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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 2233-L.—18th December, 2018.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXV of 2018

**THE WEST BENGAL LAND REFORMS
(AMENDMENT) ACT, 2018.**

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 18th December, 2018.]

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-ninth 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, 2018.

*The West Bengal Land Reforms
(Amendment) Act, 2018.
(Sections 2, 3.)*

(2) It shall come into force at once.

Insertion of new section after section 3A in West Ben. Act X of 1956.

2. In the West Bengal Land Reforms Act, 1955 (hereinafter referred to as the principal Act), after section 3A, the following section shall be deemed to have been inserted with effect from the 1st day of August, 2015:—

Special provisions in respect of any holder of land in acquired territory in West Bengal.

3B. (1) Notwithstanding anything contrary 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, the right and interest of the tenants and under tenants, if any, of the acquired territory in West Bengal, shall, on and after coming into force of this section, vest in the State free from all encumbrances and any land acquired by way of transfer within the said acquired territory in West Bengal before coming into force of the Constitution (One Hundredth Amendment) Act, 2015, i.e. on or before the 1st day of August, 2015, shall stand vested in the State free from all encumbrances.

(2) Notwithstanding anything contrary contained in sub-section (1), an individual of the acquired territory in West Bengal, holding land in *khas* possession, shall, subject to other provisions of this Act, be entitled to retain as a *raiyyat* of the said land which together with the other lands, if any, held by him shall not exceed the ceiling area as mentioned in section 14M, unless such holding is void under any other law for the time being in force.

Explanation I.— For the removal of doubts, the expression “acquired territory” means such territory in West Bengal as specified in Third Schedule to the Constitution of India.

Explanation II.— For the removal of doubts, the expression “*khas* possession” shall include personal cultivation, mortgage, cultivation by *bargadar* and lease or licence of the plot of land of the acquired territory in West Bengal.’

Savings.

3. Anything done or any action taken, or any notification or order issued, under the principal Act before coming into force of this Act and on or after the 1st day of August, 2015, shall be deemed to have been validly done or taken or issued under the principal Act, as amended by this Act, as if this Act was in force at all material point of time.

By order of the Governor,

SANDIP KUMAR RAY CHAUDHURI.
Secy. to the Govt. of West Bengal.
Law Department.