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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Land & Land Reforms and R.R. & R Department

Land Policy Branch

Nabanna (6th Floor)

325, Sarat Chatterjee Road, P.O.-Shibpur, Howrah - 711 102

NOTIFICATION

No. 363-LP Dated 04/02/2019 – Whereas the draft of amendments was published as required by sub-section (1) of section 60 of the West Bengal Land Reforms Act, 1955 (West Ben. Act X of 1956) (hereinafter referred to as the said Act) *vide* Notification No.4202-LP, dated the 31st December, 2018, in the *Kolkata Gazette, Extraordinary*, Part I dated the 31st day of December, 2018, inviting objections and suggestions from all persons likely to be affected thereby, within fifteen days from the date of its publication;

And whereas objections and suggestions so received have been considered by the State Government;

Now, therefore, in exercise of the power conferred by section 60 of the said Act, the Governor is pleased hereby to make, with immediate effect, the following amendments in the West Bengal Land Reforms Rules, 1965, as subsequently amended (hereinafter referred to as the said rules), namely :-

Amendments

In rule 21 of the said rules,—

- (1) in sub-rule (1), for the words "brought to the notice", *substitute* the words "brought to the notice either by electronically transmitted information on registration or by manually";
- (2) after sub-rule (1), *insert* the following sub-rules:—

"(1A) Unless otherwise provided in this rule, the Revenue Officer especially empowered under sub-rule (1) of the said rule by the State Government for maintaining up-to-date village record-of-rights, shall, on receipt of an electronically transmitted intimation on registration under sub-rule (1) and after informing the parties electronically and giving an electronically generated notice in the website to all concerned for raising any objection, if any, within thirty days of general notice, make necessary corrections in the record-of-rights electronically, subject to the conditions that no objection has been received by such Revenue Officer within the specified period and all other conditions are fulfilled, and after the corrections have been so made, the Revenue Officer shall inform the parties concerned electronically:

Provided that where the proposed seller is the recorded *raiya*t, the Revenue Officer especially so empowered under sub-rule (1) of the said rule by the State Government for maintaining up-to-date village record-of-rights, shall, without giving any notice in the website to all concerned for raising any objection under this sub-rule, make necessary corrections in the record-of-rights electronically, on receipt of an electronically transmitted intimation of registration and subject to the payment of requisite fee for such corrections in the record-of-rights.

(1B) Where the Revenue Officer especially empowered under sub-rule (1) of the said rule by the State Government for maintaining up-to-date village record-of-rights, has made necessary corrections in the record-of-rights electronically under sub-rule (1A), the provisions of sub-rule (1), sub-rule (2) and sub-rule (3), shall be deemed to have been complied with.

(1C) Where the Revenue Officer especially empowered under sub-rule (1) of the said rule by the State Government for maintaining up-to-date village record-of-rights, is unable to make necessary corrections in the record-of-rights electronically under sub-rule (1A) due to unavoidable circumstances, such Revenue Officer shall inform the same to the competent authority for direction of making corrections in the record-of-rights manually and in that case, the provisions of sub-rule (1), sub-rule (2) and sub-rule (3), shall, *mutatis mutandis*, apply for maintaining up-to-date village record-of-rights.

(1D) The provisions of electronically change of the record-of-rights on account of any of the causes mentioned in clauses (a) to (f) of sub-section (1) of section 50, shall not be applicable in respect of—

- (a) land retained under clause (g) of sub-section (1) of section 6 of the West Bengal Estates Acquisition Act, 1953 (West Ben. Act I of 1954) and sub-section (2) of section 4B of the West Bengal Land Reforms Act, 1955 (West Ben. Act X of 1956);
- (b) plot of land held by a *raiya*t belonging to a Scheduled Tribe and transfer of which is restricted under section 14C;
- (c) plot of land settled by the State Government under section 49 of the West Bengal Land Reforms Act, 1955 (West Ben. Act X of 1956);
- (d) plot of land under *thika* tenant as defined in clause (14) of section 2 of the West Bengal *Thika* Tenancy (Acquisition and Regulation) Act, 2001 (West Ben. Act XXXII of 2001);
- (e) Khasmahal land unless specified otherwise;
- (f) plot of land held by legal heir;
- (g) plot of land held in the name of *debottar* or *pirottar*;
- (h) plot of land allotted to agricultural labourers, artisans or fishermen under the West Bengal Acquisition of Homestead Land for Agricultural Labourers, Artisans and Fishermen Act, 1975 (West Ben. Act XLVII of 1975);

(1E) Where the Revenue Officer especially empowered under sub-rule (1) of the said rules by the State Government for maintaining up-to-date village record-of-rights, on receipt of an electronically transmitted intimation on registration under sub-rule (1), has found any discrepancy or non-matching of party, or where such Revenue Officer, after informing the parties electronically and giving an electronically generated notice in the website to all concerned for raising any objection, if any, within thirty days of general notice, have received objection, if any, such Revenue Officer shall not make necessary corrections in the record-of-rights electronically and the provisions of sub-rule (1), sub-rule (2) and sub-rule (3), shall, *mutatis mutandis*, apply for maintaining up-to-date village record-of-rights manually."

By order of the Governor,

MANOJ PANT

*Land Reforms Commissioner and
Pr. Secy. to the Government of West Bengal.*