

The



Calcutta सत्यमेव जयते *Gazette*

Extraordinary

Published by Authority

JYAISTHA 12]

THURSDAY, JUNE 2, 1994

[SAKA 1916

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL
LAND & LAND REFORMS DEPARTMENT
Land Reforms Branch

NOTIFICATION

No. 748-L.Ref./6M-12/93. Dated, Calcutta, the 1st June, 1994.

In exercise of the power conferred by Section 59 of the West Bengal Estates Acquisition Act, 1953 (West Bengal Act I of 1954), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of the said section, the following amendments in the West Bengal Estates Acquisition Rules, 1954, as subsequently amended (hereinafter referred to as the said rules), namely :-

Amendments

In Schedule F to the said rules,—

(1) after paragraph 1, *insert* the following paragraph :-

"1A. When the lease of a tea garden is determined and the tea garden is leased afresh to a new lessee, the later shall be liable to pay salami at the rate of Rs. 15,000 per hectare of the land leased out.

1B. In case of a transfer of the leasehold interest, except by way of inheritance, the transferee shall not be liable to pay salami during the unexpired period of the lease. On the expiry of the transferred lease, he shall be liable to pay salami at the rate of Rs. 15,000 per hectre of the land leased out before the lease is further renewed.";

(2) in Form I,—

(a) in the paragraph beginning with the words "WITNESSETH that", after the word "rent", *insert* the words "and salami",

(b) in the paragraph beginning with the words "AND the Lessee/Lessees",—

(i) in clause (13),—

(A) after sub-clause (d), *insert* the following sub-clause :-

"(dd) That the transferee, other than by inheritance, shall be required to enter into a fresh lease on payment of *salami* at the rate laid down in paragraph 1B of Schedule F within three months of expiry of the unexpired period of lease;

(B) in sub-clause (e), for the word and figures "Rupees 2,000", *substitute* the word and figures "Rupees 20,000";

(ii) after clause (13), *insert* the following clauses:-

"(13A) That the running of a tea garden without valid lease agreement shall not be permissible and the Collector may, in his

- discretion, impose such fine, not exceeding Rs. 500 per day, as the Collector may determine for unauthorised operation of a tee garden.
- (13B) That if the Lessee fails to utilise the land for the purpose it was leased out, the Collector may, after giving the Lessee an opportunity of being heard, determine the lease.”;
- (iii) in clause (14),-
- (A) in sub-clause (b),-
- (1) for the letters and figures "Rs. 10", *substitute* the letters and figures "Rs. 100", and
- (2) for the letters and figures "Rs. 500", *substitute* the letters and figures "Rs. 5,000";
- (B) in sub-clause (c),-
- (1) after the word "hereof", *insert*
- the words, letter, figure and brackets "except sub-clause (e) of clause (6)",
- (2) for the letters and figures "Rs. 50", *substitute* the letters and figures "Rs. 500", and
- (3) for the letters and figures "Rs. 1,500", *substitute* the letters and figures "Rs. 20,000";
- (C) after sub-clause (c), insert the following sub-clause :-
- "(cc) That on breach of provisions of sub-clause (e) of clause (6), the Lessee/Lessees shall pay, on demand, to the Collector a fine of Rs. 5,000 for every tree felled. The tree/trees felled illegally without prior permission of the State Government shall be forfeited by the Collector".

By Order of the Governor,
Sd/-
Secy. to the Govt. of West Bengal.