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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

M. D. Branch

“Nagarayan”, DF-8, Sector-I, Bidhannagar, Kolkata-700 064

No. 1721-UD/O/M/SL(AL/NR)/8L-8/2004(pt.)

Kolkata, the 6th May, 2005.

NOTIFICATION

It has come to the notice of the Government of West Bengal that quite a good number of industrial/commercial plots and industrial/commercial plots with industrial/commercial units in Bidhannagar are still lying unutilised although the lessees had taken delivery of possession of such plots of land from the Government long ago. In some cases, the lessees of industrial/commercial plots become unable to carry on their industrial/commercial units any longer.

2. Sometimes many of the lessees approached the Government for permission to transfer their plots of land to other entrepreneurs for various reasons. One of the major reasons being their financial inability to implement the project or to carry on their projects further. The Government has been dealing with such proposals case by case according to their merit. The process becomes lengthy and time consuming. The plots of land, in the process, remain unutilised although there is a huge demand for land for expansion of industries in the State.

3. In order to streamline the entire process and to ensure that all the unutilised plots of industrial and commercial land and industrial and commercial land with industrial/commercial units in Bidhannagar are put to effective use in all manners, the Governor has been pleased in terms of clause 2(8) and clause 2(6)(a) of the lease-deed or the relevant clause of the lease-deed restricting transfer to order that the Government of West Bengal shall allow the lessee of Bidhannagar industrial/commercial plots of land and industrial/commercial land with industrial/commercial units to outright transfer the leasehold right of his/her industrial/commercial land and industrial/commercial land with industrial/commercial units either partly or wholly to others for the unexpired period of lease-term subject to certain conditions laid down hereinbelow. The Governor has further been pleased to order that for the aforesaid purpose the words “the lessee” shall mean proprietor(s)/partner(s)/private limited company/public limited company and “the transferee” shall mean proprietor(s)/partner(s)/private limited company/public limited company. To seek the permission of the Government to transfer his leasehold right to others, the lessee shall have to apply to the Principal Secretary to the Government of West Bengal, Urban Development Department, “Nagarayan”, DF-8, Sector-I, Bidhannagar, Kolkata-700 064 specifying the reasons for such transfer. The transfer of the above leasehold right to the close-blood relations will, however, continue to be governed by the order which is already in force.

4. The Governor is also pleased to order that if such permission is granted by the Government of West Bengal in the Urban Development Department for transfer of leasehold right to others by the lessees of the afore-mentioned plots all the terms and conditions of the original lease deed executed between the Government of the State of West Bengal and the lessee (here the transferor) of the industrial/commercial land and industrial/commercial land with industrial/commercial units shall apply to the transferees of such plots. The Governor is further pleased to order that the lessees shall have to deposit an amount of Rs. 1,50,000/- (Rupees one lakh fifty thousand) only per cottah for industrial plots and Rs. 3,00,000/- (Rupees three lakhs) only per cottah for commercial plots as permission fee before the final permission order is issued by the Government.

5. The Governor is also pleased to order that if there is subsequent further transfer of leasehold 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 Government, the character of the land (industrial/commercial) shall have to be retained by the transferee of the leasehold right. A deed of transfer shall have to be executed between the transferor and the transferee 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 those are concerned with due approval by the Government in the Urban Development Department. On production of the certified copy of the transfer-deed to the Government by the transferor of such leasehold right, the Government shall issue the necessary mutation order.

6. The Government 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 the leasehold right of his land/land with industrial and commercial units from the Government will be communicated in due course in each such final permission order.

By order of the Governor,

K. S. RAJENDRA KUMAR,
Principal Secretary to the Govt. of West Bengal.