

**Government of West Bengal**  
**Land & Land Reforms Department**  
Land Acquisition Branch

**O R D E R**

**G.O. No.1703-LA-3M-07/06**

**Dated the 6<sup>th</sup> June, 2006**

Whereas it is expedient to do so in the interest of expeditious disposal of land acquisition cases both for the **public benefits as well as for the benefits of the projects**, and as the policy and revision of existing procedures was duly approved by the Cabinet in its meeting held on 14<sup>th</sup> February, 2006, the Governor is hereby pleased to order that the following the following **procedures for the purpose of providing the benefit of Consent Awards** for effective and efficient administration of the Land Acquisition Act, 1894 in the State of West Bengal shall come into effect from 6<sup>th</sup> June, 2006

**This Order supersedes** anything contained anywhere in the West Bengal Land Acquisition Manual, 1991 or in any existing executive orders including the G.O. No. 703 dated 6<sup>th</sup> March,2006 issued by this Department, to the extent the said Manual or said orders differ from any provision or procedure introduced by this order. The Land Acquisition Collectors (hereinafter referred as LAC) **shall follow the revised procedures and administrative mechanism as specified below** for expeditious disposal of land acquisition cases within the framework of the Land Acquisition Act, 1894 in the State of West Bengal with effect from 6<sup>th</sup> June, 2006.

[1] The LAC in his notification under Section 4 of the Act, shall in addition to invite objections if any for proposed acquisition of the land, **shall also invite all persons having the rights and titles or other interest in land** proposed to be acquired to exercise their rights to submit claims for compensation in the form of manners prescribed below **to get the compensation benefits under “Consent Award’** which may be allowed by the Collector under Sub-section 2 of Section 11 of the L.A.Act,1894.

[2] The claim of compensation shall include claim for compensation for loss of land, trees standing on the land, building, structures and machineries attached to **land, value and water body, loss of earnings of bargadars, loss of lease-hold-rights of the lessee**, or any damages sustained by them, separately for different categories/classification of land as prescribed in the application form.

[3] The persons having title rights and interest in the land, may also claim for the settlement and rehabilitation if shifting of own homestead including house and buildings are involved. Such petitioners shall enclose the certified copies **of RORs to proof his/her title rights and interest in land and lease-deeds to proof lease-hold rights** enclosing shares in the concerned plot by any person interested and also annex such other documents as felt necessary to establish his/her rights on the land or share in the concerned land viz. enclosing of purchase deeds, if mutation is not yet done.

[4] The petitioner shall enclose such number of certified copies of such registration deeds procured from registration office or from individuals which are necessary to show and establish convincingly the **average market value of the category of the land** for which is equivalent to his/her land in terms of classification of land current land use and additional compensation on account of locational advantage of the land i.e. having **direct connection of land with different type-class of roads** . For productivity of agricultural land, or cropping pattern with irrigation facility (single crop, double crop, triple crop) giving the name of the crop and communicating the relevant certificates from agricultural department to that effect or annex similar certificate from the Pradhan, Gram panchat.

[5] The **value of trees** should be calculated as per the value prescribed for different trees of different age group.

[6] For **building structures and machinery**, valuation shall be made by such farm, institution or authority as are likely to be relevant and convincing and acceptable by the LAC.

[7] The petitioner should certify that he/she has prepared his/her claim as per **section 23 of the Act and in connection with such matters** which are to be considered in determining the compensation. He or she shall also declare certify that in the compensation claim such matters have not been incorporated which are to be included in determining compensation as prescribed under section 24 of the Act.

[8] The petitioner shall **separately claim the solatium @ 30%** on and over the basic market value of the land and value of things attached to land.

[9] The petitioner shall also claim **additional market value of land @ 12 % p.a.** for the period from the date of notification of under section 4 and til the award is declared u/s 11 of the Act.

[10] The LAC shall, at any stage after publication of notification under section 6 and 7, may , if he so satisfied on the basis of examination of the claims and supporting documents submitted to establish the claim and also being satisfied that such claim is **not exceeding 10% of the internally assessed value, may sanction the amount of claim including compensation and RR submitted by the petitioner as a “consent award”** under section 11(2) of the Act.

[11] The LAC shall be entitled to call the petitioner who has submitted application for consent award for **an interview and bargain across the table** to fix up the consent award money including the RR, where the authorized representative of the requiring body may also be allowed to attend and sign the agreement leading to consent award, and such consent award be signed only when the **petitioner gives his due signature on the agreement receipt of the money under consent award** he/she shall not make further claim for enhancement of the compensation money through any court of law.

[12] In case the Collector **finds the claim is exaggerated**, or not supported by adequate convincing documents, he may cause such inspection, enquiry, verification, as may be necessary and **fix up his own award** for submission and approval of the State Government.

[13] No consent award can be signed with any or some of the joint-bargadar or co-sharer of the concerned land if all the co-sharers of the concerned land do not **jointly sign the consent award.**

[14] A recorded bargadar shall also require to submit application for payment of consent award to compensate his/her loss of earnings from the barga land, giving **all supporting documents** that may be required as shown in the **prescribed “Application Form”** meant for the bargadars.

[15] For the convenience of the common citizens, LAC may consider opening **Counters in any public place** in the concerned village, village panchayats of any block-level office to receive the consent award applications and may also arrange **public hearing of the consent award applications** to ensure speedy disposals, transparency and public satisfaction.

[16] For convenience of the people, consent award G.O. shall be pasted out side the reception counters and prescribed application forms shall be supplied free of costs . To assist and guide them, a “Public Assistance Cell” may be set up at the LA Office and other subordinate offices or public places. In the notice boards of such offices and centres, mouza-wise and type-class-wise sale data as well as average market value of each type-class of land can be displayed, so that the applicants do get free information about land-sale data as may help them to submit consent award application without much hassles and botherations in getting sale-data.

[17] Starting the receiving of consent award application shall be started immediately after notification u/s 4, and Public hearing may start only after declaration u/s 6 of the Act.

[18] No notice may be at all required to be served upon such land-owners u/s 9, if his/her case has been already disposed of during hearing of the consent applications, to avoid useless formalities.

This revised procedure for awarding compensation including RR under the provision of Section 11(2) of the LA Act shall come into effect from the 6<sup>th</sup> June,2006.

By order of the Governor,

[ Sd/- Sukumar Das, IAS]  
LRC & Pr. Secy. to the  
Govt. of West Bengal

**G.O. No.1703[22]-LA-3M-07/06**

**Dated the 6<sup>th</sup> June, 2006**

Copy forwarded for information and necessary action to :-

[1-10] The Principal Secretary/ Secretary to the Govt. of West Bengal,Department of ....., Kolkata.

(11-13) The Divisional Commissioner, Presidency Division/Burdwan Division/ Jalpaiguri Division.

(14) The Director, Land Records & Surveys, Survey Buildings, 35, Gopalnagar Road, Alipore, Kolkata – 700 027.

(15-33) All District Magistrates & Land Acquisition Collectors,

(34-51) All Additional District Magistrate (LA)/Spl. Land Acquisition Collector/All ADM (LR) & DL&LRO,..... District, West Bengal.

(52) First LA Collector, Kolkata, 5, Bankshall Street. Kolkata-1

(53) Guard File of LA Wing of the Department.

(Sukumar Das)  
Principal Secretary to the  
Government of West Bengal

