WEST BENGAL GROUND WATER RESOURCES (MANAGEMENT, CONTROL & REGULATION ACT, 2005)

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WEST BENGAL GROUND WATER RESOURCES
(MANAGEMENT, CONTROL & REGULATION RULES, 2006
& AMENDMENTS)



Department of Water Resources Investigation & Development Government of West Bengal September, 2011 Kolkata





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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL LAW DEPARTMENT Legislative

NOTIFICATION

No. 2110-L.—31st August, 2005.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XVIII of 2005 THE WEST BENGALGROUND WATER RESOURCES (MANAGEMENT, CONTROLAND REGULATION) ACT, 2005.

[Passed by the West Bengal Legslature.]

[Assent of the Governor was first published in the *Kolkata Gazette*. *Extraordinaty*, of the 31st August, 2005.]

(Sections 1,2.)

An Act to manage, control and regulate indiscriminate extraction of ground water in West Bengal and to provide for matters connected therewith or incidental thereto.

WHEREAS it is expedient to manage, control and regulate indiscriminate extraction or use of ground water;

AND WHEREAS it is further expedient to provide against the widespread contamination of ground water with arsenic, fluoride, chloride, iron, other heavy metals or metalloids, organic and inorganic pesticides, fungicides, and rodenticides;

It is herby enacted in the Fifty-sixth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title, extent and commencement.

- 1. (1) This Act may be called the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005.
- (2) It extends to the whole of the State of West Bengal.
- (3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Definitions.

- 2. In this Act, unless the context otherwise requires,—
- (a) "Corporation Level Authority" means the Kolkata Municipal Corporation Level Ground Water Resources Development Authority established under sub-section (1) of section 5;
- (b) "District Level Authority" means the District Level Ground Water Resources Development Authority established under subsection (1) of Section 4;

(Section 2.)

- (c) "ground water" means the water which exists below the surface of the ground at any particular location;
- (d) "notification" means a notification published in the *Official Gazette*;
- (e) "prescribed" means prescrived by rules made under this Act;
- (f) "sink", with all its grammatical variations and cognate expressions, includes, in relation to a well, any digging, drilling or boring of a well or deepening of an existing well.

Explanation—"Drilling" includes re-drilling or re-sinking;

- (g) "State Government" means the Government of West Bengal;
- (h) "State Level Authority" means the West Bengal State Level Ground Water Resources Development Authority established under subsection (1) of section 3;
 - (i) "user" means
 - i) an individual, or
- ii) an institution, organization or establishment, whether or not owned, maintained and managed by the State Government or the Central Government, or
- iii) a company, including a Government company, as defined in the Companies Act, 1956, or
 - iv) an industry, major, medium or minor,

owning or using, on personal or community basis, ground water resources for domestic, agriculture, or industrial purpose or for any other purpose; 1 of 1956.

(Section 3.)

(j) "well" means a well sunk for the search of extraction of ground water by any user, and includes an open well, dug well, bore well, dug-cum-bore well, tube-well, filter point, collector well or infiltration gallery, but does not include a well sunk by the Central Government or the State Government for carrying out any scientific investigation or exploration work for the survey and assessment of ground water resources.

Establishment of State Level Authority.

- 3. (1) The State Government shall, by notification, establish, with effect from such date as may be specified in the notification, an authority at the State level to be known as the West Bengal State Level Ground Water Resources Development Authority.
- (2) The State Level Authority shall consist of the following members:—
- (i) Director, State Water Investigation Directorate, Water Investigation and Development Department, Government of West Bengal,

Chairman,

(ii) an officer not below the rank of Chief Engineer, Water Investigation and Development Department, Government of West Bengal, Member,

(iii) an officer not below the rank of Chief Engineer, Irrigation and Waterways Department, Government of West Bengal, Member,

(iv) an officer not below the rank of Joint Secretary, Department of Panchayats and Rural Development, Government of West Bengal,

Member,

(v) an officer not below the rank of Joint Secretary, Department of Agriculture, Government of West Bengal, Member,

(vi) an officer not below the rank of Chief Engineer, Public Health Engneering Department, Government of West Bengal,

Member,

(Section 3.)

Member, (vii) an officer not below the rank of Joint Secretary, Department of Science and Technology, Government of West Bengal, (viii) an officer not below the rank of Joint Member, Secretary, Department of Environment, Government of West Bengal, (ix) an officer not below the rank of Joint Member, Secretary, Forests Department, Government of West Bengal, (x) one representative of the Central Water Member, Commission, (xi) Director, All-India Institute of Hygiene Member, and Public Health. (xii) Regional Director, Central Ground Water Member, Board, Eastern Region, (xiii) one representative of the Director-Member, General, Geological Survey of India, Eastern Region, (xiv) an officer not below the rank of Joint Member. Secretary, Department of Municipal Affairs, Government of West Bengal, (xv) one eminent hydro-geologist from any Member, institution or organisation working in connected field at national level, to be appointed by the State Government, Member, (xvi) one expert from the National Remote Sensing Authority, to be appointed by the State Government, (xvii) two Chairman of any of the two District Member,

Investigation Directorate, Government of West

Bengal,

Level Authorities to be appointed by the State Government by rotation for a term of one year.

(xviii) Superintendent Geologist, State Water

Member-Secretary,

(Section 4.)

- (3) The State Level Authority shall have the power to invite any eminent person and technical expert in its meetings for deliberation if it feels necessary so to do in the public interest.
- (4) The term of office and the other conditions of srevice of the Chairman, the Member-Secretary, and other members of the State Level Authority shall be such as may be prescribed.
- (5) The State Water Investigation Directorate under the Water Investigation and Development Department of the State Government shall act as the functional organ of the State Level Authority in the discharge of its functions under this Act.
- (6) The office of the Superintendent Geologist of the State Water Investigation Directorate shall be the secretariat of the State Level Authority and shall act as the nodal office.

Establishment of District Level Authority.

- 4. (1) The State Government may, for the purpose of enabling the State Level Authority to perform its functions and exercise its powers under this Act efficiently, by notification, establish, with effect from such date as may be specified in the notification, for every District other than Kolkata, an authority at the district level to be known as the District Level Ground Water Resources Development Authority bearing the name of the district.
- (2) The District Level Authority shall have jurisdiction over every area within the jurisdiction of a Municipality, or a Block, or a notified Area Authority, established or constituted under any law for the time being in force, within the jurisdiction of the concerned district.
- (3) A District Level Authority shall consist of the following Members:—

(Section 4.)

(i) District Magistrate of the district, Chairman. (ii) Karmadhakshya, Krishi-Sech-O-Member. Samabaya Sthayee Samity of the Zilla Parishad of the districrt. (iii) Karmadhakshya, Janasasthya-O-Member, Paribesh Sthayee Samity of the Zilla Parishad of the district. (iv) Executive Engineer of the district Member, under the Water Resources Development Directorate, Government of West Bengal. (v) Executive Engineer of the district Member, under the Public Health Engineering Directorate, Government of West Bengal, (vi) Executive Engineer of the district Member, under the Irrigation and Waterways Directorate, Government of West Bengal, (vii) Principal Agricultural Officer of the Member, district. (viii) Chief Medical Officer of Health of Member. the district, (ix) Divisional Forest Officer of the Member, district. (x) one representative of the West Bengal Member, State Pollution Control Board. (xi) two representatives of the Department Member, of Municipal Affairs, Government of West Bengal. (xii) any other officer of the State Member, Government as the State Government may think fit. (xiii) Geologist of the State Water Member-Secretary. Investigation Directorate, Government of West

Bengal, having jurisdiction:

(Section 5.)

Provided that where there is no Geologist having his office in the district, the Geologist of the State Water Investigation Directorate, Government of West Bengal, shall act as a member of that district as the State Government may, by notification, appoint.

- (4) The total number of members of the District Level Authority shall be limited to twenty.
- (5) The office of the Member-Secretary shall be the secretariat of the District Level Authority and shall act as the nodal office.

Establishment of Corporation Level Authority. 5. (1) The State Government may, for the purpose of enabling the State Level Authority to perform its functions and exererise its powers under this Act efficiently, by notification, establish, with effect from such date as may be specified in the notification, an authority for the area Kolkata Municipal Corporation as specified in Schedule I to the Kolkata Municipal Corporation Act, 1980, to be known as the Corporation Level Ground Water Resources Development Authority.

West Ben. Act LIX of 1980.

- (2) The Corporation Level Authority shall have jurisdiction over the area of the Kolkata Municipal Corporation as Specified in Schedule I to the Kolkata Municipal Corporation Act, 1980.
- (3) The Corporation Level Authority shall consist of the following members:—
 - (i) the Municipal Commissioner of the Corporation,

Chairman,

(ii) the Chief Executive Officer, Kolkata Metropolitan Development Authority, Member,

(iii) two elected representatives of the Kolkata Municipal Corporation, to be nominated by the Mayor, Kolkata Municipal Corporation.

Members,

(Section 6.)

- (iv) one expert from the Central Ground Member, Water Board as may be nominated by the Regional Director, Central Ground Water Board,
- (v) two experts in the field of Member, conservation, protection, or development of ground water resources as the State Government may, by notification appoint,
- (vi) two eminent persons of the locality Member, as the State Government may, by notification, appoint,
- (vii) one representative of the Public Member, Health Engineering Directorate, Government of West Bengal,
- (viii) one representative of the West Bengal Member, State Pollution Control Board,
- (ix) Superintendent Geologist, State Water Member Investigation Directorate, Government of West Secretary. Bengal,
- (4) The office of the Superintendent Geologist, State Water Investigation Directorate, Government of West Bengal, shall be the secretariat of the Corporation Level Authority and shall act as the nodal office.

Powers and duties of State Level Authority.

- 6. (1) The State Level Authority shall be under the administrative control of the Water Investigation and Development Department, Government of West Bengal and shall be the apex body of all the District Level Authorities and the Corporation Level Authority.
 - (2) The State Level Authority shall—
 - (a) take into consideration every aspect to manage the ground water resources in West Bengal including issuing of certificate of registration or pemit in accordance with the provision of the Act;

(Section 7.)

- (b) initiate a policy to conserve the gorund water resources by way of recharging, replenishing, recycling or reusing, in a co-ordinated manner;
- (c) create mass awareness and encourage interaction between modern technologies and ageold practices of ground water conservation and management by harnessing traditional knowledge in sustainable water management and dovetailing such traditional knowledge with modern technologies;
- (d) organise people's participation and involvement in planning and actual management of ground water resources;
- (e) keep under constant review area-specific ground water levels and publishing the revised data periodically for wide circulation for mass awareness and for devising and implementing plans and programmes of use such water;
- (f) continuously analyse, study and review the physical, chemical, bacteriological, and virological qualities of ground water and devise and implement pragmatic strategies;
- (g) promote and implement modern and traditional water harvesting technologies to ensure minimum extraction of ground water;
- (h) maintain separate registers for issuing permit or certificate of registration granted by it in the manner as may be prescribed.
- 7. (1) On and from the date of coming into force of the Act, no user shall sink any well for extracting or using ground water without obtaining a permit issued by the State Level Authority or the District Level Authority or the Corporation Level Authority, as the case may be, as stated in sub-section (3), sub-section (4) or sub-section (5), in such Form as may be prescribed:

Sinking of walls for extracting or using ground water on and from date of coming into force of Act.

(Section 7.)

Provided that where any user extracting or using ground water for irrigation or domestic purposes, sinks—

- (a) any tube-well or hand-pump; or
- (b) any well from which such extraction or use is made without the help or any mechanical or electrical devices,

such user may sink tube-well or hand-pump or well, as the case may be, without obtaining a permit of the concerned authority as provided in this section:

Provided futher that where the State Government is of the opinion that the sinking of any well or category of wells for extracting or using ground water is necessary for the public interest, the State Government may, by notification, exempt such well or category of wells from the purview this section.

- (2) Any user desiring to sink a well for any purpose other than the purposes as stated in the first proviso to subsection (1) shall make an application in such Form and on payment of such fees, as may be prescribed, to the State Level Authority or the District Level Authority or the Corporation Level Authority, as the case may be, for obtaining a permit as stated in sub-section (1).
- (3) (a) The District Level Authority shall, on receipt of any application as stated in sub-section (2) within its jurisdiction, scrutinize the application in terms of the assessment of the ground water balance, quality and quantity of ground water available in the locality made by the State Water Investigation Directorate and consider whether a permit may be issued to the applicant for sinking such well.
- (b) The District Level Authority shall have power to issue a permit for sinking a well for extraction or use of ground water at the rate not exceeding 50 cubic metre per hour from each well under intimation to the State Level Authority.

(Section 7.)

- (c) The application for sinking a well for the purpose of extracting or using ground water exceeding 50 cubic metre per hour, shall be forwarded to the State Level Authority within a period of one month of receipt of such application alongwith the observations and suggestions after assessing the prevailing ground water condition in or around the locality, quality and quantity of ground water available with reference to its porposed use, long-term gorund water behaviour in the locality, probable projections of recharge of ground water in near future with the probable drawal of the existing sources, rainfall projection or any other matter as it considers necessary.
- (4) (a) The Corporation Level Authority shall, on receipt of the application as stated in sub-section (2) within its jurisdiction, scrutinize the application in terms of assessment of ground water balance, quality and quantity of ground water available in the locality made by the State Water Investigation Directorate and consider whether a permit may be issued to the applicant for sinking such well.
- (b) The Corporation Level Authority shall have power to issue a permit for sinking a well for extraction or use of ground water at the rate not exceeding 100 cubic metre per hour from each well under intimation to the State Level Authority.
- (c) The application for sinking a well for the purpose of extracting or using ground water exceeding 100 cubic metre per hour, shall be forwarded to the State Lavel Authority within a period of one month of receipt of such application alongwith the observations and suggestions after assessing the prevailing ground water condition in or around the locality, quality and quantity of ground water available with reference to its proposed use, long-term ground water behaviour in the locality, probable projections of recharge of ground water in near future with the probable drawal of the existing sources, rainfall projection or any other matter as it considers necessary.

(Section 8.)

(5) (a) On receipt of an application forwarded by the District Level Authority or the Corporation Level Authority, as the case may be, for issuing of a permit of sinking a well for the purpose of extracting or using ground water exceeding 50 cubic metre per hour or 100 cubic metre per hour, as the case may be, the State Level Authority may, if it is satisfied that it is necessary so to do in the public interest, grant a permit, subject to such conditions or restrictions as may be specified therein:

Provided that the State Level Authority may, for reasons to be recorded in writing, refuse to grant any such permit after giving the applicant an opportunity of being heard by itself, or by authorising the District Level Authority or the Corporation Level Authority, as the case may be, to give the applicant an opportunity of being heard and convey its recommendations to the State Level Authority, for the purpose of disposal of such application.

- (b) Any decision regarding grant or refusal of permit by the State Level Authority shall be intimated to the applicant within a period of four months from the date of receipt of the application by the District Level Authority or the Corporation Level Authority, as the case may be. If such an application is not disposed of within a period of four months as aforesaid, it shall be deemed to have been granted by the State Level Authority.
- 8. (1) Any user who has sunk a well for extracting or using ground water in an area before the date of coming into force of the Act shall make an application, within such period, in such Form and in such manner, as may be prescribed, to the District Level Authority of such area or the Corporation Level Authority of such area, as the case may be, for obtaining a certificate registration authorising such user the extraction or use of ground water:

Provided that where any user has sunk-

- (a) any tube-well or hand-pump; or
- (b) any well from which such extraction or use is made without the help of any mechanical or electrical devices,

Extracting or using gorund water before date of coming into force of Act.

(Section 8.)

for extracting or using ground water before the date of coming into force of the Act for irrigation or domestic purposes, such user may continue to use such tube-well or hand-pump or well, as the case may be, without obtaining a certificate of registration from the concerned authority as provided in this section:

Porvided futher that where the State Government is of the opinion that the extracting or using of ground water from any well or category of wells is necessary for the public interest, the State Government may, by notification, exempt such well or category of wells from the purview of this section.

- (2) (a) The District Level Authority shall, on receipt of any application as stated in sub-section (1) within its jurisdiction, scrutinize the application in terms of the assessment of the ground water balance, quality and quantity of ground water available in the locality made by the State Water Investigation Directorate and consider whether a certificate of registration may be issued to the application for authorising such user the extraction or use of ground water.
- (b) The District Level Authority shall have power to issue a certificate of registration for extraction or use of ground water at the rate not exceeding 50 cubic metre per hour from each well under intimation to the State Level Authority.
- (c) The application for the purpose of issuing of certificate of registration with a view to authorising the applicant extracting or using ground water exceeding 50 cubic metre per hour shall be forwarded to the State Level Authority within a period of one month of receipt of such application alongwith the observations and suggestions after assessing the prevailing ground water condition in or around the locality, quality and quantity of ground water available with reference to its proposed use, long-term ground water

(Section 8.)

behaviour in the locality, probable projections of recharge of ground water in near futur with the probable drawal of the existing sources, rainfall projection or any other matter as it considers necessary.

- (3) (a) The Corporation Level Authority shall, on receipt of the application as stated in sub-section (1) within its jurisdiction, scrutinize the application in terms of assessment of ground water balance, quality and quantity of ground water available in the locality made by the State Water Investigation Directorate and consider whether a certificate of registration may be issued to the applicant for authorising such user the extraction or use of ground water.
- (b) The Corporation Level Authority shall have power to issue a certificate of registration for extraction or use of ground water at the rate not exceeding 100 cubic metre per hour from each well under intimation to the State Level Auhority.
- (c) The application for the purpose of issuing of certificate of registration with a view to authorising the applicant for sinking a well for the purpose of extracting or using ground water exceeding 100 cubic metre per hour, shall be forwarded to the State Level Authority within a period of one month of receipt of such application alongwith the observations and suggestions after assessing the prevailing ground water condition in or around the locality, quality and quantity of ground water available with reference to its proposed use, long-term ground water behaviour in the locality, probable projections of recharge of ground water in near future with the probable drawal of the existing sources, rainfall projection or any other matter as it considers necessary.
- (4) (a) On receipt of an application forwarded by the District Level Authority or the Corporation Level Authority, as the case may be, for issuing of a certificate of registration for the purpose of authorising the applicant extracting or

(Section 9.)

using ground water exceeding 50 cubic metre per hour or 100 cubic metre per hour, as the case may be, the State Level Authority may, if it is satisfied that it is necessary so to do in the public interest, grant a certificate of registration, subject to such conditions or restrictions as may be specified therein:

Provided that the State Level Authority may, for reasons to be recorded in writing, refuse to grant any such certificate of registration after giving the applicant an opportunity of being heard by itself, or by authorising the District Level Authority or the Corporation Level Authority, as the case may be, to give the applicant an opportunity of being heard and convey its recommendations to the State Level Authority, for the purpose of disposal of such application.

(b) Any decision regarding grant or refusal of certificate of registration by the State Level Authority shall be intimated to the applicant within a period of four months from the date of receipt of the application by the District Level Authority or the Corporation Level Authority, as the case may be.

Powers and functions of District or Corporation Level Authority.

- **9.** The District or Corporation Level Authority shall, in such manner as may be prescribed,—
 - (a) prepare district profile on ground water resources in the district or corporation, as the case may be, in every five years;
 - (b) issue permit or certificate of registration under clause (b) of sub-section (3) of section 7 and sub-section (2) of section 8, respectively or under clause (b) of sub-section (4) of section 7 and under sub-section (2) of section 8, respectively;
 - (c) keep a regular vigil on the quality and quantity of water available from the ground water resources in the district or the corporation, as the case may be, and promptly bring to the notice of

(Section 10.)

the State Level Authority and sudden deterioration in ground water resources or contamination of ground water resources with poisonous metals or chemicals or otherwise:

- (d) ensure that the provisions of this Act or the rules made, orders or directions issued, thereunder have been complied with in respect to the existing or new ground water resources in the district or the corporation, as the case may be;
- (e) help to prepare a plan for conservation, maintenance and utilization of ground water within the district or the corporation, as the case may be, and send such plan to the State Level Authority for enforcement during the next five years;
- (f) bring to the notice of the State Level Authority, if any unexpected deterioration or contamination of ground water resources is reported within the said plan period and after necessary investigation into the cause, take step to rectify the situation under the guidance and supervision of the State Level Authority;
- (g) maintain separate registers for issuing permit or certificate of registration granted by the District Level Authority under clause (b) of subsection (3) of section 7 or under sub-section (2) of section 8, as the case may be, and the Corporation Level Authority under clause (b) of sub-section (4) of section 7 or under sub-section (2) of section 8, as the case may be.
- 10. The State Level Authority may, by order in writing, authorize a District Level Authority of the Corporation Level Authority or any institution of organization or any person—
 - (a) to enter at any resonable time any land or building in order to investigate, take samples of water and make any measurement of ground water structure located within such land or building, as the case may be;

Authorization by State Level Authority for enforcement of the provision of the Act.

(Section 10.)

- (b) to inspect any well which is being sunk or has been sunk and the soils and other materials excavated therefrom;
- (c) to take specimens of such soils and other materials or water extracted from such wells:
- (d) to require any person sinking a well to keep and preserve in the prescribed manner specimens of soils or any material excavated therefrom for such period, not exceeding three months from the date of completion or abandonment of the work, as may be specified by the State Level Authority;
- (e) to inspect, and to take over, the relevant records or documents, and to ask any question necessary for obtaining any information (including diameter or depth of the well which is being, or has been, sunk, the level at which the water is, or was, struck and subsequently restored or rested, static water level, seasonal variation of water level, types of *strata* encountered in the sinking of the well and quality of the water), required for carrying out the purposes of this Act;
- (f) to require any user to install a watermeasuring device on any water-supply installation to properly administer ground water, where there is reason to believe that the user does not comply with the provisions of this Act, or for any other sufficient reason in the public interest:

Provided that where the user does not comply with any such requirement within a period of thirty days from the date of the order as aforesaid, the State Level Authority may itself install such water-measuring device and recover the cost from such user in such manner as may be prescribed;

(Section 11.)

- (g) to seize any mechanical equipment utilised for illegal sinking and to destroy or dismantle the work executed fully of partly;
- (h) to require any user, who does not comply with the provisions of this Act or the rules made thereunder, to destroy or damage any hydraulic work done, in contravention of the provisions of this Act or the rules made thereunder:

Provided that where the user does not comply with such requirement within a period of sixty days from the date of the order as aforesaid, the State Level Authority may itself carry out the necessary work and recover the cost from such user;

- (i) to enter and search any place at all reasonable times with such assistance, if any, as it may consider necessary, if it has reason to believe that an extraction or use of ground water has been, or is being, made in contravention of the provisions of this Act or the rules made thereunder;
- (j) to direct the user who has been or is committing an offence under the Act, to stop committing such offence;
- (k) to inspect any place or object, to interrogate any person, and to cause necessary investigation, for detecting ground water;
- (l) to take such other steps as may be necessary for carrying out the purposes of this Act or the rules made thereunder.

Service of orders etc.

- 11. (1) Every order under clause (d), or clause (f), or clause (h), of section 10 shall be served—
 - (a) by giving or tendering the order, or by sending it by registered post, to the user for whom it is intended, or

(Section 12-14.)

- (b) if such user cannot be found, by affixing the order on some conspicuous part of his last known place of residence or place of business, or by giving or tendering the order to some adult male member or servant of his family, or by causing it to be affixed on some conspicuous part of the land or the building in which the well is being sunk or the water-measuring device is required to be installed or the water-supply system is required to be closed down or the hydraulic work is required to be destroyed, as the case may be.
- (2) Where the person on whom an order is to be served is a minor, service of such order upon his guardian in the manner provided in sub-section (1) shall be deemed to be service upon the minor.

Delegation of powers and duties.

12. The State Level Authority may, by general or special order in writing, direct that all or any of the powers or duties which may be exercised or discharged by it shall, in such circumstances or conditions, if any, as may be specified in the order, be excercised or discharged by the District Level Authority or the Corporation Level Authority, as the case may be.

Members and employees of State Level Authority, District Level Authority, Corporation Level Authority to be public servants.

Protection of action taken in good faith.

13. The members and the officers and other employees of the State Level Authority, the District Level Authority and the Corporation Level Authority and the person authorized by the State Level Authority shall, while acting, or purporting to act, in pursuance of any provision of this Act or the rules made thereunder, be deemed to be public servants within the meaning of section 21 of the Indian 45 of 1860 Penal Code.

14. No prosecution, suit or other legal proceeding shall lie, or shall be instituted, against the State Level Authority, the District Level Authority, or the Corporation Level Authority or any member or officer or other employee of, or any person authorized by, the State Level Authority for anything done or intended to be done in good faith under this Act or the rules made thereunder.

(Section 15-18.)

Cognizance and trial of offence.

15. No prosecution for any offence under this Act shall be instituted except with the written consent of the State Level Authority.

Offences and penalties.

- 16. If any person, in the matter of sinking, or construction, or use, of any well,—
 - (a) contravenes, or fails to comply with, any of the provisions of this Act or the rules made thereunder, or
 - (b) obstructs the State Level Authority, or the District Level Authority or the Corporation Level Authority, or any person authorized by the State Level Authority, he shall be punishable,—
 - (i) for the first offence, with fine which may extend to five thousand rupees; and
 - (ii) for the second or subsequent offence, with fine which may extend to ten thousand rupees.

Compounding of offences.

17. Any offence under this Act may, before or after the institution of any proceeding, be compounded by the State Level Authority in such manner as may be prescribed.

Offences by companies. 18. (1) where an offence under this Act has been committed by a company, every person who, at the time when the offence was committed, was in charge of, and was responsible to, the company for the coduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed

(Section 19-20.)

by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglecet on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section,—

- (a) "company" means any body corporate and includes a firm or other association of individuals; and
- (b) "director", in relation to a firm, means a partner in the firm.

Appeal.

19. (1) Any user, aggrieved by any action taken, or any decision made, by the State Level Authority or the District Level Authority or the Corporation Level Authority or any other person authorized by the State Level Authority under this Act, may, within a period of sixty days from the date on which such action was taken or such decision was communicated to him, and on payment of such fee as may be prescribed, prefer an appeal to such authority as may be prescribed (hereinafter referred to as the appellate authority):

Provided that the appellate authority may entertain an appeal after the expiry of the said period of sixty days, if it is satisfied that the applicant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of being heard, dispose of the appeal as expeditiously as possible.

Power to make rules.

- **20.** (1) The State Government may, after previous publication, make rules for carrying out the purposes of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for any matter, which may be or is required to be prescribed.

(Section 21-22.)

(3) All rules made under this section shall be laid, as soon as may be after it is made, before the State Legislature, while it is in session, for a total period of fifteen days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modification in the rules of the State Legislature agrees that such rules should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification of annulment shall be without prejudice to the validity of anything previously done under those rules.

Act to have overriding effect. 21. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any judgement, decree or order of any court, tribunal or other authority, or in any instrument haveing effect by virtue of any law other than this Act.

Power to remove difficulties.

22. If any difficulty arises in giving effect to the provisions of this Act, the State Government may take such steps or issue such orders not inconsistent with the provisions of the Act or the rules made thereunder, as the State Government may consider necessary for removing such difficulty.

By order of the Governor,

MD. HESAMUDDIN,

Secy.-in-charge to the Govt. of West Bengal,

Law Department.

Registered No. WB/SC-320

No. 480(III)

The

Kolkata



Gazette

Extraordinary Published by Authority

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FRIDAY, DECEMBER 29, 2006

[SAKA 1928

PART III.—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL LAW DEPARTMENT Legislative

NOTIFICATION

No.1672-L.—29th December, 2006.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXVII of 2006

THE WEST BENGALGROUND WATER RESOURCES
(MANAGEMENT, CONTROLAND REGULATION) (AMENDMENT)

ACT, 2006.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette*. *Extraordinary*, of the 29th December, 2006.]

(Sections 1-4.)

An Act to amend the West Bengal Ground Watter Resources (Management, Control and Regulation) Act, 2005.

WHEREAS it is expedient to amend the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005, for the purposes and in the manner hereinafter appearing;

West Ben. Act XVIII of 2005.

It is herby enacted in the Fifty-seventh Years of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

- 1. (1) This Act may be called the West Bengal Ground Water Resources (Management, Control and Regulation) (Amendment) Act, 2006.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazatte*, appoint.

Amendment of section 2 of West Ben. Act XVIII of 2005.

- 2. In clause (j) of section 2 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (hereinafter referred to as the principal Act), for the words "search of extraction", the words "search of extraction" shall be substituted.
- 3. In section 3 of the principal Act,—

Amendment of section 3.

- (1) in sub-section (2), in clause (xviii), for the words "Superintendent Geologist", the words "Superintending Geologist" shall be substituted;
- (2) in sub-section (6), for the words "Superintendent Geologist", the words "Superintending Geologist" shall be substituted.
- 4. In section 5 of the principal Act,—

Amendment of section 5.

(1) in sub-section (3), in clause (ix), for the words "Superintendent Geologist", the words "Superintending Geologist" shall be substituted;

(Section 5.)

(2) in sub-section (4), for the words "Superintendent Geologist", the words "Superintending Geologist" shall be substituted.

Amendment of section 7.

- 5. In section 7 of the principal Act,—
- (1) in sub-section (1), in the first proviso,—
- (a) for paragraph (a), the following paragraph shall be substituted:— "(a) any tube-well or any well fitted with hand-pump; or";
- (b) for the words "such user may sink tubewell or hand-pump or well, as the case may be,", the words, letters and brackets "such user may sink any tube-well or any well fitted with handpump as mentioned in paragraph (a) or any well as mentioned in paragraph (b), as the case may be", shall be substituted;
- (2) in sub-section (2), for the words "make an application in such Form on payment of such fees, as may be prescribed,", the words "shall make an application in such Form, in such manner and on payment of such fees, as may be prescribed," shall be substituted;
- (3) in clause (b) of sub-section (3), for the words "power to issue a permit for sinking a well", the words "power to issue a permit on receipt of such fees, as may be prescribed, for sinking a well" shall be substituted;
- (4) in clause (b) of sub-section (4), for the words "power to issue a permit for sinking a well", the words "power to issue a permit on receipt of such fees, as may be prescribed, for sinking a well" shall be substituted;
- (5) in clause (a) of sub-section (5), for the words "grant a permit, subject to such conditions or restrictions as may be specified therein:", the words "grant a permit on receipt of such fees, as may be prescribed, subject to such conditions or restrictions as may be specified therein:" shall be substituted.

The West Bengal Ground Water Resources (Management, Control And Regulation)
(Amendment) Act, 2006.
(Section 6.)

Amendment of section 8.

- 6. In section 8 of the principal Act,—
- (1) in sub-section (1), in the first proviso,—
- (a) for paragraph (a), the following paragraph shall be substituted:— "(a) any tube-well or any well fitted with hand-pump; or";
- (b) for the words "such user may continue to use such tube-well or hand-pump or well, as the case may be,", the words, letters and brackets "such user may continue to use any tube-well or any well fitted with hand-pump as mentioned in paragraph (a) or any well as mentioned in paragraph (b), as the case may be", shall be substituted:
- (2) in clause (c) of sub-section (2), for the words "with a view to authorising the applicant extracting or using ground watter", the words "with a view to authorising the applicant for extracting or using ground water" shall be substituted;
- (3) in clause (c) of sub-section (3), for the words "authorising the applicant for sinking a well for the purpose of extracting or using ground water", the words "authorising the applicant for extracting or using ground water" shall be substituted.

By order of the Governor,

A. BHATTACHARYYA,

Secy.-in-charge to the Govt. of West Bengal,

Law Department.

Registered No. WB/SC-320

No. WB(Part-I)/06/BCL-17







Gazette

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MONDAY, JULY 31, 2006

[SAKA 1928

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

GOVERNMENT OF WEST BENGAL WATER INVESTIGATION & DEVELOPMENT DEPARTMENT

NOTIFICATION

No. 2109–WI.BP.– the 31st July, 2006.— WHEREAS the draft of the West Bengal Ground Water Resources (Management, Control and Regulation) Rules, 2006, was published as required under sub-section (1) of section 20 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (West Ben. Act XVIII of 2005) *vide* this department notification No. 1172 - WI.BP., dated the 26th June, 2006, in the *Kolkata Gazette, Extraordinary*, PART I, dated the 26th June, 2006, for inviting objection or suggestion in writing from all the persons likely to be affected thereby, within a period of fifteen days from the date of its publication;

AND WHEREAS no objection or suggestion has been received by the State Government within the said period;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1), and sub-section (2), of section 20 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (West Ben. Act XVIII of 2005), the Governor is pleased hereby to make the following rules, namely:—

Rules

- 1. Short title and commencement.—(1) These rules may be called the West Bengal Ground Water Resources (Management, Control and Regulation) Rules, 2006.
 - (2) They shall come into force on the 1st day of August, 2006.
- 2. **Definitions.** (1) In these rules, unless the context otherwise requires,
 - (a) "Act" means the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (West Ben. Act XVIII of 2005);
 - (b) "Challan" means challan in T.R. Form No. 7 appended to the West Bengal Treasury Rules, 2005;
 - (c) "Form" means Form appended to these rules;
 - (d) "Section" means section of the Act.
- (2) Words and expressions used but not defined in these rules, shall have the same meanings as respectively assigned to them in the Act.
- 3. Term of office of members of State Level Authority.— (1) The Chairman, the Member-Secretary and the members specified in clauses (xi) and (xii) of sub-section (2) of section 3, shall be the permanent members of the State Level Authority.
- (2) The term of office of members, other than the permanent members referred to in sub-rule (1), of the State Level Authority, shall be for three years.
- 4. Term of office of members of District Level Authority.— (1) The Chairman, the Member-Secretary and the members specified in clauses (ii), (iii), (vii), (viii) and (ix) of sub-section (3) of section 4, shall be permanent members of the District Level Authority.
- (2) The term of office of members, other than the permanent members referred to in sub-rule (1), of the District Level Authority, shall be for three years.

- 5. Term of office of the members of Corporation Level Authoriy.—
- (1) The Chairman, the Member-Secretary and the member specified in clause (ii) of sub-section (3) of section 5, shall be the permanent members of the Corporation Level Authority.
- (2) The term of office of members, other than the permanent members referred to in sub-rule (1), of the Corporation Level Authority, shall be for three years.
- 6. Conduct of meeting of State Level Authority.—(1) The State Level Authority may meet once in every month to conduct the business for carrying out the purposes of the Act.
- (2) Notwithstanding anything contained in sub-rule (1), the State Level Authority may meet such other times, as may be appointed by the Member-Secretary on advice of the Chairman of the State Level Authority.
- (3) The Chairman, or in his absence, one of the members of the State Level Authority, elected from amongst those present, shall preside at meetings of the State Level Authority, and the Chairman or such member shall be entitled to vote on any matter and shall have a second or casting vote in every case of equality of votes.
- (4) No business shall be transacted at any meeting of the State Level Authority unless a quorum of 1/3rd of the total members is present.
- 7. Conduct of meeting of District Level Authority or Corporation Level Authority.— (1) The District Level Authority, or as the case may be, the Corporation Level Authority, shall meet once in every month to conduct the business for carrying out the purposes of the Act.
- (2) Notwithstanding anything contained in sub-rule (1), the District Level Authority, or as the case may be, the Corporation Level Authority, may meet such other times, as may be appointed by the Member-Secretary on advice of the Chairman of the Authority concerned.
- (3) The Chairman, or in his absence, one of the members of the concerned District Level Authority, or as the case may be, the Corporation Level Authority, elected from amongst those present, shall preside at meetings of the concerned Authority, and the Chairman or such member shall be entitled to vote on any matter and shall have a second or casting vote in every case or equality of votes.
- (4) No business shall be transacted at any meeting of the concerned Authority unless a quorum of 1/3rd of the total members is present.

8. Procedure for filing application for obtaining permit for sinking of well.—(1) Any user desiring to sink a well for any purpose, excepting tubewell fitted with hand-pump or a well from which extraction or use made without the help of any mechanical or electrical device, shall make an application referred to in sub-section (2) of section 7, to the Member-Secretary of the concerned District Level Authority or, as the case may be, the Corporation Level Authority in Form 1 accompanied by a Challan showing the payment of non-refundable fee for filing application as specified in column (3) of Table to sub-rule (1) of rule 15, for the purpose of obtaining a permit as stated in sub-section (1) of section 7 and the serial number of the application form shall be mentioned on the backside of the Challan:

Provided that a user desiring to sink more than one well shall be required to submit separate application form for each well.

- (2) Form I shall be available free of cost in the office of the Member-Secretary of the concerned District Level Authority or the Corporation Level Authority.
- (3) Improper filling up of, and failure to annex all necessary documents specified in, Form 1 shall make the application liable to be rejected.
- 9. Disposal of application for permit by District Level Authority or Corporation Level Authority.— (1) On receipt of the application under rule 8, if
 - (a) the District Level Authority considers that the application is for issuance of a permit under clause (b) of sub-section (3) of section 7, or
 - (b) the Corporation Level Authority considers that the application is for issuance of a permit under clause (b) of sub-section (4) of section 7, it shall, after being satisfied in its meeting, approve the case and give an intimation in Form 2 to the user to deposit the non-refundable fee payable after acceptance of the application as specified in column (4) of Table to sub-rule (1) of rule 15.
- (2) The user shall, on receipt of the intimation under sub-rule (1), deposit the non-refundable fee payable after acceptance of the application as specified in column (4) of Table to sub-rule (1) of rule 15, in the same manner and under the same Head of Accounts as provided in sub-rule (2) of rule 15 and after such deposit, the user shall give an intimation in Form 3 along with the original Challan showing such payment and a photocopy of such challan to the concerned District Level Authority, or as the case may be, the Corporation Level Authority.

- (3) The concerned District Level Authority, or as the case may be, Corporation Level Authority shall, on receipt of intimation in Form 3, issue permit in Form 4 to the user.
- (4) If the concerned District Level Authority or the Corporation Level Authority, after discussion in its meeting, refuses to grant permit to the user, it shall give intimation of such refusal to the user in Form 5.
- (5) Any decision taken by the concerned District Level Authority or the Corporation Level Authority, as the case may be, shall be intimated to the user by registered post with acknowledgement due, within a period of four months from the date of receipt of such application by such concerned District Level Authority or such Corporation Level Authority, as the case may be, and a copy of the intimation shall also be affixed to the Notice Board of the office of the Member-Secretary of the concerned District Level Authority or the Corporation Level Authority:

Provided that the user may receive the copy of the intimation by hand from the office of the Member-Secretary of the concerned District Level Authority, or as the case may be, the Corporation Level Authority.

- 10. Disposal of application for permit by State Level Authority.—(1) On receipt of the application under rule 8, if—
 - (a) the District Level Authority considers that the application is for issuance of a permit of sinking a well for the purpose of extracting or using ground water exceeding 50 cubic meter per hour as mentioned in clause (c) of sub-section (3) of section 7, or
 - (b) the Corporation Level Authority considers that the application is for issuance of a permit of sinking a well for the purpose of extracting or using ground water exceeding 100 cubic meter per hour as mentioned in clause (c) of sub-section (4) of section 7, it shall forward the case to the State Level Authority and the State Level Authority shall after being satisfied in its meeting, approve the case for granting a permit to the user.
- (2) The State Level Authority shall, on approval of the case as stated in sub-rule (1) or refusal of the case as stated in sub-rule (2), forward the case to the concerned District Level Authority or as the case may be, the Corporation Level Authority, for intimation to the user.

- (3) On receipt of the approval of the case, the District Level Authority or the Corporation Level Authority, as the case may be, shall give intimation in Form 2 to the user to deposit the non-refundable fee after acceptance of the application, as specified in column (4) of the Table to sub-rule (1) of rule 15.
- (4) The user shall, on receipt of the intimation in Form 2, deposit the non-refundable fee referred to in sub-rule (4) under the same Head of Accounts as provided in sub-rule (2) of rule 15 and after such deposit, the user shall give an intimation in Form 3 along with the original challan, and a photocopy of such challan, showing such payment to the concerned District Level Authority, or as the case may be, Corporation Level Authority.
- (5) The concerned District Level Authority or the Corporation Level Authority shall, on receipt of intimation in Form 3, issue permit in Form 4 to the user.
- (6) If the State Level Authority, after discussion in its meeting, refuses to grant permit to the user and forwards its decision to the District Level Authority or the Corporation Level Authority, as the case may be, such District Level Authority, or as the case may be, the Corporation Level Authority, shall give intimation of such refusal to the user in Form 5.
- (7) Any decision taken by the State Level Authority regarding grant or refusal of permit shall be intimated to the user by the concerned District Level Authority or the Corporation Level Authority, as the case may be, by registered post with acknowledgement due, within a period of four months from the date of receipt of such application by such District Level Authority or Corporation Level Authority, as the case may be, and a copy of the intimation shall also be affixed to the notice board of the office of the Member-Secretary of the concerned District Level Authority or the Corporation Level Authority:

Provided that the user may receive the copy of the intimation by hand from the office of the Member-Secretary of the concerned District Level Authority, or as the case may be, the Corporation Level Authority.

11. Procedure for application for registration for existing well.—
(1) Any user, who has sunk a well for extracting or using ground water in any area before the date of coming into force of the Act, shall make, in Form 6, an application referred to in sub-section (1) of section 8, within a period of six months from the date of coming into force of these rules, to the authorised officer:

Provided that a user who has sunk more than one well for extracting or using ground water in the area shall be required to submit separate application Form for each well.

Explanation: - For the purpose of this rule, "authorised officer" means -

- (a.) in case of the District Level Authority, the Sub-Assistant Engineer (Civil/Mechanical/Electrical) of the Water Investigation and Development Department posted in the concerned Block, or any other officer duly authorised on this behalf, by the concerned District Level Authority for discharging functions under the Act;
- (b) in case of the Corporation Level Authority, the officer of concerned Borough offices, under the Kolkata Municipal Corporation, designated as such by the Corporation Level Authority for discharging functions under the Act.
- (2) (a) In case of registration of a well in a district, the authorised officer shall, through the concerned Block Development Officer, forward the applications to the Member-Secretary of the concerned District Level Authority with a consolidated statement at the close of every month.
 - (b) In case of registration of a well in the Kolkata Municipal Corporation area, the authorised officer shall forward such applications to the Member-Secretary of the Corporation Level Authority with a consolidated statement at the close of every month.
- (3) Form 6 shall be available free of cost in the office of the authorised officer.
- (4) Improper filling up of, and failure to annex all necessary documents specified in, Form 6 shall make the application liable to be rejected.
- 12. Disposal of application for certificate of registration by District Level Authority or Corporation Level Authority.— (1) On receipt of the application under rule, 11, if
 - (a) the District Level Authority considers that the application is for issuance of a certificate of registration under clause (b) of subsection (2) of section 8, or
 - (b) the Corporation Level Authority considers that the application is for issuance of a certificate of registration under clause (b) of sub-section (3) of section 8, it shall, after being satisfied in its

meeting, approve the case and grant certificate of registration in Form 7 to the user and if the concerned District Level Authority, or as the case may be, the Corporation Level Authority is not satisfied with the case, it shall refuse to grant certificate of registration and shall intimate accordingly to the user in Form 8.

(2) Any decision taken by the concerned District Level Authority, or as the case may be, the Corporation Level Authority, under this rule regarding grant or refusal of certificate or registration shall be intimated to the user by registered post with acknowledgement due, within a period of four months from the date of receipt of such application and a copy of the intimation shall also be affixed to the notice board of the office of the Member-Secretary of the concerned District Level Authority or the Corporation Level Authority:

Provided that the user may receive the copy of the intimation by hand from the office of the Member-Secretary of the concerned District Level Authority, or as the case may be, the Corporation Level Authority:

- 13. Disposal of application for certificate or registration by State Level Authority.— (1) On receipt of the application under rule 11, if
 - (a) the District Level Authority considers that the application is for issuance of a certificate of registration for the purpose of authorising the applicant extracting or using ground water exceeding 50 cubic meter per hour as mentioned in clause (c) of sub-section (2) of section 8, or
 - (b) the Corporation Level Authority considers that the application is for issuance of a certificate of registration for the purpose of authorising the applicant extracting or using ground water exceeding 100 cubic meter per hour as mentioned in clause (c) of sub-section (3) of section 8, it shall forward the case to the State Level Authority and the State Level Authority may, after being satisfied in its meeing, approve the case for granting certificate of registration to the user.
- (2) The State Level Authority shall, on approval of the case as stated in sub-rule (1) or refusal of the case as stated in sub-rule (2), forward the case to the concerned District Level Authority or as the case may be, to Corporation Level Authority.

- (3) If the State Level Authority approves the case for granting certificate of registration, the concerned District Level Authority or as the case may be, the Corporation Level Authority shall issue certificate of registration in Form 7 to the user.
- (4) If the State Level Authority, after discussion in its meeting refuses to grant approval for issue of certificate of registration, the concerned District Level Authority, or as the case may be, the Corporation Level Authority shall give intimation to the user in Form 8.
- (5) Any decision taken by the State Level Authority under this rule regarding grant or refusal of permit shall be intimated to the user by the concerned District Level Authority or the Corporation Level Authority, as the case may be, by registered post with acknowledgement due, within a period of four months from the date of receipt of such application by such District Level Authority or Corporation Level Authority, as the case may be and a copy of the intimation shall also be affixed to the notice board of the office of the Member-Secretary of the concerned District Level authority or as the case may be, the Corporation Level Authority:

Provided that the user may receive the copy of the intimation by hand from the office of the Member-Secretary of the concerned District Level Authority, or as the case may be, the Corporation Level Authority.

- 14. Registers for permit and certificate of registration.— Each District Level Authority and the Corporation Level Authority shall maintain separate registers for issuing permit in Form 9 and certificate of registration in Form 10.
- **15. Application Fee.** (1) A user shall deposit such an amount of non-refundable fee
 - (a) for filing application for obtaining permit for sinking a new well as stated in sub-rule (1) of rule 8; and
 - (b) after acceptance of application as stated in sub-rule (1) of rule 9, as mentioned in column (3) and column (4) respectively, of the Table below, on the basis of category of discharge range of the well as mentioned in column (2) of the said Table.

TABLE

Sl. No.	Discharge range of well for which permit is sought for.	Non-refundable fee for filing application for obtaining pemit for sinking well. (Rs.)	Non-refundable fee after acceptance of application.	
(1)	(2)	(3)	(4)	
1.	When the discharge range is upto 30m³/hr.	500.00	1000.00	
2.	When the discharge range exceeds 30m³/hr. upto 50m³/hr.	1000.00	2000.00	
3.	When the discharge range exceeds 50m³/hr. upto 100m³/hr.	1500.00	3000.00	
4.	When the discharge range is above 100m³/hr.	2500.00	5000.00	

- (2) The application fee referred to in sub-rule (1) shall be paid by Challan to the Treasury link bank or the Reserve Bank of India or any duly authorised Public Sector Undertaking Bank under the Head of A/C "0702-80-800-OTHER RECEIPTS-002-Other Items-27-Other Receipts" (Code: 0702-80-800-002-27).
- 16. Preparation of district profile.—(1) The District Level Authority of each district, or as the case may be, the Corporation Level Authority, shall prepare district profile on ground water resources once in every five years.
- (2) Every district profile shall contain details of ground water resources available as assessed by the State Water Investigation Directorate in accordance with the existing methodology approved by the present Ground Water Estimation Committee and the Research and Development Advisory Committee of the Government of India and any such committee or authority as may be constituted by the Government of India for deciding about such methodology and the estimated draft relating to different uses viz. irrigation, industry, domestic, etc. in accordance with the guidelines issued by such committee or authority from time to time.
- 17. Appellate authority. (1) A user aggrieved by any action taken or decision made by the District Level Authority or the Corporation Level Authority or the State Level Authority or any other person authorised by the State Level Authority, as the case may be, may prefer an appeal —

- (a) to the officer not below the rank of a Joint Secretary to the Government of West Bengal, duly authorised by the Secretary, Water Investigation and Development Department, Writers' Buildings, Kolkata–700 001, if the discharge range of the well for which the permit or certificate of registration, as the case may be, is within the category specified in Sl. No. 1 or Sl. No. 2 of Table to subrule (1) of rule 18;
- (b) to the Secretary to the Government of West Bengal, Water Investigation and Development Department, Writers 1 Buildings, Kolkata-700001, if the discharge range of the well for which the permit or certificate or registration, as the case may be, is within the category specified in SI. No. 3 or or SI. No. 4 of Table to sub-rule (1) of rule 18, and such authority shall be the appellate authority for the purpose of the Act.

Explanation:—For the purpose of this rule, "Secretary" or "Joint Secretary" include the person discharging the function of the Secretary or the Joint Secretary, as the case may be.

18. Fee for appeal:—(1) A user may prefer an appeal to the appeallate authority under the Act on payment of such fee as specified in column (3) of Table below, on the basis of category of discharge range of the well as mentioned in column (2) of the said Table:—

TABLE

Sl. No.	Discharge range of well for which permit / registration is sought for.	Appeal fee (in Rs.)
(1)	(2)	(3)
1. 2.	When the discharge range is upto 30m³/hr. When the discharge range exceeds 30m³/hr. upto 50m³/hr.	500.00 1000.00
3.	When the discharge range exceeds 50m³/hr. upto 100m³/hr.	1500.00
4.	When the discharge range is above 100m³/hr.	2500.00

⁽²⁾ The fee referred to in sub-rule (1) shall be paid in the same manner and in the same Head of Account as specified in sub-rule (2) of rule 15.

Form I (See rule 8)

		Issued to: Shri / Smt.			
ВО	OK N	NO Application Form Sl. No			
AP	PLIC	ATION FOR OBTAINING PERMIT FOR SINKING OF NEW WELL			
[U	I/S 7(2	2) of the West Bengal Ground Water Resources (Management, Control and Regulation) Act 2005.			
1. Particulars about the applicant (user):-					
	(a)	Name of the applicant (IN BLOCK LETTERS): (Please attach proof of ownersip of land)			
	(b)	Date of birth:			
	(c)	Sex (Please tick): M/F			
	(d)	Social Status (Please tick): ST/SC/OBC/GENERAL			
	(e)	Nationality:			
	(f)	Son / Daughter of:			
	(g)	Address of the applicant:			
	(h)	Category of farmer (Please tick): Small Farmer / Marginal Farmer / Others. (in case of application of permit for sinking irrigation well)			
2.	Par	ticulars of location of the proposed well:			
	(a)	District:			
	(b)	Block, Mouza, J.L.No., Plot No.			
	(c)	Municipality/Corporation, Ward No./Borough No., Holding No.:			
3.	Par	ticulars of the proposed well:			
	(a)	Type of the well viz.Dug Well/Tube Well/: Others (Please specify)			
	(b)	Approx. depth of the well (m):			
	(c)	In case of Tube Well:			
		 (i) Approx. length (m) & diameter (mm) of the housing pipe (if any) (ii) Approx. length (m) & diameter (mm) of the strainer (iii) Material of the housing pipe & blank pipe (iv) Material of the strainer 			

- (d) In case of Dug Well:
 - Diameter of the Dug Well (m) (i)
 - (ii) Type of structure of the Dug Well (Please tick): Kuchcha / Pucca

Distance of the proposed well from nearby wells (in metres): 4.

- (a) From the nearest shallow tube well fitted with centrifugal pump:
- (b) From the nearest shallow tube well fitted with submersible pump:
- (c) From the nearest deep tube well:
- (d) From the nearest drinking water tube well:

Particulars of proposed pumping device: 5.

- (a) Type of pump to be used (Please tick): (Centrifugal / Submersible / Turbine / Ejecto pump, etc.)
- (b) Pump Capacity (m³/ hr.):
- (c) H.P.:
- (d) Operational device (Please tick): Electric Motor / Diesel Engine.

6. Particulars of usefulness of proposed well:

- Purpose of the proposed well (Irrigation / Domestic / Industrial / Others (Please specify)
- (b) Proposed command area in ha (for irrigation well):
- (c) Owner's share of land within the command area indicated in 6. (b) above.
- (d) Area proposed to be irrigated in different crop seasons as under:
 - (i) Kharifha.
- ha, (ii) Rabi-
- ha, (iii) Boro-
- ha.

- (iv) Perennial-
- (e) Proposed annual running hours (in case of irrigation well)
- (f) Whether the proposed command area or any portion of it falls: within the command area of any other Minor Irrigation Scheme. If so, give details.
- (g) Proposed number of users of the well if used for domestic purpose:
- (h) Proposed daily running hours in case of domestic /other: category of wells

(i) Whether the area receives supply through piped water supply: YES / NO (Please tick one)
 scheme(s) of any Govt. organization / Local bodies
 (In case of drinking water wells).
 (If 'YES', give details)

7. Particulars of earlier application, if any :

- (a) Whether the applicant applied for permit of sinking of well YES / NO on any previous occasion. (Please tick)
- (b) If 'YES', furnish the references to the previous application and indicate about grant or refusal of permit. (Attach copies).

8. Details of payment of application fee:

- (a) Amount of Application Fee paid Rs.
- (b) Voucher No. and date-
- (b) Name of Treasury / Sub-Treasury / P.S.U. Bank where Application Fee has been paid-
- (c) Name of Bank Branch (if payment has been made in a Bank)-
- 9. Any other information which the applicant would like to furnish:

Signature of the applicant (user) Place:

Date:

DECLARATION BY THE APPLICANT (USER)

I do hereby declare that the particulars furnished hereinabove are correct and true. I understand that in case any of the information and particulars is found to be incorrect at any stage of scrutiny and investigation or afterwards, my application / permit is liable to be rejected / cancelled.

Signature of the applicant (user) Place:

Date:

NOTE:

- 1. Separate application form should be submitted for each individual well.
- 2. The application form should be completed in all respect before submission. Incomplete applications are liable for rejection. Any correction / alteration in the entry shall be duly authenticated.
- 3. In case any of the particulars / information is found to be incorrect at any stage of verification / scrutiny, the application is liable for rejection.
- 4. In case any of the particulars/ information is found to be incorrect at any stage even after issue of the permit, the permit is liable for cancellation.
- 5. Please write 'N.A.' against those items which are not applicable.
- 6. Please attach the following documents along with the application.
 - (i) Document showing proof of ownership of land;
 - (ii) The Power of Attorney in favour of the applicant, in case the plot of land where the proposed well is to be constructed belongs to more than one persons;
 - (iii) Photocopy of voter ID / Ration Card / such other proof of identification;
 - (iv) Mouza map showing location of the proposed well, the proposed command area and the existing wells which have been referred to in item No. 2 (a), (b) and (c).
- 7. The concerned Authority reserves the right to ask for any other document(s) from the owner applicant for examination of his application.
- 8. Farmers having land holding 0-1 ha, are 'Marginal Farmers' and those having land holding 1-2 ha, are 'Small Farmers' (Item No. 1 (i))
- 9. The figure indicated in 6 (d) should be the sum total of the running hours in different crop seasons viz., Kharif, Rabi, Boro, Perennial.
- 10. The concerned Authority reserves the right to reject any application for permit in areas where the categorization of the Block and / or other technical criteria do not permit its consideration.

Signature of the applicant(user)
(To be affixed in the certificate of Permit)

[See rule 9(1) and 10(4)]

OFFICE SEAL

To
Shri/Smt.
Sub: Acceptance of your application for obtaining permit for sinking a well.
Ref: Your application No submitted on
Sir/Madam
This is to inform you that your application Nosubmitted on
The original Challan making such payment and a photocopy of the same is to be deposited in this office along with duly filled up Form No. 3 enclosed herewith within 30 (thirty) days of receipt of this letter failing which your application for obtaining permit will be treated as cancelled. The application No. must be mentioned at the back of the Challan.
End.: as stated

Signature of the issuing authority.

Yours faithfully,

[See rule 9(2) and rule 10(5)]

To		
The		me of the Authority)
	(Ad	dress of the Authority)
Sir,		
	Sub	:- Deposit of non-refundable fee payable after acceptance of the application.
deptl the o	it for n of t rigin ndabl	esponse to your letter mentioned above accepting my application for sinking of a well specifying the type of the well, approximate the well
	1.	Name of user:.
	2.	Application form No. and date:
	3.	Amount of non-refundable fee deposited after acceptance of the application:
	4.	Voucher No. of Challan and date:
	5.	Name of Treasury / Sub-Treasury / P.S.U. Bank where payment has been made:
	6.	Name of Bank branch when payment has been made in a Bank:
Place		Yours faithfuly,
Date	:	
		(Signature of user)

[See rules 9(3) and 10(5)]

(EMBLEM OR HOLOGRAM OF THE CONCERNED AUTHORITY)

PERMIT FOR SINKING OF NEW WELL

[U/S 7(3)(b) / 7(4)(b) / 7(5)(a) of the West Bengal Ground Water Resources (Management, Control and Regulation) Act 2005.]

		PERMIT NO.	
1.	(a)	Name of the applicant (user): Shri / Sm	t.
	(b)	Son / Daughter of:	
	(c)	Addres of the applicant:	
	(d)	Category of farmer (Plese tick): Small Farm (in case of irrigation well)	er / Marginal Farmer / Other
	(e)	Serial No. of application Form: and date of submission	
	(f)	Specimen signature of the user :	
2.	Loc	ation particulars:	
	(a)	District	
	(b)	Block, Mouza, J.L. No., Plot No.:	
	(c)	Municipality / Corporation Ward No./Borough No., Holding No.:	
3.	Part	iculars of the proposed well and pumping of	evice :
	(a)	Type of the well:	
	(b)	Approx. depth of the well (m):	
	(c)	Purpose of the well:	
	(d)	Assembly size (for tube well):	mm.X mm.
	(e)	Approx. strainer length (for tube well):	m.
	(f)	Diameter (for dug well):	m.
	(g)	Type of pump to be used:	
	(h)	H.P. of the pump	

- (i) Operational device:
- (j) Rate of withdrawal (m³ / hr.):
- (k) Maximum allowable running hours per day:

This permit authorizes the owner applicant (user) to sink a well in the location specified at Sl. (2) for extraction of ground water at a rate not exceeding that as shown at Sl. (3) (j) and for running hours / day as shown at Sl. (3) (K), and is valid subject to the observance of the conditions stated overleaf.

Place:

Signature of the Issuing Authority

Date:

and Designation.

OFFICE SEAL

CONDITIONS:

- (1) In case of any change of ownership of the proposed well, fresh registration has to be obtained.
- (2) No change of location, design, rate of withdrawal and pumping device in respect of the proposed well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this permit.
- (3) In case, any of the particulars / information furnished by the applicant in his application for issuance of this permit is found to be incorrect during verification at any subsequent stage, this permit is liable for cancellation.
- (4) Any other condition imposed by the concerned Authority.

OFFICE SEAL

[See rules 9(4) and 10(6)]

OFFICE SEAL

No.		Dated
То		
Shri	/ Sm	ıt
	Sub	: Rejection of your application for Permit for sinking of well.
	Ref	: Your Application No submitted on
Sir /	Mad	am,
subn follo	nitted	is to inform you regretfully that your Application No
	(1)	Incomplete application
	(2)	Non-submission of requisite documents
	(3)	Shortfall in payment of requisite Application Fee
	(4)	Incorrect Head of A/C for deposition of Application Fee
	(5)	Non-Maintenance of spacing criteria
	(6)	Unsuitable water quality
	(7)	Non-availability of adequate ground water resource

Yours faithfully,

Signature of Issuing Authority

[See rule 11(1)]

	Iss	ued to: Shri / Smt.						
ВО	OK N	O Aplication Form Sl. No						
		OF APPLICATION FOR REGISTRATION OF EXISTING WELL) of the West Bengal Ground Water Resources (Management, Control and Regulation) Act 2005.)						
1.	Par	Particulars about the applicant:						
	(a)	Name of the owner applicant (IN BLOCK LETTERS): (Please attach proof of ownership of land)						
	(b) (c)	Date of birth: ; Sex (Please tick): M / F;						
	(d) (e)	Social Status (Please tick): ST / SC / OBC / GENERAL Nationality: ;						
	(f)	Son / Daughter of :						
	(g)	Address of the applicant :						
	(h)	Category of farmer (Please tick): Small Farmer / Marginal Farmer / Others (in case of application for registration of existing irrigation well)						
2.	Loc	ation particulars of the existing well:						
	(a)	District :						
	(b)	Block, Mouza, J.L. No., Plot No. :						
	(c)	Municipality/ Corporation, Ward No./Borough No., Holding No. :						
3.	Par	ticulars of the existing well:						
	(a)	Date of construction / sinking of the well:						
	(b)	Type of the well viz.Dug Well / Tube Well / : Others (Please specify)						
	(c)	Depth of the well (m):						
	(d)	In case of the Tube Well:						
		(i) Length (m) & diameter (mm) of the housing pipe (if any):(ii) Length (m) & diameter (mm) of the strainer:						

- (iii) Material of the housing pipe & blank pipe:
- (iv) Material of the strainer:
- (e) In case of Dug Well:
 - (i) Diameter of the Dug Well (m):
 - (ii) Type of structure of the Dug Well (Please tick): Kuchcha / Pucca
- (f) Whether there has been any adverse report regarding water quality : of the well. If 'Yes', give particulars.

4. Distance of the existing well from nearby wells (in metres):

- (a) From the nearest shallow tube well fitted with centrifugal pump:
- (b) From the nearest shallow tube well fitted with submersible pump:
- (c) From the nearest deep tube well:
- (d) From the nearest drinking water tube well:

5. Particulars of existing pumping device :

- (a) Type of pump to be used (Please tick): (Centrifugal / Submersible / Turbine / Ejecto pump, etc.)
- (b) Length of column pipe (in case of submersible / turbine pump):
- (c) Pump Capacity (m³ / hr.):
- ; (d) H.P.:
- (e) Operational device (Please tick): Electric Motor / Diesel Engine.
- (f) Date of energisation (in case of electricity driven pump):

6. Particular of usefulness of proposed well:

- (a) Purpose of the existing well:

 Irrigation / Domestic / Industrial / Others (Please specify)
- (b) Cultural command area in ha (for irrigation well):
- (c) Owner's share of land within the command area indicate in 6.(b) above:
- (d) Out of the area indicated in 6 (b) above, area irrigated by the well in different crop seasons:
 - (i) Kharif- ha; (ii) Rabi- ha; (iii) Boro- ha;
 - (iv) Perrenial- ha;

- (e) Total annual running hours (in case of irrigation well):
- (f) Daily running hours in case of domestic / other category of wells :
- 7. Any other information which the applicant would like to furnish:

Signature of the owner applicant Place:

Date:

DECLARATION BY THE APPLICANT

I do hereby declare that the particulars furnished hereinabove are correct and true. I understand that in case any of the information and particulars is found to be incorrect at any stage of scrutiny and investigation or thereafter, my application / registration is liable to be rejected / cancelled.

Signature of the owner applicant

Place:

Date:

Note:

- 1. Separate application form should be used for registration of each individual well.
- 2. The application form should be completed in all respect before submission. Incomplete applications are liable for rejection. Any correction / alteration shall be duly authenticated.
- 3. In case any of the particulars/ information is found to be incorrect at any stage of verification / scrutiny, the application is liable for rejection.
- 4. In case any of the particulars/ information furnished is found to be incorrect at any stage even after issue of the registration, the registration is liable for cancellation.
- 5. Please write 'N.A.' against those items which are not applicable.
- 6. Please attach the following documents along with the application:
 - (a) Document showing proof of ownership of land;
 - (b) Photocopy of voter ID / ration card / any other proof of identification;

- (c) Mouza map showing location of the existing well, the command area and the existing wells which have been referred to in item no. 2(a), (b) and (c).
- 7. The concerned Authority reserves the right ask for any other document(s) from the owner applicant for examination of the merit of the case.
- 8. Farmers having land holding 0-1 ha are 'Marginal Farmers' and those having land holding 1-2 ha are 'Small Farmers' (Item No. l(i))
- 9. The figure indicated in 6 (d) should be the sum total of the running hours in different crop seasons viz., Kharif, Rabi, Boro, Perennial.

Signature of owner applicant
(To be affixed in the certificate of registration)

[See rules 12(1) and 13(3)]

(EMBLEM OR HOLOGRAM OF THE CONCERNED AUTHORITY) CERTIFICATE OF REGISTRATION OF EXISTING WELL

[U/S 8(2)(b)/8 (3)(b)/8(4)(a) of the West Bengal Ground Water Resources (Management, Control and Regulation) Act 2005.]

REGISTRATION NO.

1.	(a)	Name of the owner applicant : Shri / Smt.							
	(b)	Son / Daughter of:							
	(c)	Address of the applicant:							
	(d)	Category of farmer (Please tick): Small Farmer / Marginal Farmer / Others (in case of registration of existing irrigation well)							
	(e)	Application Form Serial No. and date of submission :							
	(f)	Specimen signature:							
2.	Loc	ation particulars:							
	(a)	District:							
	(b)	Block, Mouza, J.L. No., Plot No.:							
	(c)	Municipality / Corporation, Ward No./ Borough No., Holding No.:							
3.	Part	icular of the existing well and pumping device:							
	(a)	Date of construction / sinking of the well :							
	(b)	Type of the well:							
	(c)	Depth of the well (m):							
	(d)	Purpose of the well:							
	(e) •	Assembly size (for tube well): mm. X mm.							
	(f)	Strainer position (for tube well): (i) ; (ii) ; (iii) ; (iv)							
	(g)	Diameter (for dug well): m.							
	(h)	Type of pump used :							
	(i)	H.P. of the pump:							

(j)

Operational device

- (k) Rate of withdrawal (m³/ hr.):
- (l) Date of energisation (in case of electric pump):

This certificate of registration is issued on the basis of the information furnished by the applicant subject to the conditions stated overleaf.

Place:

Signature of the Issuing Authority and

Date:

Designation.

OFFICE SEAL

CONDITIONS

- (1) The rate of extraction of ground water from the well shall not exceed that as shown in item 3(k). The concerned Authority reserves the right to stop extraction of ground water from the well due to quality hazards or any other reasons, if the situation so demands.
- (2) In case of any change of ownership of the existing well, fresh registration has to be obtained.
- (3) No change of location, design, rate of withdrawal and pumping device in respect of the existing well as indicated at Sl. (2) and (3) of this certificate shall be made without prior permission of the Competent Authority. Any deviation in this regard shall lead to cancellation of this registration.
- (4) In case, any of the particulars / information furnished by the applicant in his application for issuance of this registration is found to be incorrect during verification at any subsequent stage, this registration is liable for cancellation.
- (5) Any other condition(s) that may be imposed by the concerned Authority.

OFFICE SEAL

[See rules 12(1) and proviso to 13(4)]

OFFICE SEAL

No.	Dated
То	
Shri / Sn	nt

Sub : Rej	ection of your application for registration of well
Ref: You	r application Nosubmitted on
Sir / Mad	am,
	is to inform you regretfully that your Application No on for registration of your well has been refused because of the following :
(1)	Incomplete application
(2)	Non-submission of requisite documents
(3)	Others

Signature of Issuing Authority

Yours faithfully,

(See rule 14)

FORMAT OF REGISTER TO BE MAINTAINED UNDER THE WEST BENGAL GROUND WATER RESOURCES (MANAGEMENT, CONTROL AND REGULATION) ACT, 2005, FOR ISSUANCE OF PERMIT

Г	_	_	-	<u>.</u>	-	
	0		H P of Pumn		11	
	mping devic	Dumaing	Surduin	device	10	
	icture and pu	Discharge	Discilarge	(m³/hr)	6	
: :	Details of structure and pumping device		Size		8	
	I		Type		7	
1.	IIIS	Plot No /	101111111111111111111111111111111111111	Ward No. Holding No.	9	
Dotte Date	Location Details	Mouza/	(J.L. No.)/	Ward No.	5	
		Block/	Borough	No.	4	
SI No of	O. 140. OI	application	torm and	date	3	
		Name of application	the user		2	
		SI.	No.		1	

Dated Dated Initial of Inordinate Member-official Secretary		24	
Permit No. Dated Dated and Date initial of subordinate Member-official Secretary		23	
Permit No. and Date		22	
ermit Fee	Amount (Rs.)	21	
Details regarding deposit of Permit Fee	Vouchar Name of Date of Amount No. Treasury/ deposit (Rs.) Sub- Treasury/ Bank	20	
egarding d	Name of Treasury/ Sub- Treasury/ Bank	19	
	Vouchar No.	18	
Whether Reason in Permit is case of granted or rejection		17	
Whether Permit is granted or	not (Yes/ No.)	91	
sit of	Vouchar Name of Date of Amount No. Treasury/ deposit (Rs.) Sub- Treasury/ Bank	15	
s regarding depos Application Fee	Date of deposit	14	
Details regarding deposit of Application Fee	No. Treasury/ Sub- Treasury/ Bank	13	
Det	Vouchar No.	12	

Form 10 (See rule 14)

FORMAT OF REGISTER TO BE MAINTAINED UNDER THE WEST BENGAL GROUND WATER RESOURCES (MANAGEMENT, CONTROL AND REGULATION) ACT, 2005, FOR ISSUANCE OF CERTIFICATE OF REGISTRATION

Details of structure and pumping device	H. P. of Pump	11	
ucture and pu	Pumping device	10	
Details of stru	Discharge (m³/hr)	6	
	Size	8	
ls	Type	7	
Location Details	Plot No./ Holding No.	9	
Γ	Mouza/ (J.L. No.)/ Ward No.	5	
	Block/ Borough No.	4	
SI. No. of	application form and date	3	
	Name of the user	2	
	No.	1	

	omena	Secretary
14	15	16
	14	14 15

By order of the Governor

K. John Koshy

Principal Secy. to the Govt. of West Bengal

The

Kolkata



Gazette

Extraordinary Published by Authority

VAISAKHA 27]

THURSDAY, MAY 17, 2007

[SAKA 1929

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

GOVERNMENT OF WEST BENGAL WATER RESOURCES INVESTIGATION AND DEVELOPMENT DEPARTMENT WRITERS' BUILDINGS KOLKATA - 700 001

No. 995-BP/9M-28/98(Pt. IV)-2004

Dated, Kolkata, the 17th May, 2007

NOTIFICATION

WHEREAS the draft amendment of the West Bengal Ground Water Resources (Management, Control and Regulation) Rules, 2006 (hereinafter referred to as the said rules) was published as required under sub-section (1) of section 20 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (West Ben. Act XVIII of 2005) *vide* this department notification No. 740-MI/O/BP/9M-28/98 (Pt. IV)-2004, dated the 11th April, 2007, in the *Kolkata Gazette, Extraordinary*, Part I, dated the 11th April, 2007, for inviting objection or suggestion in writing from all the persons likely to be affected thereby, within a period of fifteen days from the date of its publication;

AND WHEREAS no objection or suggestion has been received by the State Government within the said period;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1), and sub-section (2), of section 20 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (West Ben. Act XVIII of 2005), the Governor is pleased hereby to make, with immediate effect, the following amendment in the said rules:

Amendment

In sub-rule (1) of rule 11 of the said rules, for the words "within a period of six months", *substitute* the words "within a period of one year"

By order of the Governor,

Sd/- K. John Koshy,

Principal Secretary to the Government of West Bengal.

Registered No. WB/SC-320

No. WB(Part-I)/07/BCL-32

The

Kolkata



Gazette

Extraordinary Published by Authority

BHADRA 14]

WEDNESDAY, SEPTEMBER 5, 2007

[SAKA 1929

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

GOVERNMENT OF WEST BENGAL WATER RESOURCE INVESTIGATION AND DEVELOPMENT DEPARTMENT WRITERS' BUILDINGS KOLKATA - 700 001

No. 1708-/BP/9M-28/98(Pt IV)-2004

Dated, Kolkata, the 5th September, 2007

NOTIFICATION

WHEREAS the draft amendment of the West Bengal Ground Water Resources (Management, Control and Regulation) Rules, 2006 (hereinafter referred to as the said rules) was published as required under sub-section (1) of section 20 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (West Ben. Act XVIII of 2005) vide this Department notification no. 1536-MI/O/BP/9M-28/98(Pt IV) -2004, dated the 6th August, 2007, in the *Kolkata Gazette*, *Extraordinary*, Part I, dated the 6th August, 2007, for inviting objection or suggestion in writing from all the persons likely to be affected thereby, within a period of fifteen days from the date of its publication;

AND WHEREAS no objection or suggestion has been received by the State Government within the said period;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1), and sub-section(2), of section 20 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (West Ben. Act XVIII of 2005), the Governor is pleased hereby to make, with immediate effect, the following amendment in the said rules: -

Amendment

In sub-rule (1) of rule 11 of the said rules, for the words "within a period of one year", *substitute the words "within a period of three years*".

By order of the Governor,

Sd/- K. John Koshy
Principal Secretary to the Govt. of West Bengal.







Gazette

Extraordinary Published by Authority

SRAVANA 8]

THURSDAY, JULY 30, 2009

[SAKA 1931

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

GOVERNMENT OF WEST BENGAL

Water Resources Investigation & Development Department Writers' Buildings, Kolkata - 700 001

NOTIFICATION

No. 1397-/BP/9M-28/98(Pt-IV) –2004.— the 29th July, 2009.— WHEREAS the draft amendment of the West Bengal Ground Water Resources (Management, Control and Regulation) Rules, 2006 (hereinafter referred to as the said rules) was published as required under sub-section (1) of section 20 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (West Ben. Act XVIII of 2005) *vide* this department notification No. 945 – /BP/9M-28/98(Pt-IV) – 2004, dated the 26th May, 2009, in the *Kolkata Gazette*, *Extraordinary*, Part I, dated the 8th June, 2009, for inviting objection or suggestion in writing from the persons likely to be affected thereby , within a period of fifteen days from the date of its publication;

AND WHEREAS no objection or suggestion has been received by the State Government within the said period;

NOW, THEREFORE, in exercise of the power conferred by sub-section (1), and sub-section(2), of section 20 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (West Ben. Act XVIII of 2005), the Governor is pleased hereby to make, with immediate effect, the following amendment in the said rules:—

Amendment

In sub-rule (1) of rule 11 of the said rules, for the words "within a period of three years", *substitute* the words "within a period of five years".

By order of the Governor,

TRILOCHAN SINGH,
Principal Secretary to the Government of West Bengal.