

west bengal
land & land reforms
officers' association



পশ্চিমবঙ্গ
ভূমি ও ভূমি সংস্কার
আধিকারিক সমিতি

(Registered under the Societies Registration Act, XXVI 1961)

Regd. Office : 238, MANICKTALA MAIN ROAD, FLAT NO. 10, KOLKATA-700 054

Central Office : 7/1, KALIBARI ROAD, DUM DUM, KOLKATA-700 030

Website : www.wbllroa.in

Ref : 38 / WBLLROA / 2022-23

Date : Kolkata, 24th March, 2023

To

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

2. The Director of Land Records & Surveys
&
Joint Land Reforms Commissioner
L. & L.R. & R.R. & R. Department
West Bengal

Respected Madam,

The agenda notes for deputation as on today, i.e. 24.03.2023 are as given below:-

1) Utter failure in implementation of WBLR service

The Government constituted task force in the year 2013 under chairmanship of the then LRC A.K. Singh

Task Force recommended formation of WBLR Service in 2016

Service was originally conceptualized for the entire strength of SRO-II and SRO-I

However after years of strife and persuasion Government finally and after cabinet approval in Feb'21 approved formation of WBLR service.

The succeeding 4 months went by for WBLA 2021.

Thereafter Association met the authority on several occasions but the file was in the dark for 1 long year.

Meanwhile in the month of September and October'2021 we had to prove ourselves by working more than 12 hours a day.

Association in the month of May'2022 submitted a letter of protest to LRC on various issues including WBLR service.

In August'22 Association launched program of submission of personal memorandum.

Thereafter some activity sprung up.

The departmental authorities called us for meeting and asked us to compromise on the number of cadre members who will become part of WBLR servicewe all the cadre representing organizations

Received
KW
23/3/23

KAKALI DAS (HALDER)

Personal Assistant (Sch.8) Gr-1
O/O the Director of Land Records & Surveys &
Joint Land Reforms Commissioner, W.B.
35, Gopal Nagar Road, Alipore, Kolkata-700027

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taking onus on our head and compromising on the career prospect of our members proposed a rationalized figure of 868 in Oct'22.

Impasse again for a couple of months.

We learnt unofficially that a figure close to 734 is being worked out.

Though we could not digest the figure but we kept mum only with the hope that WBLR service is on its pathway to actualization.

The most interesting aspect of the entire saga is that the entire control are in the hands of a lobby who are invisible in terms of responsibility.

The resentment of the cadre members are growing day by day and we have no answer.

Thereafter from Jan'23 we are learning about dates of cabinet meeting one after another.

But 3 months have gone by without any yield.

The Association is at a loss and wants to find out:-

- a) How much more time will it take to give finality?
- b) What are the steps that are further required?
- c) Will normal financial norms be followed in the process of implementation?
- d) For last 2 years i.e. after 11-02-2021, about 50 senior officers got retired from this cadre without getting the status & honour of being a member of State Cadre Service. This cadre is indebted to them for their hard work for departmental work. How many senior officers will be deprived of such honour & prestige in coming months?

2) Withholding of all parallel promotions

The rationalized strength of SRO-II and SRO-I is 1086(869+217)

While promotion from R.O. to S.R.O-II was given on 2022 the vacancy in the post of S.R.O-II was 127 but only 43 promotions were given.

Though the association wants to thank the authority in terms of awarding promotion from S.R.O-II to S.R.O-I on regular basis but nothing is right in respect of

- a) Promotion from R.O. to S.R.O-II(Present vacancy as per our estimate is 119)
- b) Promotion from S.R.O-II to W.B.C.S(Present vacancy as per our estimate/ declaration of PSC: 102)

Effect of a) on the cadre members

- i) S.R.O-IIs have to serve as B.L&L.R.Os for longer period
- ii) Due to shortage of strength transfer policy is vitiated
- iii) The shortage in number of officials is creating huge work pressure on the existing officials.

Effect of b) on the cadre members

- i) Cadre members willing to opt out for W.B.C.S(Exe) are losing vital years in terms of career prospect vis a vis others who are feeders(Jt B.D.O and ACRO)
- ii) R.O to S.R.O-II promotion is getting delayed

- iii) Intake to the post of R.O (direct or through promotion) is not happening.
- iv) Consequently the R.Os who are serving at faraway places cannot be given posting in home zones.

3) Unprecedented transfer orders

For R.Os and S.R.O-IIs there is a transfer policy dated 2003.

For S.R.O-Is there is a transfer policy dated 2017.

In the past 3 years most of orders that have been issued are bereft of transfer policy.

The Association is totally at a loss as to why Department is totally defiant to follow its own transfer policy.

If the department feels that there requires a change in policy why is it not framing a new policy?

Now a days with soaring market prices it is almost impossible to get a decent living accommodation within 12% H.R.A

So those who are serving in home zone are at comparative advantage.

The Association demands equitable distribution of hardship and smooth and transparent policy guidelines.

In recent transfer orders responsibility of 'taking release' has been imposed upon the officers under transfer ignoring service rules.

In another case one higher administrative portfolio have been given to one retired cadre member via extension bereft of normal practices.

4) Regarding Departmental Proceedings:

- A. No of DPs increased by leaps and bounds in recent years for no apparent reason known to us. In most cases the grounds on which chargesheets are being framed are either baseless or sheer administrative intervention into quasi-judicial issues. Even mistakes done in good faith are being branded as action done with ulterior motive. It goes without saying that only an error committed by a Govt. employee cannot be a charge against him unless any malice is attached to it and does not, therefore, warrant any disciplinary action. Besides, while convicting the charged officer and inflicting penalty, it has become a custom to state in the order of DA in an extremely cryptic, curt and evasive manner like.....'Report of the IA is accepted and written defense of the accused is rejected', neither recording any analysis of the case nor the journey of the DA from framing the charge to the conclusion he reached. Such reckless disciplinary actions have not only demoralized, disheartened and demotivated a dedicated brigade of officials performing highly, diligently and honestly all over the state but also rendered them frightened and overawed to discharge their normal duty that may seriously affect their performance ultimately. In precise, If there is any hidden agendum of terrorizing the cadre by initiating DP every now and then ,it will certainly not be consistent with the target of disposal of mutation, conversion etc. fixed from time to time.

- B. Disposal of the DPs have, of late, been extremely poor in terms of quality in many respects. Often Officers who were engaged in primary enquiry outside the purview of a contemplated DP are appointed as IA/PO of the DP in which very reports of them are relied upon. This apart, documents relied upon in a DP enumerated under Annexure -...are not actually served upon the delinquents usually. Even instances are there where accused employee has not been allowed to take assistance of a companion during inquiry/hearing despite his submission to do so. Such acts on the part of the officials dealing with the disciplinary issues shows their severe ignorance about the relevant service rules and rulings and render the proceedings infirm.
- C. The most unfair recent practice regarding DP is that departmental authorities, holding formal meetings/sittings with IAs, before submission of enquiry report, have been instructing them nakedly to establish charges framed against the accused at any cost, and whenever charges framed by DA are not eventually established by appointed IA after due enquiry, ventilating their dissatisfaction in harsh manner and even pressurizing the IAs to alter their reports. The section of your office that deal with the issues, has, thus, lost all sorts of transparency.
- D. The effect of this very harsh and often threatening approach as adopted by Dept.has been complemented by the Judiciary and Police when innumerable FIRs across the State has been filed against ROs/SROIs for lawfully disposing various Mutation Cases,etc.and this despite the provision of immunity in Sec.58 of WBLR Act. In fact, it is pathetic for the Dept.who is so active to impose penalty on field level officers that they fail to protect officers for lawfully proceeding as per R.21 as amended.Infact, the officers are left to even defend themselves by engaging Ld.Advocates. We had brought this to the notice of Authority in past too but to no effect.We enclose our reference alongwith the observation of Hon'ble High Court in similar issues and hope that Dept.shall take this matter seriously

5) Total autocratic attitude of some District authorities

The Association regrets but to comment that different District Authorities are behaving like a malevolent despot.

The feeling all around them is as if they are above any question and norms.

They are issuing orders which has got no legal validity

- i) Orders where D.M. empowers officials to conduct raid-(Purba Burdwan)
- ii) Order of D.L&L.R.O. with regard to modern record room-(Uttar Dinajpur).
- iii) Order for verification of Deed & Chain Deeds with regards to authenticity by R.O-(Paschim Midnapore)
- iv) Authorities' unlawful verbal instruction/order clubbed with threat.
- v) Discriminatory case specific formal direction of correction of record &ors after decision being taken in the office of yours.
- vi) In some districts D.M. has asked S.D.O./B.D.Os to enquire the cause of rejection of mutation cases. The Association does not question the monitoring but does D.M. actually have authority under the act to other than being DVO to question the cause of rejection.

Many district authorities are forcing officials to work in Government Holidays and beyond office hours. This is with special reference to Nadia Purba Midnapore and Paschim Midnapore. In the recent order issued by Law Department Government of West Bengal the state Government have made clear the rules of attending office and the time. The Government Servant should reach office prior to 10.15 A.M and work upto 5.30 P.M.

The Association questions

- a) Why will our cadre members work beyond office hours?
- b) If work is not accomplished due to shortage of officials and infrastructure the onus should not get transferred upon the official.
- c) All 12 months of a year cannot be termed exigency.

The Association demands the authority to ensure that:-

- a) Ensure timely arrival and departure in all offices.
- b) Save and except during election if offices are kept open beyond office hours and our cadre members are made to work then order to that effect on specific days are to be made mentioning particular offices either from the end of L.R.C. and or D.L.R.&S.
- c) If the cadre member is made to work beyond office hours he should be compensated in terms of pay appropriately.

6) Posting of General Secretary

The General Secretary of our Association contrary to convention is posted at D.L.&L.R.O. North 24 Parganas, Barasat. Whereas the General Secretaries of other two fellow associations are posted at L&LR Department, Writers Building and at the office of Thika Controller, Survey Building.


Thanking you.

Sincerely yours,

Sumit Mukherjee

(Sumit Mukherjee)
General Secretary

West Bengal Land & Land Reforms Officers' Association
(Email id : wblroa.80@gmail.com, Mobile : 8902296007)


GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT LAND AND LAND REFORMS OFFICER
PURBA BARDHAMAN
P.O. RAJBATI, BARDHAMAN. PIN CODE: 713104
Phone no.1242-2530641/ e-mail:dlropurbarbardhaman@gmail.com

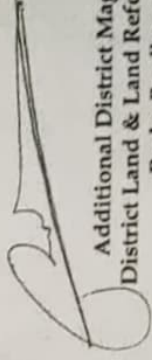
Memo. No. Raid/ 188 MM/ 2023

Date: 24/02/2023.

ORDER

By the order of District Magistrate, Purba Bardhaman, the following officers and staffs are hereby ordered to conduct raid programme as per following schedule for strict vigil over transportation of minerals throughout the district to verify challans of the vehicles carrying Minor Minerals. In case any violation of any provisions of the Mines & Minerals (Development & Regulation Act, 1957, the West Bengal Mining, Transportation and Storage) Rules 2002 comes under notice, the entrusted officers will take necessary legal action forthwith. They are also instructed to verify the registers kept at the points where challans are issued by the lessees. The teams are formed as follows:-

Team-A	Team-B	Team-C	Team-D	Team-E	Team-F	Team-G
Name & Designation of Officers & staff	Name & Designation of Officers & staff	Name & Designation of Officers & staff	Name & Designation of Officers & staff	Name & Designation of Officers & staff	Name & Designation of Officers & staff	Name & Designation of Officers & staff
Date and Time to be perform	Date and Time to be perform	Date and Time to be perform	Date and Time to be perform	Date and Time to be perform	Date and Time to be perform	Date and Time to be perform
1. Bivas Das, SRO-II 2. Sandipan Sarkar, R.O 3. Achinta Sil, UDC 4. Rishinath Mondal, Draftsman, SDLLRO (S) 5. Azaruddin Dafadar, Gr-D	1. Pradip Mondal, SRO II 2. Jayanta Pal, SRO-II 3. Avijit Roy, UDC 4. Sunil Das, ASHC 5. Bikash Chandra Das, Gr-D	1. Kiriti Mukharjee, R.O 2. Sumanta Mondal, R.O. 3. Mantu Mishra, UDC. 4. Parimal Pal, UDC 5. Prabhat Mohanta, Gr-D	1. Lakshmi Kantha Paul, SRO-II 2. Debashish Dey, R.O 3. Soumen Bairagya, UDC 4. Arka Ghosh, UDC 5. Kartick Meite, Gr-D	1. Kanchan Dey, SRO-II 2. Santanu Ghosh R.O 3. Kishore Kumar Hazra, UDC 4. Soumya Chakraborty, UDC 5. Biswajit Boral, Gr-D	1. Pranab Karmakar SRO-II 2. Prasad Krishna Pramaik, R.O 3. Subir Chattopadhyay, UDC 4. Amit Ghosh, UDC, SDLLRO (S) 5. D Lobdeb Pramanik, Gr-D.	1. Subhashish Mukharjee, SRO II 2. Manas Guchhait, SRO II 3. Sandip Kumar Dey, UDC 4. Pinakar Ruidas, Gr-D
From 7 a.m. Onwards	From 7 a.m. Onwards	From 7 a.m. onwards	From 7 a.m. Onwards	From 7 a.m. Onwards	From 7 a.m. Onwards	From 7 a.m. Onwards
01.03.2023 11.03.2023 14.03.2023 23.03.2023	02.03.2023 12.03.2023 15.03.2023 24.03.2023	06.03.2023 16.03.2023 19.03.2023 27.03.2023	03.03.2023 17.03.2023 25.03.2023 28.03.2023	04.03.2023 09.03.2023 20.03.2023 26.03.2023 29.03.2023	05.03.2023 10.03.2023 21.03.2023 30.03.2023	13.03.2023 18.03.2023 22.03.2023 31.03.2023


Additional District Magistrate & District Land & Land Reforms Officer
Purba Bardhaman



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT LAND & LAND REFORMS OFFICER
UTTAR DINAJPUR, RAIGANJ AT KARNAJORA

Memo No. MRR/DLLRO-UD/ 458 /23


Dated : 10 /03/2023

To
The Block Land & Land Reforms Officer,
Chopra/Islampur/Goalpokher-I/Goalpokher-II/Karandighi/Raiganj/Hemtabad/Kaliyaganj/Itahar,
District-Uttar Dinajpur.

Sub:- Locking of Modern Record Room lying at your office.

As per instructions received, you are hereby directed to arrange double locking system in the Modern Record Room at your office keeping one key under your custody and another key under custody of the concerned Block Development Officer of your Block.

You are also directed to maintain a Log book while opening and closing of the Record room following the date allowed to do so from this end keeping close liaison and supervision of the concerned Block Development Officer of your Block.


Additional District Magistrate &
District Land & Land Reforms Officer
Uttar Dinajpur

Memo No. MRR/DLLRO-UD/ /23

Dated : /03/2023

Copy forwarded for information to :

1. The C.A to the District Magistrate, Uttar Dinajpur.
- 2-10. The Block Development Officer, Chopra/ Islampur/Goalpokher- I/Goapokher-II/Karandighi/ Raiganj/Hemtabad/Kaliyaganj/Itahar.

Additional District Magistrate &
District Land & Land Reforms Officer
Uttar Dinajpur

Urgent



Government of West Bengal
Office of the District Land & Land Reforms Officer
Paschim Medinipur.

At - Keranitola, P.O. - Midnapur, Dist - Paschim Medinipur, PIN - 721101.

Email ID :- dlro.mid@gmail.com / reportadmin@gmail.com

Memo No. 7098(21)

Date : 09.11.22

To

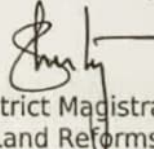
The Block Land & Land Reforms Officer (All),
Paschim Medinipur.

Sub : - Verification of registered deeds and other registered documents.

It is directed to all Prescribed Authority u/s 50 of WBLR Act'1955 i.e. Revenue Officers & Block Land & Land Reforms Officers under this jurisdiction, that, registered deeds as well as registered chain deeds and all other documents by dint of which the ROR prepares, must be verified regarding its genuinity & authenticity, at the time of disposal of mutation cases.

If any such documents are appeared to be fake or forged or found any kind of impersonation thereon, necessary action must be taken as per law with an intimation to this end.

This order must be circulated to all the Revenue Officers posted under your jurisdiction for strict compliance.

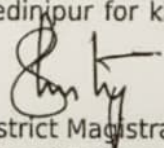

Additional District Magistrate &
District Land & Land Reforms Officer
Paschim Medinipur

Memo No: 7098(21) (6)

Date: 09.11.22

Copy to :

1. Dy. DL&LRO (Admin) / Dy. DL&LRO (Land), Dist. H.Q., Paschim Medinipur for information.
2. The Sub-Divisional Land & Land Reforms Officer, Sadar/Kharagpur/Ghatal for information and taking necessary action.
3. C.A. to the District Magistrate, Paschim Medinipur for kind appraisal of the District Magistrate.


Additional District Magistrate &
District Land & Land Reforms Officer
Paschim Medinipur

Meeting (Dated:-22.03.2023)

Misc. Case- Related:

- 1) **Barga related:**-Only 20B (5) of the WBLR Act'1955-Industrial purpose: entertainable with respect to prior permission of ADM&DLRO. Any other Barga matters -kept in abeyance till disposal of WPLRT 27 of 2019 before the larger Bench of Hon'ble Court, Calcutta.
- 2) **Permissive/Forcible possessor:** - Deletion/Insertion should not be entertainable. Title can be decided by the Civil Court only as per circular no-26/92/C/14 dated 10.01.2018 of DLR&S and Jt. LRC, WB.
- 3) **Share-Area Correction:** - As per circular memo no- 878- IS/92/2023 dtd. 06.03.2023 of the LRC, WB should be done at SDL&LRO's end. Only vested land related share/ area correction need approval of DL&LRO. (BL&LRO's must send proposal through SDL&LRO)
- 4) **Regarding 51A (4):**-Our guideline already circulated vide this office memo no-699(25)Misc/23 dtd. 23.02.2023.
- 5) **Other Misc. Cases:** - As per order no 2555 dtd. 26/07/2017 of DLR&S and Jt. LRC, WB. Any types of misc-case related matters BL&LROs must send through SDL&LROs.
- 6) **In corporation into Khatian-1:**-After annulment (Patta) by SDO, BL&LROs send complete ordersheet with e-Bhuchitra based MC Case numbers (Through SDL&LRO).
- 7) **Classification Wrong Entry:**-Present mode of use report, authenticated documents ,i.e. RS,KB,LR (scan), CLR, declaration of the applicant-Never conversion done. Prima facie, if BL&LROs satisfied, then send this end through SDL&LRO.

To

The Secretary, Judicial Department

Govt.of West Bengal

Sub: Prosecution/legal proceeding adopted against officers of the ranks of Revenue Officer, Special Revenue Officer, etc. for actions taken in official capacity and in pursuance of provisions of Act(s)/Rule(s),etc.

Sir,

We enclose our earlier reference made in the above subject. The reference is self-explanatory, however, we reiterate that as an Association representing the cadres of WBSLRS Gr-I,SROII,SROI, we are extremely anxious regarding the trend where officers of these ranks were being prosecuted at the level of Ld.CJM,etc and the issues were being made over to Police for enquiry as per provision of Sec.156 of CrPC as directed by Ld.Magistrates within the scope of Sec.156(3) of CrPC.

We were typically grieved as most of these allegations arise from actions taken under various Sections of WBLR Act,WBEA Act,etc. which are statutes placed in Ninth Schedule of the Constitution and which provide for relief within the scope of the Act itself in the form of Appeal,etc.

We had highlighted the scope of immunity as provided by Sec.58 of WBLR Act for actions taken in good faith in pursuance of the Act or Rules made thereunder.

However, while our correspondence simply iterated the abnormalities at field and our reservation against such actions as adopted by the Ld.Magistrates followed by Police but we could not enclose any references from the Judicial Fraternity then.

We enclose the orders of Calcutta High Court in CRR 1487 and 1488 of 2020 and the order(s) we feel need to be circulated as reference for the knowledge of Ld.Magistrates working at the district/sub-division level so that due weightage to the view of Hon'ble High Court in the background of Sec.58 of WBLR Act may henceforth be attached while dealing with complaints against empowered officers under various Sections of WBLR Act/WBEA Act,etc. for officiating as prescribed authorities or empowered authorities under the various Sections of the legislations.

Thanking you.

Enclo: 1)Our Earlier letter

2) The order(s) of Hon'ble Calcutta High Court

Sincerely yours,

(General Secretary)

To

The LRC & Principal Secretary,

L&LR And RR&R Department,

Govt.of West Bengal

Sub: Prosecution/legal proceeding adopted against officers of the ranks of Revenue Officer, Special Revenue Officer, etc. for actions taken in official capacity and in pursuance of provisions of Act(s)/Rule(s),etc.

Sir,

It has been long that we have severally raised the issues where officers working in the field under various provisions of WBLR Act, WBEA Act had been subject to Police and Magisterial enquiries, prosecutions, etc. on the basis of private complaints and subsequent actions initiated under provisions of CrPC, particularly Sec.58 of CrPC.

We had tried to impress the departmental authorities about the statutory provisions of Sec.58 of WBLR Act which provides that no suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done in pursuance of the Act or any rules made thereunder. However, departmental authorities did not seem the submissions fit to be considered.

However, we now enclose the order(s) of Hon'ble High Court in CRR 1487 and 1488 of 2020 as ready reference for the departmental authorities to ponder upon and to pass on instruction to different levels so that in future this aspect be actively considered while dealing with these sort of matters and Ld.State Advocates/Public Prosecutors be instructed on these lines while dealing with these sort of issues.

Thanking you.

Encl: Copies of order(s) of Hon'ble High Court

Sincerely yours,

(General Secretary)

Copy: 1) To DLRS & Jt.LRC, W.B for his valuable knowledge and necessary action in this respect

2) To DM,..... for information

3) To ADM & DLLRO, for information

(General Secretary)