

## **LATEST AMENDMENTS**

### **1. THE WEST BENGAL LAND REFORMS (THIRD AMENDMENT) ACT, 2017<sup>1</sup>**

**[West Bengal Act XLIII of 2017]**

**[With effect from 7th November, 2017]**

**[Passed by the West Bengal Legislature.]**

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 17th October, 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 (West Ben. Act X of 1956), for the purposes and in the manner hereinafter appearing;

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

**1. Short title and commencement.**—(1) This Act may be called the West Bengal Land Reforms (Third Amendment) Act, 2017.

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

**2. Amendment of section 4C.**—In section 4C of the West Bengal Land Reforms Act, 1955, to sub-section (6), the following proviso shall be *added* :—

“Provided that notwithstanding anything contrary contained in sub-section (6), if the State Government is of the opinion that it is necessary to do so in the public interest, the State Government may, by order, regularise any change, conversion or alteration in the area, character or mode of use of the plot of land, other than any plot of land having water body of any description or size, in accordance with the other provisions of this Act, on payment of such fee depending on the different character or mode of use of the plot of land, and in such manner, as may be prescribed.”

By order of the Governor,  
Sd/- MADHUMATI MITRA,  
Secy. to the Govt. of West Bengal,  
Law Department.

### **2. THE WEST BENGAL LAND REFORMS (SECOND AMENDMENT) ACT, 2017<sup>3</sup>**

**[West Bengal Act XLII of 2017]**

**[With effect from 7th November, 2017]**

**[Passed by the West Bengal Legislature.]**

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 17th October, 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 (West Ben. Act X of 1956), for the purposes and in the manner hereinafter appearing;

1. *Vide* Notification No. 1191-L., dated 17th October, 2017 published in the *Kolkata Gazette, Extraordinary*, Part III, dated October 17, 2017.
2. With effect from 7th November, 2017 *vide* Notification No. 3661-LP/417/04-1S (Pt. V) dated 7th November, 2017 published in the *Kolkata Gazette, Extraordinary*, Part I, dated November 7, 2017.
3. *Vide* Notification No. 1190-L., dated 17th October, 2017 published in the *Kolkata Gazette, Extraordinary*, Part III, dated October 17, 2017.

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

**1. Short title and commencement.**—(1) This Act may be called the West Bengal Land Reforms (Second Amendment) Act, 2017.

(2) It shall come into force on such date<sup>1</sup>, as the State Government may, by notification in the *Official Gazette*, appoint.

**2. Amendment of section 22 in West Ben. Act X of 1956.**—In sub-section (1) of section 22 of the West Bengal Land Reforms Act, 1955 (hereinafter referred to as the principal Act), for the words “liable to pay revenue for his plot of land”, the words “liable to pay revenue for his plot of land, other than the plot of land used for agricultural purpose” shall be *substituted*.

**3. Amendment of section 23.**—In section 23 of the principal Act, in Table,—

(1) clause (a) in column (2) and the entry relating that to in column (3) against serial No. 1 in column (1), shall be *omitted*;

(2) in clause (a) in column (2) against serial No. 2 in column (1), for the words “for the purpose of agriculture and activities allied to agriculture”, the words “for the purpose of activities allied to agriculture” shall be *substituted*.

**4. Amendment of section 24.**—In clause (a) of sub-section (1) of section 24 of the principal Act, after the second proviso, the following proviso shall be *inserted* :—

“Provided also that notwithstanding anything contained in this Act or any other law for the time being in force, where the revenue under the Act in respect of agricultural land, is nil, the liability of the *raiyyat* to pay any cess imposed on him under the Cess Act, 1880 (Ben. Act IX of 1880), or the West Bengal Primary Education Act, 1973 (West Ben. Act XLIII of 1973), or the West Bengal Rural Employment and Production Act, 1976 (West Ben. Act XIV of 1976), or any other law for the time being in force, is also nil.”.

By order of the Governor,  
Sd/- MADHUMATI MITRA,  
Secy. to the Govt. of West Bengal  
Law Department.

### 3. THE WEST BENGAL LAND REFORMS (AMENDMENT) ACT, 2017<sup>2</sup>

[ West Bengal Act XIX of 2017 ]

[With effect from 15th May, 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 (West Ben. Act X of 1956), for the purposes and in the manner hereinafter appearing;

1. With effect from 7th November 2017, vide Notification No. 3659-LP/1A-06/17 dated 7th November, 2017 published in the *Kolkata Gazette*, *Extraordinary*, Part I, dated November 7, 2017.
2. Vide Notification No. 432-L., dated 17th April, 2017 published in the *Kolkata Gazette*, *Extraordinary*, Part III, dated April 17, 2017.

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

**1. Short title and commencement.**—(1) This Act may be called the West Bengal Land Reforms (Amendment) Act, 2017.

(2) It shall come into force on such date<sup>1</sup>, as the State Government may, by notification in the *Official Gazette*, appoint.

**2. Amendment of section 4B.**—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 (West Ben. Act I of 1954) (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.”.

**3. Amendment of section 14Z.**—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,  
Sd/- MADHUMATI MITRA,  
Secy. to the Govt. of West Bengal,  
Law Department.

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1. With effect from 15th May, 2017, *vide* Notification No. 1449-LP/1A-4/2017 dated 15th May 2017 published in the *Kolkata Gazette, Extraordinary*, Part I, dated May 15, 2017.