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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 432-L.— 17th April, 2017.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XIX of 2017

**THE WEST BENGAL LAND REFORMS
(AMENDMENT) ACT, 2017.**

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette*,
Extraordinary, of the 17th April, 2017.]

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 purposes and in the manner hereinafter appearing;

West Ben. Act
X of 1956.

It is hereby enacted in the Sixty-eighth 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, 2017.

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

*The West Bengal Land Reforms
(Amendment) Act, 2017.*

(Sections 2, 3.)

Amendment of
section 4B.

2. In section 4B of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as the principal Act), shall be renumbered as sub-section (1) of that section and after sub-section (1) so renumbered, the following sub-section shall be inserted:—

“(2) Notwithstanding anything contained in this Act or in any other law for the time being in force or in any agreement, custom or usage or in any decree, judgement, decision or award of any court, tribunal or authority, where an intermediary has been allowed to retain land irrespective of area and classification and with or without any order under clause (g) of sub-section (1), *read* with sub-section (3), of section 6 of the West Bengal Estate Acquisition Act, 1953 (hereinafter referred to as the retainer), or where such retainer has already transferred such land or any part thereof to any person or institution or company who is in possession of such land or part thereof, by an instrument mentioned in sub-section (1) of section 5 of this Act, such retainer or transferee, as the case may be, shall be deemed to hold such land or part thereof as lessee directly under the State Government with effect from the date of vesting under the West Bengal Estate Acquisition Act, 1953, or from the date of such transfer, as the case may be, for any of the purposes as referred to in the first proviso to section 14Y excluding tea garden, in accordance with such terms and conditions as may be prescribed.”

West Ben. Act
I of 1954.

Amendment of
section 14Z.

3. In section 14Z of the principal Act, in sub-section (1), after the third proviso, the following proviso shall be inserted:—

“Provided also that notwithstanding anything contrary contained in the second proviso, a retainer or transferee as mentioned in sub-section (2) of section 4B, has failed or fails to use the retained land for mill, factory or workshop, may further be permitted, by written order of the State Government, to retain as lessee so much of such land as in the opinion of the State Government is required for any of the purposes referred to in the first proviso to section 14Y excluding tea garden, in such manner as may be prescribed.”

By order of the Governor,

MADHUMATI MITRA,
*Secy. to the Govt. of West Bengal,
Law Department.*