

The Singur Land Rehabilitation And Development Act, 2011

WEST BENGAL

India

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Act 4 of 2011

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The Singur Land Rehabilitation And Development Act, 2011 West Bengal Act 4 of 2011 Assent of Hon'ble Governor of West Bengal; Published in the Kolkata Gazette, Extraordinary dated-20th June, 2011. An Act to provide for taking over of the land covered by the lease granted to Tata Motors Limited for the sole purpose of Small Car Manufacturing project and letters of allotment issued to the Vendors as recommended by Tata Motors Limited in view of non-commissioning and abandoning Small Car Project and ancillary factories with a view to returning such portion of the land to the unwilling owners thereof, who have not accepted compensation and to utilize the balance portion in public interest and for the benefit of the State. Whereas it is expedient to provide for taking over of the land covered by the lease granted to Tata Motors Limited for the sole purpose of Small Car Manufacturing project and letters of allotment issued to the Vendors as recommended by Tata Motors Limited in view of non-commissioning and abandoning Small Car Project and ancillary factories with a view to returning such portion of the land to the unwilling owners thereof, who have not accepted compensation and to utilize the balance portion in public interest and for the benefit of the State; It is hereby enacted as follows :-

1. Short title and commencement.

(1) This Act may be called the Singur Land Rehabilitation and Development Act, 2011. (2) It shall come into force on the date of its notification in the Official Gazette.

2. Definitions.

- In this Act, unless the context otherwise requires, -(a) "appointed-day" means date of notification of this Act in the Official Gazette; (b) "land" means lands leased out by West Bengal Industrial Development Corporation Limited to the Tata Motors Limited and also allotted to the vendors, on the basis of the recommendation of Tata Motors Limited and the land held by WBIDC; (c) "Schedule"

means the Schedule appended to this Act;(d)"State Government" means the State Government of West Bengal;(e)"vendor" means allottee of the plot of land, none of whom has obtained any deed of lease in terms of their respective letters of allotment;(f)"WBIDC" means the West Bengal Industrial Development Corporation Limited.

3. Transfer and vesting of the land.

- On the appointed date, the land and all right, title or interest in respect of and in relation thereto shall by virtue of this Act stand transferred to and vest in the State Government free of any lease or allotment.

4. General effect of vesting.

(1)The land referred to in section 3 shall deem to include all assets, rights, leaseholds, powers, authorities, privileges and all properties movable and immovable including the land and structures, if any, standing thereon and possession, power or control of the land and right or whatsoever nature relating thereto and shall all vest in the State Government.(2)The land as referred to in sub-section (1), which have vested in the State Government under section 3 hereto, shall by virtue of such vesting be freed and discharged from any lease, trust, obligation, mortgage, charge, lien and any other encumbrances being affecting it and any attachment, injunction or decree or order of any Court or any other authority restricting user of such property in any manner, shall be deemed to have been withdrawn.(3)The Tata Motors Limited and all vendors shall forthwith restore vacant possession of the land kept their possession in favour of District Magistrate, Hooghly. If any vendor or the Tata Motors Limited fails to restore possession of the land or any portion thereof immediately, the District Magistrate or any officer authorised by him on this behalf shall be entitled to take steps and use such force as may be necessary to take possession of the land and to enter upon such land for the aforesaid purpose.

5. Payment of amount.

(1)For the transfer to and vesting in the State Government the land under section 3 and right, title and interest in relation thereto, the amounts of premium paid respectively by the vendors shall be refunded after deducting the amount of arrears of rent left unpaid by them upon an application being made by them respectively mentioning the amount of premium paid and rent kept in arrear.(2)For the transfer to and vesting of the land leased to the Tata Motors Limited, the amount of compensation would be adjudged and determined by the District Judge, Hooghly on an application being made by the Tata Motors Limited in due compliance with the principles of natural justice and by reasoned order.(3)The amount so determined in accordance with the provisions hereto, shall carry simple interest at the rate of six per centum per annum from the period commencing on the date of application made by the claimant and ending on the date offender of the amount as may be determined and payable by the State Government.

6. Transfer of land to unwilling owners and its utilization.

- The State Government shall return equivalent quantum of land to unwilling owners, who have not accepted the compensation from the land described in Part I and Part II to the Schedule and the rest of the land shall be utilized by the Government for socio-economic development, employment generation, industry and for other public purpose of the State.

7. Power to amend Schedule.

- The State Government may, by notification in the Official Gazette, add to or amend the Schedule: Provided that the notification made under this section shall, as soon as after it has been made, be laid before the West Bengal Legislative Assembly.

8. Overriding effect.

- The provisions of this Act shall have effect notwithstanding anything inconsistent herewith contained in any Deed of Lease or letter of Allotment or grant or any other instrument having effected by virtue of any law other than this Act or any decree of Tribunal or authority.

9. Power to make rules.

(1) The State Government may make rules for carrying out the purposes of this Act. (2) Every rule made under sub-section (1) shall, as soon as may be after it is made, be laid before the State Legislature.