

A. Misra

**GOVERNMENT OF WEST BENGAL
OFFICE OF THE DIRECTOR OF LAND RECORDS & SURVEYS AND
JT. LAND REFORMS COMMISSIONER, WEST BENGAL
357 GOPAL NAGAR ROAD, KOLKATA - 700 087**

Memo-no.7/2608-25/C/2000

Dated, Alipur the 1st August, 2006

From: Director of Land Records & Surveys
and Jt. Land Reforms Commissioner, WB.

To: The District Land & Land Reforms Officer,
Malda

Date	5/30/06
Time	7/08/06
Collection No.	
File No.	

Sub: Circular regarding recording in cases of Multiple -
ownership pattern in vertically integrated flat.

Enclosed may please find herewith this Dte. Circular no. 7/2626/C/2000,
dated 31.07.06 prepared in modification of the previous circular no. 7/75/1928/C/81, dated
11.05.1984 for immediate implementation in recording of multi-storied building. Difficulties,
if any, found in the process of implementations of this circular, should be reported to this
Dte. for further instruction with all connected papers and recommendations.

(B.P. Gopalika)
Director of Land Records & Surveys
& Jt. Land Reforms Commissioner, WB

Memo. No. E/DLLRO(MLD)/ 3170-74 Dated, Malda, the 20.08.2007

Copy forwarded to :-

- (01-02) The Sub-Divisional Land & Land Reforms Officer, Malda
(Sadar)/Chanchal for information with request to send
the copy of the mentioned circular to all B.L.&L.R.O.s
under his jurisdiction for their information and guidance.
- (03-05) The O.S.D./O.C. Pkr/H.A. attached to District Land & Land
Reforms Officer, Malda for information and taking
necessary action.

AP/2006
keep in mind
file up

20.8.2007
District Land & Land Reforms Officer
M A L D A.

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GOVERNMENT OF WEST BENGAL
Office of the Director of Land Records & Surveys
and Joint Land Reforms Commissioner, West Bengal
35, Gopal Nagar Road, Alipur, Kolkata - 700 027.

No. 7/ 2626 /C/2000

Dated, Alipur, the 31st July, 2006

C I R C U L A R

**Sub: Recording in cases of Multiple - ownership pattern
in vertically integrated flat.**

The demand for residential /office space in prime localities, presently, in the metropolitan areas has spanned a new dimension of ownership of land - the vertical one, where a number of flats are constructed on floors one above the other with certain common facilities like parking space, pump room, office space for residents association, lift, staircase space entrance and landing etc. and other common service areas.

In this particular circular instruction is being issued in respect of private-owned flats i.e. land owned -owner / promoter owned multistoried building continuing different sizes of flats, which is afterwards sold to different individuals.

There are some Co-Operative basis flats or Co-operative basis small colonies fresh circular on this Co-operative basis flats / colonies will soon be issued.

Once, a flat is constructed and sold to a person or legal entity, the latter becomes the owner with the right and title to flat proportionate undivided/inseparable share of the land underneath the building and the vacant area left outside the building as per existing municipal or corporation rules / common land appertaining to building (if proportionate ownership of the vacant area left outside the building is not taken into account, then 16 annas "Area Mill" will never be possible.). Then the respective area of each flat owner shall be based on the carpet area as per transfer deed + Proportionate common covered area + Proportionate built up area + Proportionate vacant area, if any.

It must be borne in mind that the roof of the building could be further utilized for future expansion by the developer/promoter and if it is so done the proportionate share shall change again and the khatians shall have to re-cast.

In respect of a flat in a multi-storied building the carpet area purchased by a flat owner, the common area, the area of the built in structure and vacant area are given in square-feet for the purpose of our recording, we have to convert square feet into decimals. (One decimal = 435.6 square-feet). Two examples are stated below :-

Example 1:- Suppose on plot no. 45, a multistoried building has been constructed by a promoter containing 4(four) floors covering an area of 0.12 acres. The building has been constructed leaving 0.02 acres as vacant space outside the building as per rules. So the total available plinth area for the 4(four) floors will be $435.6 \times 10 \times 4 = 17424$ square feet . Suppose there are twenty four flats of which carpet area is stated below :-

Floor numbers	Flats of different Carpet area	No. of flats in each floor	Total carpet area in each floor
Ground floor	650 Sq. Ft. each	6	3900 Sq. Ft
1 st Floor	700 Sq. Ft. each	6	4200 Sq. Ft
2 nd Floor	700 Sq. Ft. each	6	4200 Sq. Ft
3 rd Floor	700 Sq. Ft. each	6	4200 Sq. Ft
Total available Carpet area of 24 flats			16500 Sq. Ft

Suppose in this particular multi-storied building the following items are used by each owner as common area, i.e.

Lift	=	200 Sq. Ft.
Space for Meter Box	=	50 Sq. Ft.
Stairs Cases	=	200 Sq. Ft.
Landing	=	100 Sq. Ft.
Coridors	=	100 Sq. Ft.
Entrance	=	100 Sq. Ft.
<u>Water Pump Room</u>	=	<u>100 Sq. Ft.</u>
Total		850 Sq. Ft.

So the total common area appartaining to structure = 850 Sq. Ft. . Area of thickness of walls and structure = 74 Sq. Ft. Hence the vacant space will be $0.02 \times 435.6 = 871.2$ Sq. Ft.

Now suppose, from a deed of transfer executed by the promoter in favour of a person "A", it appears that 'A' purchased 700 Sq. Ft. of carpet area in 2nd floor. Then for the purpose of preparation of our R-o-R, total area held by 'A' shall have to be computed as follows :-

$$\frac{700 \text{ Sq. ft.}}{\text{Carpet Area}} + \frac{850}{24(\text{Common area})} + \frac{74}{24 \text{ Thickness of Walls}} + \frac{871.2}{24(\text{Vacant Space})} = 774.79 \text{ Sq. ft.}$$

Then 'A's share over the plot no 45 totaling an area of 0.12 acres comes to $774.79/18295.2 = 0.0423$ and the area over the plot as per share will be 0.00508 acres (Approximately).

Now, in another case a flat has been raised over 0.10 acres leaving no vacant area and there are 24 flats of carpet area stated earlier. Then the share of each owner will be :

Name of the Owner	Total area of the plot	Proportionate share over the plot	Proportionate area where the map is prepared in 64" = 1 mile	Proportionate area where the map is prepared in 32" = 1 mile	Proportionate area where the map is prepared in 16" = 1 mile.
A	0.10 acres	0.0424	0.0043	0.004	0
B	0.10 acres	0.0424	0.0043	0.004	0
C	0.10 acres	0.0424	0.0043	0.004	0
D	0.10 acres	0.0424	0.0043	0.004	0
E	0.10 acres	0.0424	0.0043	0.004	0
F	0.10 acres	0.0424	0.0043	0.004	0
G	0.10 acres	0.0424	0.0043	0.004	0.01
H	0.10 acres	0.0424	0.0043	0.004	0.01
I	0.10 acres	0.0424	0.0043	0.005	0.01
J	0.10 acres	0.0424	0.0043	0.005	0.01
K	0.10 acres	0.0423	0.0042	0.005	0.01
L	0.10 acres	0.0423	0.0042	0.005	0.01
M	0.10 acres	0.0423	0.0042	0.005	0.01
N	0.10 acres	0.0423	0.0042	0.005	0.01
O	0.10 acres	0.0423	0.0042	0.005	0.01
P	0.10 acres	0.0423	0.0042	0.005	0.01
Q	0.10 acres	0.0423	0.0042	0.005	0.00
R	0.10 acres	0.0423	0.0042	0.005	0.00
S	0.10 acres	0.0395	0.0039	0.003	0.00
T	0.10 acres	0.0395	0.0039	0.003	0.00
U	0.10 acres	0.0395	0.0039	0.003	0.00
V	0.10 acres	0.0395	0.0039	0.003	0.00
W	0.10 acres	0.0395	0.0039	0.003	0.00
X	0.10 acres	0.0395	0.0039	0.003	0.00
Total		1.0000	0.1000	0.100	0.10

Now, a khatian should be opened in favour of "A" and in remarks Column of the khatian at the reverse page against plot no. the following should be made in Bengali ;

প্রকাশ অ্যাপার্টমেন্ট।
 দলিলে বর্ণিত বর্গফুট ব্যতীত সিঁড়ি, লিফট করিডর, প্রবেশ পথ, মিটার ঘর ও পাম্প হাউস ইত্যাদি ফ্ল্যাট মালিকদের 'কমন এরিয়া' এবং দেওয়ালের ঘনত্ব সহ মোট জমির পরিমাণ তুল্যাংশে নথিভুক্ত করা হইল। ছাদে কোন ফ্ল্যাট মালিকের অংশ থাকিবে না।

Accordingly, in respect of 24 flat owners the actual area as stated above is shown below:-

Name of the Owner	Total area of the plot	Proportionate share over the plot	Proportionate area where the map is prepared in 64" = 1 mile	Proportionate area where the map is prepared in 32" = 1 mile	Proportionate area where the map is prepared in 16" = 1 mile.
A	0.12 acres	0.0424	0.0051	0.006	0.01
B	0.12 acres	0.0424	0.0051	0.006	0.01
C	0.12 acres	0.0424	0.0051	0.006	0.01
D	0.12 acres	0.0424	0.0051	0.006	0.01
E	0.12 acres	0.0424	0.0051	0.006	0.01
F	0.12 acres	0.0424	0.0051	0.006	0.01
G	0.12 acres	0.0424	0.0051	0.005	0.01
H	0.12 acres	0.0424	0.0051	0.005	0.01
I	0.12 acres	0.0424	0.0051	0.005	0.01
J	0.12 acres	0.0424	0.0051	0.005	0.01
K	0.12 acres	0.0423	0.0051	0.005	0.01
L	0.12 acres	0.0423	0.0051	0.005	0.01
M	0.12 acres	0.0423	0.0051	0.005	0.00
N	0.12 acres	0.0423	0.0051	0.005	0.00
O	0.12 acres	0.0423	0.0051	0.005	0.00
P	0.12 acres	0.0423	0.0051	0.005	0.00
Q	0.12 acres	0.0423	0.0051	0.005	0.00
R	0.12 acres	0.0423	0.0051	0.005	0.00
S	0.12 acres	0.0396	0.0047	0.004	0.00
T	0.12 acres	0.0396	0.0047	0.004	0.00
U	0.12 acres	0.0396	0.0047	0.004	0.00
V	0.12 acres	0.0396	0.0047	0.004	0.00
W	0.12 acres	0.0396	0.0047	0.004	0.00
X	0.12 acres	0.0396	0.0047	0.004	0.00
Total		1	0.12	0.12	0.12

Two model khatians are enclosed.

During recording of such multistoried building concerned Authorities/
Municipalities/Municipal Corporation/Notified area should be noticed to verify whether proper
sanction has been made by the concerned authorities or not.



(B.P. Gopalika)
Director of Land Records and Surveys
and Jt. Land Reforms Commissioner,
West Bengal.

N.B.:- Explanation-I : Though generally in a flat owner's deed only the carpet area is mentioned, but for all practical purposes the valuation of carpet area is estimated considering the valuation of the common area and area occupied by the structure and the vacant area left outside the building.

Explanation II : To determine the area covered by the thickness of the walls both internal and outside, it is advisable to contact the Authorities who sanction the plan and get a traced copy of the plan to calculate such area.

Memo No.7/2627-36/C/2000

Dated, Alipur the 31st July, 2006

Copy forwarded for information to the :

- 1) The Principal Secretary, L&LR Department, WB.
- 2) The Joint Secretary, L&LR Department, WB.
- 3) The Jt. Director, Land Records & Surveys, WB.
- 4) The Dy. Director of Administration, WB.
- 5) The Dy. Director of Land Records, WB.
- 6) The Dy. Director of Compensation, WB.
- 7) The Dy. Director of Surveys, WB.
- 8) The Asstt. Director of Compensation, WB.
- 9) The Asstt. Director of Land Records, WB.
- 10) The Asstt. Director of Land Records (Consolidation), WB.
- 11) The Asstt. Director of Surveys, WB.
- 12) The Asstt. Director (HQ.)



(B.P. Gopalika)
Director of Land Records and Surveys
and Jt. Land Reforms Commissioner,
West Bengal.

জিলা হাওড়া থানা বানী	মোজা বেলুড় জে.এল. নং ২১	খতিয়ান নং ৭২৬
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স্বত্বের নাম ও ঠিকানা	স্বত্বের বিশেষ অনুসঙ্গ	রাজস্ব	সেস		
			পথ	পত্র	শিকা
			৪ক	৪খ	৪গ
মাধব চন্দ্র চট্টোপাধ্যায় পিং জনার্ধন চট্টোপাধ্যায় সং ৪২ নালাবাবু সায়ার রোড, বেলুড়, হুগলী	রায়ত	২.০০ (দুই টাকা মাত্র)			

জমির বিবরণ

মাগ নং	জমির শ্রেণী	মন্তব্য	মাগের মোট পরিমাণ		মাগের মধ্যে অত্র স্বত্বের অংশ	মাগের মধ্যে অত্র স্বত্বের অংশের জমির পরিমাণ			
			এঃ	শঃ		এঃ	শঃ	হেক্টর	এমর
৫	৬	৭	৮ক	৮খ	৯	১০ক	১০খ	১০গ	১০ঘ
১৪৫ ওঃ ১৪৬ ওঃ P.B. 43	বাড়ী	প্রকাশ বানেশ্বর অ্যাপার্টমেন্ট প্রেমিয়েম নং..... '.....রোড,বেলুড় দলিলে বর্ণিত ৬৫০ বর্গফুট ব্যতীত শিডি নিফট, করিডার, প্রবেশ পথ, মিটার ঘর, গান্ধ হাউস ইত্যাদি ফ্ল্যাট মানিকদেব রমন এরিয়া' এবং দেওয়ানের ঘনত্ব সহ মোট জমির পরিমাণ তুলন্যরূপে নথিভুক্ত করা হইল।	০	১২	.০৪২৪	০	০০৫১		
<p>Attested Sd/- Revenue Officer</p>									

মডেল খতিয়ান নম্বর ২

১৫

জিলা হুগলী	মৌজা চন্দন নগর	খতিয়ান নং ৪২৫			
থানা চন্দন নগর	জে.এল. নং ২০				
স্বত্বের নাম ও ঠিকানা	স্বত্বের বিশেষ অনুসঙ্গ	রাজস্ব	সেস		
			পথ	পুকুর	শিক্ষা
১	২	৩	৪ক	৪খ	৪গ
গোরাই ব্যানার্জী পিং গুনধর ব্যানার্জী সাং চন্দন নগর, ব্যানার্জী পাড়া, হুগলী	রায়ুচ	২.০০ (দুই টাকা মাত্র)			

জমির বিবরণ

দাগ নং	জমির শ্রেণী	মন্তব্য	দাগের মোট পরিমাণ		দাগের মধ্যে অথ অথ স্বত্বের অংশ	দাগের মধ্যে অথ স্বত্বের অংশের জমির পরিমাণ			
			এঃ	শঃ		এঃ	শঃ	হেক্টর	এয়র
৫	৬	৭	৪ক	৪খ	৯	১০ক	১০খ	১০গ	১০ঘ
৩০১০	বাড়ী	ব্যানার্জী অ্যাপার্টমেন্ট প্রেমিসেস নং.....রোড 'দিনে বর্ণিত ৬৫০ বর্নফুট ব্যাচীও গিড়ি, নিফট, করিডার, প্রবেশ পথ, মিটার ঘর, পাম্প হাউস, ইত্যাদি ফ্ল্যাট মালিকের কমন এরিয়া" এবং দেওয়ানের ঘনত্ব সহ মোট জমির পরিমাণ তুল্যমতে নথিভুক্ত করা হইল।	০	১০	০.০৩১৫	০	০০		
মোট দাগ									
জমির মোট পরিমাণ									

Attested
Self-
Revenue Officer