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Date : Kolkata, **26th June** , 2022

To
**The Director of Land Records & Surveys
&
Joint Land Reforms Commissioner
West Bengal
Gopal Nagar Road, Alipore, Kolkata- 700 027**

**Sub: Procedural changes in connection with disposal of Miscellaneous
Cases at B.L.&L.R.Os**

Respected Madam,

For minimizing the hurdles faced by common people and to reduce the pain and agony of our field level officials we are writing this letter. The demand of the common citizen is that our records should be a true depiction of field reality and the B.L.&L.R.O concerned should do the needful by causing enquiry. As officials of this department we know that such may not be always possible because the extant Acts and Rules forbid us from doing so. But the real problem arises when the administrative orders and circulars are not in consonance with the acts and rules and people in general gets the notion that our departmental officials are employing means to create public harassment.

Most of the citizen centric work(s) like mutation, conversion, barga recording, vesting, etc. are all statutory functions of R.O. / B.L.&L.R.O. and are disposed following as indicated in Rule, Manual, etc.

But there are Petitions/Applications from citizens at Block level that do not fit with such specified statutory functions and unlike mutation/conversion, etc. which are largely disposed and regulated via designed software module, there is no devised and practiced module for the disposal of the same.

These applications/petitions are referred to commonly as “Misc. Cases” at Block level.

Some routine example of such petitions are referred below: **(Type of Misc petitions)**

- i. To meet up inconsistencies in share/area of plots
- ii. Non-updation of khatians in database as per provision of Sec.50(2) of WBLR Act though khatian is existing in Manual ROR
- iii. Prayers referring to missing plots in Computerised land records database
- iv. Prayers referring to missing khatians in computerized land records database
- v. Inconsistency in khatian 1 in so much that plot is in khatian 1 as also rayati khatian
- vi. Missing entries in Column 23 of ROR; viz, barga entry, permissive possessor entry, etc.
- vii. Drawing up of such Misc. Cases to give effect to order of Ld. Appellate Authority, vesting orders, divesting directions etc.
- viii. Drawing up of Misc. Cases u/s 51A(4) of WBLR Act to correct wrongly framed RoR since getting permission from DLLRO as per departmental circular.

- ix. Prayers for minor corrections in name/address, etc. of raiyats.
- x. Correction of share/area

Prescribed practice for disposal of misc cases prior to issuance of 2555 circular

In this connection it is to primarily assert that the primary reason for these petitions is incompatibility of Act with practice.

Reason: As per Sec.50(2) of WBLR Act, B.L.&L.R.O. should have a print-out at par with "Mother" volume which remains sealed and such print-out is to be taken up for further maintenance of ROR u/s 50 of WBLR Act.

Practice: While the entire inconsistency free finally published R.O.R remained a dream and no print-out was made available at B.L.&L.R.O's end, the software was such designed that the inconsistency laden database was directly taken up for further maintenance and the inconsistencies remained persisting and even multiplied in certain situations.

Thus, the prayers as are detailed above as also other varieties that have cropped up due to faulty final publication and/or more erratic and unchecked data-entry by private vendors being oblivious of noting, share, etc., are a reality at the field level and shall remain so. But, simultaneously it is to submit that the prayers are such that, in most cases, they do not require any fresh proceeding under any statutory power but may reasonably be addressed by adopting the "Mistake List" concept of General Instructions for LR settlement.

The Petitions as at i) to vi) can be reasonably disposed by referring to;

- A. KB-ed Volume of R.O.R
- B. "Mother" Volume of R.O.R (its scanned copies)
- C. Analysis of the audit trail report from e-Bhuchitra which enlightens the changes since Data-base has been taken up for primary work

And after going through these prepared and preserved Records, B.L.&L.R.O. can dispose the petition by passing a "Mistake List" after noting the reason for mistake and correction as made.

Of Course for prayers at vii) & viii), B.L.&L.R.O. need to directly change ROR as per passed order.

Change that occurred after issuance of circular 2555

However, since the order 2555 dtd. 26th July, 2017(copy enclosed), the B.L.&L.R.Os, need to compulsorily move these prayers through S.D.L.&L.R.O. to D.L.&L.R.O and are in fact incapacitated to effect change without online permission from DLLRO. Only prayers as at ix) can be addressed by B.L.&L.R.O. at his office and independently.

The approach might have been adopted to

- i. arrest wrongful actions of select few officers
- ii. to protect rampant record change at B.L.&L.R.O. under public threat.

Recent Changes

The system has got far more complicated.

However, the problem is that since the software is so designed at present,

Step 1

B.L.&L.R.O.s firstly need to send their observation on each such prayer as stated with documents as "hard copy" and through proper channel to D.L.&L.R.O.

Step 2

D.L.&L.R.O. and or S.D.L.&L.R.O. scrutinizes the applications and sends it back to B.L.&L.R.O. for further queries

Step 3

After such queries are met up primarily approval is given for drawing up a misc case.

Step 4

B.L.&L.R.O/R.O does the hearing and or enquiry and if it is found fit for record correction generates a “misc. case” in “e-Bhuchitra” module.

Step 5

He / She waits for DLLRO’s online permission.

Step 6

The “online” permission part is just the tip of the iceberg in this entire circle and if pendency at D.L.&L.R.O’s end is analysed on any day the enormity of the problem may be gauged.

In fact, efforts at streamlining these mutation, conversion, etc. has been well orchestrated and monitored but since these misc. cases are not entirely regulated through e-Bhuchitra, authority cannot estimate the mammoth pendency; in fact these “Misc. Cases are the primary cause for citizens’ dissatisfaction on B.L.&L.R.O. functioning though B.L.&L.R.Os are handicapped to offer any better service.

We suggest that as provided in the Act power be given to B.L.&L.R.Os to dispose misc cases without sending it to any authority for permission whatsoever and as provided in the act. The only caution is that any correction in R.O.R however minor the same may be should be backed by a proceeding duly written in the form of order-sheet. Templates if necessary may be created for the purposes. The order-sheet may be maintained in e Bhuchitra database and whenever LCR is sought for any official may get the printout.

If B.L.&L.R.O/R.O does wrong adjudication or the other side is aggrieved the appellate provision may be simplified and S.D.L&L.R.Os may act as appellate authorities.

Each plot except chhut plot should be made available in the computerized database with no discrepancies.

But instead if authority prefers continuation of the present system of disposal with highest degree of centralization at the hands of D.L.&L.R.Os, then Misc. Petitions be also initiated through e-Bhuchitra only and people at large be having the option of praying through “Banglarbhumi” and the subsequent stages of dealing with the prayer be all regulated via e-Bhuchitra with options and infrastructure for scanning/uploading of documents and their storage be devised in the system and D.L.&L.R.Os may provide the final permission “online” only for concluding disposal by B.L.&L.R.O. over the software module. In that case B.L.&L.R.O. will only execute the orders and the concept of appeal will not remain.

We submit with expectation of simplification of the process so that common man’s ire on B.L.&L.R.O. be reduced.

Thanking you.

Sincerely yours,



(Sumit Mukherjee)

General Secretary

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