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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. 1758-LP/1A-07/22

Date: 04/05/2023

Whereas the State Government in the Land & Land Reforms and Refugee Relief & Rehabilitation Department accords long term lease for various purposes by execution of lease deed which includes vested land, thika land, land retained under section 6(3) of the West Bengal Estates Acquisition Act, 1953;

And whereas the lessee of such land has the right to transfer the leasehold right in part or full for the remaining period of lease for the same purpose and subject to observance of the terms and condition of the principal lease deed after obtaining prior permission of the lessor, the State Government in the L&LR and RR&R Department in the usual manner;

And whereas the State Government considers it necessary to impose a transfer fee for each transfer of leasehold interest in part or full of the land leased out;

Now, the State Government after careful consideration of the matter prescribes below the rate and manner of Transfer Fee with immediate effect:

1. Land settled for different park/hub/estate: Transfer fee for assignment of leasehold interest in part or full:
 - i. for quantum of land to be transferred upto 1 acre: 1% of Current Market Price(CMP) subject to a cap of ₹5 lac for each transfer application.
 - ii. for quantum of land to be transferred beyond 1 acre: for land beyond 1 acre, 1.5% of CMP subject to a cap of ₹20 lac for each transfer application

2. Land comprised in flat/ apartment in a residential building: For transfer of flat/apartment within leasehold land in part or full: 1% of current market price of the part/full of the flat for each transfer application.
3. For land comprised in a tea garden (applicable for tea garden on vested land and tea garden land retained under section 6(1)(f) read with section 6(3) of the WBEA Act, 1953): 1% of CMP of the land subject to a cap of ₹10 lac for each transfer application for every transfer of a tea garden.
4. For land settled on thika land: In case of transfer proposal of leasehold interest in part or full by a thika lessee/ thika assignee made under Form-G of the West Bengal Thika Tenancy (Acquisition & Regulation) Rules, 2004: 1% of the current market value of the land as determined by IGR & CSR, WB after receiving the application subject to a maximum of ₹5 lac.
5. For land other than category (1), (2),(3) & (4) above :

A. Lessee who has complied with the purpose of the lease:

- i. 1% of the CMP of the land for land upto 1.00 acre.
- ii. 1.5% of the CMP of the land for portion between 1.00 acre to 5.00 acres.
- iii. 2% of the current market value of the land for portion of land beyond 5.00 acres.

For the above three categories, maximum transfer fee will be 20 lac for each category (i), (ii) or (iii).

B. Lessee who has not complied with the purpose of the lease:

- (i) 2% of the CMP of the land for land upto 1.00 acre.
- (ii) 2.5% of the CMP of the land for portion between 1.00 acre to 5.00 acres.
- (iii) 3% of the CMP of the land for portion of land beyond 5.00 acres.

For the above three categories, maximum transfer fee will be 25 lac for each category (i), (ii) or (iii).

This is issued in concurrence of Finance Department's UO No.: Group A-II/2023-2024/0003 U.O. Date: 13/04/2023.

By order of the Governor,

SMARAKI MAHAPATRA
LRC & Secretary to the Government of West Bengal