

19-A. PROVISIONS OF CEILING UNDER THE WBLR ACT, 1955

**Government of West Bengal
Office of the Board of Revenue, W.B.
Section (A)-I, G.E. Branch**

No.8995-GE / 443/79

Dt. Cal, the 17th June, 1980

To
The Director of Land Records & Surveys,
West Bengal.

Sub : Taking over possession of vested lands under sec. 14T(3) of W.B.L.R. Act.

Section 14T(3) of the W.B.L.R. Act provides that the Revenue Officers may on receipt of a return submitted under Sub section (1) or Sub-Sec. (2) of Section 14T or on his own motion, determine the extent of land which is to vest in the State under Sec. 14S and take possession of such lands.

Under notification No. 26500-L. Ref. dt. 29.10.75 issued by the L & L.R. Deptt. (a) all Special Revenue Officers Grade-II, (b) all Junior Land Reforms Officers, (c) all Settlement Kanungos, Grade -I, and (d) all Settlement Kanungos, Grade-II have been appointed to discharge within their respective jurisdiction, the function of the Revenue Officer under Section 14T libid.

So long the J.L.R.Os have been taking over possession of the lands vested under the West Bengal Land Reforms Act within their respective jurisdiction. The question has been reviewed by the Board. In view of the provision for determination of land exceeding the ceiling and taking over possession of the vested lands in the same section namely Section 14T(3) it is desirable that the same Revenue Officer who determines the extent of excess land should take over possession of such lands after vesting. This will also facilitate payment of compensation for such lands.

It has accordingly been decided by the Board that henceforth only the Special Revenue Officers Grade - II and Settlement Kanungos Grade-I will take over possession of vested lands under section 14T of the West Bengal Land Reforms Act within their respective jurisdiction. After taking over possession, they will send lists of such lands to the respective J.L.R.Os who will enter the lands in Register VIII and will take steps for distribution of the same. While taking possession of vested lands, the SRO-IIs or Kgo-Is will take with them a representative of the J.L.R.Os in whose jurisdiction the lands have vested and proposed to be taken possession of.

He is requested to issue directions to all concerned accordingly.

Sd/- Illegible
Secretary
Board of Revenue, West Bengal

Memo No. 8995/1(61)-GE

Copy forwarded to :-

- 1) to 4) ***
5) The Settlement Charge Officer, Jalpaiguri for information.
6-7)

Sd/- Illegible
Secretary, Board of Revenue West Bengal.

Government of West Bengal
Directorate of Land Records and Surveys, West Bengal

Memo. No. 773/7213/C/'81.

Dated, Alipur, the 7th/9th September, 1981

To
The Settlement Officer,
Murshidabad-Birbhum.

Sub : Vesting of part plots in proceedings under section 14T of the West Bengal Land Reforms Act.

Ref : His Memo. No.1-2/14-80/C/'80, dated 14.2.1981.

It has been reported in the memorandum under reference that some part plots have vested u/s. 14T of the West Bengal Land Reforms Act and no recourse has been taken to the proviso to sub-section 3 of Section 14T while disposing of such cases. Reference has been made of the difficulties in reopening such cases u/s. 14T (3A) as information about taking over possession and distribution of the part plots already vested has to be sought from the Additional District Magistrate, who have to refer the matter to other officers, if the question of cancellation of pattas is involved.

From a practical point of view, it is extremely unlikely that any part plot having a small area has been distributed. So, the question of relinquishment of possession by Collector or cancellation of patta by the S.D.O. will not arise in most of the cases. References to the Management Wing will be necessary only when the vested portion of the plot has an area of, say, more than 5 decimals. In other cases, proceedings U/s. 14T(3A) to correct the anomaly can be presumably drawn up without any formal clearance from the Management Wing. The J.L.R.O. should, however, be kept informed at all stages of the proceedings u/s. 14T(3A). Further, where, under present orders of the Board of Revenue, possession of the vested plots are to be taken by the Settlement Wing, reference to the A.D.M. or his officers will not be necessary at all.

Asok Gupta
Director of Land Records & Surveys,
West Bengal.

Memo. No.773/7214-7221/C/80,

dated, Alipur, the 7th/9th September, 1981

Copy forwarded to the –

- 2) *** *** *** ***
2) Settlement Officer, Cooch Bihar for information.
2) *** *** *** ***

Asok Gupta
Director of Land Records & Surveys, W.B.

●
Government of West Bengal
Office of the Director of Land Records and Surveys, West Bengal

Memo. No.95/7971/C/81

Dated, Alipur, the 31st October, 1981

To
The Settlement Officer,
Purulia.

Ref : His Memo. No.12/7109/R/76-80, dt. 12.10.81

U/s. 14L of the W.B.L.R. Act read with other provisions of the Act, Ceiling area can be determined as on the date of vesting and also as on any subsequent date found surplus to the Ceiling on any particular date shall vest. In other words, ceiling provisions of the W.B.L.R. Act, unlike those in the W.B.E.A. Act, all in continuous operation.

In this instant case, ceiling can and should be determined afresh as on 8.8.73.

K.P. Sandilya,
For Director of Land Records and Surveys,
West Bengal.

Memo. No.95/7972-7978/C/81.

Dated Alipur, the 31st October, 1981 / 04.11.81

Copy along with a copy to which this is a reply is forwarded to the Settlement Officer, for information.

Sd/- Illegible
For Director of Land Records & Surveys,
West Bengal.

Copy of Memo. No.12/7109/R/76-80, dated 12.10.81 from the Settlement Officer, Purulia to the Director of Land Records & Surveys, West Bengal.

Sub : Determination of fresh ceiling in respect of a raiyat due to decrease in the number of family members died after 15.02.71.

In course of disposal of a case u/s. 14T of the W.B.L.R. Act, a question has been raised whether the ceiling can be determined on any subsequent date after 15.02.71 in respect of a raiyat in view of the fact of decrease in the number of family members due to death after 15.2.71. To make the reference clear a specific case is given below.

A raiyat having a family consisting of only two members viz. himself and his wife, held 5 standard Hectres of Agri. Land (including Homestead) on 15.2.71. The wife of the raiyat did not hold any land as raiyat at any point of time. The wife of the concerned raiyat died on 7.8.73 leaving behind her husband alone in the family. Now in view of the fact whether the ceiling area of the concerned raiyat can be determined as on 8.8.73 and he may be allowed to retain only 2.50 standard Hectres as sole surviving member.

Early instruction is solicited.

————— ● —————
Government of West Bengal
Office of the Settlement Officer, 24-Parganas
Alipore

C I R C U L A R

No.114/28971/P/75

Dated, Alipore the 30.09.1982

A question has arisen whether any Raiyat having more than one wife will get the benefit of extra land for each wife in terms of Section 14M of the W.B.L.R. Act. In the definitional portion of Section 14K(c) (i) the terms 'Wife' has been used in singular form while the terms sons and daughters have been used in plural form. From this, it is clear that the legislature intended to consider one of the wives as member of the family for the purpose of determining ceiling area of a Raiyat's family.

Normally, the Advocates pleading for the Raiyats having more than one wife refer to Section 13 of the General Clauses Act which reads as follows :-

In all (Central Acts) and regulations unless there is anything repugnant in the subject or context;

1. Words importing to masculine gender shall be taken to include feminine gender.
2. Words in the singular shall include plural and vice-versa.

Referring to above the Advocates plead that even if the term 'wife' has been used in singular form in the L.R. Act as per Section 13 of the General Clauses Act 'wife' shall also mean 'wives' and all the wives be considered as component member of the family. But in the High Court Rulings reported in AIR A491 and in the case 'Budhaishak vs. Emperor reported' in ILR 33 Cal 292, 294 and in some other cases as well it has been clarified that it is not correct to say that for all words in the singular appearing in any Central Act the plural shall be substituted. A "word" in the singular may be incorporated in the singular number as well as plural number.

Secondly the General Clauses Act is applicable to the Central Acts and Regulations whereas the W.B.L.R. Act is purely a State Act with definite objective of vesting excess land from the Raiyats.

Thirdly, Section 4 of the W.B.L.R. Act has overriding effect on all other State and Central Acts.

Fourthly, in a rulling reported in 15 MIA 234 the Calcutta High Court has made it clear that “if a term has been left undefined by the legislature, it should be taken into natural and popular meaning unless, of course, such meaning is inconsistent with the object of he legislature”. Since the term ‘wife’ gives a natural meaning of one wife and not more than one wife and since such natural meaning is quite consistent with the purpose of the legislature there is no reason to give extra land for any additional wife of any Raiyat, even though the Raiyat is permitted under any law to have more than one wife. In desposing of 14T cases all the wives be considered to constitute a single unit but if the wives do have any separate land that should be taken into account in calculating the total land of the family.

P. Banerjee
Settlement Officer, 24-Parganas

Memo No.114/28972-29070/P/75

Dated, April 30.9.82.

Copy to :-

- 1) The Charge Officer – I/II/III/IV
- 2) The Officer-in-Charge, ‘C’ Camp No.
- 3) The Officer-in-Charge, Civil Suit Cell.
- 4) The Circle Officer, Circle,
For information and guidance.

P. Banerjee
Settlement Officer, 24-Parganas

**Government of West Bengal
Land and Land Reforms Department
Land Reforms Branch
Writers’ Buildings, Kolkata – 700001**

ORDER

No.1574-LR/3M-20/07 GE(M)

Dated, Kolkata the 28th March, 2007

WHEREAS M/s. TATA MOTORS LIMITED (hereinafter called the said Company) intending to set up an automobile plant for manufacturing automobiles applied for permission to acquire and hold of an area of 645.67 acres of land at mouza – Beraberi, J.L. No. 5, mouza – Singherberi, J.L. No. 10, mouza – Khaserberi, J.L. NO. 11, mouza – Bajemelia, J.L. No. 12 and mouza – Gopalnagar, J.L. No. 13 all under police station Singur in the district of Hooghly which is in excess of the ceiling limit applicable to the said Company under section 14M of the West Bengal Land Reforms Act, 1955 (hereinafter called the said Act);

AND WHEREAS the said area of 645.67 acres of land, in the opinion of the State Government, is required by the said Company for the purpose of setting up the automobile plant for manufacturing automobiles;

NOW, THEREFORE, in exercise of the power conferred by the proviso to section 14Y of the said Act read with rule 14GG of the West Bengal Land Reforms Rules, 1965, the Governor is pleased hereby to grant permission to the said Company for acquisition and holding of the said area of 645.67 acres of land as detailed in the Schedule enclosed strictly for the purpose of setting up the automobile plant for manufacturing automobiles subject to the condition that the said Company should submit land utilization report every year till completion of the project within the period of three years of the date of issuance of this order when final design and completion plan should also have to be submitted and also subject to the condition that if the said company fails to utilize within three years of the date of issuance of this order such land for the purpose for which the said Company is so permitted to acquire and hold the said land, then, all the provisions of Chapter IIB of the said Act relating to ceiling area shall apply to the area of land which is so held in excess of the ceiling area applicable to the said Company under section 14M of the said Act.

By Order of the Governor,
Mukul Kanti Sarkar
Special Secretary to the Govt. of West Bengal.

Copy forwarded for information and necessary action to :-

- 1) The Principal Secretary to the Govt. of West Bengal, Commerce and Industries Department, Writers' Buildings, Kolkata-1.
- 2) The Managing Director, West Bengal Industrial Development Corporation Limited, 5, Council House Street, Kolkata-1.
- 3) The District Magistrate and Collector, Hooghly, P.O. Chinsurah, District – Hooghly.
- 4) The A.D.M. & D.L.L.R.O., Hooghly, Jiban Paul's Garden, P.O. & Dist. Hooghly.
- 5) M/s. TATA MOTORS LIMITED, Bombay House, 24, Homi Mody Street, Mumbai – 400001.

Mukul Kanti Sarkar
Special Secretary to the Govt. of West Bengal

The Kolkata Gazette
Extraordinary
Published by Authority

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TUESDAY, OCTOBER 5, 2010

[SAKA 1932

**Government of West Bengal
Law Department
Legislative**

NOTIFICATION

No.1414-L-5th October, 2010 – The following Act of the West Bengal Legislature, having been assented to by the Governor is hereby published for general information :-

West Bengal Act XXVIII of 2010
THE WEST BENGAL LAND REFORMS
(AMENDMENT) ACT, 2010
[Passed by the West Bengal Legislature]

[Assent of the Governor was first published in the Kolkata Gazette, Extraordinary, of the 5th October, 2010.]

An Act to amend the West Bengal Land Reforms Act, 1955.

WHEREAS it is expedient to amend the West Bengal Land Reforms Act, 1955, for the purposes and in the manner hereinafter appearing;

It is hereby enacted in the Sixty-first Year of the Republic of India, by the Legislature of West Bengal, as follows :-

1. (1) This Act may be called the West Bengal Land Reforms (Amendment) Act, 2010.
- (2) Save as otherwise provided in this Act, it shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

* * * *

6. In the first proviso to sub-section (1) of Section 14Z of the principal Act, after the words, letter and brackets "under clause (g)", the words, letter and brackets "or under clause (f)" shall be deemed to have been inserted with effect from the 7th day of August, 1969.

* * * *

9. The amendments made in the principal Act by section 2, section 3 and section 6 shall be deemed to have been made with effect from the 7th day of August, 1969 and accordingly anything done or any action taken or purported to have been taken or done under the principal Act on or after the said date and before the commencement of this Act, shall, notwithstanding anything contrary contained in any judgement, decree or order of any court, tribunal or other authority, be deemed to be, and to have always been, for all purposes, as validly and effectively taken or done as if the said amendments had been in force at all material time.

By order of the Governor,
K. Y. S. MANHAS,
Pr. Secy.-in-charge to the Govt. of West Bengal
Law Department

BENGALI SET OUT

[See Separate Pagemaker File]

<http://wbllora.in>

BENGALI SET OUT 2

[See Separate Pagemaker File]

<http://wbllora.in>

BENGALI SET OUT 3

[See Separate Pagemaker File]

<http://wblhora.in>

Government of West Bengal
Law Department
Legislative

NOTIFICATION

No.572-L.- 30th April, 2012 – The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :-

West Bengal Act VI of 2012
THE WEST BENGAL LAND REFORMS
(AMENDMENT) ACT, 2012
[Passed by the West Bengal Legislature]

[Assent of the Governor was first published in the Kolkata Gazette, Extraordinary, of the 30th April, 2012.]

An Act to amend the West Bengal Land Reforms Act, 1955.

WHEREAS it is expedient to amend the West Bengal Land Reforms Act, 1955, for the purposes and in the manner hereinafter appearing;

It is hereby enacted in the Sixty-Third Year of the Republic of India, by the Legislature of West Bengal, as follows :-

1. (1) This Act may be called the West Bengal Land Reforms (Amendment) Act, 2012.
- (2) It shall come into force on such date as the State Government may by notification in Official-Gazette, specify.

* * * *

4. In section 14K of the principal Act, for clause (ee), the following clause shall be substituted :-

“(ee)”project report” means a project report relating to such purpose as mentioned in the first proviso to section 14Y, which has been examined, vetted and approved by the appropriate Department of the State Government.”

5. In clause (a) of section 14R of the principal Act, for the words “a local authority or”, the words, letters and figures “a local authority or any wholly Government company as defined in section 617 of the Companies Act, 1956, or” shall be substituted.

6. In section 14Y of the principal Act, -

- (1) for the first proviso, the following proviso shall be substituted :

“Provided that if the State Government, after having regard to all the circumstances of a case and on the basis of the project report filed by any person, is satisfied that such person requires land -

(a) for the purpose of establishing a mill, factory or workshop, livestock breeding farm, poultry farm, dairy, industrial park or industrial hub or industrial estate, financial hub, warehousing, tea garden, agro-industry, power plant or power transmission or distribution substation, film city, tourism project, educational and medical institutions, bio tech park, food park, port, airport, shipyard including shipbuilding and ship breaking, oil and gas products piped transportation, information and communications technology (ICT) industries and information and communications technology (ICT) allied industries or mining and allied activities and

(b) For the purpose of future expansion of any such mill, factory or workshop, livestock breeding farm, poultry farm or dairy, industrial park or industrial hub or industrial estate, financial hub, warehousing, agro-industry, power plant or power transmission or distribution, substation, film city, tourism project, bio-tech park, food park, port, airport, shipyard including shipbuilding and ship breaking, information and communication technology (ILCT) allied industries,

such person may, with the previous permission, in writing of the State Government and on such terms and conditions, and in such manner, as the State Government may, by rules prescribe, acquire and hold land in excess of the ceiling area applicable to him under section 14M”

(2) for the second proviso, the following provisos shall be substituted :-

“Provided further that such person having been permitted by the State Government to establish an industrial park or industrial hub or industrial estate or financial hub or a bio-tech park or a food park, shall utilize such land and lease out the whole or any part of it with the previous permission of the appropriate Department of the State Government under intimation to the Land and Land Reforms Department, for the purpose for which he has been so permitted to acquire and hold such land to such a person who will set up an unit thereon as per objects of the respective project as approved.

Provided also that if such person fails to utilize such land within three years of the date of such permission granted under the first proviso for the purpose for which he has been so permitted by the State Government and in any case the unit is not set up within the aforesaid period of three years as per objects of the project as mentioned in the second proviso, then, all the provisions of this Chapter relating to ceiling area shall apply to the area of land which is held in excess of the ceiling area applicable to him under section 14M”;

(3) for Explanation 1, the following Explanation shall be substituted :

“Explanation I. – For the purpose of this section, “person” includes an individual, a firm, a company, an institution, or an association or body of individuals, whether incorporated nor not, or a local authority or an authority constituted or established by or under any law for the time being in force”

(4) Explanation II shall be omitted.

7. In sub-section (1) of section 14Z of the principal Act, for the words “to transfer by way of open auction” the words “to transfer by way of open auction for the purposes referred to in the first proviso to 14Y excluding tea garden” shall be substituted.

By Order of the Governor,
B. K. SRIVASTAVA
Secy. in charge to the Govt. of West Bengal
Law Department

— ● —
The Kolkata Gazette
Extraordinary
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MONDAY MAY 7, 2012

[SAKA 1934

Government of West Bengal
Land and Land Reforms Department
Writers' Buildings, Kolkata – 700001.

NOTIFICATION

No. 2633-LP

Kolkata, the 7th May, 2012

In exercise of the power conferred by sub-section (2) of Section 1 of the West Bengal Land Reforms (Amendment) Act 2012, (West Ben. Act VI of 2012) (hereinafter referred to as the said Act), the Governor is pleased hereby to specify, the 7th day of May, 2012 as the date with effect from which the said Act shall come into force.

By order of the Governor
R.D. Meena
Principal Secretary to the Govt. of West Bengal.

— ● —

**Government of West Bengal
Land and Land Reforms Department
Land Policy Branch
Writers' Buildings, Kolkata - 700001**

No. 4043(9)-LP/1A-8/2012

Date : 25.7.2012

From : The Additional Secretary to the Government of West Bengal.

To Addl. Chief Secy./Pr. Secy. to the Govt. of West Bengal/Secy. in Charge,
.....Department

Sub : West Bengal Land Reforms (Amendment) Act, 2012 & the rules framed thereunder.

In continuation of this Department's Memo No.3141(9)-LP dated 08.06.2012 on the above subject, the undersigned is directed to state that the amendments to the West Bengal Land Reforms Rules, 1965 have already been published in the Kolkata Gazette Extraordinary of the 18th day of July, 2012. Copy of the said gazette notification is sent herewith for information and necessary action from his end.

Sd/-Illegible
Additional Secretary to the Government of
West Bengal

No.4043(9)/1(41)-LP

Date : 25.05.2012

Copy with copy of enclosure forwarded for information and necessary action to the :-

1. The Commissioner,Division, P.O., Dist.....
2. Director of Land Records & Surveys, West Bengal, 35, Gopalnagar Road, Alipore, Kolkata-27.
3. District Magistrate & Collector, P.O Dist.
4. A.D.M. & D.L.L.R.O., P.O., Dist.

Sd/-Illegible
Additional Secretary to the Government of
West Bengal

The Kolkata Gazette
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WEDNESDAY, JULY 18, 2012

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**Government of West Bengal
Land and Land Reforms Department
Writers' Buildings, Kolkata - 700001**

NOTIFICATION

No.3890-LP/1A-08/2012. — The 18th day of July, 2012. – WHEREAS the draft amendment was published as required by sub-section (1) of Section 60 of the West Bengal Land Reforms Act, 1955 (West Ben. Act X of 1956) (hereinafter referred to as the said Act), in Notification No. 3043-LP/1A-08/2012, dated the 1st day of June, 2012, in the Kolkata Gazette, Extraordinary, PART I dated the 1st day of June, 2012, inviting objections and suggestions from all persons likely to be affected thereby, within thirty days from the date of its publication;

AND WHEREAS no objections or suggestions have been received by the State Government till date;

NOW, THEREFORE, in exercise of the power conferred by section 60 of the said Act, the Governor is pleased hereby to make, with immediate effect, the following amendments in the West Bengal Land Reforms Rules, 1965, as subsequently amended (hereinafter referred to as the said rules) namely :-

AMENDMENTS

In the said rules,-

1. for rule 14GG, substitute the following rule :-

“14GG Terms and conditions and manner of holding of land by way of purchase or otherwise in excess of ceiling limit.- (1) A person, as defined in the Explanation I to section 14Y, requiring land in

excess of the ceiling limit prescribed under section 14M for the purpose of establishing a mill, factory or workshop, livestock breeding farm, poultry farm, dairy, industrial park or industrial hub or industrial estate, financial hub, warehousing, tea garden, agro-industry, power plant or power transmission or distribution, sub-station, film city, tourism project, educational and medical institutions, bio-tech patta, food park, port, airport, shipyard including ship building and shipbreaking, oil and gas products piped transportation, information and communication technology (ICT) industries and information and communication technology (ICT) allied industries or mining and allied activities, shall apply to the State Government in the Land and Land Reforms Department for previous permission, in writing, to hold land by way of purchase or otherwise in excess of the ceiling limit, in Form No. 7C.

(2) A person, as so defined, requiring land in excess of the ceiling limit prescribed under section 14M, shall, for the purpose of future expansion of any such mill, factory or workshop, livestock breeding farm, poultry farm or dairy, industrial park or industrial hub or industrial estate, financial hub, warehousing, agro industry, power plant or power transmission or distribution sub-station, film city, tourism project, bio-tech park, food park, port, airport, shipyard including shipbuilding and shipbreaking, information and communications technology (ICT) industries and information and communication technology (ICT) allied industries, apply to the State Government in the Land and Land Reforms Department for previous permission, in writing, to hold land by way of purchase or otherwise in excess of the ceiling limit, in Form No. 7CC.

(3) The application shall contain a detailed project report which has been examined, vetted and approved by the appropriate Department of the State Government concerning the project, as well as such particulars and documents as mentioned in Form No. 7C or Form No. 7CC, as the case may be.

(4) The State Government in the Land and Land Reforms Department may call for, from the applicant concerned, any other information and document that may be required for the purpose of considering the application.

(5) The State Government in the Land and Land Reforms Department having regard to all the circumstances of a case and on the basis of the recommendations of the appropriate Department of the State Government concerning the project may grant necessary permission in respect of so much of land as is recommended by the appropriate Department of the State Government.

(6) A person, having been so permitted by the State Government in the Land and Land Reforms Department, may hold land by way of purchase or otherwise in excess of the ceiling limit prescribed under section 14M strictly for the purpose for which such permission has been granted on the following terms and conditions and such other terms and conditions as the State Government may consider it necessary to impose and include in a case :-

- a) that the land shall not be acquired illegally and forcibly in any circumstances whatsoever;
- b) that the fair and reasonable price for the land shall be paid to the land owners;
- c) that no coercive method shall be used in obtaining possession of the land;
- d) that the land so permitted to be acquired shall be utilized within three years of the date of such permission granted for the purpose for which such permission has been sought for;
- e) that the land so permitted to be acquired shall not be left unused, either wholly or partly, at any point of time after granting such permission for any reason whatsoever;
- f) that where the object of the project is to use the land for a purpose for which approval or permission or licence from an appropriate authority is necessary, such approval or permission or licence shall be obtained from such authority as soon as the order granting such permission as sought for is made;
- g) that where permission has been sought for to establish an industrial park or industrial hub or industrial estate or financial hub or bio-tech park or a food park, the land so permitted to be acquired shall be utilized for such purposes within three years of the date of such permission and shall be leased out the whole or any part of it only with the previous permission of the appropriate Department of the State Government concerning the project under intimation to the Land and Land Reforms Department to such a person who will set up a unit there within the aforesaid period of three years as per objects of the respective project as approved”.

2. for Form No. 7C, insert the following Form :-

“FORM NO. 7C

[See sub-rule (1) of rule 14GG]

From : _____

[State name and address of the applicant(s)]

To : The Secretary to the Government of West Bengal
Land and Land Reforms Department
Kolkata – 700001.

Sub : Application for permission to hold land by way of purchase or otherwise in excess of the ceiling limit.

Sir,

I/We have the honour to apply for permission to hold of an area of _____ acres of land by way of purchase or otherwise which is in excess of the ceiling limit prescribed under Section 14M of the Act for the purpose of establishing _____

2. The particulars of the land with respect to which such permission is sought for are furnished below :-

- | | | |
|-------|---|---|
| i) | Name of the District | : |
| ii) | Name of Block(s) | : |
| iii) | Name of Police Station(s) | : |
| iv) | Name of Mouza(s) | : |
| v) | Jurisdiction list No.(s) | : |
| vi) | Khatian Nos. | : |
| vii) | Plot Nos. | : |
| viii) | Area of each plot
(If part plot, specify the area and portion) | : |
| ix) | Existing classification of each plot | : |

3. The following documents are enclosed with this application :-

- (i) A Detailed Project Report (DPR) duly examined, vetted and approved by the _____ Department of the State Government;
- (ii) A skatch-map showing the project area with different categories of the plot of land on colour wash;
- (iii) A plan showing therein the proposed mode of use of different area within the project as per DPR.

4. I/We also declare and undertake -

- (i) that no land shall be acquired illegally and forcibly in any circumstances whatsoever;
- (ii) that the fair and reasonable price for land shall be paid to the land owners;
- (iii) that no coercive method shall be used in obtaining possession of land;
- (iv) that the land shall be utilized within three years of the date of permission for the purpose for which such permission shall be granted;
- (v) that the land shall be used strictly for the purpose for which such permission shall be granted;

- (vi) that the land shall not be left unused, either wholly or partly, at any point of time after granting such permission as sought for, for any reason whatsoever;
- (vii) that necessary approval or permission or licence shall be obtained from the appropriate authority as required for implementation of the project on the land as soon as order granting such permission as sought for is made;
- (viii) that the land shall be utilized within three years of the date of such permission so sought for and shall be leased out the whole or any part of it with the previous permission of appropriate Department of the State Government concerning the project under intimation to the Land and Land Reforms Department to such a person who will set up a unit thereon within the aforesaid period of three years as per objects of the respective projects as approved;

(Applicable only in cases where the application relates to permission for the purpose of establishing an industrial park or industrial hub or industrial estate or financial hub or a bio-tech park or a food park).

5. I/We also declare and undertake –

- (i) that in case it is proved at any point of time that the documents furnished and the statements made hereinabove are not true or correct, I/we shall be liable for cancellation of the order granting such permission as sought for;
- (ii) that I/we shall observe and perform all such acts and deeds as required to be done in compliance with the order under sub-rule (6) of rule 14GC granting the permission as sought for and also as per declaration and undertaking as so made within six months from the date of permission failing which I/we shall be liable for cancellation of the order granting such permission as sought for;
- (iii) that I/we shall submit a report about purchase of land in respect of which permission is sought for within a period of six months from the date of permission to the State Government in the Land and Land Reforms Department through the Collector of the district;

Encl : As stated above.

Yours faithfully,

(Full signature of the Applicant(s) with seal, if any)”

3. After Form No. 7C, insert the following Form :

“FORM NO. 7CC

[See sub-rule (2) of rule 14GG]

From : _____

[State name & address of the applicant(s)]

To : The Secretary to the Government of West Bengal,
Land & Land Reforms Department
Kolkata – 700001.

Sub : Application for permission to hold land by way of purchase or otherwise in excess of the ceiling limit for expansion of the existing project.

Sir,

I/We have the honour to apply for permission to hold of an area of _____acres of land by way of purchase or otherwise which is in excess of the ceiling limit prescribed under section 14M of the Act for the purpose of expansion of

2. The particulars of the land of the existing project are furnished below :-

- (i) Name of the District :
- (ii) Name of Block(s) :
- (iii) Name of Police Station(s) :
- (iv) Name of Mouza(s) :
- (v) Jurisdiction list No.(s) :
- (vi) Khatian Nos. :
- (vii) Plot Nos. :
- (viii) Area of each plot :
(If part plot, specify the area and portion)
- (ix) Existing classification of each plot :

3. The particulars of the land with respect to which permission for expansion of the existing project is sought for are furnished below :-

- (i) Name of the District :
- (ii) Name of Block(s) :
- (iii) Name of Police Station(s) :
- (iv) Name of Mouza(s) :
- (v) Jurisdiction list No.(s) :
- (vi) Khatian Nos. :
- (vii) Plot Nos. :
- (viii) Area of each plot :
(If part plot, specify the area and portion)
- (ix) Existing classification of each plot :

4. The following documents are enclosed with this application :-

- (i) necessary certificate from the appropriate authority that the existing project is running smoothly;
- (ii) copy of mutation certificate or copy of current record-of-rights, copy of conversion certificates and copy of current rent receipt in respect of the land comprised in the existing project;
- (iii) a sketch map showing the project area of the existing project with side measurement and showing approach read.
- (iv) copy of no objection certificate of the West Bengal Pollution Control Board in respect of the existing project;
- (v) copy of the order granting permission to hold land by way of purchase or otherwise in excess of the ceiling limit (applicable only in cases where the existing project involves land in excess of the ceiling limit);
- (vi) a Detailed Project Report (DPR) duly examined, vetted and approved by the _____ Department of the State Government in respect of which permission is sought for;
- (vii) a sketch map showing the project area with different categories of the plot of land on colour wash in respect
- (viii) a plan showing therein the proposed mode of use of different area within the project as per DPR in respect of which permission is sought for.

5. I/We also declare and undertake –

- (i) that no portion of the land comprised in the existing project is used for any other purpose other than the purpose of that particular project in any manner whatsoever;
- (ii) that no portion of the land comprised in the existing project is left unused for any reason whatsoever;
- (iii) that the land for which permission is sought for shall not be acquired illegally and forcibly in any circumstances whatsoever;
- (iv) that the fair and reasonable price shall be paid to the land owners for the land for which permission is sought for ;
- (v) that no coercive method shall be used in obtaining possession of the land for which permission is sought for;
- (vi) that the land shall be utilized within three years of the date of permission for the purpose for which such permission as sought for shall be granted;
- (vii) that the land shall be used strictly for the purpose for which such permission as sought for shall be granted;
- (viii) that the land shall not be left unused, either wholly or partly, at any point of time after granting such permission as sought for, for any reason whatsoever;
- (ix) that necessary approval or permission or licence shall be obtained from the appropriate authority as required for implementation of the project on the land as soon as order granting such permission as sought for is made;
- (x) that the land shall be utilized within three years of the date of such permission as sought for and shall be leased out the whole or any part of it with the previous permission of appropriate Department of the State Government concerning the project under intimation to the Land and Land Reforms Department to such a person who will set up a unit thereon within the aforesaid period of three years as per objects of the respective projects as approved;

(Applicable only in cases where the application relates to permission for the purpose of future expansion of an industrial park or industrial hub or industrial estate or financial hub or a bio-tech park or a food park).

6. I/We also declare and undertake –

- (i) that in case it is proved at any point of time that the documents furnished and the statements made hereinabove are not true or correct, I/We shall be liable for cancellation of the order granting such permission as sought for;
- (ii) that I/we shall observe and perform all such acts and deeds as required to be done in compliance with the order under sub-rule (6) of rule 14GG granting the permission as sought for and also per declaration and undertaking as so made within six months from the date of permission failing which I/we shall be liable for cancellation of the order granting such permission as sought for;
- (iii) that I/we shall submit a report about purchase of land in respect of which permission is sought for within a period of six months from the date of permission to the State Government in the Land and Land Reforms Department through the Collector of the District.

Encl : As stated above.

Yours faithfully,

Place :

(Full signature of the Applicant(s) with seal, if any)"

Date :

By Order of the Governor

R.D. MEENA

Secretary to the Govt. of West Bengal

**Government of West Bengal
Law Department
Legislative**

NOTIFICATION

No.156-L.- 28th January, 2014 - The following Act of the West Bengal Legislature, having been assented to by the Governor is hereby published for general information :-

West Bengal Act XXIV of 2013
THE WEST BENGAL LAND REFORMS (AMENDMENT)
ACT, 2013

[Passed by the West Bengal Legislature]

[Assent of the Governor was first published in the Kolkata Gazette, Extraordinary, of the 28th January, 2014.]
An Act to amend the West Bengal Land Reforms Act, 1955.

WHEREAS it is expedient to amend the West Bengal Land Reforms Act, 1955, for the purposes and in the manner hereinafter appearing;

It is hereby enacted in the Sixty-fourth Year of the Republic of India, by the Legislature of West Bengal, as follows :-

1. (1) This Act may be called the West Bengal Land Reforms (Amendment) Act, 2013.
(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
2. In section 14Z of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as the principal Act), -
 - (1) in sub-section (2), for the words, figures and brackets "poultry farming or diary or township in a Planning Area as may be permitted to be developed under the West Bengal Town and Country (Planning and Development) Act, 1979" the words "poultry farming or dairy," shall be substituted.
 - (2) in the first proviso, for the words, figures and brackets "poultry farming or diary, or township in a Planning Area as may be permitted to be developed under the West Bengal Town and Country (Planning and Development) Act, 1979", the words "poultry farming or dairy" shall be substituted.

* * * *

By order of the Governor

MALAY MARUT BANERJEE,
Secy. to the Govt. of West Bengal
Law Department

**Government of West Bengal
Law Department
Legislative**

NOTIFICATION

No.1968-L.- 31st December, 2014 - The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :-

West Bengal Act XVII of 2014
The West Bengal Land Reforms
(Amendment) Act, 2014

[Passed by the West Bengal Legislature]

[Assent of the Governor was first published in the Kolkata Gazette, Extraordinary, of the 31st December, 2014.]

An Act to amend the West Bengal Land Reforms Act, 1955.

WHEREAS it is expedient to amend the West Bengal Land Reforms Act, 1955, for the purposes and in the manner hereinafter appearing;

It is hereby enacted in the Sixty-fifth Year of the Republic of India, by the Legislature of West Bengal, as follows :-

1. (1) This Act may be called the West Bengal Land Reforms (Amendment) Act, 2014.
(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
2. In section 14Y of the West Bengal Land Reforms Act, 1955 –
 - (1) in the first proviso,-
 - (a) in clause (a), for the words “livestock breeding farm, poultry farm, dairy, industrial park or industrial hub”, the words “livestock breeding farm, poultry farm, dairy, fishery, township, transportation or terminal, logistic hub, industrial park or industrial hub” shall be substituted;
 - (b) in clause (b), for the words “livestock breeding farm, poultry farm or dairy, industrial park or industrial hub or industrial estate, financial hub, warehousing”, the words “livestock breeding farm, poultry farm or dairy, fishery, township, transportation or terminal, logistic hub, industrial park or industrial hub or industrial estate, financial hub, warehousing, tea garden, educational and medical institutions, oil and gas products piped transportation, mining and allied activities” shall be substituted;
 - (2) in the second proviso, for the words “industrial park or industrial hub or industrial estate or financial hub”, the words “industrial park or industrial hub or industrial estate or financial hub or logistic hub” shall be substituted;
 - (3) in the third proviso, for the words, figures and letter “under section 14M”, the words, figures and letter “under section 14M, unless there is an order of extension of such permission granted by the State Government for the purpose for which he has been so permitted for a period of not exceeding two years in addition to the above mentioned period of three years, as the State Government may deem fit and proper” shall be substituted.

By order of the Governor,

MALAY MARUT BANERJEE
Secy. to the Govt. of West Bengal
Law Department.

— ● —
The Kolkata Gazette
Extraordinary
Published by Authority

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MONDAY, JANUARY 19, 2015

[SAKA 1936

**Government of West Bengal
Land and Land Reforms Department
Land Policy Branch
NABANNA**

325, Sarat Chatterjee Road, P.O. Shibpur, Howrah- 711102.

NOTIFICATION

No.154-LP/1A-4/2011

date :19.01.2015

In exercise of the power conferred by sub-section (2) of section 1 of the West Bengal Land Reforms (Amendment) Act, 2014 (West Ben. Act XVII of 2014) (hereinafter referred to as the said Act), the Governor is pleased hereby to specify the 19th day of January, 2015 as the date with effect from which the said Act shall come into force.

By order of the Governor

A.K. SINGH
OSD & Ex-Officio A.C.S. & L.R.C.
Government of West Bengal