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PART III—Acts of the West Bengal Legislature
GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT
Legislative

NOTIFICATION

No. 1363-L.—14th August, 2003. — The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information: —

West Bengal Act XVIII of 2003

THE WEST BENGAL LAND REFORMS (AMENDMENT) ACT, 2003.

[Passed by the West Bengal Legislature]

*[Assent of the Governor was first published in the Kolkata Gazette,
Extraordinary, of the 14th August, 2003.]*

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 and in the manner hereinafter appearing;

West Bengal Act
X of 1956

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

Short title and
Commencement

- (1) This Act may be called the West Bengal Land Reforms (Amendment) Act, 2003.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

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The West Bengal Land Reforms (Amendment) Act, 2003.

(Sections 4.6)

Amendment of
section 2 of West
Ben. Act x of 1956

2. In section 2 of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as the principal Act),—

- (1) after sub-clause (in) of clause (2). the following sub-clause shall be inserted
"(ma) husband's brother, or":
- (2) for clause (5), the following clause shall be substituted:-
'(5) "consolidation" includes re-alignment of a plot of land Or re-arrangement of parcels of land comprised in different plots of land for the purpose of rendering such pious of land more compact;
- (3) in clause (6A), for the word "holding", in two places where it occurs, the words "plot of land" shall be substituted.

Amendment of
section 4

3. In section 4 of the principal Act, -

- (1) in sub-section (1), for the word "holding' , in two plates where it occurs the words "plot of land" shall *be*. substituted.
- (2) in sub-section (2 A), for the word "holding", in two places where it occurs, the words "plot of land" shall be substituted;
- (3) in sub-section(4) for the word "holding' , wherever it occurs, the words plot of land" shall be substituted,
- (4) in sub- section (5), for the word "holding", the words "plot of land" shall be substituted

Amendment of
section 14O

4. Sub- section (1) of section 14Q of the principal Act shall be omitted.

Amendment of
section 19

5. For sub-section (2B) of section 19 of the principal Act, (he following sub-section shall be substituted :-

"(2B) The Collector may transfer any appeal, whether transferred to, or filed before, him, for disposal to any officer subordinate to him as may be prescribed :

Provided that the officer to whom the appeal is transferred is superior in rank or position to the officer or authority making the order appealed against and every such appeal shall *be* dealt with from the stage at which it was so transferred and shall be disposed of in accordance with the provisions of this Act."

Amendment of
section 23

6. In section 23 of the principal Act,—

- (1) for clause (c), the following clause shall be substituted --
"(c) used for mill, factory, workshop and other commercial purposes in rural areas, rupees 20 per decimal;"
- (2) after clause (c), the following clause shall be substituted
"(ca) used for non-agricultural purpose including homestead in the rural areas, rupees 2 per decimal;"
- (3) for clause (d),the following clause shall be inserted

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The West Bengal Land Reforms (Amendment) Act, 2003.

(Sections 4.6)

- "(d) used for mill, factory, workshop or other commercial pm purposes in the areas within the local limits of any Municipal Corporation or Municipality, other than the areas of the Kolkata Metropolitan Development Authority, -
- (i) rupees 175 per decimal, where such land is situated within the local limits of any Municipal Corporation,
 - (ii) rupees 150 per decimal, where such land is situated within the local limits of any Municipality of Category A,
 - (iii) rupees 100 per decimal, where such land is situated within the local limits of any Municipality of Category B,
 - (iv) rupees 75 per decimal, where such land is situated within the local limit of any Municipality of Category C,
 - (v) rupees 50 per decimal, where such land is situated within the local limits of any Municipality of Category D,
 - (vi) rupees 25 per decimal, where such land is situated within the local limits of any Municipality of Category E,
- (4) for clause (e), the following clause shall be substituted:-
- "(e) used for non-agricultural purposes including homestead in the areas within the local limits of any Municipal Corporation or Municipality, other than the areas of the Kolkata Metropolitan Development Authority,—
- (i) rupees 35 per decimal, where such land is situated within the local limits of any Municipal
 - (ii) rupees 25 per decimal, where such land is situated within the local limits of any Municipality of Category A.
 - (iii) rupees 20 per decimal, where such land is situated within the local limits of any Municipality of Category B,
 - (iv) rupees 15 per decimal, where such land is situated within the local limits of any Municipality of Category C.
 - (v) rupees 10 per decimal, where such land is situated within the local limits of any Municipality of Category D,
 - (vi) rupees 5 per decimal, where such land is situated within the local limits of any Municipality of Category E, .
- (5) for clause (f), the following clause shall be substituted :--
- "(f) used for agricultural purposes, at the rate as laid down in clause (a)
- Provided that if the land used for agricultural purposes is converted into the land used for non-agricultural purposes, the revenue for such land shall be payable in accordance with relevant provisions of this section."

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(Sections 4.6)

(6) for *Explanation*, the following *Explanations* shall be substituted :-

"Explanation I,-Municipalities are classified into the following categories on the basis of population as ascertained at the last preceding census of which the relevant figures have been published :—

Category A — municipal areas having population more than 2,15,000

Category B — municipal areas having population above 1,70,000 but not exceeding 2,15,000;

Category C — municipal areas having population above 85,000 but not exceeding 1,70,000;

Category D — municipal areas having population above 35,000 but not 85,000;

Category E — municipal areas having population not exceeding 35,000

Provided that Darjeeling Municipality is classified as Category A municipality irrespective of the population.

Explanation II.—For the purpose of land-revenue, any area constituted by the State Government as a notified area under the West Bengal Municipal Act, 1993, shall be construed as municipality of a particular Category on the basis of population.

West Ben. Act
XXII of 1993

Explanation III—An area in a newly developing localities, as the State Government may, by notification in the *Official Gazette*, specify, shall be construed as municipality of a particular Category on the basis of population "

By order of the Governor,

A.K. BHATTACHARYA,
Principal Secy. to the Govt. of West Bengal
&Secy., Law Department