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[SAKA 1940

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 Refugee Relief & Rehabilitation Department

Land Policy Branch

325, Sarat Chatterjee Road,

NABANNA, Howrah

NOTIFICATION

No.2817 -LP - the 8th day of August, 2018. – WHEREAS the draft 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.2220-LP, dated the 21st June, 2018, in the *Kolkata Gazette, Extraordinary*, Part I, dated the 21st June, 2018, for inviting objections and suggestions from all persons likely to be affected thereby, within fifteen days from the date of its publication;

AND WHEREAS no objection and suggestion has yet been received till date;

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 5AA of the said rules, –

(1) after sub-rule (1), *insert* the following sub-rule :—

"(1A) Any *raiyyat* holding any plot of land exceeding 0.03 acre situated in the area falling within the local limits of any Municipal Corporation or Municipality or any plot of land exceeding 0.08 acre situated in the area not falling within the local limits of any Municipal Corporation or Municipality, other than any plot of land having water body of any description or size, which has been changed, converted or altered in violation of the provisions of sub-section (2) of section 4C before coming into force of the West Bengal Land Reforms (Third Amendment) Act, 2017 (West Ben. Act XLIII of 2017), shall make an application in Form ID within six months from coming into force of these amendments in these rules, to the State Government for regularisation of such change, conversion

or alteration under sub-section (6) of section 4C, and shall be accompanied by such documents as mentioned in the said Form ID and the procedures laid down in sub-rule (2) to sub-rule (8) shall, *mutatis mutandis*, apply.",

(2) omit sub-rule (6),

(3) After Form 1(C) *insert* the following form "Form 1(D)" :-

By order of the Governor,

MANOJ PANT

Principal Secretary to the Govt. of West Bengal

"Form 1(D).

(See sub-rule (1) of rule 5AA)

[Application for regularisation of change of character, conversion or alteration in the mode of use of a plot of land]

FROM :

.....

.....

[State name and address of the applicant(s)]

To : The Secretary to the Govt. of West Bengal, L. & L.R. and R.R. & R. Deptt.

.....

Sub : Application for regularisation of change of character, conversion or alteration in the mode of use of a plot of land made in violation of the provision of sub-section (2) of section 4C of the West Bengal Land Reforms Act, 1955.

Sir,

I/We have the honour to apply for regularisation of change of character, conversion or alteration in the mode of use of the plot of land for the purpose of

.....

2. The particulars of the plot of land with respect to which such regularisation is required are furnished below :-

- | | |
|------------------------------------|---|
| (1) Name of the District | : |
| (2) Name of the Block | : |
| (3) Name of the Police Station | : |
| (4) Name of the Mouza | : |
| (5) Jurisdiction List (J.L.) No. | : |
| (6) Khatian No. (R.S. & L.R.) | : |
| (7) Plot No. (R.S. & L.R.) | : |
| (8) Area of the plot (R.S. & L.R.) | : |

[If part plot, specify the area & portion]

- | | |
|---|---|
| (9) Existing Classification of the plot | : |
|---|---|

3. The following documents, in duplicate, are enclosed with this application :-

- (1) Copy of the application for conversion if submitted earlier.
- (2) Identity of the applicant(s) and residential proof – Copy of EPIC/ADHAR Card, PAN Card / Driving license (As applicable).
- (3) Copy of RoR of land / mutation certificate.
- (4) Copy of current rent receipt.
- (5) Sketch map showing the plot in question with site measurement and its surroundings including approach road (may not to be scale).
- (6) Approved project / DPR vetted by the relevant Department (As applicable).

- (7) Clearance of WBPCB.
 - (8) Approved Building Plan by the competent local authority – Panchayat, Municipality, Corporation, Development Authority (As applicable)
 - (9) Current colour picture of the site and the constructed area.
 - (10) Trade license by the competent authority (As applicable).
 - (11) Income Tax Return of three years (As applicable).
 - (12) VAT, Entry Tax and Profession Tax clearance of three years (As applicable).
 - (13) Recommendations of the relevant department – ICE Department, MSMET Department / IT Department/ Health & Family Welfare Department with Medical Council of India/ Municipal Affairs & Urban Development Department & Panchayat & Rural Development Department (As applicable).
 - (14) No objection of any other relevant authority like PWD, Irrigation, Agriculture etc., if Applicable.
4. I/We also declare and undertake –
- (1) That the plot of land, in question shall be used strictly for the purpose for which permission for such regularisation shall be granted;
 - (2) That there is no *bargadar*, in the plot of land, in question;
 - (3) That the fees payable for such regularisation shall be deposited within 15 days from the date of order for such regularisation;
 - (4) That no work shall be done on the plot of land, in question that may lead to further conversion of the same unless permission as sought for is granted;
 - (5) That necessary approval or permission or licence shall be obtained from the appropriate authority as required for execution of the work on the plot of land in question as soon as permission of such regularisation as sought for is granted;
 - (6) That there is no other plot of land except the plot of land which has been changed, converted or altered in violation of the provision of sub-section (2) of section 4C of the Act.
5. I/We further declare –
- (1) That the plot of land in question is under peaceful possession of myself / ourselves and it is free from all encumbrances;
 - (2) That the plot of land in question is not involved in any proceeding for vesting under the provisions of any law;
 - (3) That the plot of land in question is not involved in any court case which prohibits regularisation of such change of character, conversion or alteration in the mode of use of the land.
6. I/We also declare and undertake that in case it is proved at any point of time that the documents furnished and the statements made hereinabove are not true and correct, I/We am/are liable for any legal action which will be taken by the competent authority in this regard including cancellation of order granting regularisation of such change of character, conversion or alteration in the mode of use of the plot of land as sought for.

Encl : As stated above.

Yours faithfully,

Place :

(Full signature of the applicant(s)

Date :

with seal, if any)"