

The Role of State Land Supervision in Land Resources Management in a Region

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Abstract

The implementation of state land supervision is illustrated using the example of a region. The article presents indices of work over the years in land supervision in the Republic of Mordovia (Russia), as well as in municipal land control over land use and protection in the Saransk district. The necessity of their implementation and use in cadastre and land management to improve land resources management and increase their economic and environmental efficiency is substantiated.

Key-words: Legal Entities, Individuals, Information Interaction, Cadastre, Efficiency, Land Management.

1. Introduction

In the current conditions of formation of market relations, one can observe the facts of unauthorized land occupation, untimely registration of rights to land, evasion of payments for land use, etc. that have a negative impact on the use of land resources (Volko, 2001; Geraskin et al., 2014; 2020).

To eliminate these violations and increase the economic and environmental efficiency of land use, the role of the State Land Supervision is increasing (Kargin et al., 2016).

In the Republic of Mordovia (Russia), for example, it is carried out by the Department of Rosreestr in the region in cooperation with the supervisory and law enforcement bodies of the republic based on the agreement of 19 May 2006 on the timely collection of fines from violators of land legislation, which remains relevant today.

2. Methods

The interaction with territorial executive authorities of the Republic of Mordovia is carried out based on the Decree of the Government of the Russian Federation No. 1515 of 26 December 2014 "On approval of rules of interaction between federal executive authorities exercising state land supervision and authorities exercising municipal land control" (Rosreestr, 2018).

Based on the Decree No. 1 of 2 January 2015, the Department of the Republic of Mordovia also inspects the legality of decisions taken by local self-government bodies regarding the provision of state and municipally owned land plots. As a result, proposals are sent to local self-government bodies and appropriate recommendations are given to bring their decisions into compliance with the requirements of the land legislation. Thus, in 2018, 137 decrees (decisions) in five municipal district formations adopted by municipal authorities were checked for non-compliance with the requirements of the land legislation.

3. Results

The priority task of state land supervision has been and remains to ensure that any landowner, including tenant, uses the land plots provided to them in accordance with the legislation of the Russian Federation and the permitted type of use while making regular land payments.

State land supervision activities in the republic are shown in Table 1.

Table 1. Activity indices of state land supervision in the Republic of Mordovia for 2017-2018 (Rosreestr Department of the Republic of Mordovia, 2018; 2019)

No.	Name of indices	Land supervision date		2018 in +, - to 2017	2018 in % to 2017
		2017	2018		
1.	Number of inspections carried out	2,428	2,583	155	106.4
	Including per 1 state inspector	101	108	7	107
2.	Number of offences detected	1,788	1,887	99	105.5
	Including per 1 state inspector	75	78	3	104
3.	Number of orders given (nb)	1,468	1,471	3	100.2
4.	Orders carried out	1,289	1,292	3	100.2
5.	Administrative sanctions imposed (nb)	294	209	-85	71.08
6.	Fines imposed (thousand rubles)	1,709.58	748.22	-961.36	43.8
	Including for 1 state inspector (thousand rubles)	71.2	31.2	-40	43.8
7.	Offences eliminated (nb)	1,289	1,292	3	100.2
8.	Fines collected (thousand rubles)	2,503.2	825.84	-1,677.36	33.0
	Including for 1 state inspector (thousand rubles)	104.3	34.4	-69.9	33.0
9.	Paid fines (offenders)	263	114	-149	43.3

The data reviewed from 2017 to 2018 show a slight year-by-year increase in the main indices in the work on the implementation of state land supervision in the republic. Thus, the number of inspections increased slightly from 2,428 to 2,583, where the load per one inspector increased to 108 cases.

In general, the load per one inspector, carrying out work for a full calendar year, was at the level of 2017, and on some items increased. The efficiency of detected offences also increased by year and amounted to 1,887 offences in 2018 related to non-fulfilment of previously issued instructions by inspectors to eliminate violations of land legislation. The number of inspector's prescriptions fulfilled in 2018 increased to 1,292.

A decrease in indices occurred only in the total amount of fines imposed in 2018 (-961.36 thousand rubles compared to 2017). This is explained by the fact that when considering materials on bringing to administrative responsibility drawn up in respect of legal entities and individual entrepreneurs in seven cases under Article 4.1.1 of the Code of Administrative Offences of the Russian Federation, the administrative penalty in the form of an administrative fine was replaced by a warning. This led to a decrease in the payment of fines in 2018 (43.3% compared to 2017), as well as the number of fines levied by 1m677.36 thousand rubles in the Republic of Mordovia.

Looking at the structure of revealed violations of land legislation in the considered region, it follows that the largest number of violations of land legislation remains offences expressed in the form of unregistered rights to land plots, which should be registered in accordance with the requirements of Articles 25 and 26 of the Land Code of the Russian Federation and paragraph 3 of Article 28 of Federal Law No. 178-FL "On privatization of state and municipal property".

Table 2 shows that the unauthorised occupation of land plots, non-fulfilment of instructions of the state land inspector to eliminate violations of land legislation, where the percentage of eliminated offences varies slightly from year to year between 68.5% and 72.1%, has been decreasing over the years. To a greater degree, the main offenders of the land legislation in the last ten years in the region are citizens who occupy 99.36% in the structure of the total number of offences against the land legislation (officials 0.43%, legal entities 0.21%).

Table 2. Main types of offences against land legislation in the Republic of Mordovia detected in 2017-2018 (Rosreestr, 2018; Rosreestr Department of the Republic of Mordovia, 2018)

1. Offences against land legislation	Identified, nb		Eliminated					
			Quantity, nb		%		Area, hectare	
	2017	2018	2017	2018	2017	2018	2017	2018
1. Unauthorized occupation of a land plot, including the use of a land plot by a person who does not have the rights to the specified land plot as provided for by the legislation of the Russian Federation	55	49	48	16	87.3	32.7	305.9	0.5
2. Use of land for purposes other than its intended purpose	60	24	16	16	26.7	66.7	7.6	0.4
3. Non-fulfilment of state land inspectors' instructions to eliminate violations of land legislation	280	341	-	-	-	-	-	-
4. Other offences against land legislation	1,393	1,473	1,225	1,260	87.9	85.5	138.6	151.9
Total:	1,788	1,887	1,289	1,292	72.1	68.5	452.1	152.8

It should be noted that the work of state inspectors in conducting inspections and forming administrative cases against offenders of land legislation has improved.

The Zubovo-Polyansky, Kovylninsky, Tengushevsky, and Krasnoslobodsky municipal districts are highlighted as the most well-organized and with the best results the work of state inspectors in territories.

In most municipal districts of the Republic of Mordovia, the work on the implementation of municipal land control is insufficient.

The reasons for low efficiency in the sphere of municipal land control are:

1) lack of education and sufficient experience in the sphere of municipal land control in urban and rural settlements of municipal districts;

2) heavy workload of inspectors who directly perform municipal control with other types and other duties;

3) insufficient inclusion of necessary inspections of land legislation in prospective plans of municipal land control.

4. Discussion

The indicated shortcomings in the work of municipalities in the field of land relations, as well as the lack of preventive work with regard to citizens and legal entities on the territories of the respective settlements, lead to a decrease in the collection of land payments to the budgets of municipalities (Saransk city district administration, 2019).

To improve land supervision in 2018, the Department of the Republic of Mordovia also carried out active interaction with the public and citizens of the republic, related to the issues of control over the use and protection of land (land plots). Thus, the Department of State Land Supervision, Geodesy, and Cartography of the Department of the Republic of Mordovia received 161 appeals and applications from citizens and legal entities related to compliance with land legislation. All appeals of citizens were considered in the period prescribed by law and detailed answers were given and sent to the addressee.

As practice shows, when carrying out state land supervision, state land inspectors strive to eliminate violations of land legislation, which allows restoring the violated legal rights of owners (landowners) of land plots and returning land plots subject to anthropogenic impact into the economic turnover in time.

Land supervision preserves the quality of land plots and their intended and legal use and is one of the main instruments of objective land taxation. Preventive measures of state land inspectors allow increasing the efficiency of land use, including the influence on the rational use of funds, stimulation of investment activities on the real estate market, and their economic efficiency.

5. Conclusion

Conducting qualitative monitoring of land assessment information, which will be effectively applied in the development of schemes and projects of territorial and on-farm land management, allows organizing a more expedient use of land plots. As a rule, in most cases, after inspections for the observance of land legislation, a complex of land and cadastre works on the execution of title documents with obligatory surveying of land plots is performed followed by their state cadastral registration and the registration of the rights of citizens and legal entities. As a result, the information of the land fund is improved, the land is put in order, the information in the state real estate cadastre is updated, and consequently, the budgets at all levels receive more funds from payments for the use of land while the effectiveness of land resources is increased.

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