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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

Urban Development Department  
"Nagarayan" DF-8, Sector-I,  
Salt Lake City, Kolkata - 700 064.

No. 2709-SL(AL)/4S-9/2004(Pt-I)

Kolkata, the 22nd June, 2012.

NOTIFICATION

There are about 13000 residential plots in Salt Lake Township. Most of these plots have been leased out to various persons for residential purpose at subsidized rate. The lease-deeds were executed for 999 years with certain terms and conditions.

2. It has come to the notice of the Govt. in the U.D. Deptt. that in many cases possession of plots is transferred to third parties on the strength of various documents such as General Power of Attorney (GPA), Agreement of Lease/Tenancy and Will (to a stranger) and that though such documents do not amount to a transfer of lease in law, in effect, possession of the plots is being parted with by the original lessee. Most of the lease-deeds executed by the Government contain restriction on assignment/transfer of the nature as is being carried out at present and this transfer without the Government's permission is not binding on the Govt.
3. The Government in the U.D. Deptt. has earlier allowed transfer of lease-hold right in respect of plots of land at Kalyani Township as well as for non-residential plots of land at Salt Lake Township by imposing permission fees and on fulfilment of certain other terms and conditions since 2005.
4. In the like manner and also in order to put an end to such unauthorized transfer as well as to increase revenue in Government Exchequer, the Governor has been pleased to order that the Govt. of West Bengal may allow the lessee of residential plots building thereon of Bidhannagar to transfer his lease-hold right to others for un-expired period of lease term inter alia by imposing transfer fees @ Rs. 5 lakh (Rupees five lakh) per cottah for the time being and such other terms and conditions as may be fixed from time to time. To seek the permission of the Government to transfer his lease-hold right to others, the lessee/mutated lessee shall have to apply to the

Principal Secretary to the Govt. of West Bengal, U.D.Deptt., "Nagarayan", DF-8, Sector-I, Bidhannagar, Kolkata-700 064 stating his intention for such transfer. The transfer fees, however, will not be applicable to the cases that are within close blood relation viz. father-mother, husband-wife, brother-sister, son-daughter, son's daughter, son's son, daughter's son and daughter's daughter and in those cases only a nominal amount of processing fees as may be fixed by the Govt. from time to time will be realized.

5. The Governor is also pleased to order that if such permission is granted by the Govt. of West Bengal in the U.D.Deptt. for transfer of lease-hold right to others by the lessees of the aforementioned plots, all the terms and conditions of the original lease-deed executed between the Government of West Bengal and the lessee (here the transferor) of the residential plots/buildings thereon shall apply to the transferees of such plots.
6. The Governor is also pleased to order that if there is subsequent further transfer of lease-hold right of the same plot, the same terms and conditions and the procedure as mentioned in this notification shall apply. In the event such permission/order is issued by the Govt. the character of the land shall have to be retained by the transferee of the lease-hold right. The Transfer Deed can only be executed after the Govt. has given permission to transfer the lease and the said executed deed should be registered at the Office of the Addl. Dist. Sub-Registrar, Bidhannagar or the District Registrar /Addl. Registrar of Assurances concerned with due approval by the Govt. in the U.D. Deptt. On production of the certified copy of the transfer deed to the Govt. by the transferee of such lease-hold right, the Government shall issue the necessary mutation order.
7. The Governor is further pleased to order that for the purpose of registration of the transfer deed usual rules shall be followed and in no case concession shall be allowed. The head of account under which the permission fee shall have to be deposited by the transferor to get permission for transfer of his lease-hold right from the government will be communicated in due course.
8. The provisions of this notification will also apply to lessees occupants of stalls/shops and members of Housing Co-operative Societies in Salt Lake mutatis mutandis on pro-rata basis in terms of paragraph-4 above.
9. All existing pending applications cases will come under the purview of this notification.
10. This will come into force with immediate effect.

By order of the Governor,

DEBASHIS SEN,

*Principal Secretary to the Government of West Bengal,  
U.D. Department.*