

**west bengal  
land & land reforms  
officers' association**



**পশ্চিমবঙ্গ  
ভূমি ও ভূমি মন্ত্রণালয়  
আধিকারিক সমিতি**

(Registered under the Societies Registration Act, XXVI 1961)

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To  
The Land Reforms Commissioner  
&  
Secretary  
L. & L.R. & R.R. & R. Department  
West Bengal

**Sub:** Seeking time for discussion on the following issues

**Respected Madam,**

The association seeks your valuable time to discuss with you the following issues as stated here below

**1. WBLR Service**

That vide Notification No. 406/1E-02/2020-Apptt, dated. 11.02.2021(copy enclosed), the State Government was pleased to declare the intention to constitute West Bengal Land Reforms Service comprising eligible S.R.O.-II and S.R.O.-I and the Committee of Secretaries and later on State level service monitoring committee being the highest bureaucratic forum was assigned the task of finalising and approving the modalities, etc. for the constituted Service. It is also learnt that such function has already been accomplished and the revered group is /was prudent enough to hold the entire strength of S.R.O.-II + S.R.O.-I as qualifying for the State level Service. However, despite all such procedures as adopted on the course directed by the Cabinet Memo., the W.B.L.R.S. as notified to have been framed could not be given effect to yet. We submit the following:

- A. The extent of anomaly in comparison to equivalent officers in terms of mode of recruitment is depicted below:
- The existing mode of Recruitment:- According to the merit list of successful candidates of the Group – ‘C’ of the W.B.C.S.(Exe) & Etc. Examination conducted by the West Bengal Public Service Commission.
  - Present cadre prospect:

W.B.S.L.R.S. Gr-I ----- 1st Promotion(7-8 years) ----- S.R.O.-II (functional post B.L.&L.R.O.)  
(Scale No.14 of ROPA'98) (Scale No.15 of ROPA'98)

-----2nd Promotion (22 years from initial stage) ----- S.R.O.-I  
(Scale No.16 of ROPA'98)

Or

W.B.S.L.R.S. Gr-I ----- 1st Promotion(7-8 years) ----- S.R.O.-II (functional post B.L.&L.R.O.)  
(Scale No.14 of ROPA'98) (Scale No.15 of ROPA'98)

-----2nd Promotion (18 years from initial stage in lieu of -----W.B.C.S.(Exe.)  
unwillingness of more than 250 senior officers) (Scale No.16 & further being State Service)

c. Comparison with other comparable cadres in terms of the same mode of recruitment:

- i. Jt.B.D.O.--(1st Promotion(9-10yrs)enters State Service)---->W.B.C.S.(exe)-->Scale No.17 and beyond  
(Enters at scale 14) (Scale No.16)
- ii. A.C.T.O.--(1st Promotion(9-10yrs)enters State Service)----> C.T.O.---->Scale No.17 and beyond  
(Enters at scale 14) (Scale No.16)

Thus, it is obvious that the basic anomaly is that while Jt. B.D.O. / A.C.T.O., etc. enter State Service structure on 1st promotion, the W.B.S.L.R.S., Grade-I though similarly recruited do not have this opportunity and hence are subject to perennial anomaly throughout their career and are compelled to end at designated Scale No. 16 ( ROPA'98) and non-functional Scale No.17 while the comparable cadres move on to Scale No.19 and even beyond.

B. That the issued Notification has already provided for direct recruitment @ 20% and from the initial level of State Service. Experience at field suggests that departmental work of the L&LR department is highly based on experience and to prosper in this service and to offer best public service, experience of grass-root work is highly required.

It is incidental to iterate that beyond meeting Hon'ble C.M. in Jan'2018, by the Association and at her instance, the then L.R.C. & Principal Secretary was gracious enough to offer the views on creation of State Service as encapsulated in File No.552-LRC& Pr. Secretary/18 and while the file was reaching finality the same went untraceable. It is highly acknowledge that at the instance of the department and under the leadership of the L.R.C. & Principal Secretary the vital juncture in the month of February, 2021, the present file 1E-2/20-Appptt was restructured and the Cabinet approval for W.B.L.R.S. was notified. However, the subsequent developments are again very disheartening and despairing for us, the clear direction of the Government led by Hon'ble C.M. appears to be purposely nullified by some heinous lobby. We expect the department will take the lead in getting the issue settled and W.B.L.R.S. with the entire strength of S.R.O.-II & S.R.O.-I and W.B.S.L.R.S., Grade-I being the sole feeder would be soon published in the form of a Rule. When the authorities are pressing hard to deal with quasi-judicial functions in a stipulated period of time it is hard to digest that such authority is finding difficulty in issuing one administrative order.

The association seeks your urgent intervention in the matter such that the impasse could be resolved.

**The Government should not be held hostage to some lobbyists.**

## 2. Irregular transfer posting.

The members of the cadre are recruited through W.B.C.S.(Exe) and etc examination and quite naturally the mode of recruitment does not follow homogeneous pattern pan districts or throughout the state. It is observed that officers get recruited more from the districts of South Bengal than other regions.

Naturally quite a number of officers for administrative requirement have to be posted far away. It is quite imperative that such far away posting will be given to officers on verge of recruitment and promotion. Here the cadre management procedure is of utmost importance and the extent of hardship is required to be distributed evenly.

In the recent past the association have observed:-

- I. Fragmented orders comprising 1-15 officers are issued by the department every now and then.
- II. Regular transfer orders are getting delayed.

Now as a result of such happenings:-

- I. The cadre members are feeling uncertain about their position in the office of their posting.
- II. Often they are feeling hesitant to take up quasi-judicial procedures which are time taking
- III. Due to frequent transfer the incumbent official is suffering financially. His/her family life is getting disturbed.
- IV. The family is suffering. We all know that we are not permanently posted in any office. But our cadre members in most cases cannot accommodate the cost of transfer of materials against the paltry transfer and packaging allowance granted. Nor do they have designated quarters and neither could they get their wards enrolled in a new school at any time of the year.
- V. **Some hoarders are roaming around in districts and enticing officials with selective postings. The association has not verified the hearsay. The association feels that the system may be ordained in such a way that it goes beyond speculation.** A fixed yearly calendar may be followed.
  - i. The transfer of existing revenue officers will have to be synchronized with recruitment from WBCS (Exe) and Etc Examination and or promotion from the post of Revenue Inspectors. The norms as specified in the policy-3/4/5 years should have to be strictly adhered to.
  - ii. The transfer of existing SRO-IIs will have to be synchronized with promotion from the post of Revenue officers. The norms as specified in the policy-3/4/5 years should have to be strictly adhered to. Seniority norms to be maintained while posting one officer in the office of DL&LRO / SDL&LRO / other wings
  - iii. The transfer of existing SRO-Is will have to be synchronized with promotion from the post of SRO-IIs. The norms as specified in the policy-2/3/4 years should have to be strictly adhered to.

If any officer is found guilty or found to be using his chair inappropriately disciplinary action may be initiated against him.

The transfer policy being 20 years old is required to be amended suitably considering the present ground reality.

### **3. Administrative shackles over Extant Acts and Rules**

The agony for people in general at the block offices results out of non-disposal of miscellaneous petitions. Given below is the representative picture in this regard with regards to misc case disposal:  
Total misc case received since 01.01.2022(Avg.) - 450

Total misc case disposed since 01.01.2022 after getting permission(Avg.) -- 25% of the whole

Total misc case pending for disposal after obtaining permission since 01.01.2022 at the end of B.L&L.R.O (Avg.) -- 5% of the whole

Total misc case pending for permission at the level of higher authority since 01.01.2022(Avg.) -- 15% of the whole

Total misc case pending for processing (Field enquiry/record unavailable/map unavailable/not taken up) (Avg.) -- 55% of the whole

The above figures have been drawn out of experience and discussion with our members working at block level throughout the state.

If we look into the figures above and analyse we will be able to view the agony of common citizen and helplessness of the disposing official.

- a. The error in R.O.R mostly results from the data entry work done by private vendors done some 15-20 years ago during computerization of land records and or due to mishandling of records long ago.
- b. The common man while intending to sale or buy or taking loan against such property has encountered the problem
- c. The citizen oblivious to the work procedure of the department has approached the B.L&L.R.O but are roaming rounds after rounds since past 2-5 years.
- d. The disposing official mainly due to lack of infrastructure and know how has not touched the petition. He/ She will be forced to take up only when the higher authority and or some political stakeholder approach him.
- e. After that he takes up- he discusses with seniors and realizes he has very little to do. He seeks instructions by simply forwarding the letter-After couple of months(it might take 6 months also) the district authority asks the B.L&L.R.O to provide authenticated records and his comment- If the comment is processed through proper channel then the district authority receives reply in another 3 months' time-There after the valuable opinion of "Dispose as per Law" is sent to B.L&L.R.O in the next month-B.L&L.R.O who was holding the chair might have got transferred by this time-The citizen again approaches his favourite authority concerned who directs the B.L&L.R.O again-B.L&L.R.O starts proceeding completes it but couldn't correct the records-After 3-4 months he sends the case records to D.L&L.R.O again-this time by generating a misc case number in e-Bhuchitra - D.L&L.R.O being satisfied gives permission in a week or two-B.L&L.R.O corrects the record.

The association feels that this problem be addressed immediately by adopting either of the two strategies:-

Empower B.L&L.R.Os by removing administrative shackles- Monitor the progress of Misc case disposal through district authority-remove the provisions of obtaining permission-make the appeal provisions easy-if permissible allow the S.D.L&L.R.Os to take up such appeals at the outset-take punitive action against officials who have corrected R.O.R without maintaining order sheet.

Or

Ask citizen to submit misc petitions only at D.L&L.R.O offices and where DL&LRO will act as Revenue officer. D.L&L.R.O only will dispose the same-the cases be sent to B.L&L.R.O for the purpose of enquiry only. The only change that has to be made in this regard is with regards to the appellate authority. In fact the association will like to draw your attention to the situation post the publication of 2555 circular in 2017. The D.L&L.R.O who gives permission for drawing up proceedings by examining all the documents acts as the appellate authority for the same.

The association is neither against monitoring nor against punitive action which is being taken up against erring officials but the association is against the agony being faced by the citizen due to bottlenecks faced by our cadre members. The association will like to highlight that the citizen feels aggrieved and lodges complaints at different forums mainly due to this type of cases and the department earns a bad name.

**This is to further bring to your notice that the system of misc case case disposal have become too much mechanised of late and as such surveillance at lower level (functional level) has increased manifold. There is virtually no scope for a lay miscreant to change record without leaving a trail. But too our utter surprise we have noticed that barga records have been deleted and land classification changed in the system with no trace of the user in the system. The district level official including the SSP could not track the change with any user. So much so that there has been official orders to restore the same.**

Now the association wants to highlight certain questions with regards to the above observation:-

- a. Whether the above phenomenon is an error of the system itself
- b. Whether some anonymous miscreant user is doing the same. This leads to another important issue - what if the anonymous user starts hacking users.

The irony is that the department will initiate punitive action against the officer ignoring the iota of doubt that the delinquent might be ignorant.

Acquisition process, disposal of conversion and mutation cases do sometimes require removal of inconsistencies of plots and in the most of cases the BL&LROs and ROs do the said corrections without drawing up any proceeding to save time as there is great pressure from authorities for early disposal of such cases. But the present changes in e- Bhuchitra do not allow the block level officers to make such corrections without the approval of DLLROs in e-Bhuchitra.

Hence the whole process will get delayed and being the block level officers BLLROS and ROs will suffer from this the most.

Another thing that the association will like to highlight is the over centralisation of power to D.L&L.R.Os. Are the D.L&L.R.Os able to monitor the e bhuchitra personally? Are they able to go into the merit of each and every appeal petition personally?

#### **4. Police action against officials performing quasi judicial functions**

An officer performing under various sections of the W.B.L.R. Act and or W.B.E.A. Act is entitled to protection against criminal action initiated against him. This is provided in sec 58 of WBLR Act. If any person feels aggrieved with the proceedings made by any quasi judicial authority he or she may approach the appellate authority for redressal. The same has been pronounced by Hon'ble High Court

also. Previously we have submitted one letter in this regard before your kind authority. We want your kind intervention in this regard.

**5. Disposal of Departmental proceedings not commensurate with extant acts, rules and guidelines of the department**

The association has observed that many departmental proceedings are drawn up more with personal grudge and or influence than for actual departure from extant acts and rules. We will like to highlight a few such examples in person before your kind authority.

**6. Difficulty faced by the official with regards to S.A.R**

**7. Undesired intervention /influence into the work of field level officers.**

**8. Frivolous complaint**

Complaints are being lodged against officials often unsigned and without the identity of complainant traceable. The worrying factor is that sometimes the Department is initiating punitive action against the complainant based on such frivolous complaint.

The association seeks your valuable time to discuss with you the following issues as stated here above

Thanking you.

Sincerely yours,

*Sumit Mukherjee*

( Sumit Mukherjee )

General Secretary

**West Bengal Land & Land Reforms Officers' Association**