

O/C

ASSOCIATION OF LAND AND LAND REFORMS OFFICERS', WEST BENGAL

Regd. No. : S/59306/88-89

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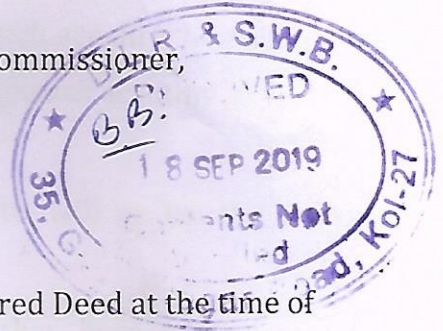
CENTRAL COMMITTEE

Memo. No.17/ALLO/19

Date: 16/09/2019

To

The Director of Land Records Surveys & Jt. Land Reforms Commissioner,
Government of West Bengal,
Survey Building,
Kolkata 700 027



Sub: Verification of Registered Deed at the time of disposal of Mutation.

Ref: 259(13)/1196-1218/C/18 Dated, Alipore, the 06th Sep, 2019.

Sir,

With reference to the above, a genuine concern regarding how to deal with the deeds have been envisaged. Needless to say that administration as usual has taken the easiest and shortcut route of transferring the onus and responsibility for the Revenue Officers (RO).



First of all, it must be appreciated that none of the Revenue Officers are forensic experts or never have they been trained by such professionals from the forensic, registration or police department at ARTI Salboni and LMTC, Berhampore for gathering the expertise and knowledge of how to discern a fake deed from a genuine one.

It must be appreciated that a fraudulently prepared fake deed is a criminal act and no such devices are provided to the ROs or any watermarks in the deed to easily verify the deed such as banks which are provided with gadgets to discern the fake currency notes.

The memo under reference very wisely suggests to check the deed no and date, signature of DSR/ADSR/RA etc. Needless to say that none of the original signatures of DSRs and other officials are available with the ROs. The chain deeds presented to the ROs covers a huge time span which may have different signatures of the Registrars. So,

without authenticated document how it has to be verified remains unexplained in the instant memo. Moreover, the vendor in most of the cases remains absent during hearing. Hence, checking of vendors signature during hearing is an impossible proposition.

At present, only the cases of transfer by recorded raiyats which are uploaded by WEBEL can be taken as a genuine deed. But, the cases which are directly submitted by agents, mohurrirs or the person concerned must go through such scrutiny of veracity of the deeds.

We apprehend that any error in judgment of the RO will as usual be viewed inconsiderately by the authorities.

As such, the ROs are under tremendous pressure as they have a fixed target to dispose of 400 cases per month under as atrocious condition of constant computer link failure which the authorities have failed to find any panacea from the service provider-Reliance. This instant memo may also lead to create a sense of insecurity which may lead to balking away from taking any quasi-judicial decision by the ROs on the grounds of dissatisfaction of accepting any deed/s concerned. Obviously, it will increase the buffer cases or the appeals to ADM or Hon'ble WBLRTT.

The last clause of the memo, i.e. the checking of the land schedule is a must. It is brought to your kind attention that the imbalanced plot index of the full or part vested plots often leads to a very dangerous precinct, to mutate a vested plot, which the registering authorities might have missed to perceive or comprehend while registering a deed over such a vested plot. Sometimes, part vested plots are sold by virtue or through the retained Khatian, entirely, involving the vested land.

However, for the sake of brevity we would like to suggest that the applicants be advised to adduce current information slips available from the portal of the registering authority against each deed which can easily be verified by the ROs (viz. wbregistration.gov.in)

We thank the authorities for bestowing such responsibility and expectations from a Revenue Officer, who must have been considered to be blessed or hold heavenly powers of discerning at a glance a fake deed; but in reality it is not. It only paves the way of obloquy in future for the poor Revenue Officer.

It had been a naïve process of not taking the help of advanced technology like affixing holograms, or watermarks in the deeds to prove its genuinity. The judgmental prudence of ROs are generally very high but cannot be taken as granted and may fail for obvious reasons under circumstance and situations beyond their control.

Hence, we urge to reconsider the matter and avail the help of technology and instant information service provided by the registering authorities to aid and help in taking quasi-judicial decisions by RO. Otherwise, it will open the box of unending discordance and enervate the smooth process of decision making by ROs. We think it is scientific to diagnose a fever through pathological tests rather than depending on the clinical eye of the physician.

Revenue Officers are regularly being subjected to herculean tasks, being called for a non-stop duty on government holidays, Saturday and Sundays and on top of it, such instant orders will be the last straw on the camel's back.

The matter is placed for immediate consideration and necessary action.

Yours faithfully,

Chanchal Samajder
Chanchal Samajder
General Secretary
16/09/19

Memo. No.17/1(2)/ALLO/19

Date: 16/09/2019

Copy to:-

1. The Hon'ble Minister-In-Charge, Land & Land Reforms and Refugee Relief & Rehabilitation Department, Government of West Bengal, for kind perusal.
2. The Principal Secretary and Land Reforms Commissioner, Government of West Bengal, Department of Land and Land Reforms and Refugee Relief & Rehabilitation, for kind information and necessary action, please.

Chanchal Samajder
Chanchal Samajder
General Secretary
16/09/19