

GOVERNMENT OF WEST BENGAL

Department of Land & Land Reforms and Refugee Relief & Rehabilitation, Nabanna (6th Floor), 325 Sarat Chatterjee Road, Shibpur, Howrah - 711 102



পশ্চিমবঙ্গ সরকার

ভূমি ও ভূমি সংস্কার এবং উদ্বাস্ত জাগ ও পুনর্বাসন দপ্তর,
নলাফ (৬ষ্ঠ তলা), ৩২৫ শরৎ চাটার্জি রোড,
শিবপুর, হাওড়া - ৭১১১০২

No. 289 - LL/N/LP/2P-01/23

Date 20/01/2023.

To
The District Magistrate and Collector,
_____ (All)

Sub. Unused industrial land and resumption process - regarding.

Madam / Sir,

The Government intends to resume unused industrial land allowed to be retained or leased out for its proper reutilization. Hence, it has been decided to follow the following procedure in this regard.

(1) For unused retained land under section 6(3) of WBEA Act: Under West Bengal Estate Acquisition Act, 1953 the erstwhile intermediaries were allowed to retain ceiling surplus land comprised in tea gardens, mills, factories or workshops for the purpose of running the said units on actual need basis, if such units existed prior to the date of vesting under the said Act. However, with the passage of time, many such units were either liquidated or closed. Prior to 2017, there was no provision for diversification of land use of such retained lands. With the insertion of sub-section 2 in section 4B of the West Bengal Land Reforms Act, 1955 w.e.f. 15.05.2017, provision to diversify the use of these lands came into force, by which the retainers or subsequent transferees became lessee directly under the State. But despite best of our efforts only a few of such units came forward with the proposal to become lessee under the State. Hence, it is required to issue notices to these units for initiating suitable action under section 4B(2) of the WBLR Act. If they fail to respond, resumption process may be initiated.

(2) For lease hold govt. vested land: Government land under its *khas* possession (vested land) is leased out to various companies for the purpose of setting up of industry. These lands are being directly leased out by the L & LR and RR & R Department or given on perpetual transfer basis / LTS to parastatals like WBIDC, WBIIDC, WBSIDC and other corporations This lease has a specific clause which requires the lessee to complete setting up of the project within 3 (three) years (which may be extended for another two years with permission from the department). It is found in some cases that such leased land is lying unutilised for more than the stipulated time period. In such cases such unused land may be identified immediately for resumption. For land inside industrial parks leased out by corporations, the same exercise may also be taken up by the concerned departments like I&CE, MSME, FPI&H, Tourism etc. Survey of all such lands should be started immediately.

Hence, you are requested to take appropriate steps in this regard so that the said work can be completed within a period of 1 (one) month.

Yours faithfully,

LRC and Secretary to the Government of West Bengal.

No. 289 / 1(27) - LL/N/LP/2P-01/23

Date 20/01/2023.

Copy forwarded to:

- (1) The Additional Chief Secretary / Principal Secretary, FPI&H / MSME / I&CE / Tourism Department for necessary action.
- (2) The ADM and District Land & Land Reforms Officer, _____ (All) for necessary action.
- (3) PS to The Chief Secretary, West Bengal for his kind appraisal.

LRC and Secretary to the Government of West Bengal.

NOTICE

Whereas, it reveals from the R.S. Records of Right that the _____
(Name of the Company)
_____ was in existence and operational prior to 14/04/1956.

And

Whereas, as per provision of the amended Sec.4B(2) of W.B.L.R. Act, 1955 _____
(Name of the Company)
_____ shall be deemed to be a lessee under the State on
fulfilment of certain terms & conditions envisaged therein.

Therefore, I am directed to ask you to appear before the office of the
undersigned at _____ on _____ and
state :

- 1) Whether he is an original retainer or subsequent transferee of the demised land and in what capacity;
- 2) Whether the said unit is still operative or fully/partly closed;
- 3) Whether he is agreeable to take on the demised land or part thereof on lease under such terms & conditions as laid down in the amended provision of Act & Rule.

I am further directed to state that if you fail to turn up on the above mentioned date & time, necessary action will be taken as per law.

(DL&LRO)

Show-Cause Notice

To

_____ (Lessee)

Whereas, it appears from the official records that a lease agreement was executed between the Department and you on _____ before the A.D.S.R. / D.R. / R.A.

And

Whereas, as per said agreement, you were allowed to use demised land for _____ within three (03) years from the date of issue of sanctioning of such lease, failing which Government reserves the right to resume the land.
(Purpose)

On getting the information that the demised land is not being used for the purpose for which it settled and _____ years/months have elapsed since the agreement was signed, I am directed to ask you to appear in the office of the undersigned on _____ at _____ and explain in writing the reason, if any, for such violation of terms of lease and why the demised land will not be resumed by the Government.

(DL&LRO)