

The

Kolkata Gazette
सत्यमेव जयते

Extraordinary
Published by Authority

SRAVANA 9]

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 Authority.—

(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 sub-section (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 meeting, 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 permit for sinking well. (Rs.)	Non-refundable fee after acceptance of application. (Rs.)
(1)	(2)	(3)	(4)
1.	When the discharge range is upto 30m ³ /hr.	500.00	1000.00
2.	When the discharge range exceeds 30m ³ /hr. upto 50m ³ /hr.	1000.00	2000.00
3.	When the discharge range exceeds 50m ³ /hr. upto 100m ³ /hr.	1500.00	3000.00
4.	When the discharge range is above 100m ³ /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 sub-rule (1) of rule 18;

(b) to the Secretary to the Government of West Bengal, Water Investigation and Development Department, Writers' 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 Sl. No. 3 or or Sl. 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 appellate 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.	When the discharge range is upto 30m ³ /hr.	500.00
2.	When the discharge range exceeds 30m ³ /hr. upto 50m ³ /hr.	1000.00
3.	When the discharge range exceeds 50m ³ /hr. upto 100m ³ /hr.	1500.00
4.	When the discharge range is above 100m ³ /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.

BOOK NO. Application Form Sl. No.

APPLICATION FOR OBTAINING PERMIT FOR SINKING OF NEW WELL

[U/S 7(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 ownership 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. Particulars 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. Particulars 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 :

(i) Diameter of the Dug Well (m)

(ii) Type of structure of the Dug Well (Please tick) :
Kuchcha / Pucca

4. Distance of the proposed 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 proposed pumping device :

(a) Type of pump to be used (Please tick) :

(Centrifugal / Submersible / Turbine / Ejecto pump, etc.)

(b) Pump Capacity ($\text{m}^3/\text{hr.}$) :

(c) H.P. :

(d) Operational device (Please tick) : Electric Motor / Diesel Engine.

6. Particulars of usefulness of proposed well:

(a) 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) Kharif- ha, (ii) Rabi- ha, (iii) Boro- ha,
(iv) Perennial- ha.

(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)

Form 2

[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 No.....submitted on..... for obtaining permit for sinking a well specifying the type of the well....., approximate depth of the well..... (as mentioned in Form 1), has been accepted at this end. You are now requested to deposit the prescribed non-refundable fee payable after acceptance of the application of Rs. (Rupees.....) only by Challan in T.R. Form No. 7 in Treasury/sub-Treasury/P.S.U. Bank/Reserve Bank of India under the Head of Account: "0702-80-800- OTHER RECEIPTS-002-Other Items-27- Other Receipts" (Code: 0702-80-800-002-27).

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

Yours faithfully,

Signature of the issuing authority.

Form 3

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

To

The
(Name of the Authority)

.....
(Address of the Authority)

Sir,

Sub:- Deposit of non-refundable fee payable after acceptance of the application.

In response to your letter mentioned above accepting my application for permit for sinking of a well specifying the type of the well....., approximate depth of the well..... (as mentioned in Form 1), I am submitting herewith the original Challan along with a photocopy of the same showing payment of non-refundable fee payable after acceptance of the application of Rs..... (Rupees) as per the following details :-

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:

Yours faithfully,

Place :

Date :

(Signature of user)

Form 4

[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 / Smt.
(b) Son / Daughter of :
(c) Address of the applicant:
(d) Category of farmer (Please tick): Small Farmer / Marginal Farmer / Others
(in case of irrigation well)
(e) Serial No. of application Form:
and date of submission
(f) Specimen signature of the user :
2. Location particulars:
(a) District
(b) Block, Mouza, J.L. No., Plot No.:
(c) Municipality / Corporation
Ward No./Borough No., Holding No.:
3. Particulars of the proposed well and pumping device :
(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 ($\text{m}^3 / \text{hr.}$):
- (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**

Form 5

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

OFFICE SEAL

No.

Dated.....

To

Shri / Smt.

.....

.....

Sub : Rejection of your application for Permit for sinking of well.

Ref : Your Application No. submitted on.....

Sir / Madam,

This is to inform you regretfully that your Application No.
submitted on seeking for a Permit of sinking well has been refused because of the
following reason(s):

- (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

Form 6

[See rule 11(1)]

Issued to: Shri / Smt.

BOOK NO. Application Form Sl. No.

FORM OF APPLICATION FOR REGISTRATION OF EXISTING WELL
(U/S 8(1) of the West Bengal Ground Water Resources (Management, Control and Regulation) Act 2005.)

1. Particulars about the applicant :

- (a) Name of the owner applicant (IN BLOCK LETTERS) :
(Please attach proof of ownership 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 for registration of existing irrigation well)

2. Location 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. Particulars 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 (m^3 / 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. 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.

.....

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

Form 7

[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. Location particulars :
(a) District :
(b) Block, Mouza, J.L. No., Plot No. :
(c) Municipality / Corporation, Ward No./ Borough No., Holding No.:
3. Particular 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 ($\text{m}^3/\text{hr.}$) :

(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

Form 8

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

**OFFICE
SEAL**

No.

Dated.....

To

Shri / Smt.....

.....

Sub : Rejection of your application for registration of well

Ref: Your application No.submitted on

Sir / Madam,

This is to inform you regretfully that your Application No.
submitted on for registration of your well has been refused because of the following
reason(s) :

- (1) Incomplete application
- (2) Non-submission of requisite documents
- (3) Others

Yours faithfully,

Signature of Issuing Authority

Form 9

(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

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

Details regarding deposit of Application Fee				Whether Permit is granted or not (Yes/ No.)	Reason in case of rejection	Details regarding deposit of Permit Fee				Permit No. and Date	Dated initial of subordinate official	Dated initial of Member-Secretary
Voucher No.	Name of Treasury/ Sub-Bank	Date of deposit	Amount (Rs.)			Voucher No.	Name of Treasury/ Sub-Bank	Date of deposit	Amount (Rs.)			
12	13	14	15	16	17	18	19	20	21	22	23	24

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

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

Whether Registration is granted or not (Yes / No)	Reason in case of rejection	Registration No. and Date	Dated initial of subordinate official	Dated initial of Member - Secretary
12	13	14	15	16

By order of the Governor
K. John Koshy
Principal Secy. to the Govt. of West Bengal

The

Kolkata Gazette
सत्यमेव जयते

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.

The

Kolkata Gazette
सत्यमेव जयते

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.

The

Kolkata Gazette
सत्यमेव जयते

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.