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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 355-L.—10th April, 2023.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act VII of 2023

THE WEST BENGAL LAND REFORMS (AMENDMENT) ACT, 2023.

[Passed by the West Bengal Legislature.]

*[Assent of the Governor was first published in the Kolkata Gazette,
Extraordinary, of the 10th April, 2023.]*

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 purpose of incorporation of the word “township” in the second proviso to section 14Y and also for improving ease of doing business and hassle free transfer/mortgage of land and for inviting more investment and also for providing an option for the conversion of leasehold land to freehold land and/or for settlement of Government non-agricultural land and leased out land and to provide necessary measures to hold such freehold ceiling surplus land in the manner hereinafter appearing;

West Ben. Act X
of 1956.

*The West Bengal Land Reforms (Amendment) Act, 2023.**(Sections 1 – 5.)*

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

Short title and commencement.

1. (1) This Act may be called the West Bengal Land Reforms (Amendment) Act, 2023.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 14L of West Ben. Act X of 1956.

2. In section 14L of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as the principal Act), for the words, letters, figures and brackets “Subject to the provisions of sub-section (3) of section 14Q, section 14Y and sub-section (2) of section 14Z”, the words, letters, figures and brackets “Subject to the provisions of sub-section (3) of section 14Q, section 14Y, sub-section (2) of section 14Z and second proviso to sub-section (2) of section 52” shall be substituted.

Amendment of section 14Y.

3. In section 14Y of the principal Act, for the second proviso the following proviso 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 logistic hub or a bio-tech park or a food park or township, shall utilize such land and lease out or transfer on freehold basis on payment of prescribed fees to the Land and Land Reforms and Refugee Relief and Rehabilitation Department 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 and Refugee Relief and Rehabilitation 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 projects as approved:”.

Amendment of section 51A.

4. In sub-section (4) of section 51A of the principal Act, for the words, figure and brackets “on application within one year, or on his own motion within thirty-five years from the date of publication of the record of rights under sub-section (2),”, the words “on information or on his own motion,” shall be substituted.

Amendment of section 52.

5. In section 52 of the principal Act,—

(1) in sub-section (2), the following provisos shall be inserted:—

“Provided that an existing lessee of such land of non-agricultural purposes or a person, a body of individuals, a society, an institution, a corporation, a company, a firm, a trust or a co-operative society intending to take lease of any such land for non-agricultural purposes, may apply before the State Government for holding such demised land on freehold basis as a *raiyat*, which may be permitted by the State Government on payment of such premium and for such specific classes of land as may be prescribed, if such permission in the opinion of the State Government is so required for that particular purposes only:

Provided further that State Government having regard to all the circumstances of the case of an existing lessee of such land of non-agricultural purposes or a person, a body of individuals, a society, an institution, a corporation, a company, a firm, a trust or a co-operative society intending to take lease, may allow to hold such freehold land as *raiyat* for the purpose for which it is settled or intended to be settled, with permission in writing, on such terms and conditions as may be prescribed, even if the total quantum of land including such freehold land held by such *raiyat* exceeds the ceiling area as prescribed under section 14M of this Act.”;

*The West Bengal Land Reforms (Amendment) Act, 2023.**(Section 5.)*

(2) in sub-section (3), for the words "If the State Government is of the opinion that different sets of rules are necessary for the management of different classes or description of lands or lands of different areas," the words, figure and brackets "If the State Government is of the opinion that different sets of rules are necessary for the management of different classes or description of lands or lands of different areas, as well as for the purposes mentioned under the provisos to sub-section (2)," shall be substituted.

By order of the Governor,

PRADIP KUMAR PANJA,
*Pr. Secy. to the Govt. of West Bengal,
Law Department.*