person who may have a claim over the file but may lack documents. In these cases if disputes cannot be solved in the field, parties appeal to the court system. Documents are not issued for a parcel, where the rights are subject to an unresolved dispute (Azami, 2001). So that the registry administrations would take measures to rise the cases in juries comprising of 3 seats and finally to arrange the ownership documents (Matani, 2005). For the last step, all the well-completed files are sent to the Registration department in their vicinity in being able to issue land titles for eligible landholders. The document with a leaden seal is sent out to its owner (Azami, 2001).

Today's project

By the end of 2007, over 963,000 title deeds had been issued for properties and residential and nonresidential buildings located in rural texture and its vicinity. But after the period of rapid growth that documents being issued and relatively perfect achievement in some provinces, its acceleration reduced, being nearly abandoned in some provinces and areas (Abedi, 1991). The reason is a matter of challenges among experts in Iran.

RESULTS AND DISCUSSIONS

Definition of the term development is hard (Nagle, 2005). It has been changing a lot, in a way that has been moving from technological concepts and GNP to qualifying aspects. Rajers believes, former meanings of development have focused on industrialization and economical growth, while recent meanings look at development as a participatory process of social changes leading to financial and social advantages for majority such as equality, more freedom and other values, who will have more control around themselves (Melkote, 2001). With different conceptions of development among policy makers and experts, challenges come up. Iran's Registration of Rural Residential Texture program is not an exception. Although this project was supposed to lead to rural development, consequences results are not serving the purpose.

Supporters believe that before rural residential documentation, villagers were deprived of their basic civil rights and experienced a kind of social and economical blockage while the project increased social status and economic potential of rural households (Abedi, 1991). Also, as accurate data basis is considerate important for planning (Asayesh, 1998) land titling program is helping to have crystal and real recognition of Iran's rural areas.

On the contrary, sings of "market failure", loss of natural and physical identity of rural areas, residential land in rural areas, "urbanization" has been revealed (Abedi, 1991) and strongly effected negotiations around rural lands. Also, there are many reasons to believe that agriculture can be the engine of rural growth, especially in 'early development' (Ashley, 2001). However this project seems to reduce the fraction of agrarian activities among villagers. These evidences demonstrate some miss understandings of the project and reveal that some complementary programs are required.

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