

The West Bengal Bhudan Yagna Ordinance, 1962.

(Sections 3—6.)

Establishment and incorporation of Bhudan Yagna Board.

3. (1) The State Government shall, by notification in the *Official Gazette*, establish a Board to be called the "West Bengal Bhudan Yagna Board" consisting of such number of members as it may think fit for carrying out the purposes of this Ordinance.

(2) The Board shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to enter into contracts and to do all acts necessary and consistent with the purposes of this Ordinance and shall sue and be sued by the name referred to in sub-section (1).

Staff and fund of the Board.

4. (1) The Board shall appoint a Secretary and such other staff as it may consider necessary for carrying out the purposes of this Ordinance on such remuneration and on such terms and conditions as may be prescribed.

(2) The Board shall have a fund to be called the "West Bengal Bhudan Yagna Fund" and all monies received by the Board on any account whatsoever shall be credited to, and all expenditure incurred by the Board shall be paid out of, such fund.

(3) The accounts of the West Bengal Bhudan Yagna Fund shall be kept and audited in such manner as may be prescribed.

Particulars of donated land to be furnished to Board.

5. Any person donating any land in pursuance of *Bhudan Yagna* shall furnish to the Board all particulars in respect of such land specifically mentioning,—

- (a) the right, title and interest of such person in the land,
- (b) the nature and extent of encumbrances, if any, to which the land is subject, and
- (c) whether any rent, revenue, cess or tax in respect of the land is outstanding or not.

Vesting order.

6. (1) On receipt of the particulars referred to in section 5, the Board shall refer the same to an Officer having jurisdiction over the area in which the land concerned is situated specially appointed by the State Government in this behalf and thereupon the Officer shall, if he is satisfied, after giving, in such manner as may be prescribed, public notice of his intention so to do, and after making such enquiry, if any, as he may think fit, that the donor has good title to the land and that the land is free from encumbrances, make a vesting order, and shall, after the expiry of the period of appeal or, if an appeal be filed, after the disposal thereof confirming the vesting order, send such vesting order to the Registering Officer having jurisdiction over the area in which the land is situated for registration thereof.

(2) The Registering Officer shall on receipt of a vesting order sent by the Officer under sub-section (1) register the same:

Provided that, notwithstanding anything to the contrary contained in any other law, no fee shall be necessary for registration of the vesting order.

(3) On registration of any vesting order under sub-section (2), the right, title and interest of the person donating the land in respect of which the vesting order is made shall vest in the Board and the Board shall hold the land so vested on such terms, conditions and restrictions as may be prescribed:

Provided that if any rent, revenue, cess or tax in respect of such land be in arrears at the time when the same is donated, the person donating the land, and not the Board, shall remain liable to pay such arrears.

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Appeal.

7. An appeal from a vesting order made by the Officer under sub-section (1) of section 6, shall lie, if preferred within thirty days from the date of the vesting order, to the Munsif having jurisdiction over the area within which the land in respect of which the vesting order is made is situated and the Munsif shall dispose of such appeal by an order either confirming the vesting order or setting it aside:

Provided that no such order in appeal shall be passed without giving the party or parties prejudicially affected thereby an opportunity of being heard.

Settlement of land vested in the Board.

8. The Board may settle on such terms, conditions and restrictions as may be prescribed, any land vested in it with landless persons residing within the area within which such land is situated.

Indemnity.

9. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Ordinance or any rule or order made thereunder.

Power to make rules.

10. The State Government may, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Ordinance and such rules may provide for any matter which may be or is required to be prescribed.

PADMAJA NAIDU,
Governor of West Bengal.

The 18th September, 1962.

K. K. HAJARA,
Secy. to the Govt. of West Bengal.