

Government of West Bengal  
Urban Development & Municipal Affairs Department  
(Municipal Affairs Branch)  
'Nagarayan', 6<sup>th</sup> floor,  
DF-8, Sector - I, Salt Lake, Kolkata - 700064

S. Banerjee  
Pres take note  
to communication  
to all concerned  
1.2.23  
Controller, Kolkata Thika Tenancy  
Docket No. 396/12/23  
Date 31/01/23

ORDER

No. 92/UDMA-15011(18)/1/2023-LS-MA SEC

Dated, Kolkata, the 30<sup>th</sup> January, 2023

The Committee of Secretaries has been constituted vide notification No. 57/UDMA-27011(99)/4/2022-O/o ADLS(UDMA), dated the 17<sup>th</sup> January, 2023 for assignment of Thika Land on leasehold basis in favour of Thika Tenants in terms of provisions of the West Bengal Thika Tenancy (Acquisition & Regulation) Rules, 2004, subsequent to amendment of the West Bengal Rules of Business vide notification No. 874-Home(Cons)/R2R(Cons)-02/2022, dated 13.12.2022 of the Home and Hill Affairs Department;

Now, the Department of Urban Development and Municipal Affairs hereby specifies the Standard Operating Procedure(SOP) for processing of files for transfer of interest from Thika tenants to Thika lessees under sub-section 4A of section 5 of West Bengal Thika Tenancy (Acquisition & Regulation) Act, 2001 and rule 4A of West Bengal Thika Tenancy (Acquisition & Regulation) Rules, 2004:

- 1) The Deputy Thika Controller (Kolkata Municipal Corporation or Howrah Municipal Corporation) will receive the applications for transfer of interest from Thika tenants to Thika lessees under sub-section 4A of section 5 of West Bengal Thika Tenancy (Acquisition & Regulation) Act, 2001 and rule 4A of West Bengal Thika Tenancy (Acquisition & Regulation) Rules, 2004.
- 2) The Deputy Thika Controller (Kolkata Municipal Corporation or Howrah Municipal Corporation) will prepare the proposal by observing all required formalities and will place the proposals for assignment of Thika Land on leasehold basis in favour of Thika Tenant after due examination before Municipal Commissioner, Kolkata Municipal Corporation or Commissioner, Howrah Municipal Corporation along-with the below noted check list -

**Check list for transfer of interest from Thika tenants to Thika lessees under sub-section 4A of section 5 of West Bengal Thika Tenancy (Acquisition & Regulation) Act, 2001 and rule 4A of West Bengal Thika Tenancy (Acquisition & Regulation) Rules, 2004:**

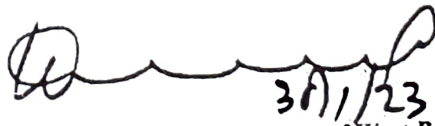
- i. Date of application made in Form 'F' in the office of the KMC/ Howrah Thika Tenancy/ Kolkata Thika Tenancy;

- ii. Whether Form F is duly filled in and signed by all Thika Tenants?
- iii. Confirmation on checking to specify whether the petitioner/petitioners/authorized representative is/are approved/ recorded Thika Tenant(s) in respect of the premises;
- iv. Area of the Plot /premises: ( in sq meter/sft );
- v. Names of Bharatias etc., as noted in Form-F;
- vi. Confirmation on checking to specify whether the Form-F is accompanied by the NOC of the Bharatias and by an undertaking of the applicant/applicants on payment of Salami and Annual Rent;
- vii. Date of sending the file to the concerned OC of the Regional Office;
- viii. Date of receiving back of the Form F File from Regional Office;
- ix. Observation of OC of Regional Office after checking with original Return File;
- x. Date(s) of hearing of all the Tenant(s) and Bharatia(s);
- xi. Findings of the Deputy Thika Controller;
- xii. Specific comment of the Deputy Thika Controller whether the Deputy Thika Controller is satisfied on the proposal of transfer of interest from Thika Tenant as Thika Lessee and Bharatia as Thika Assignee;
- xiii. Date of sending duly filled in Requisition Form to the IGR & CSR, WB to obtain the current market value of the premises;
- xiv. Annual Rent and Salami calculated on the basis of current market value of the said land.

3) On verification of the proposals, Municipal Commissioner, Kolkata Municipal Corporation or Commissioner, Howrah Municipal Corporation may recommend the proposal and arrange to place the same before the Principal Secretary, Department of Urban Development and Municipal Affairs for consideration.

4) Principal Secretary, Department of Urban Development and Municipal Affairs will refer the matter to Thika Tenancy Cell of the Department of Urban Development and Municipal Affairs to be headed by assigned Additional Secretary/ Joint Secretary of Department of Urban Development and Municipal Affairs.

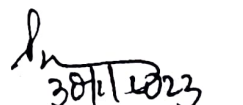
- 5) The Thika Tenancy Cell of the Department of Urban Development and Municipal Affairs after proper examination shall place their finding with views before Principal Secretary, Department of Urban Development and Municipal Affairs.
- 6) The Department of Urban Development and Municipal Affairs will place the files containing the proposals along with departmental review report at least seven(7) days ahead of the meeting of the Committee of Secretaries before the L& LR and RR& R Department and Finance Department for obtaining opinion/views and then before Chief Secretary for consideration and decision to be taken in the meeting of the Committee of Secretaries constituted vide No. 57/UDMA-27011(99)/4/2022-O/o ADLS(UDMA) Dated, Kolkata, the 17th January, 2023 of this Department.
- 7) After getting recommendation of Committee of Secretaries the proposals will be placed before Hon'ble Minister-in-Charge of Department of Urban Development and Municipal Affairs for his kind approval.
- 8) Subsequent action will be taken by the Deputy Thika Controller for transfer of interest from Thika tenants to Thika lessee on receipt of approval from Department of Urban Development and Municipal Affairs and approval of Draft lease agreement prepared in Form-G.
- 9) After execution of the lease agreement with the Thika Lessee in Form-G on behalf of the State Govt. and the lessee(s) will get it registered. Photocopy of the said Registered Lease agreement is to be sent to the Department by the concerned Deputy Thika Controller.



Principal Secretary to the Govt of West Bengal

Copy forwarded for information and taking necessary action to the:-

1. Municipal Commissioner, Kolkata Municipal Corporation.
2. Commissioner, Howrah Municipal Corporation.
3. Thika Controller, Kolkata.
4. Additional Secretary (A. Mukhopadhyay), Urban Development & Municipal Affairs Department.
5. Deputy Thika Controller, Kolkata / Howrah.
6. OSD to Chief Secretary.
7. PS to Hon'ble Minister-in-Charge, Urban Development & Municipal Affairs Department.
8. Sr. PS to Additional Chief Secretary, Finance Department.
9. Sr. PS to Principal Secretary, Urban Development & Municipal Affairs Department.
10. Sr. PS to LRC and Secretary, Land and Land Reforms and Refugee Relief and Rehabilitation Department.

  
30/1/2023  
Additional Secretary