

Government of West Bengal
Land & Land Reforms Department
PAC Branch

No. 3889-PAC/2A-13/2008 Part - II

Kolkata, Dated, 26.08.2008

NOTIFICATION

It has been brought to the notice of the Government that huge amounts of Land compensation award have been lying undisbursed for a very long time in the P-L Accounts of L.A. Collectors due to various reasons other than court cases. According to Paragraph No. 127(1) of Executive instructions in W.B. Land Acquisition Manual 1991 and paragraph No. 22 of the Land & Land Reforms Departments Order No. 1701-L.A./3M-07/06 dated 06.06.06 read with Paragraph No-8 of Appendix -12 of W.B. Treasury Rules, 2005, these undisbursed amounts should be deposited into Treasury as Revenue Deposits. But that has not been one by the L.A. Collectors due to various reasons.

After careful consideration of the matter and in order to ensure proper management and maintenance of the fund at the P.L. Accounts of the L.A. collector, the Governor has been please to frame following guidelines in this matter.

"Guideline for deposit of undisbursed amount of Land Acquisition Compensation award lying at the P.L. Accounts of the L.A. Collectors. "

1. (a) Any amount of compensation award in any land acquisition Case, neither received by awardees/their authorised representatives nor subjected to any litigation, shall be credited to Government Receipt after a period of three financial year from the year of declaration of the award.

(b) In the month of April in each year the Land Acquisition Collector shall prepare a list of such 'Unclaimed Awards', whose awards has been sanctioned three years ago and who have not received their Land Compensation awards and for which no litigation is pending. [Example: List of the Unclaimed Awards shall be prepared in the month of April 2009 in respect of the Award Amount Sanctioned during the Financial Year April 2005-06 and remained unclaimed upto the end of the Financial Year 2008-09], The name of such awardees along with details of their award reference shall also be recorded in the 'Unclaimed Award Register'.

(c) Such amount shall be withdrawn from Personal Ledger Account of the L.A. Collector by issuing cheque and shall be deposited to the Head "0075-Miscellaneous General Service-00-001 -Unclaimed Deposits - 002- Receipt due to unclaimed deposit from the P.L. Account of L.A. Collector -27 other Receipt" in Challan in T.R. Form No. 7 along with the Statement of Unclaimed Awards in the following proforma :

STATEMENT OF THE UNCLAIMED AWARDS WITHDRAWN FROM P.L.
ACCOUNT OF LA COLLECTOR IN THE MONTH OF APRIL _____
FOR THE PERIOD FROM _____ TO _____

Total: Rs _____ (In words Rupees _____)

Sl. No	Name of Awardess	Award Reference Number	Amount of Award (Rs.)	Amount deposited (Rs.)	Date of deposit with Cheque No. & Challn No	For Use in A.G (A&E) Office			Remark
						No. & date of refund order	Amount of refund sanctioned (Rs.)	Initial of S.O/ A.A.O. & O.O.	
1	2	3	4	5	6	7	8	9	10

L.A. Collector/Special L.A.O

As the detailed account of the deposit shall be maintained by the L.A. Collector, a copy of the Lapsed Deposit statement shall also be furnished to the Accountant General (A & E) West Bengal as provided under Rule 6.16 (2) of the West Bengal Treasury Rules 2005 for taking necessary action by the Accountant General (A&E) West Bengal.

2) Any amount of deposit credited to Government account as unclaimed deposit under the provision, mentioned in 1 (a) above, shall be repayable to the person for persons entitled to receive the amount, subject to observance of the following procedures :

i) When a payment is claimed for an amount, already transfer credited to Government Account under head "0075 - Miscellaneous General Service 00-101 -unclaimed Deposits -002-Receipt due to unclaimed deposit from the RL. Account of L.A. Collector-27-Other Receipt" on the basis of Lapsed Deposit Statement and remained unclaimed, a petition shall be made by the Claimant for withdrawal of the same. The L.A. Collector of Special L. A.O., as the case may be, shall examine the entitlement of the claim and the identity of the Claimant. After full satisfaction, he shall fill up the Application Form, as prescribed at Annexure -1, and send the Application Form duly filled in, to the Accountant General (A&E), West Bengal for sanction. Several deposit number may be included in a single application, if they are payable to the same person.

ii) The Accountant General (A&E). West Bengal, shall authorised payment on ascertaining that the deposit (s) was/were really received and credited to the Government as unclaimed deposits and that the claimant's identity and the title to the money are certified by the L.A. Collector/Special L.A.O.

iii) After receiving the Authorisation from the Accountant General (A&E) West Bengal, the L.A. Collector/Special LAO shall present the bill under the appropriate head of account, as mentioned

in the authority issued by the Accountant General (A &E). West Bengal or under head of account "0075"- Miscellaneous General Service-00-900-Deduct Refunds -001 - Refund of Lapsed Deposits-20-Refund", as the case may be, to the Concerned Treasury for the refund of the Unclaimed Deposit. Payment shall be made by the L.A. Collector/Special L.A.O. after receiving the Cheque/Cheques from the treasury.

iv) Applications for refund of unclaimed deposits shall be entered in a separate "Refund of Unclaimed Award Register'. In the proforma given below before submission to the Accountant General (A&E), West Bengal for sanction:

Sl. No	Date of Application No.	Name of petitioner/ Awardee	L.A. Case No and Award SI. No.	Challan No. and date of deposit with Treasury Name	Amount claimed (Rs.)	No. and date of A.G. (A&E) W.B.'s Authority	Date of Payment	Dated Signature of Awardee
1	2	3	4	5	6	7	8	9

L.A. Collector/Special L.A.O

Note : Dated signature of the person receiving the authority shall be taken in the remarks column.

v) The repayment of unclaimed award shall be noted in against the appropriate record in the 'Unclaimed Awards Register' as well as in the 'Refund of Unclaimed Award Register', so as to guard against second payment. If repayment is claimed after the 'Unclaimed Awards Register' has been destroyed, the responsibility for verifying the claimant's title to the refund shall devolve on the authority who signs the Application Form.

vi) If no payment could be made within twelve months from the date of issue of letter of authority from the Accountant General (A&E), West Bengal, it shall be refund to the Accountant-General (A &E), West Bengal.

3) The unclaimed awards which have already been transferred to 'Revenue Deposit' Account as per existing procedure may be guided by the same procedure.

4) There shall be only one RL. Account in the L.A. office of the district. The L.A. Collectors and the Treasury shall maintain Scheme /Project-wise accounts of the PL. Account and shall reconcile the same at the end of each quarter of the year.

5) The amount realised as ' Administrative Cost' shall be kept in a separate Scheme head under the same RL. Account. The surplus, if any, after meeting up the necessary expenditure relating to the particular project as per guideline issued vide G..O. No. 1704-LA-3M-07/06, dated 6th June,

2006 of the L & L R Department, shall be deposited under the revenue head of account "0029-Land Revenue-00-800- Other Receipts-025-Recoveries on account of Land Acquisition Establishment-10- Recoveries.'

6) Necessary amendment of the W.B. Land Acquisition Manual, 1991 shall be made in due course.

7) This Order issues with the concurrences of the Accountant General (A&E) West Bengal vide their U.O. No A.M.-1/03 dated 27.05.08 and the Finance Department vide their u/o No. 506-Group-T, dated 14-08-2008.

Joint Secretary to the
Government of West Bengal
Land & Land Reforms Department

**Annexure to L& LR Department Notification No. 3889-PAC/2A-13/2008
Part-II dated 26-08-2008**

**Annexure -1
Application Form**

(For Refund of Unclaimed Land Compensation Award deposited in the Treasury)

To
The Accountant General (A&E),
West Bengal

Sir,

The following refunds of unclaimed deposits arising out of Land Acquisition cases, aggregating Rs. _____ (Rupees _____) have been claimed by _____ of whose identity and title to the money I have satisfied myself. I request your sanction to the refund.

Sl. No	Name of Petitioner / Awardee	L.A. Case No. and Award Sl. No	Amount of award to be refunded Rs.	Particulars of Original deposit			Remarks
				Challan No	Date	Amount Deposited	
1	2	3	4	5	6	7	8

The _____ 20 _____

L. A. Collector/ Special I.A.O.

Accountant General (A & E), W/B.'s Officer No. _____:

Sanctioned

_____ Accountant General (A&E), W.B.

Examined
Accountant

Pay Rs. _____ (Rupees _____) only

L.A. Collector/ Special L.A.O.

The _____ 20 _____

Received Payment

Dated _____ (Receipt stamp)/Claimant

Signature of the Recipient

Note: The Signature of the Claimant should be obtained on this form and the form should be preserved as a voucher in support of the claim.