

Birbhum, a society registered under the Indian Societies Registration Act, XXI of 1860, and having its registered office at Suri, police-station Suri, in the district of Birbhum (hereinafter called the "SOCIETY") of the one part and THE GOVERNOR OF THE STATE OF WEST BENGAL (hereinafter called "THE GOVERNOR") of the other part.

WHEREAS for the purpose of the construction of Library Hall the Society has applied to the Government of West Bengal for the acquisition under the provisions of the Land Acquisition Act, 1894, of the piece or parcel of land containing .02 of an acre or thereabout situate in the village of Suri, in the district of Birbhum and more particularly described in the Schedule hereto and delineated in the Plan* hereunto annexed;

AND WHEREAS the said Government of West Bengal, being satisfied by an enquiry held under section 40 of the said Act that the proposed acquisition is needed for the aforesaid purpose and that the said work is likely to prove useful to the public, has consented to acquire on behalf of the Society the piece or parcel of land hereinbefore described;

AND WHEREAS the said Government of West Bengal has required the Society under the provisions of section 41 of the abovementioned Act to enter into the agreement with the Governor hereinafter contained. Now this indenture witnesseth that it is hereby agreed and declared as follows:—

1. On demand the Society shall and will pay to the said Government of West Bengal all and every compensation in respect of the said land tendered, paid or awarded or to be tendered, paid or awarded by the Collector under the Land Acquisition Act, 1894, or by Court to which a reference under Part III of the said Act may be made, or by the Court or Courts to which an appeal from the award of the said Court may be preferred and all costs, charges and expenses of the proceedings in the aforesaid Courts or otherwise incidental to the proposed acquisition or payable in respect thereof under the provisions of the said Act.

2. On demand made by the said Collector the obligations of the Society under the last preceding clause not being thereby limited, the Society shall and will deposit with the said Collector such sum or sums of money as in his discretion the said Collector may in anticipation estimate to be necessary for the purposes mentioned in the last preceding clause.

3. On payment by the Society of all demands under the foregoing first clause, or, in the discretion of the said Government of West Bengal (on deposit by the Society of all estimated amounts as provided in the second clause), but not before possession shall have been taken under the provision of the abovementioned Act, the Governor shall make over possession of the said land to the Society and shall execute and do all such acts and deeds as may be necessary and proper for effectually vesting the same in the Society.

4. The said land shall be held by the Society for the purposes of such construction and works as are hereinbefore mentioned and without the sanction in writing of the said Government of West Bengal first had and obtained for no other purpose whatsoever.

5. The said construction work shall be completed (and fully equipped in all respects ready for use) within two years from the date on which

possession of the said land shall have been given to the Society.

6. Should the said construction work not be completed (and fully equipped in all respects ready for use) within the period stated in the last preceding clause or within such further period as in its discretion may be prescribed or allowed by the said Government of West Bengal, or should the said land at any time thereafter cease for a period of six consecutive months, to be held and used or cease to be required for the purpose or purposes provided for in the foregoing fourth clause then and in any such case, the said Government may summarily re-enter upon and take possession of the said land together with all buildings thereon, whether such buildings were erected before or after transfer of the land to the Society, and thereupon the interest of the Society in the said land and buildings shall absolutely cease and determine.

7. On taking such possession the said Government may sell or otherwise deal with the said land and buildings as it may think proper.

(i) Should the said Government sell the land with the buildings the said Government after deducting the expenses incurred in connection with the said taking of possession and with such sale shall pay the proceeds to the Society.

(ii) Should the said Government decide not to sell the land and buildings, the said Government shall retain the said land and buildings thereon in which case the Governor shall repay to the Society the market value as on the day of re-entry of all the buildings erected by the Society and all sums received from the Society in respect of all and every compensation as provided in the foregoing first clause (less the statutory allowance of 15 per cent. and less any amount received on account of trees and buildings which are not in existence at the time of resumption), but will not repay any sums paid and received on account of costs, charges and expenses.

(iii) Should the said Government decide to sell the buildings only upon such sale, the Governor shall, after deducting the expenses of taking possession and selling, pay the balance of the proceeds of sale to the Society, together with the sum received from the Society in respect of the compensation for the land (less the statutory allowance of 15 per cent. and less any amount received from the Society on account of trees and buildings which are not in existence at the time of resumption), but will not repay any sums paid and received on account of costs, charges and expenses.

8. The public shall be entitled to use the land subject to the rules and regulations of the Sree Sree Ramkrishna Ashram educational activities.

9. Should any dispute or difference arise touching or concerning the subject-matter of this agreement or any covenant clause or thing herein contained the same shall be referred to the said Government of West Bengal and the opinion and decision of the said Government upon such dispute or difference shall be final and conclusive and binding on the parties hereto.

The Schedule above referred to

All that piece or parcel of land measuring, more or less, 0.02 of an acre of land comprising cadastral plot No. 1145 in the village of Suri (Khatian No. 726), jurisdiction list No. 8, thana Suri, district Birbhum.

IN WITNESS WHEREOF the Sree Sree Ramkrishna Ashram, Suri, Birbhum, has caused its common seal to be affixed and the Governor of

the State of West Bengal hath hereunto set his hand and seal the day and year first abovewritten.

The common seal of the Sree Sree Ramkrishna Ashram, Suri, was hereto affixed in the presence of—

Witness—

Bansi Badan Das,
Swami Vividishananda.

Signed, sealed and delivered by Member, Board of Revenue and Secretary to the Government of West Bengal in the Land and Land Revenue Department (*ex-officio*), on behalf of the Governor of the State of West Bengal.

Witness—

H. L. Chakravarti, Assistant Secretary, Land and Land Revenue Department, Government of West Bengal.

30-12-1957.

S. Banerjee, Member, Board of Revenue and Secretary to the Government of West Bengal, Land and Land Revenue Department (*ex-officio*).

30-12-1957.

By order of the Governor,

S. BANERJEE,
Member, Board of Revenue and Secy. to the Govt. of West Bengal, Land and Land Revenue Department (*ex-officio*).

