



OFFICE OF THE

**ASSAM INFORMATION COMMISSION**

**JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No.	KP(M)313/2016
Complainant/ Appellant	Sri Jyoti Prakash Ghosh
Respondent	Circle Officer, Dispur Revenue Circle.
Date of Hearing	14.05.2018
Date of order	15-06-2018
Complaint/ Second appeal heard by	Shri H. S. Das, IAS (Retd) State Chief Information Commissioner, Assam

**O R D E R**  
**15.06.2018**

1. Compliance of this Commission's order dated 20-4-2018 was taken up for review on 14-5-2018.

2. The SPIO and Additional Deputy Commissioner of the office of Deputy Commissioner, Kamrup (Metro) Sri Prasanta Pratim Kathkhatia submitted a written statement dated 11-5-2018 stating that the petitioner Sri J.P.Ghosh has since been furnished by the Addl. Deputy Commissioner, (Land Records Branch) of the office of Deputy Commissioner, Kamrup (Metro) the mutation case records bearing No. 26/2010-2011 standing in the name of Sri Sukomol Sinha-vs- Smti Manju Ghosh vide letter No. KRC(M)-27/2018/1157-59 dated 21-04-2018. Copy of the letter dated 21-04-2018 showing as received by the petitioner on 21-04-2018 along with copy of detailed case records of mutation case No. 26/2010-2011 including mutation order dated 07-06-2010 have also been enclosed with the written statement.

3. The direction at paragraph 4(a) of this Commission's order dated 20-04-2018 has, therefore, been fully complied with. Hence this matter is closed.

4. The SPIO also enclosed with his written statement dated 11-05-2018 a copy of the inquiry report submitted to the Deputy

Commissioner, Kamrup (Metro) by Sri Palash Pratim Bora, ACS, Additional Deputy Commissioner, Kamrup (Metro) District. The content of the recommendations was discussed with him on 24-05-2018. A few important observations and recommendations made by Sri Bora in the inquiry report are reproduced below :-

## **QUOTE**

### **OBSERVATIONS:-**

- (i) After examining various aspects related with the issue, it is found that the practice of correction of Circle Jamabandi as per the recorded corrections of Sadar Jamabandi as prescribed in Assam Land Revenue Manual; (Rule -183/1) had not been done in this office at least for last 8 years (even though the Settlement Operation was closed in 2009-10). Such similar corrections which were done during this period in the Sadar Jamabandi prior to the commencement of 'Dharitri' project (i.e., Integrated Land Records Management System) in force, were never been reflected effectively or systematically in various Revenue Circles of the District. As a result, there is every possibility that two types of records may be existing separately (i.e., one type of pattadars in Sadar Jamabandi and another set of pattadars in the Circle Jamabandi). This may cause major inconvenience or trouble /problems in coming days if such discrepancies are not addressed immediately and in time bound manner.
- (ii) In this regard, no such fresh record correction , Sadar Jamabandi done at present and it is found to be an obsolete process after the operationalization of Dharitri on-line system in Circle Offices and D.C. Office. But, preserving the hard copies of valuable Land Records is found to an utmost priority and essential for future references.
- (iii) The record keeping at various offices and branches is found to be in very poor shape which may cast a serious doubt on genuinity of a decision or action of past years. The officials are found to be less interested or duty bound to keep their valuable office records in a systematic manner. It is observed that while

asking for an old document or a file, the new incumbent could not able to trace out any such old file with a simple pretext that his predecessor had not briefed him about such records. It is also observed that the employees are not properly trained to improve their efficiency level. Such serious dis-connections of predecessor and successor are found to be an un-healthy practice which could be even disastrous at time.

#### **RECOMMENDATIONS :-**

- (i) For proper and effective Land administration in the district, a systematic synchronization of the Data of land records both at Circle Level as well as at District level is very much essential and it must be completed within a fixed time line. The present data base of land records needs urgent validation with Hard copies of Sadar Jamabandi so that no discrepancy should ever be occurred in Data-Base of ILRMS in coming days.
- (ii) All L.R staffs must be asked to furnish a “certificate” after such synchronization, updation and validation of Data Base with Hard Copies stating that the Land Record of the specific village is checked with Circle Chitha, Circle Jamabandi, Sadar Jamabandi & Chitha and all records are found to be “at par” with the ILRMS Data-Base. Circle Officer should countersign this.
- (iii) The Office Asstts. be asked to be more systematic in record keeping and the capacity building of the Office Asstt. on record keeping , File management and Dak management etc. be considered at right earnest to ensure the continuity of office procedures both at Circle Offices & various branches of D.C. office.
- (iv) All branches be directed to keep and update the concerned Guard Files of the Branch and the concerned ADC/ Branch Officers/ Circle Officers be asked to ensure such Guard Files and its regular up-dation from time to time in their respective Branches.

- (v) The record correction of Circle Jamabandi against the above mentioned schedule as per the Sadar Jamabandi be given effect to and both the Land Records (i.e., of Sadar and Circle) be made at par with each other to avoid any future confusion or complications.
- (vi) The offices/ branches (of D.C Office and the Circles) be provided with the minimum logistic supports for proper record keeping immediately. . In this connection, an assessment of such requirements of proper space, steel Almirah, File Racks etc. be made immediately and such supports may be provided in phase manner for greater interest of proper record keeping in the Branches/ offices.
- (vii) All Branches are flooded with old, un-used files, Registers, case documents without proper maintainance of such records and there is an every likelihood that such records may be misplaced or lost in coming days. So , all branches of D.C office and Circle Offices be asked to hand over the custody of such old, unused Files, Registers, Case Records etc. to the District Record Room (with proper receipts and records). Such exercise will also provide free spaces in the respective branches.

All ADCs/ BOs/ COs be asked to personally monitor their respective branches/ offices within regular intervals and to ensure proper record keeping and mainance of official files/ Registers/ Important documents in the Branches for future reference.

#### Unquote

5. It came to the notice of this Commission in course of hearing of this instant second appeal case that name of title holder for a plot of land in the records of the concerned Revenue Circle office was different from the name of the pattadar for the same plot of land recorded in the central land records in the RKG Branch of the office of the Deputy Commissioner , Kamrup (Metro). Introduction of “Dharitri” without re-conciliation of basic land records like Chitha/Jamabandi being maintained centrally by District RKG branch

and by the concerned Circle Offices seems to have kept an open gap in the record maintenance.

**Such un-reconciled land records seem to have the potential of causing not only confusion about the correctness of the land records, but also of causing and facilitating land disputes, manipulation and falsification of land records, including execution of land sale deed through impersonation and forgery as is suspected by Police in the instant second appeal case, as recorded in paragraph-5 of this Commission's order dated 20-4-2018 which is reproduced below :-**

**QUOTE**

The appellant Sri J.P.Ghosh furnished a copy of a reply dated 9-8-2016 furnished by Panbazar Police Station, Guwahati to another RTI petition dated 1<sup>st</sup> August, 2016 which was filed by Sri Ghosh before the O.C, Panbazar Police Station, Guwahati. Copy of his RTI petition enclosing the Panbazar Police Station reply dated 9-8-2016 is entered into the case records. From the police report it appears that the sale deed purportedly executed by the petitioner's wife Smti Manju Ghosh in favour of one Sri Sukomol Sinha might have been based on impersonation and forgery.

**UNQUOTE**

6. This Commission is of the view that reconciliation of the land records maintained by the different public authorities , namely, the Deputy Commissioner of the district, the Revenue Circle Offices and the Mouzadars is of utmost importance, immediate necessity and a matter of great public importance.

7. In view of the above, the Additional Chief Secretary, Govt. of Assam , Revenue and Disaster Management Department is directed to take into consideration the recommendations and observations of Addl. Deputy Commissioner, Kamrup (Metro) referred to above and issue necessary instructions to all Deputy Commissioners and other concerned Revenue Officials to take necessary steps to synchronize the land revenue

records particularly the Jamabandis being maintained by Revenue Officials at different levels.

The above order is passed in exercise of powers conferred under Section -19(8) (a) (iv) read with Section-25 (5) of the RTI Act, 2005.

**Sd/-**

**(H. S. Das)**

**State Chief Information Commissioner,  
Assam**

**Authenticated true copy**

**Sd/-**

**Registrar I/c**

**Assam Information Commission**

**Memo No SIC/ KP(M).313/2016 /**

**A**

**Dated 15.06.2018**

Copy to:-.

- 1) Chief Secretary to the Government of Assam,, Dispur, Guwahati-6 for information and necessary action.
- 2) Additional Chief Secretary, Govt. of Assam, Revenue & Disaster Management Department, Dispur, Guwahati-6 for information and necessary action
- 3) Principal Secretary to Chief Minister, Assam, for information and necessary action
- 4) Deputy Commissioner, Kamrup (Metro), Panbazar, Guwahati-1 for information and necessary action.
- 5) Sri Palash Pratim Bora, Additional Deputy Commissioner, Kamrup (Metro) District for information.
- 6) Sri Jyoti Prakash Ghosh, House No.-7, Village/Town- Umananda Housing Complex, Sreenagar Path, Bye Lane-1, P.S-Bhangagarh, for information.
- 7) Director of Information and Public Relations, Dispur Last Gate, Dispur, Guwahati-6 for information.
- 8) Computer Section for uploading in the Website
- 9) Office file.
- 10) Order Book.

**Registrar I/c**

**Assam Information Commission.**