

Government of West Bengal
Department of Land and Land Reforms and Refugee Relief Rehabilitation
Land Policy Branch
NABANNA(6th Floor),
325, Sarat Chatterjee Road, Hohrah-711102

NOTIFICATION

Memo. No: 1956 - LP/3M-11/2022

Dated: 17.05.2022

WHEREAS Standing Committee of Cabinet in its 10th meeting held on 09/11/2021 referred the issue of proposal for permission for granting mortgage / creation of charge of leasehold interest in favour of any Financial Institutions/Recognised Mutual Funds/Banks/Trustees etc. to a Group of Ministers(GoM) constituted to examine the matter of future financial liabilities on the State Government in the event of failure to repay the loan by lessee taken from any Financial Institutions/Recognised Mutual Funds/Banks/Trustees etc.;

AND WHEREAS all types of lease deeds and the measures, taken to safeguard the interest of the State in the event the lessee concerned failed to pay the loan when the leasehold interest is mortgaged before any Financial Institutions/Recognised Mutual Funds/Banks/Trustees etc., were presented before the Hon'ble GoM in its meeting held on 21/03/2022 by this Department;

AND WHEREAS Hon'ble GoM has kindly perused all the issues discussed in the meeting including the present one and suggested that the lease deed format for normal lease of 30 years / 99 years may be amended by inserting the clause "**and not the demised land itself**" after the phrase "**leasehold interest in the demised land**" to make it explicit and clear that no charge can be created on the land itself;

AND WHEREAS the Cabinet Committee on Industries, Infrastructure and Employment vide No. 18(10)-Cab.Sub.Com.(I.I.&E.)/(Pro.)-04(2)/2022 dated 19.04.2022 has approved the amendment proposal in the clause 22.i) of lease deed format for normal lease of 30 years / 99 years by inserting the clause "**and not the demised land itself**" after the phrase "**leasehold interest in the demised land**" to minimize the future financial liabilities upon the State Government in the event of failure to repay the loan by lessee taken from any Financial Institutions/Recognised Mutual Funds/Banks/Trustees etc.;

NOW, THEREFORE, the Governor is pleased hereby to amend the clause 22.i) of lease deed format for normal lease of 30 years / 99 years by inserting the clause "**and not the demised land itself**" after the phrase "**leasehold interest in the demised land**" to minimize the future financial liabilities upon the State Government in the event of failure to repay the loan by lessee taken from any Financial Institutions/Recognised Mutual Funds/Banks/Trustees etc.

By Order of the Governor

Smaraki Mahapatra

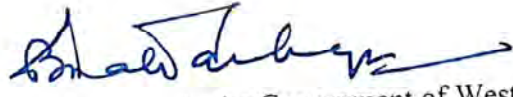
LRC and Secretary to the Government of West Bengal

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Dated: 17-05-2022

Memo No. 1956/1(82)-LP

1. Additional Chief Secretary/Pr. Secretary/Secretary to the Govt. of West Bengal
..... Department
2. Commissioner, Division
3. Director of Land Records & Surveys, West Bengal, 35, Gopalnagar Road, Alipore, Kolkata-
700027.
4. District Magistrate & Collector, P.O..... Dist.....
- ✓ 5. O/C.



Additional Secretary to the Government of West Bengal