

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



**পশ্চিমবঙ্গ
ভূমি ও ভূমি সংস্কার
আধিকারিক সমিতি**

(Registered under the Societies Registration Act, XXVI 1961)

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Ref : **16** / WBLROA / 2024-25

Date : Kolkata, **7th August**, 2024

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

Sub: Sub: Declaration with respect to Criminal Proceedings
Ref: Dept. Memo No. 2572(28)-A&P/1M-20/2024, dtd. 23.07.2024

Respected Sir,

The referred letter in the above subject has been circulated for subsequent action on part of the officers in so much that they have been called for declaring criminal proceedings, against them, if any.

Few submissions in this respect:

- that this is a maiden such approach on behalf of Department and never has there been such declaration called for before any promotion, etc. as may be required for Vigilance clearance.
- that Vigilance Clearance is routine for Govt. officials in all departments but as to whether such declarations are called for by complementary Administrative Departments.
- The officers of this department are regularly encountering criminal proceedings arising out of directions for proceeding u/s 156(3) of CrPC by Ld. Judicial Magistrates/ or even directly investigation by Police Authority on the basis of complaints by citizens against quasi-judicial proceedings as disposed in official capacity and being empowered authority under the Act. In this respect, Hon'ble High Court has observed that owing to provision of Sec.58 of WBLR Act such proceedings are not recommended(copy of order enclosed).However despite service of such order on Dept./extra-departmental officials by the Association(copy enclosed),none authority has proceeded to interfere and the Criminal Proceedings continue unabated. And in this backdrop if the officers are to report the Criminal Proceedings and are barred for such then that would be grave injustice on them against performing normal official duties and would be highly demotivating for the cadre at large.

Hence, taking all these into account, we would urge that Department gives a rethought and relieve the cadre of tension and apathy.

Thanking you.

Sincerely yours,

Sumit Mukherjee

(Sumit Mukherjee)

General Secretary

West Bengal Land & Land Reforms Officers' Association

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