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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 R.R. & R Department
Land Policy Branch
Nabanna (6th Floor)
325, Sarat Chatterjee Road, P.O.-Shibpur, Howrah-711102

NOTIFICATION

No. 2701-LP/LA-03/23

Date : 10th July, 2023

In pursuance of provisions to sub-section(2) and sub-section (3) of section 52 of the West Bengal Land Reforms Act, 1955 read with rule 28B of the West Bengal Land Reforms Rules, 1965, and rule 215, 216 and 218 of the West Bengal Land & Land Reforms Manual, 1991, the Governor is pleased hereby to specify the manner of transfer of following specified classes of land, excluding land comprised in a tea garden, on freehold basis as an option in addition to existing mode of leasehold status :

- (1) Land retained under section 6(1)(g) read with section 6(3) of the West Bengal Estates Acquisition Act, 1953 and settled on lease / to be settled under section 4B(2) of the West Bengal Land Reforms Act, 1955. : The lessee/ retainer/ other than retainer of the land shall apply for conversion of leasehold to freehold OR directly for freehold transfer of the land for the purpose/purposes specified in rule 6A and 6B of the West Bengal Land Reforms Rules, 1965 before the Lessor/ State Government. The rate of conversion fee to freehold is detailed in the table below.

Status	Conversion fee	Land revenue for freehold part of land
	Retainer/Other than retainer	
Lessee (who has already availed lease under section 4B(2) of the West Bengal Land Reforms Act, 1955.	15% of the current market price of the land as determined by the IGR & CSR, West Bengal	As per section 23 of the West Bengal Land Reforms Act, 1955

Status	Conversion fee		Land revenue for freehold part of land
	Retainer/Other than retainer		
Fresh Application For freehold settlement	Applicable salami as per rule 6A or 6B of the West Bengal Land Reforms Rules, 1965 +15% of the current market price of the land as determined by the IGR & CSR		As per section 23 of the West Bengal Land Reforms Act, 1955

Any diversion from the activity will result in cancellation of the principal deed made with the State Government and return to the status of the land before the freehold transformation. Such freehold transfer may cross the ceiling limit as prescribed under section 14M of the West Bengal Land Reforms Act, 1955 for which State Government will provide necessary permission under second proviso of section 52(2) of the West Bengal Land Reforms Act, 1955 read with rule 28B of the West Bengal Land Reforms Rules, 1965

(2) Land settled for tea tourism and Allied Business Activities under the Tea Tourism and Allied Business Policy, 2019 after resumption.

The existing lessee/ approved Joint Venture Company shall apply for freehold transfer of the land for the purpose/ purposes approved by the State Government under Tea Tourism and Allied Business Policy, 2019 to the department of L&LR and RR&R. The rate of conversion fee to freehold is detailed in the table below.

Status	Conversion fee	Land revenue for freehold part of land
Lessee of the TG / JVC approved for Tea Tourism. (New project)	110% (95% of salami for 99 years lease +15% conversion fee) of the current market price of the land as determined by the IGR & CSR.	As per section 23 of the West Bengal Land Reforms Act, 1955
Lessee already doing Tea Tourism Project after paying salami	15% of the current market price of the land as determined by the IGR & CSR	As per section 23 of the West Bengal Land Reforms Act, 1955.

Any diversion from the activity will result in cancellation of the principal deed made with the State Government and return to the status of the land before the freehold transformation. Such freehold transfer may cross the ceiling limit as prescribed under section 14M of the West Bengal Land Reforms Act, 1955 for which State Government will provide necessary permission under second proviso of section 52(2) of the WBLR Act, 1955 read with rule 28B of the West Bengal Land Reforms Rules, 1965:

(3) Land leased out on 2% of current market price as salami for industrial purpose after vesting their ceiling surplus land purchased for this purpose.

The lessee shall apply for conversion from leasehold to freehold for that portion of land which was vested and settled on salami @ 2% of the current market value of the land to the department of L&LR and RR&R. The rate of conversion fee to freehold is detailed in the table below :-

Status	Conversion fee	Land revenue for freehold part of land
Lessee	7% of the current market price of the land as determined by the IGR & CSR, West Bengal less salami already paid.	As per section 23 of the West Bengal Land Reforms Act, 1955

Any diversion from the activity will result in cancellation of the principal deed made with the State Government and return to the status of the land before the freehold transformation. Such freehold transfer may cross the ceiling limit as prescribed under section 14M of the West Bengal Land Reforms Act, 1955 for which State Government will provide necessary permission under second proviso of section 52(2) of the West Bengal Land Reforms Act, 1955 read with rule 28B of the West Bengal Land Reforms Rules, 1965.

- (4) Leasehold land settled for 30 years or 99 years lease period including Kolkata *khasmahal* land and that in various industrial estates & parks including under WBIDC, WBIIDC & WBSIDC :

The lessee shall apply for conversion from leasehold to freehold to the lessor/ department of L&LR and RR&R. The rate of conversion fee to freehold is detailed in the table below.

Status	Conversion fee	Land revenue for freehold part of land
Lessee of 99 years lease	15% of the current market price of the land as determined by the IGR & CSR, West Bengal.	As per section 23 of the West Bengal Land Reforms Act, 1955
Lessee of 30 years lease	70% (55% for lease conversion from 30 years to 99 years+ 15% conversion fee for freehold) of the current market price of the land as determined by the IGR & CSR	As per section 23 of the West Bengal Land Reforms Act, 1955
Lessee of Kolkata <i>Khasmahal</i> land	15% of the current market price of the land as determined by the IGR & CSR, West Bengal.	As per Kolkata Land Revenue Act, 2003
Transferee/ assignee (other than lessee)	25% of the current market price of the land as determined by the IGR & CSR.	As per section 23 of the West Bengal Land Reforms Act, 1955

Any diversion from the activity will result in cancellation of the principal deed made with the State Government and return to the status of the land before the freehold transformation. Such freehold transfer may cross the ceiling limit as prescribed under section 14M of the West Bengal Land Reforms Act, 1955 for which State Government will provide necessary permission under second proviso of section 52(2) of the West Bengal Land Reforms Act, 1955 read with rule 28B of the West Bengal Land Reforms Rules, 1965;

- (5) Vested land settled with multistoried building for residential purposes.

Individual flat/ apartment owner shall apply to convert their existing leasehold status of the proportionate share of land into freehold status through registered indenture to the department of L&LR and RR&R. The rate of conversion fee to freehold is detailed in the table below.

Status	Conversion fee	Land revenue for freehold part of land
Flat/ apartment owner on govt. leased land	15% of the present market value of the exiting flat as determined by the IGR & CSR.	As per section 23 of the West Bengal Land Reforms Act, 1955.
Lessee of the unsold/ non-assigned part	As per item 4 of above	As per item 4 above

- (6) Vacant unencumbered vested land to be settled for specific purpose on freehold basis.

- Land to be settled by auction under the Land Allotment Policy, 2012.
- In case of pocket vested lands where currently allotment is made on realization of salami @95% of current market price, the applicant shall have the option of getting the land on freehold basis by paying an additional 15% of current market value.
- In case land comprising industrial parks (including those under SAIP scheme) where allotment is made on an application basis, the applicant shall have the option of getting the land on free-hold basis by paying an additional 15% of current market value in addition to 'declared price'

- d. For already leased out land, stamp duty for registration of the deed of conveyance will be based on the additional amount to be charged for freehold transformation/conversion.

A fresh deed of conveyance in the prescribed format mentioned in rule 218(iii) of the West Bengal Land & Land Reforms Manual, 1991 will be executed between the Collector of the district on behalf of Governor of the State of West Bengal and the applicant/lessee after payment of the conversion fee as specified in the table. Necessary rectification of existing lease deed, if any, will be made consequently. Once transferred to freehold, entire land schedule shall be flagged in computerized land records system for regulating any future conversion related to use of land.

Lease which has been given at nominal salami or at concessional rate for charitable/ religious/ educational institute or public purposes would not be brought under this scheme.

This is issued in concurrence of Finance Department's UO NO. : Group A-II/2023-2024/0038 UO Date : 17/05/2023.

By order of the Governor,

SMARAKI MAHAPATRA
Secretary to the Government of West Bengal