

GOVERNMENT OF WEST BENGAL  
OFFICE OF THE ADDITIONAL DISTRICT MAGISTRATE  
&  
DISTRICT LAND AND LAND REFORMS OFFICER,  
NORTH 24-PARGANAS, BARASAT.

MEMO NO: - L-20018 / 84 /2018 -DL&LRO/ 151454

Date:- 15/05/2018

To  
The S.D.L & L.R.O (All).....  
The B.L & L.R.O, (All).....  
North 24 Parganas.

Sub:- Instruction of LRC & Principal Secretary to the Govt. of West Bengal L&LR&RR&R Nabanna, Howrah vide his memo no. 1242(22)-LP/5M-04/18 dated. 05/04/2018.

Kindly find an order received from the LRC & Principal Secretary to the Govt. of West Bengal L&LR&RR&R Nabanna, Howrah vide his memo no. 1242(22)-LP/5M-04/18 dated. 05/04/2018 regarding implementation of Chapter IIA of West Bengal Land Reforms Act, 1955, in respect of restrictions on alienation of land held by raiyats belonging to Schedule Tribes. He is requested to take necessary action following the guideline.

Enclo. As Stated.

  
Additional District Magistrate  
&  
District Land & Land Reforms Officer  
North 24- Parganas, Barasat.

(V)



**Provisions for the restrictions on alienation of land held by the raiyats belonging to Scheduled Tribes in Chapter IIA of West Bengal Land Reforms Act, 1955 :**

**Section 14B :** Any transfer by a raiyat belonging to a Scheduled Tribe of his holding or part thereof shall be void unless it is permitted accordingly by the respective Revenue Officer in his jurisdiction under section 14C of the Act, Chapter-II. Prior written permission of the Revenue Officer is required for the transfer of land belonging to a Scheduled Tribe to a person not belonging to a Scheduled Tribe under section 14C of the Act, Chapter-II, which is permissible only for the improvement of any other part of the holding or investment or such other purpose as may be prescribed. Such transfer of land belonging to a Scheduled Tribe to a person not belonging to Scheduled Tribe is permitted by the Revenue Officer only when he is satisfied that no purchaser belonging to a Scheduled Tribe is willing to pay fair market price of the land.

**Section 14D :** No transfer of any land belonging to Scheduled Tribe shall be valid unless it is made by registered instruments and no such instrument shall be registered by the Registering Officer or accepted by any court unless it is proved that the instrument does not contravene any of the provisions of this Chapter IIA of the Act. If any question arises in this regard, the registering officer or the court concerned shall refer such question to the Revenue Officer referred to in section 14C of the Act and shall give effect to the decision of the Revenue Officer.

**Section 14E :** If it is detected that such transfer of land belonging to a Scheduled Tribe has been effected by misrepresentation or fraud and the transferee has continued or is in possession, the Revenue Officer may on his own motion or on an application made in that behalf and after giving the transferee an opportunity of being heard by an order in writing annul the transfer, where necessary, and eject the transferee from such holding or part thereof by application of such force as may be required and the officer-in-charge of the local police station having jurisdiction in receipt of such written requisition shall render all necessary lawful assistance for enforcing delivery of possession of the land to the original Raiyat belonging into Scheduled Tribes.

**Sections 14F and 14FF :** No decree or order shall be passed by any court for the sale of the holding or any portion thereof of a Raiyat belonging to a Scheduled Tribe, nor shall any such holding be sold in execution of any decree or order.

**Section 14I :** No suit shall lie in any Civil Court to vary or set aside any order passed by the Revenue Officer in any proceeding under this Chapter except on the ground or fraud or want of jurisdiction.