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PART III— Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1516-L.—9th November, 2010.—The following Act of the West Bengal Legislature, having been assented to by the President of India, is hereby published for general information :—

West Bengal Act XIX of 2009
THE WEST BENGAL ESTATES ACQUISITION
(AMENDMENT) ACT, 2009.

[*Passed by the West Bengal Legislature.*]

[Assent of the President of India was first published in the *Kolkata Gazette, Extraordinary*, of the 9th November, 2010.]

An Act to amend the West Bengal Estates Acquisition Act, 1953.

WHEREAS it is expedient to amend the West Bengal Estates Acquisition Act, 1953, for the purposes and in the manner hereinafter appearing; West Ben. Act
I of 1954.

It is hereby enacted in the Sixtieth Year of the Republic of India by the Legislature of West Bengal, as follows:—

The West Bengal Estate Acquisition (Amendment) Act, 2009.

(Sections 1-3.)

Short title and commencement.

1. (1) This Act may be called the West Bengal Estates Acquisition (Amendment) Act, 2009.

(2) This Act shall come into force at once.

Amendment of section 6 of West Ben. Act I of 1954.

2. *Explanation* to sub-section (3) of section 6 of the West Bengal Estates Acquisition Act, 1953 (hereinafter referred to as the principal Act), shall be renumbered as *Explanation I* to that sub-section and to *Explanation I* so renumbered, the following *Explanation* shall be, and shall be deemed always to have been, added, namely:—

Explanation II.— For the removal of doubts, it is hereby declared that the expression “revise any order” mentioned in the proviso to this sub-section, shall, notwithstanding anything contained in any law for the time being in force or in any agreement or in any decree, judgement, decision, award of any court, tribunal or other authority, include revision of an order of retention made under this sub-section, at any time after such order of retention so made, if the intermediary or the lessee, as the case may be, fails to use or ceases to use the whole or any part of the land for the purpose for which it has been retained i.e. for tea-garden, mill, factory or workshop, as the case may be, by him, so as to resume such land as being surplus to his requirement, by the State Government in the manner laid down in this proviso.’

Validation.

3. The amendment made in the principal Act by section 2 shall be deemed to have been made with effect from the date of commencement of the principal Act and accordingly, anything done or any action taken or purported to have been taken or done under the principal Act on or after its commencement and before the commencement of this Act, shall, notwithstanding anything contrary contained in any judgment, decree or order of any court, tribunal or other authority, be deemed to be, and to have always been, for all purposes, as validly and effectively taken or done as if the said amendment had been in force at all material time.

By order of the Governor,

K.Y.S. MANHAS,
Pr. Secy.-in-charge to the Govt. of West Bengal,
Law Department.