

Government of West Bengal  
Land & Land Reforms and R.R. & R Department  
Land Policy Branch  
Nabanna(6<sup>th</sup> Floor)

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

No.1585 (22)-LP/5M-16/18

Date: 28/05/19

From: The Deputy Secretary to the Government of West Bengal

To : The ADM & DLLRO, .....

P.O..... Distt.....

Sub: Clarification on disposal of petition for change of mode of use of land from recorded classification 'Bagan' to other use.

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Sir,

I am directed to refer to the above subject and to clarify for removal of doubts in disposal of application for change of mode of use of land in the RoR by the raiyat in the following cases:

- (i) **Land with recorded classification 'bagan' converted before 24/03/1986:** Change in the mode of use of the land may be regularized by application of rule 166 of the West Bengal Land & Land Reforms Manual, 1991 and respective record of rights of the land may be corrected under section 51A(4) of the West Bengal Land Reforms Act, 1955 by an officer specially empowered by the State Government under the said Act in case of finally published mouza and under appropriate section of the Act if the mouza is lying in any stage of record preparation subject to the condition that the applicant raiyat has to establish the fact that such change of mode of use of land from the recorded classification was done prior to 24/03/1986 with substantial documentary evidence.
- (ii) **Land with recorded classification 'bagan' converted without permission after 24/03/1986 but before 07/11/2017:** These applications should be

treated as post-facto conversion without permission and application for regularization may be disposed of as per section 4C(6) of the WBLR Act, 1955 after receiving application in Form 1C or Form 1D prescribed under rule 5AA of the West Bengal Land Reforms Rule, 1965, as the case may be, in the manner prescribed in this Department's Circular No.2222-LP Dated 21/06/2018 and on payment of such fee as prescribed in this Department's Notification No.2221-LP Dated 21/06/2018.

- (iii) **Fresh application for conversion of land under section 4C of the West Bengal Land Reforms Act, 1955 from recorded classification 'bagan' to other use:** Collector under section 4C of the West Bengal Land Reforms Act, 1955 while issuing necessary certificate, where found fit for such conversion, should impose the condition- 'subject to approval of the Competent Authority under the West Bengal Trees (Protection and Conservation in Non-Forest Areas) Act, 2006.'

In cases where such application for conversion has already been disposed of by the Collector under section 4C by passing an order rejecting such application, the raiyat concerned shall have to apply afresh before the Appellate Authority under section 54 or in this Department under section 54(5) of the West Bengal Land Reforms Act, 1955.

Yours faithfully,



Deputy Secretary

Date: 28/05/2019

No.1585/1-LP

Copy forwarded for information and necessary action to the:

Director of Land Records & Surveys, West Bengal. 35, Gopalnagar Road, Alipore, Kolkata-27

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Deputy Secretary