

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

Registered No. WB/SC-247 kolkata No. Gaiette BHADRA 9] Extraordinary Published by Authority WEDNESDAY. AUGUST 31, 2005 PART III—Acts of the West Bengal Legislature. GOVERNMENT OF WEST BENGAL LAW DEPARTMENT Legislative NOTIFICATION [SAKA 1927 No. 21 IO-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 BENGAL GROUND WATER RESOURCES (MANAGEMENT, CONTROL AND REGULATION) ACT, 2005. [Passed by the West Bengal Legislature.] [Assent of the Governor was first published in the Kolkata Gazette, Extraordinary, of the 31st August, 2005.] 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 hereby 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) 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 PART III] Amendment of section 11. Substitution of new section for section 15. THE KOLKATA GAZETTE, EXTRAORDINARY, AUGUST 25, 2005 The Great Eastern Hotel (Acquisition of Undertaking) (Amendment) Act, 2005. (Sections 6, 7.) under sub-section (2) of section 3, stand transferred to, and vest in the Hotel Authority and further, on and from the New Notification Date, shall stand transferred to, and vest in the New Company, in the manner and to the extent transferred to it under the terms of the New Notification. Explanation.—The liabilities that have not been transferred to the New Company from the Hotel Authority under the terms of the New Notification, shall continue to vest in the Hotel Authority." , (3) for sub-section (6), the following sub-section shall be substituted: "(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature in relation to any matter or business in respect of the undertaking of the Great Eastern Hotel Limited, instituted or preferred by or against the Great Eastern Hotel Limited, is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertaking of the Great Eastern Hotel Limited or of anything contained in this Act and the suit, appeal or other proceeding may be continued, proceeded with and enforced by or against the State Government and on and from the date specified in the notification under sub-section (2) of section 3, the Hotel Authority and further, on and from the New Notification Date, such suits, appeals or other proceedings, of any nature whatsoever, as may be notified in the New Notification, which are pending against the Hotel Authority as on the New Notification Date, shall stand transferred to the New Company from the New Notification Date. Explanation.—The remaining suits, appeals and other proceedings shall continue to be against the Hotel Authority."

6. To section 11 of the principal Act, the following proviso shall be added: "Provided however that this section shall cease to have force and effect in relation to the New Undertaking, or any part thereof, that is transferred in terms of the proviso to sub-section (2) of section 3 and the State Government shall take steps to amend the rules made under this section accordingly prior to or consequent to such transfer."

7. For section 15 of the principal Act, the following section shall be substituted: 3 "Protection of action taken in good faith

15. No suit, prosecution or other legal proceeding shall lie against the State Government or any officer or other employee serving in connection with the affairs of the undertaking of the Great Eastern Hotel Limited or against any officer or employee of the New Company for anything which is in good faith done or intended to be done under this Act." By order of the Governor, MD. HESAMUDDIN, Secy.-in-charge to the Govt. of West Bengal, Law Department. Published by the

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