

# **Economically Weaker section occupying Vested Land for Homestead purpose in Urban Areas**

WEST BENGAL

India

## **Economically Weaker section occupying Vested Land for Homestead purpose in Urban Areas**

### **Rule**

### **ECONOMICALLY-WEAKER-SECTION-OCCUPYING-VESTED-LAND-FO of 2010**

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### **075.**

Circular No. 1469-GE(M) IIL-20/10, dated 17.3.2010. Whereas the matter pertaining to providing secure land tenure to the urban poor families belonging to economically weaker sections (EWS), occupying vested land for homestead purpose in the urban areas was under active consideration of the State Government for quite some time past;

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And whereas a committee constituted under the Chairmanship of the Chief Secretary examined the different aspects of the matter; And whereas the State Government in the Land and Land Reforms Department, Urban Development Department and the Municipal Affairs Department have had dialogues and discussion on the matter; And whereas the State Government, after proper examination of the matter and after obtaining approval of the Cabinet, has decided as follows: (i) An urban poor family, having monthly income not exceeding rupees six thousand only may be considered eligible for the purpose of long term settlement for 99 (ninety-nine) years for such homestead land at a concessional rate of a token salami of Rs. 1/- subject to other usual terms and conditions provided that these urban poor families belonging to EWS are found to have occupied such land for not less than 20 (twenty) years. (ii) In no case settlement of such land shall be considered in respect of the land which is required by the Government for any infrastructure or

development projects including projects towards new housing for the urban poor.(iii)Not more than 2 (two) cottahs of such land shall be allowed to be settled for any individual EWS family.(iv)The beneficiary urban poor family to whom such settlement is to be granted, shall not be entitled to transfer such land within a period of 10 (ten) years from the date of execution of the lease deed in their favour and even after the lapse of 10 (ten) years. Such transfer will be allowed only after that is allowed by the Collector/District Land and Land Reforms Officer of the concerned district.(v)The annual rent in respect of such land shall be fixed at par with the land revenue under West Bengal Land Reforms 'Act, 1955 or Kolkata Land Revenue Act, 2003, as the case may be.(vi)The urban local bodies and the concerned District Land and Land Reforms Officer will conduct joint survey to ascertain the details of the land of the occupiers concerned as well as the details of such occupants and prepare the reports accordingly for sending the same to the Government in the Land and Land Reforms Department for finalization of settlement of such land by that Department for 99 (ninety-nine) years with the occupier concerned.And whereas the State Government in the Municipal Affairs Department, in accordance with the decision so taken in the matter, have already issued order vide G.O. No. 112/MA/o/C-4/1A-2/2012, dated 1.3.2010.Now therefore, it is hereby directed as follows:(i)The District Land and Land Reforms Officer shall take immediate steps so that joint survey with the concerned Municipality or the Municipal Corporation is conducted to ascertain the details of the land of the concerned occupiers belonging to EWS occupied such land for not less than 20 (twenty) years as well as the other details of such occupants (i.e. number of its dependent, yearly income, occupation etc.);(ii)The occupants to be found eligible for having the occupied vested land settled on long term basis, shall be asked to submit application for such settlement to the District Land and Land Reforms Officer along with a self declaration about the period of occupation of such land and his monthly income, and the Commissioner of the Municipality/the Councillor of the Municipal Corporation/the B.D.O./the S.D.O./the M.L.A./the M.P. of the area concerned shall be requested to certify about the period of occupation as well as the monthly income of the occupants family concerned;(iii)The District Land and Land Reforms Officer shall prepare the report in consultation with the concerned Municipality or the Municipal Corporation as soon as joint survey is completed and prepare formal proposal for long term settlement of the vested land not exceeding 2 (two) cottahs with the occupier concerned for sending the same to the Government in the Land and Land Reforms Department for finalization of such settlement.