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

GOVERNMENT OF WEST BENGAL

Department of Water Resources Investigation & Development
Khadya Bhavan,
Block-"A", 6th Floor,
11A, Mirza Ghalib Street
Kolkata - 700 087

NOTIFICATION

No. 2037-WI/P/MI/I W-06/2015.– Dated 21.01.2016.— The following draft of amendments which the Governor, in exercise of the power conferred by section 20 of the West Bengal Ground Water Resources (Management, Control and Regulation) Act, 2005 (West Ben. Act XVIII of 2005), proposes to make in the West Bengal Ground Water Resources (Management, Control and Regulation) Rules, 2006, issued with this Department notification No. 2109-WI.BP., dated the 31st July, 2006, and published in the *Kolkata Gazette, Extraordinary,* Part I, dated the 31st July, 2006 (hereinafter referred to as the said rules), is hereby published as required under sub-section (I) of section 20 of the said Act, for inviting objections or suggestions, in writing, from all persons likely to be affected thereby, within a period of fifteen days from the date of its publication;

The draft will be taken into consideration after the expiry of a period of fifteen days from the date of publication of the notification in the *Official Gazette* and any objections or suggestions, in writing, with respect thereto which may be received by the undersigned before the expiry of the said period, shall be duly considered:-

Draft amendments

In the said rules,—

(1) after rule 2, *insert* the following rule:–

"2A. **Term of office of members of High Level Authority.**— (1) The Chairman, the Member-Secretary and other members excepting the members specified in clauses (x) to (xii) of sub-section (2) of section 2A, shall be the permanent members of the High Level Authority.

(2) The term of office of members, other than the permanent members referred to in sub-rule (1), of the High Level Authority, shall be for three years.".

(2) after rule 5, *insert* the following rule:—

"**5A. Conduct of meeting of High Level Authority.**— (1) The High Level Authority may meet once every month to conduct the business for carrying out the purposes of the Act.

(2) Notwithstanding anything contained in sub-rule (1), the High Level Authority may meet such other times, as may be appointed by the Member-Secretary on advice of the Chairman of the High Level Authority.

(3) The Chairman, or in his absence, one of the members of the High Level Authority, elected from amongst those present, shall preside at meetings of the High 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 High Level Authority unless a quorum of $1/_3$rd of the total members is present.".

(3) after rule 10, *insert* the following rule:—

"**10A. Disposal of Application for permit by the High Level Authority.**— (1) On receipt of the application under sub-section (6) of section 7, if the State 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 for industrial purpose, as mentioned in clause (b) of sub-section (5) of section 7, it shall forward the case to the High Level Authority and the High Level Authority shall, after being satisfied in its meeting, approved the case for granting a permit to the user:

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

(2) Any decision taken by the High Level Authority regarding grant or refusal of permit, shall be forwarded to the State Level Authority and it shall be intimated to the user by the State Level Authority through the District Level Authority or the Corporation Level Authority, as the case may be, by registered post with acknowledgement due, and a copy of such intimation shall also be affixed to the notice board of the office of the Member-Secretary of the State Level Authority and the concerned District Level Authority or Corporation Level Authority, as the case may be.".

By order of the Governor,

NAVEEN PRAKASH, IAS
Principal Secy. to the Government of West Bengal.

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