

The
Kolkata Gazette
सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 25]

WEDNESDAY, MARCH 16, 2011

[SAKA 1932

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Housing Department
(A & E Branch)
N. S. Buildings,
1, K. S. Roy Road, Kolkata-700 001.

NOTIFICATION

No. 04 (GN)-H2/NT-16/2010 Dated, Kolkata, the 25th February, 2011 — In exercise of the power conferred by section 159 read with section 86B of the New Town Kolkata Development Authority Act, 2007 (West Ben. Act XXX of 2007) (hereinafter referred to as the said Act), the Governor is hereby pleased to make, after previous publication as required under sub-section (1) of section 159 of the said Act, the following rules namely : —

Rules

1. **Short Title** :— (1) These rules may be called the New Town, Kolkata (Record of Title) Rules, 2011.
(2) They shall come into force on the date of their publication in the Gazette.
2. **Definition** :— (1) In these rules, unless the context otherwise requires;—
 - (a) "Act" means the New Town, Kolkata Development Authority Act, 2007;
 - (b) "Chairman" means the Chairman of the Authority;
 - (c) "Certificate" means a certificate of Record of Title;
 - (d) "Development Authority" means New Town, Kolkata Development Authority;
 - (e) "Form" means form appended to this rules;
 - (f) "Notice" means Notice for transfer or devolution of title of any land or Building;
 - (g) "WBHIDCO Ltd." Means the West Bengal Housing Infrastructure and Development Corporation Limited;

(2) The words and expressions used in these rules, but not defined, shall have the same meaning as in the Act.

3. **Notice for transfer of title by the transferor** :- Any person who transfers his title to any land, building, dwelling unit, shop, establishment and other unit situated within the area of New Town Kolkata shall give notice to the Chairman in Form-B-1 appended to these rules. All such application shall accompany copy of death certificate in case of transfer due to death, copy of testament or will or copy of succession certificate for recording title under sub-rule (1) of this rule.
4. **Notice for transfer of title by the transferee** :- Any person to whom the title to any land, building, dwelling unit, shop, establishment and other unit situated within the area of New Town Kolkata is transferred shall give notice to the Chairman in Form-B-2.
5. **Notice for transfer of title by devolution** : When the title to any land, building, dwelling unit, shop, establishment and other unit situated within the area of New Town Kolkata devolves on any person he shall give notice to the Chairman in Form-B-3.
6. **Enclosures along with the notice** :- (1) When a person gives notice under rule 3 or rule 4 he shall enclose the following documents along with respective Form :—
- a) Photocopy of allotment letter from WBHIDCO, if any ;
 - b) Certified copy of duly registered deed of conveyance ;
 - c) Photocopy of Building sanction plan ;
 - d) Photocopy of Property tax clearance receipt or certificate.
- (2) When a person gives notice under rule 5 he shall enclose the following documents along with respective Form :—
- a) Photocopy of death certificate ;
 - b) Photocopy of will or testament;
 - c) Photocopy of succession certificate ;
 - d) Original heirship certificate ;
 - e) Up to date property tax clearance receipt or certificate .

Note : Documents referred in clause (b) and (c) are not to be enclosed in case of intestate succession.

FORM B1*(Rule 3)***NOTICE OF TRANSFER OF TITLE OF ANY LAND, BUILDING ETC. BY THE TRANSFEROR**

1. Name of the applicant (s) :
2. Address of the applicant (s) :
3. Premises No. :
4. Holding No. :
5. Name(s) and address of the person to whom title is transferred :
6. Nature of transfer :
7. Date of registration/execution of the instrument of transfer :

Date :

Note-1 :

Signature of the applicant

1. The person who transfers and the person to whom the title of such land or building has been transferred shall within three months after the execution of the instrument of transfer, if it is registered or after the transfer is effected, if no instrument is executed shall give notice under sub-section (1) of section 86B of the Act.

2. The transferee shall produce documents as an evidence of such transfer under sub-section (3) of section 86B of the Act.

3. Transfer of title of land /building etc. registered under the West Bengal Cooperative Societies Act, 1983 or the West Bengal Cooperative Societies Act, 2006 :—

- (a) Property Tax clearance Receipt,
- (b) Certified copy or photo copy of the Registered Deed of Conveyance duly attested by any Gazetted officer/ College principal(s) / University teachers / Public Sector Bank managers / Postmaster of documentary evidence showing the devolution of title from the recorded owner(s) as in the Register of the Development Authority,
- (c) Copy of resolution of the Society accepting the applicant as member of the Society along with approval of the Assistant/ Deputy Registrar of the Co-operative Societies towards such resolution, duly certified by the Secretary/ Chairman of the Society
- (d) Photocopy of share Certificate duly certified/attested by the Secretary/ Chairman of the society showing transfer of certificate in favour of the applicant,

4. Transfer of title of land /building etc. registered under the West Bengal Apartment Ownership Act 1972 :

- (a) Property Tax clearance Receipt,
- (b) Certified copy or photocopy of the Registered Deed of Conveyance duly attested by any Gazetted officer/ College principal(s) / University teachers / Public Sector Bank managers / Postmaster of documentary evidence showing the devolution of title from the recorded owner(s) as in the Register of the Development Authority,
- (c) Form C of West Bengal Apartment Ownership Rules, 1974.

5. Transfer of title of land /building etc. except under the Cooperative Societies Act and West Bengal Apartment Ownership Act, 1972 :

- (a) Certified copy of Registered Deed(s) of Conveyance showing transfer of title from the recorded owner to the applicant,
- (b) Property Tax clearance Receipt.

6. Transfer of title of land / building etc. in respect of any company :

- (a) Certificate from Registrar of companies,
- (b) Property Tax clearance Receipt,
- (c) Document showing ownership of the premises.

7. Transfer of title of land /building etc. from minor to major:

- (a) Birth certificate/school leaving certificate ;
- (b) Affidavit duly notarised or sworn in before first class Judicial Magistrate ;
- (c) Property Tax clearance Receipt;

Note - 2 : In addition the documents as mentioned in Note-1, any other document as decided by the authority shall be furnished under sub-section (3) of section 86A of the Act for transfer of any land, building etc. within the area of New Town, Kolkata.

FORM B 2*(Rule 4)***NOTICE OF TRANSFER OF TITLE OF ANY LAND, BUILDING ETC. BY THE TRANSFEREE**

1. Name of the applicant(s) :
2. Address of the applicant(s) :
3. Premises No. :
4. Holding No. :
5. Name(s) and address of the person from whom title is transferred :
6. Nature of transfer :
7. Date of registration/execution of the instrument of transfer :

Date :

Note-1 :

Signature of the applicant

1. The person who transfers and the person to whom the title of such land or building has been transferred shall within three months after the execution of the instrument of transfer, if it is registered or after the transfer is effected, if no instrument is executed shall give notice under sub-section (1) of section 86B of the Act.
2. The transferee shall produce documents as an evidence of such transfer under sub-section (3) of section 86B of the Act.
3. **Transfer of title of land /building etc. registered under the West Bengal Cooperative Societies Act, 1983 or the West Bengal Cooperative Societies Act, 2006 :—**
 - (i) Property Tax clearance Receipt,
 - (ii) Certified copy or photocopy of the Registered Deed of Conveyance duly attested by any Gazetted officer/ College principal(s) / University teachers / Public Sector Bank managers / Postmaster of documentary evidence showing the devolution of title from the recorded owner(s) as in the Register of the Development Authority,
 - (iii) Copy of resolution of the Society accepting the applicant as member of the Society along with approval of the Assistant/ Deputy Registrar of the Co-operative Societies towards such resolution, duly certified by the Secretary/ Chairman of the Society
 - (iv) Photocopy of share Certificate duly certified/attested by the Secretary/ Chairman of the society showing transfer of certificate in favour of the applicant,
4. **Transfer of title of land /building etc. registered under the West Bengal Apartment Ownership Act, 1972 :**
 - (i) Property Tax clearance Receipt,
 - (ii) Certified copy or photo copy of the Registered Deed of Conveyance duly attested by any Gazetted officer/ College principal(s) / University teachers / Public Sector Bank managers / Postmaster of documentary evidence showing the devolution of title from the recorded owner(s) as in the Register of the Development Authority,
 - (iii) Form C of West Bengal Apartment Ownership Rules, 1974.

5. Transfer of title of land /building etc. except under the West Bengal Cooperative Societies Act, 1983 or the West Bengal Cooperative Societies Act, 2006 and West Bengal Apartment Ownership Act, 1972 :

- (i) Certified copy or attested copy of Registered Deed(s) of Conveyance showing transfer of title from the recorded owner to the applicant,
- (ii) Property Tax clearance Receipt.

6. Transfer of title of land /building etc. in respect of any company :

- (i) Certificate from Registrar of companies appointed under the Companies Act, 1956,
- (ii) Property Tax clearance Receipt,
- (iii) Document showing ownership of the premises.

Note - 2 : In addition the documents as mentioned in Note-1, any other document as decided by the authority shall be furnished under sub-section (3) of section 86A of the Act for transfer of any land, building etc. within the area of New Town, Kolkata.

FORM B 3*(Rule 5)***NOTICE OF DEVOLUTION OF TITLE OF ANY LAND, BUILDING ETC. TO ANY PERSON**

1. Name of the applicant(s) :
2. Address of the applicant(s) :
3. Premises No. :
4. Assessee No. :
5. Name and address of the recorded owner(s) :
6. Name(s) and address of the person(s) to whom the title devolves :
7. Reason of such devolution :
8. Date of registration/execution of the instrument :
 - a. Of such devolution :
9. If devolution due to — :
 - (a) Intestate :
 - (b) Testament :

Date :

Note: 1

Signature of the applicant

1. The person to whom the title of such land or building devolves shall within six months from the date of death of the former give notice of such devolution under sub-section (2) of section 86B of the Act.
2. The person to whom the title of such land or building devolves shall produce documents as an evidence of such devolution under sub-section (3) of section 86B of the Act.
3. If devolution of title of land or building is due to death, the applicant shall submit —
 - (i) Affidavit sworn in before the first class Judicial Magistrate or notarised by a Notary officer of legal heirship specially mentioning date of death of the Recorded Owner, premises no. and family tree.
 - (ii) Death Certificate of the Recorded Owner in original/attested copy .
 - (iii) Affidavit of succession mentioning all owners who died intestate.
 - (iv) Property Tax clearance Receipt

4. If devolution of title of land or building is due to testament, the applicant shall submit —
- (i) Certified copy or photocopy of Probate Will duly attested by a Group-A government Officer,
 - (ii) Property Tax clearance Receipt
 - (iii) Death Certificate to be attached wherever applicable.

Note - 2 : In addition the documents as mentioned in Note-1, any other document as decided by the authority shall be furnished under sub-section (3) of section 86A of the Act for transfer of any land, building etc. within the area of New Town, Kolkata.

By order of the Governor,

PARTHA PRAN DUTTA,
Secretary to the Government of West Bengal.