

18. RECONSTRUCTION OF RECORD-OF-RIGHTS

**Government of West Bengal
Directorate of Land Records and Surveys, W.B.**

No.396/2320/C/71

dated Alipore the 9.6.72

**To
The Settlement Officer,
24-Parganas.**

**Sub : Working procedure in connection with reconstruction of lost /
destroyed /damaged record of rights as per amendment in
Schedule 'C' of the W.B.E.A. Rules.**

Ref : His Memo No.33/6060/7/62 dated 7.4.72

As per amended Schedule 'C' of the W.B.E.A. Rules the person / persons interested in the Record-of-Rights so reconstructed shall be given an opportunity of inspection and filing objection, if any, and as such the procedure for issuing notice u/s. 57 to the person / persons interested has been prescribed in the instruction issued from the Directorate.

It is true that in cases where Record-of-Rights of the entire mouza have been damaged or lost it will be an herculian task while drawing up the proceeding for, reconstruction of such Record-of-Rights, to issue notices to so many individual interested persons resulting in inordinate delay in finalisation. In view of this, a short-cut process for issue of notices may be adopted to the effect that the form of notice prescribed in the Directorate instruction is to be modified slightly (as per specimen enclosed) and such notices without being served upon individual persons may be published (in the shape of some sort of General notice although it will be evident from the content of the notice that it relates to interested person / persons only) in the places like, prominent places in the mouza concerned, offices of concerning Gram Sabha, Anchal Panchayet, J.L.R.O., B.D.O. Tahasildar etc.

In case of loss or damage of the stray khatian in a mouza procedure prescribed in the Directorate instruction issued under Directorate Memo No.396/4022-28/C/71, dated 22.9.71 may, however, be followed.

Encl: 1.

K. L. Sarkar
for D.L.R. & S, West Bengal.

Memo No.396/2321-27/0/71, dated, Alipore, the 9th June, 1972

Copy forwarded to the Settlement Officer,for his information and necessary action.

Encl:1

K. L. Sarkar
for D.L.R. & S., West Bengal.

<http://wblroa.in>

ORDER SHEET

Order Sheet, dated from _____ To _____
 No. _____ of 19 _____

Nature of the case : Proceedings under 2nd proviso to sub-paragraph (2) of para 4 of Schedule 'C' of the W.B.E.A. Rules for reconstruction of record of rights.

Sl. No. date of order	Order and signature of Officer	Note of action taken on order.
1.	<p>Whereas it appears that the finally published record of rights in respect of Khatian No./Nos. of mouza J.L. No. P.S. Dist..... is/are lost / destroyed/ damaged and whereas it is necessary to reconstruct the khatian / khatians concerned. The Peshkar is therefore directed to obtain true copy of the 1st copy of the record of rights authenticated from the Junior Land Reforms Officer L.R. Circle, copy of the C.S. record of rights concerned (if available from the A.D.M. (E.A.) District and put up before me along with other available materials, records, corollary papers etc. if any for my examination on Issue notice u/s. 57 upon the J.L.R.O. L.R.Circle to arrange production of original volume of 1st copy of record of rights concerned with Rent Roll before me on the above date at 11 A.M.</p>	Revenue Officer.
2.	<p>Perused the true copy of the 1st copy of record of rights concerned and other available materials and thereby prima facie it appears that the lost / destroyed / damaged record of rights concerned could be reconstructed on the basis of the available materials. The Khatian / Khatians concerned has/have accordingly been reconstructed (enclosed) which shall be kept open for one month from Settlement Camp at for inspection by the interested person or persons to file objection, if any, thereto, the last date for which will expire on</p>	<p>Inform the interested person or persons accordingly with intimation to the Junior Land Reforms Officer L.R. Circle.</p>
		Revenue Officer.

Sl. No. date of order	Order and signature of Officer	Note of action taken on order.
3.	Notices duly served and service returns filed with the record. Revenue Officer.	
4.	The period for one month to keep the draft reconstructed R-O-Rs. open for inspection by the interested person / persons has/have expired on and it appears that no objection has been filed by anybody. Reconstruction of the record of rights concerned is therefore final and the record of rights so reconstructed is deemed to be the true copy of record of rights finally framed and finally published u/s 44(2) of the W.B.E.A. Act reconstructed as per further proviso to sub-para (2) of Para 4 of Schedule 'C' of the W.B.E.A. Rules. Revenue Officer. Or The period of one month to keep the draft reconstructed record of rights open for inspection by the interested person / persons has/have expired on and it appears thatobjections have been filed. Revenue Officer.	
5.	Issue notices to the party / parties concerned fixing the date of hearing on at Revenue Officer.	
6.	Notices duly served and service returns filed with the records. Revenue Officer.	
7.	Heard the party / parties present and Revenue Officer.	
8.	All the objections have been disposed of. No modification is necessary / Necessary modifications have already been incorporated in the draft reconstructed record of rights, as per decisions in the objection cases. Reconstruction of the record of rights concerned is therefore final and the record of rights so reconstructed is deemed to be the true copy of the record of rights finally framed and finally published u/s 44(2) of the W.B.E.A. Act reconstructed as per further proviso to sub-para (2) of para 4 of Schedule 'C' of the W.B.E.A. Rules. Revenue Officer.	

**GOVERNMENT OF WEST BENGAL
OFFICE OF THE DIRECTOR OF LAND RECORDS & SURVEYS &
JOINT LAND REFORMS COMMISSIONER, WEST BENGAL.**

Memo. No.58/770-787/C/87

Dated, Alipore, the 19th February, 1990

To
The District Land & Land Reforms Officer,
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Sub : Reconstruction of record-of-rights finally framed and finally published.

A large number of mouzas has already been completed in final publication. Some of these mouzas have been finally published long back. Through constant use and handling and due to other reasons most of the record-of-rights in these finally published mouzas have already become worn out or otherwise unfit for use. Some other mouzas whose condition has not yet deteriorated so much will no doubt become worn out or otherwise unfit for use through constant handling in future. Since the mother copy of the record-of-rights of a mouza, i.e. the original record-of-rights of a mouza prepared and revised under the WBLR Act is a very important document, any further deterioration of the same should be avoided and the record-of - rights should be carefully preserved for future reference. It is, therefore, considered necessary that the record-of-rights of all the finally published mouzas should be reconstructed.

In this connection, his attention is invited to the proviso to Sub-para (2) of para 4 of Schedule 'B' to the WBLR Rules, 1965. This proviso provides that if in any case a record-of-rights finally framed and finally published under sub-section (2) of Sec.51A becomes worn out or otherwise unfit for use, the R.O., after recording the reasons therefor shall reconstruct such record-of-rights by preparing copies therefrom. When the record-of-rights has been so reconstructed the Revenue Officer shall certify it to be a true copy of the said finally framed and finally published record-of-rights and such copy shall then be treated as record-of-rights finally framed and finally published under Sub-section (2) of Sec. 51A.

Instructions for preparing of khatians have already been issued to all the districts. All the 3 copies of finally published record-of-rights already prepared or to be prepared in future will be treated as reconstructed record-of-rights after complying with the provisions laid down in the proviso to Sub-para (2) of para 4 of Schedule 'B' to the WBLR Rules, 1965, referred to earlier.

For this purpose the Revenue Officer should maintain an order sheet stating that since the record-of-rights finally framed and finally published under sub-section (2) of Sec.51A have become worn out or otherwise unfit for use, reconstruction of the same by preparing copies therefrom has become necessary and as such the mouzas have been taken up for reconstruction of record-of-rights. A model order sheet is enclosed for guidance of the Revenue Officers. After preparation of the copies, a round seal containing the words 'SETTLEMENT OFFICER' at the top, name of the district at the bottom and the State emblem in the middle should be affixed to each of the copies of the khatians so prepared. A further seal should also be affixed to each of the copies as follows :-

“Certified to be a true copy of the finally framed and finally published record-of-rights under the proviso to sub-para (2) of para 4 of Schedule 'B' to the WBLR Rules, 1965.

Revenue Officer.”

The above certificate should be affixed to each copy of the Khatians and should be signed by the Revenue Officer under whose orders as passed in the order sheet the copies of khatians have been prepared and reconstructed.

After preparation of the copies of the khatians and affixing of the seals as hereinabove stated, these copies become the original khatians. Since 3 copies of khatians are being prepared, the above seal and certificate should be affixed to all the 3 copies so that all of them may be treated as the reconstructed original khatians of a mouza.

On completion of the preparation of reconstructed khatian in the manner indicated above, the original mother copy of the khatians prepared through different stages of preparation / revision of record-of-rights under the WBLR Act should no longer be handled or used and should be carefully preserved in the record room. This mother copy should only be brought out of the record room in extremely urgent cases in which consultation with the mother copy becomes unavoidable. All corrections, alterations etc. made by way of updating and maintenance of the records should be incorporated in the reconstructed original copies of the khatians to be kept in the Block Land & Land Reforms Office and in the Revenue Inspector's Office. Since the third copy will be sent to the Collector there will be no scope to incorporate the corrections in this copy by way of maintenance of record-of-rights. Corrections made after final publication shall in no case feature in mother copy of Record-of-rights preserved in the record room.

All enquiries relating to mutation, conversion, recording of bargadars, or homestead beneficiaries, etc. will be held by the Revenue Inspector after service of proper notice on the interested parties. On completion of the enquiry the Revenue Inspector will prepare a report on the enquiry held by him and keep the same in his office. Notices required for service on the parties for hearing should also be prepared and kept ready. Hearing of the parties involved in such cases, if necessary, will be held by Revenue Officer in the Revenue Inspector's office. Revenue Inspector will therefore put up the record alongwith the notices before the Revenue Officer during his visit to his office. The Revenue Officer will fix up a date for hearing and sign the notices kept ready by the Revenue Inspector. The Revenue Inspector will arrange for service of the notices on the parties. On the particular date the Revenue Officer will attend the Revenue Inspector's office and complete the hearing and pass necessary orders. The orders so passed should be tamilled by the Revenue Officer in the first original reconstructed copy of Khatians kept in the Revenue Inspector's office. Gist of the orders passed by the Revenue Officer will be noted under his signature in the petition Register maintained in the Revenue Inspector's office. The case record, in original, will thereafter be sent to the Block Land & Land Reforms Officer's office where the Revenue Officer will also tamil the orders in the second original reconstructed copy of khatians kept in the Block Land & Land Reforms Officer's office. The case record will be preserved in the Block Land & Land Reforms Officer's office.

Certified copy should be issued from the second original reconstructed copy of the khatians kept with the Block Land & Land Reforms Officer's office and no certified copy should be issued from the original mother copy of khatians which has been kept in the record room or from the first original reconstructed copy of khatians kept in the Revenue Inspector's office.

The above instructions may be widely circulated in his district for strict compliance by all concerned.

K.S. Rajendrakumar
Director of Land Records and Surveys and
Jt. Land Reforms Commissioner, W.B.

Model Order Sheet

Reconstruction of record-of-rights under proviso to sub-para (2) of para 4 of Schedule 'B' of West Bengal Land Reforms Rule, 1965.

Whereas it appears that the record-of-rights bearing Khatian No. _____ of Mouza _____ J.L. No. _____, P.S. _____, District _____ finally framed and finally published under sub-section (2) of Section 51A of W.B.L.R. Act have become worn out / unfit for use due to

Now, therefore, the above mentioned record-of-rights required to be reconstructed according to the provision under the proviso to sub-paragraph (2) of paragraph 4 of Schedule 'B' appended to the W.B.L.R. Rules, 1965.

Hence, it is ordered that the record-of-rights referred to above be reconstructed by preparing copies therefrom.

Revenue Officer.

Copies of the record-of-rights have been duly prepared . It is certified that these are the true copies of the said finally framed and finally published record-of-rights. And the record-of-rights bearing nos. _____ so reconstructed as per provision prescribed, should henceforth be treated as the record-of-rights finally framed and finally published under sub-section (2) of Section 51A of the W.B.L.R. Act, 1955.

Revenue Officer.

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To be written on the packet containing the worn out original R-O-Rs.

Reconstruction Case No. _____ in the year _____

This packet consist of finally framed and finally published Khatians No. _____ of Mouza _____, J.L.No. _____ under P.S. _____, District - _____ which have since been reconstructed under the proviso to sub-paragraph (2) of paragraph 4 of Schedule "B" of the W.B.L.R. Rules and reconstructed copy/ copies of which have been kept in original volume of R.O.Rs in their proper places.

Revenue Officer.

Rubber stamp to be affixed on the reconstructed R-O-Rs.

Case No.

Certified to be a true copy of Record -of - rights finally framed and finally published under sub-section (2) of the Section 51A of the WBLR Act reconstructed as per proviso to sub-para (2) of para 4 of "Schedule - B" of the WBLR Rules.

Revenue Officer.

ORDER SHEET
(Rule 129 of the Records Manual 1917)

Order Sheet dated from to District
No. of 19

Nature of the case : Proceeding under the proviso of sub- paragraph (2) of paragraph 4 of
schedule B of the W.B.L.R. Rules 1965.

Sl. No. date of order	Order and signature of Officer	Note of action taken on order.
1.	<p>Whereas on examination and scrutiny of the record-of-rights of Mouza J.L. No. P.S. -, District -, finally framed and finally published under sub-section (2) of section 51A of W.B.L.R. Act, 1955, it appears that, Khatian no/nos. is/are become worn-out and unfit for use due to some unavoidable reasons and such khatian(s) is/are to be reconstructed according to the proviso under sub-paragraph (2) of paragraph 4 of Schedule B of W.B.L.R. Rules 1965.</p> <p style="text-align: right;">Put up after reconstruction on</p> <p style="text-align: right;">Revenue Officer.</p> <p>Reconstruction of the relevant Khatians by preparing copies therefrom has been completed and the required certificate stating that/those to be the true copies of the said finally framed and finally published khatian (s) shall now be treated as the record-of-rights finally framed and finally published under sub-section (2) of Section 51A of W.B.L.R. Act, 1955 in place of the worn out khatian (s) has been furnished on the body of each of the Khatian(s).</p> <p>The relevant worn out finally published Khatian (s) which has/have been taken out and kept in a sealed cover with the "A" file of the mouza.</p> <p style="text-align: right;">Revenue Officer.</p> <p style="text-align: center;">Or</p> <p>The R-O-Rs. has been reconstructed. Now the copy may be allowed to be inspected by the interested parties.</p> <p>Issue notice to the parties concerned fixing date of inspection on</p> <p style="text-align: right;">Revenue Officer.</p>	
3.	Notice duly served. File with C.R.	Revenue Officer.
4.	Date of inspection is over. Now objection filed. The reconstructed khatian(s) shall now be treated as	

record-of-rights finally framed and finally published under sub-section (2) of Section 51A of the W.B. L.R. Act, 1955.

Or

Date of inspection is over. Objections were filed by
Issue notice fixing as date of hearing of objections.

Revenue officer.

5. Notice duly served. File with C.R.

Revenue Officer.

6. Objections heard and disposed of. The reconstructed khatians, so corrected, shall now be treated as record-of-rights finally framed and finally published under Sub section (2) of section 51A of W.B.L.R. Act, 1955.

Revenue Officer.

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