

14-A. CORRECTION OF FINALLY PUBLISHED R-O-Rs UNDER THE WBLR ACT, 1955

**Government of West Bengal
Office of the Director of Land Records & Surveys and
Jt. Land Reforms Commissioner, West Bengal,
35, Gopalnagar Road, Alipore, Kolkata-700027.**

Memo No.321/871-88/C/09

Dated : Alipore, the 15th March, 2010

To
The District Land and Land Reforms Officer,
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Sub : Continuous updation of records.

This is to inform him that the Circular issued vide this Directorate Memo No. 45/5965/C/95 dated 10.11.2004 regarding correction of records in finally published mouzas and its subsequent clarification issued vide Directorate Memo No.45/3638-55/C/95 Pt. dated 15.09.2006 are hereby withdrawn and cancelled. The circular issued from this Directorate office on the same matter vide Memo No.45/2387-2414/C/95 dated 24.09.98 will however remain effective. Copy of the circular issued on 24.09.98 is annexed herewith as ready reference.

However, in case of initiation of proceeding u/s. 51A(4) suo-moto of the WBLR Act, 1955, B.L.L.R.O./R.O. will obtain prior permission from D.L. & L.R.O. concerned.

Encl : one Sheet.

T.K. Shome
Director of Land Records & Surveys
and Jt. Land Reforms Commissioner, West Bengal.

Memo. No.321/889/C/09

dated : Alipore the 15th March, 2010

Copy forwarded to the DLLRO, Malda, for his information and necessary action.
The has a reference to his memo No. 6067 dtd. 24.08.2009.

Sd/- Illegible
for Director of Land Records & Surveys
and Jt. Land Reforms Commissioner, West Bengal.

**Government of West Bengal
Office of the Director of Land Records & Surveys and
Jt. Land Reforms Commissioner, West Bengal,
35, Gopalnagar Road, Alipore, Kolkata- 700027.**

GENERAL INSTRUCTION

Sub : Continuous updating of land records.

It has been observed that huge number of applications for correction of records u/s 50 of the WBLR Act are either pending for disposal or rejected on the ground that the incidence occurred prior to the date of final publication of the records for the particular mouza and the parties did not raise the issue at the suitable stages. This is primarily be cause of mis-conception in the minds of the field officers relating to the provisions of the Act.

The issue is being raised by the District Land & Land Reforms Officers from the various districts for some time past. The matter is examined at the Directorate. Section 50A of the WBLR Act lays down that "Section 50 of the Act shall not apply to any district or part of a district where Chapter VIIA has come into force". In other words, updation of records will not be taken up when general scheme of revision or preparation of records has been taken up in any area. This is simply to avoid duplication of labour particularly when the work under section 50 and Chapter VIIA of the Act was being carried out by two distinctly separate organizations in 1981 when the Section 50A was inserted in the Act. The said section 50A also provides that Section 50 will be operative after the final publication

of the records for any area. There is nothing in the Act to bar correction of record under Section 50 of the Act on the basis of any incidence which occurred during the period between the date of Chapter VIIA coming into force in any particular area and the date of final publication of records of any mouza. The proviso under Section 50A amply clarifies the intention of the law.

Maintenance of a set of records for all the villages within the State is one of our primary responsibility and the records should reflect the ground reality at all points of time. It is thus mandatory on our part to prepare records as per actual reality either through the participation of public by submission of application or on our own. For keeping a record in incorrect form, not only the concerned person is to be blamed, but also it would be counted as a failure on our part. It is therefore, ordered that all applications for correction of records on the basis of sale deed, partition deed or the like ones may be disposed of under Section 50 of the WBLR Act irrespective of the date of execution/ registration of the instruments, for all the mouzas finally published.

This may be brought to the notice of all concerned immediately for strict compliance.

D.C. Sarkar
Director of Land Records & Surveys and
Jt. Land Reforms Commissioner, West Bengal.

Memo. No.45/2387-414/C/95

dated : Alipore the 24th Sept., 1998

Copy forwarded to :

1. The Secretary, L&L.R. Department. This has reference to this Directorate No.45/4357/C/95, dt.26.12.97.
- 2-19 The District Land & Land Reforms Officer, He will please ensure close supervision of the work by the SDL&LROs in addition to periodical supervision by him.
- 20-26) Shri
- 27) Directorate Liberty
- 28) Guard File

M. K. Sarkar
For Director of Land Records & Surveys and
Joint Land Reforms Commissioner, West Bengal.

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The Kolkata Gazette
Extraordinary
Published by Authority

[ASVINA 13]

TUESDAY, OCTOBER 5, 2010

(SAKA 1932]

Government of West Bengal
Law Department
Legislative

NOTIFICATION

No. 1414-L.5th October, 2010 – The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :-

West Bengal Act XXVIII of 2010
THE WEST BENGAL LAND REFORMS
(AMENDMENT) Act, 2010.
[Passed by the West Bengal Legislature]
[Assent of the Governor was first published in the Kolkata Gazette,
Extraordinary, of the 5th October, 2010.]
An Act to amend the West Bengal Land Reforms Act, 1955.

Whereas it is expedient to amend the West Bengal Land Reforms Act,

1995, for the purposes and in the manner hereinafter appearing;

It is hereby enacted in the Sixty-first Year of the Republic of India, by the Legislature of West Bengal, as follows :-

Short title and commencement,

1. (1) This Act may be called the West Bengal Land Reforms (Amendment) Act, 2010.

(2) Save as otherwise provided in this Act, it shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Amendment of section 51A

8. In sub-section (4) of Section 51A of the Principal Act, for the words "within twenty-five years" the words "within thirty-five years" shall be substituted.

Validation

9. The amendments made in the principal Act by section 2, section 3 and section 6 shall be deemed to have made with effect from the 7th day of August, 1969 and accordingly anything done or any action taken or purported to have been taken or done under the principal Act on or after the said date and before the commencement of this Act, shall, notwithstanding anything contrary contained in any judgement, decree or order of any court, tribunal or other authority, be deemed to be, and to have always been, for all purposes, as validity and effectively taken or done as if the said amendments had been in force at all material time.

By order of the Governor
K.Y.S. Manhas

Pr. Secy.-in-Charge to the Govt. of West Bengal,
Law Department

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The Kolkata Gazette
Extraordinary
Published by Authority

[KARTIKA 6]

THURSDAY, OCTOBER 28, 2010

(SAKA 1932)

Government of West Bengal
Land and Land Reforms Department
Land Reforms Branch
Writers' Building, Kolkata- 700001

No.5779-LR/1A-01/10 GE(M)

Kolkata, the 28th October, 2010

NOTIFICATION

In exercise of the power conferred by sub-section (2) of Section 1 of the West Bengal Land Reforms (Amendment) Act, 2010 (West Ben. Act XXVIII of 2010) (hereinafter referred to as the said Act), the Governor is pleased hereby to appoint the 1st day of November, 2010 as the date with effect from which the said Act shall come into force.

By order of the Governor

R. D. Meena
Pr. Secy. to the Govt. of West Bengal.

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Government of West Bengal
Office of the Director of Land Records & Surveys and
Jt. Land Reforms Commissioner, West Bengal,
35, Gopalnagar Road, Alipore, Kolkata- 700027.

Memo No.5/Comp/123(18)/12

Dated : Alipore, the 11th June, 2013

To The District Land and Land Reforms Officer,
.....(all)

Sub : Correction of Record-of-Rights without following proper procedure.

Reports have been received from districts that Record-of-rights are being corrected without following proper procedures. In some cases, correction of Record-of-rights are being made on the basis of mistake list, though on such list or mistake register is being maintained. In some cases, corrections of Record-of-rights are made without drawing proper proceedings. In the district of Howrah one Revenue Officer deleted barga recordings from Record-of-rights and made a large number of corrections in Record-of-rights without any basis and without drawing up proper proceedings. He has been put under suspension and a departmental proceeding has been drawn up against him. In the district of Birbhum, similar corrections of Record-of-rights have been made by a Revenue Officer without any basis and without drawing up proper proceedings. This case is under investigation and appropriate penal measures are being taken against the concerned Revenue Officer.

Such case of tampering of Record-of-rights is cognizable offence under Information Technology Act, 2000 and the offender is liable to be arrested on a FIR lodged against him to the Police Station. Apart from such penal action he is also liable to be suspended and proceeded against through Departmental Proceedings.

Since Record-of-rights, are legal document any complaint of tampering of Record-of-rights should be taken seriously and should be enquired into by a Senior Officer and the offender should be proceeded against under Information Technology Act, 2000 or be suspended and proceeded through Departmental Proceedings.

He is requested to circulate this instruction to all the SDL&LROs BL&LROs and R.Os of his district immediately. Please request the SDL&LRO to inspect all the BL&LRO offices and check the corrections of Record-of-rights on sample basis, with reference to petitions and relevant registers and to take appropriate penal action against the offender, if any cases of tamping of Record-of-rights is detected during such checking.

T. K. Shome
OSD and Ex-officio Director, Land Records & Surveys
West Bengal, in the rank of Secretary .

Memo. No.5/Comp/124/12

dated : Alipore the 11th June, 2013

Copy forwarded information to :-

The Addl. Chief Secretary, L & LR Department and Land Reforms Commissioner, West Bengal.

T. K. Shome
OSD and Ex-officio Director, Land Records & Surveys,
West Bengal, in the rank of Secretary.