

Date of application for the copy	Date for fixed for notifying the requisite No. of Stamps and folios	Date of delivery of the requisite Stamps and folios	Date of which the copy was ready for delivery	Date of making over the copy to the applicant

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Whereas it appears on record that an enquiry was held by the Revenue Officer, attached to the office of the Competent Authority and Sub-Divisional Officer, Barrackpore by servicing due notice upon the petitioners vide this office memo nos.253/ULC/Misc./Lake dt. 07/5/97;

And

Whereas it appears on record that said enquiry was held by the Revenue Officer on 14/5/97 in presence of the Petitioner as well as his co-sharers;

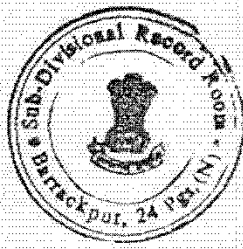
And

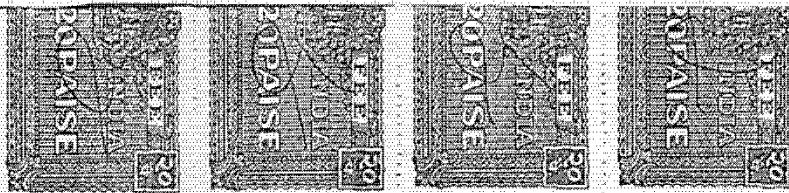
Whereas it appears on record that the enquiry officer submitted his report on 8/6/98;

And

Whereas it appears on record that since then (from the date of submitting enquiry report) the matter was kept pending with the office of the Competent Authority and Sub-Divisional Officer, Barrackpore and as such it becomes necessary for me to consider and to dispose of the matter. And accordingly, the matter is taken up by me for such consideration and disposal.

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It appears from the enquiry report that the petitioner as well as his co-sharers hold land in mouza - Daskhindari J.L. No.25, P.S. Lake Town, Dist. North 24 Pgs. the particular of which is given below :-

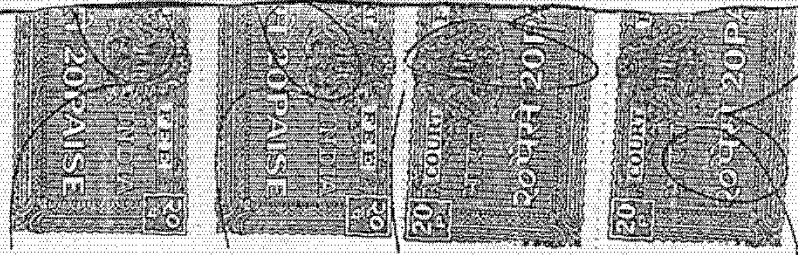
Mouza with J. L. NO.	P. S.	R. S. KH. NO.	R. S. DAG	R.S. CLASSIFICATION.
Daskhin-	Lake Town	969	854	Drain
dari.		971	855	Pond
25.		972	856	Pond
		973	857	Bastu
			858	Drain

Present user	Area in acr.	Area in sqm ²
Drain	.0337	= 73.28 m ²
Vacant	.1837	= 728.44 m ²
Vacant	.5312	= 2044.43 m ²
Vacant	2.2187	= 9011.28 m ²
Drain	.0203	= 49.01 m ²
		<u>11,906.44 m²</u>

It further appears from the said enquiry report dated 8/6/98 the following are the co-sharers of the petitioners as well as the owners of the land in question as per provision Mitaskhana School of Law.

Lot - A	Name	Father's/Husband's name
		Contd..4





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1. Sri Girdharilal Mehta-S/O. Late Kishorelal Mehta
 - ✓ 2. Srilal Mehta -S/O. Girdharilal Mehta
 - ✓ 3. Surendralal Mehta - Girdharilal Mehta
 - ✓ 4. Smt. Mamta Mehta - W/O. Sri Lal Mehta
 - ✓ 5. Smt. Mridula Mehta - W/O. Surendralal Mehta
 - ✓ 6. Sri Avnish Mehta - S/O. Srilal Mehta
 - ✓ 7. Sri Rajnish Mehta - S/O. Srilal Mehta
- of 70, Vivekananda Road, Cal.-6.

Lot - B

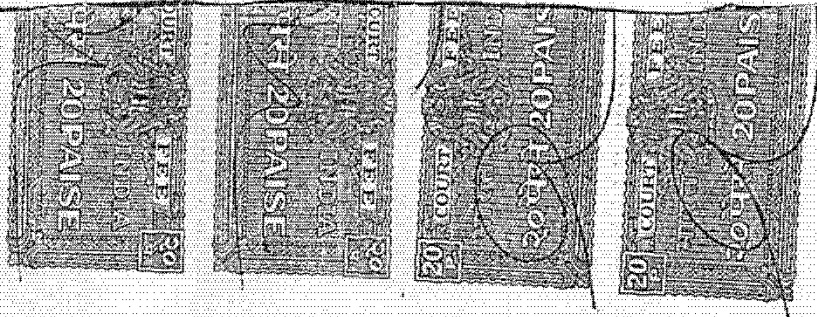
- ✓ 1. Smt. Kusum^alal Mehta W/O. Monoharlal Mehta
 - ✓ 2. Smt. Kanta Mehta W/O. Late Madhavlal Mehta
 - ✓ 3. Sri Pradeeplal Mehta S/O. Late Madhavlal Mehta
 - ✓ 4. Sri Sudiplal Mehta S/O. Late Madhavlal Mehta
 - ✓ 5. Smt. Sonam Mehta W/O. Pradeeplal Mehta
 - ✓ 6. Smt. Janvi Mehta W/O. Sudiplal Mehta
- of 70, Vivekananda Road, Cal.-6.

Lot - C

- ✓ 1. Smt. Gourilal Mehta S/O. Late Govindalal Mehta
- ✓ 2. Sri Damodarilal Mehta S/O. Late Govindalal Mehta
- ✓ 3. Smt. Suman Mehta W/O. Sri Gourilal Mehta
- ✓ 4. Smt. Veena Mehta W/O. Sri Damodarilal Mehta

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- ✓ 5. Sri Monoj Mehta S/O. Sri Gourilal Mehta
- ✓ 6. Sri Madhup Mehta S/O. Sri Gourilal Mehta
- ✓ 7. Sri Basant Mehta S/O. Sri Damodarlal Mehta
of 70, Vivekananda Road, Cal.-6.

Lot - D

- ✓ 1. Sri Harilal Mehta S/O. Late Kishorilal Mehta
- ✓ 2. Smt. Laxmi Mehta W/O. Sri Harilal Mehta
- ✓ 3. Sri Sankarlal Mehta S/O. Sri Harilal Mehta
- ✓ 4. Smt. Rajni Mehta W/O. Sri Sankarlal Mehta
- ✓ 5. Sri Keshablal Mehta S/O. Sri Harilal Mehta
- ✓ 6. Smt. Bharati Mehta W/O. Sri Keshablal Mehta
- ✓ 7. Sri Sasankar Mehta S/O. Sri Sankarlal Mehta
of 70, Vivekananda Road, Cal.-6.

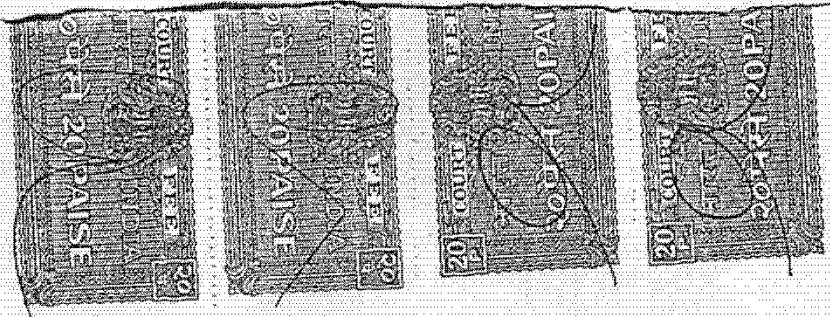
Total
278

For the purpose of issuing Urban Land Ceiling clearance as prayed by the applicant it becomes necessary for me to consider the matter from the following points of view so far the Urban Land (Ceiling and Regulations) Act, 1976 is concerned.

- I) Whether the plots of land as referred to above do

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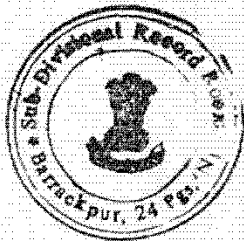
come within the meaning of section 2(q) of Urban Land (Ceiling and Regulations) Act, 1976 or not.

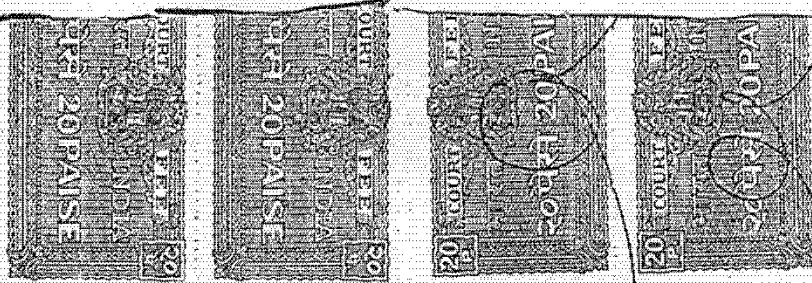
II) Whether the owners of the land do hold any other land and/or land and land with Building in any urban agglomeration of India except the land referred to above.

III) Whether the owners of the land including the members of their respective family do hold land within the Ceiling Limit prescribed in the Urban Land (Ceiling and Regulations) Act, 1976 or not.

✓
On perusal of the ~~enquiry~~ ^{file} enquiry report of the Enquiry Officer dated 8/6/98 it appears to me that the ponds (Plot No. - 855 & 856) had already been filled up and as a matter of fact such land shall come within the meaning of the section 2(q) of the Urban Land (Ceiling and Regulations) Act, 1976.

✓
As a whole the picture of the land as it appears from the enquiry report dated 8/6/98 is this that plot no. 855, 856 and 857 do come within the scope of section 2(q) of Urban Land (Ceiling and Regulations) Act, 1976 and the rest two plots i.e. (Plot no. - 854 and 858) classified as





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drain as per R. S. record of right and being used as such till date do not come within the meaning of section 2 (q) of Urban Land (Ceiling & Regulations) Act, 1976.

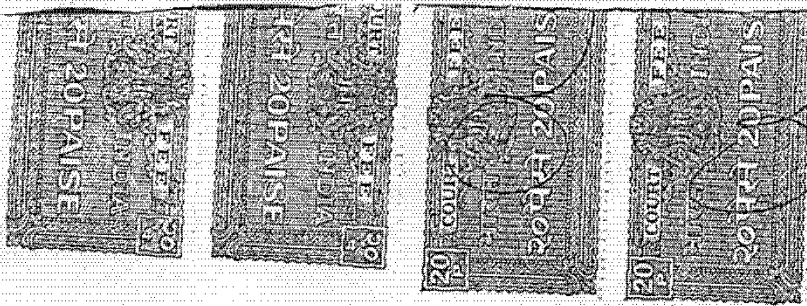
It also appears from declaration made by the owners of the land that they including the members of their respective family have no vacant land in the state of West Bengal or in any part of India. The implication of the declaration made by the owners of the land including the members of their respective family do not hold any vacant land in any urban agglomeration within the territory of India except the land as referred to above.

On the face of the fact of the case noted above the Calculation of the excess vacant land made by the Revenue Officer in his report dated 8/6/98 stands as follows :-

- | | | |
|--|---------|-------------------------|
| 1) Total land | 2976.61 | 11906.44 m ² |
| 2) Land excluded from the Calculation of vacant Land being classified and used as drain (Plot No. 854 & 858) | | 122.29 m ² |
| 3) Accountable land | | 11784.15 m ² |
- 14 1/2 acres*

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- 4) Retainable land 13500.00 m²
 Ceiling of vacant land
 entitled U/S. 4(1) of
 the Act(27 X 500.00) =13500.00m²
- 5) Excess vacant land Nil
 (Subject to acquisition)

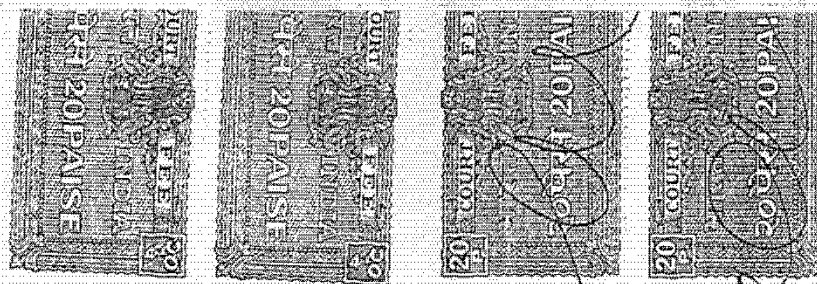
On the basis of the above calculation made by the Revenue Officer in his enquiry report dated 8/6/98 the reply of the question raised for consideration of granting urban land Ceiling clearance is found as follows :-

1) So far the the point No.-1 is concerned it is found that except plot No.854, 858 all the plots of land i.e. plot No- 855, 856 and 857 do come within the meaning of section 2(q) of Urban and Land (Ceiling and Regulations) Act, 1976.

II) So far the point No. II is concerned it is founded that the petitioner including his other 26 co-sharers including the members of their respective family do not hold any vacant land in any urban agglomeration within the territory of India except the land noted above.

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III) So far the point No. III is concerned it is found that the petitioner as well as other 26 co-sharers hold vacant land within the Ceiling Limit prescribed under the provision of Urban Land (Ceiling and Regulations) Act, 1976.

After taking all these together I do hold that there is no objection from ULC point of view, as the proceeds stands dropped.

dictated and corrected by me.

1/- Ashis Chakraborty
C. A. & S. D. O.,
Barrackpore. Let a xerox copy of the order be sent to the applicant.

office to act accordingly.

Sd/- Ashis Chakraborty
C. A. & S. D. O.,
Barrackpore, N 24-Pgs.

Compared by *[Signature]* *True copy*
 Head Clerk
 Barrackpore
 Sub-Div. Office
 Date *06/08/99*
 Typing By *[Signature]*
 S. Datta.
 06-8-1999. Date *06/08/99*
 Comparing Clerk
 Date *06/08/99*
 Authorising (U.S. 28 of Act of 1973)

