

WEST BENGAL BOARD OF REVENUE (REPEALING) ACT, 1995

23 of 1995

[27th February, 1996]

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SCHEDULE 1 :- SEHEDULE

WEST BENGAL BOARD OF REVENUE (REPEALING) ACT, 1995

23 of 1995

[27th February, 1996]

An Act to repeal the Bengal Board of Revenue Act, 1913. Whereas it is expedient to repeal the Bengal Board of Revenue Act, 1913; It is hereby enacted, as follows

1. Short title and commencement :-

(1) This Act may be called the Bengal Board of Revenue (Repealing) Act, 1995.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Repeal of Ben. Act 2 of 1913 :-

The Bengal Board of Revenue Act, 1913 (hereinafter referred to as the said Act), is hereby repealed :

Provided that such repeal shall not

(a) affect the previous operation of the said Act so repealed or anything duly done or suffered thereunder, or

(b) affect any right, privilege, obligation or liability acquired,

accrued or incurred under the said Act so repealed, or

(c) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Act so repealed, or

(d) affect any investigation, legal proceeding or remedy, in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed.

3. Saving :-

Notwithstanding anything contained in section 2, at the date of commencement of this Act,

(a) all properties of the Board of Revenue for West Bengal as reconstituted by or under the said Act (hereinafter referred to as the Board) shall stand transferred to, and vest in, the State Government.

(b) every liability of the Board in respect of any period prior to the date of commencement of this Act shall be the liability of the State Government, and

(c) every officer or other employee appointed by the Board and continuing in office immediately before the date of commencement of this Act, shall be deemed to be the officer or, as the case may be, other employee of the State Government, and shall hold office or service under the State Government with the same rights and privileges as to salary and other conditions of services as would have been admissible to him if this Act had not been passed.

4. Construction of references to Board etc :-

Any reference to the Board, or the Member, or the Additional Member, or the Secretary, of the Board, in any of the Regulations or the Acts specified in the Schedule to this Act or in any Ordinance, order, bye-law, rule, scheme, notification or other document or instrument having the force of law, shall, unless the context otherwise requires, be construed as a reference to the State Government, and, thereupon, such Regulation, Act, Ordinance, order, bye-law, rule, scheme, notification or other document or instrument, shall be deemed to have been amended accordingly.

5. Legal proceedings :-

Where immediately before the date of commencement of this Act any legal proceedings are pending to which the Board, or the Member, or the Additional Member, or the Secretary, of the Board, is a party, then, for the purposes of those proceedings, any reference to the Board, or the Member, or the Additional Member, or the Secretary, of the Board, shall be construed as a reference to the State Government.

6. Protection of action taken in good faith :-

No suit, prosecution or other legal proceeding shall lie against the State Government or any officer or other employee of that Government for anything which is in good faith done or intended to be done under this Act.

7. Removal of difficulties :-

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of publication of this Act in the Official Gazette,

SCHEDULE 1

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- The Bengal Land-revenue Regulation, 1793 (Bengal Regulation II of 1793).
- The Bengal Decennial Settlement Regulation, 1793 (Bengal Regulation VIII of 1793).
- The Bengal Revenue-free Lands (Non-Badshahi Grants) Regulation, 1793 (Bengal Regulation XIX of 1793).
- The Bengal Revenue-free Lands (Badshahi Grants) Regulation, 1793 (Bengal Regulation XXXVII of 1793).
- The Bengal Wills and Intestacy Regulation, 1799 (Bengal Regulation V of 1799).
- The Bengal Revenue-free Lands Regulation, 1800 (Bengal Regulation VIII of 1800).
- The Bengal Land-revenue Assessment Regulation, 1801 (Bengal Regulation I of 1801).
- The Cuttack Land-revenue Regulation, 1805 (Bengal Regulation XII of 1805).
- The Bengal Charitable Endowments, Public Buildings and Escheats Regulation, 1810 (Bengal Regulation XIX of 1810).
- The Bengal Land-revenue Sales Regulation, 1812 (Bengal Regulation V of 1812).
- The Bengal Ghatwali Lands Regulation, 1814 (Bengal Regulation XXIX

o 1814).

- The Bengal Patwaris Regulation, 1817 (Bengal Regulation XII of 1817).
- The Bengal Kanungos and Patwaris Regulation, 1819 (Bengal Regulation I of 1819).
- The Bengal Land-revenue Assessment (Resumed Lands) Regulation, 1819 (Bengal Regulation II of 1819).
- The Bengal Land-revenue (Assistant Collectors) Regulation, 1821 (Bengal Regulation IV of 1821).
- The Bengal Land-revenue Settlement Regulation, 1822 (Bengal Regulation VII of 1822).
- The Bengal Government Indemnity Regulation, 1822 (Bengal Regulation XI of 1822).
- The Bengal Land-revenue Settlement Regulation, 1825 (Bengal Regulation IX of 1825).
- The Bengal Land-revenue Settlement (Resumed Kanungos and Revenue-free Lands) Regulation, 1825 (Bengal Regulation XIII of 1825).
- The Bengal Revenue-free Lands Regulation, 1825 (Bengal Regulation XIV of 1825).
- The Bengal Attached Estates Management Regulation, 1827 (Bengal Regulation V of 1827).
- The Bengal Land-revenue Assessment (Resumed Lands) Regulation, 1828 (Bengal Regulation III of 1828).
- The Bengal Revenue Commissioners Regulation, 1829 (Bengal Regulation I of 1829).
- The Bengal Land-revenue (Settlement and Deputy Collectors) Regulation, 1833 (Bengal Regulation IX of 1833).
- The Rent Recovery Act, 1853 (Act VI of 1853).
- The Bengal Land-revenue Sales Act, 1859 (Act XI of 1859).
- The Bengal Rent Act, 1862 (Bengal Act VI of 1862).
- The Bengal Alluvion (Amendment) Act, 1868 (Bengal Act IV of 1868).
- The Bengal Survey Act, 1875 (Bengal Act V of 1875).
- The Bengal Irrigation Act, 1876 (Bengal Act III of 1876).
- The Land Registration Act, 1876 (Bengal Act VII of 1876).
- The Court of Wards Act, 1879 (Bengal Act IX of 1879).
- The Cess Act, 1880 (Bengal Act IX of 1880).
- The Bengal Embankment Act, 1882 (Bengal Act II of 1882).
- The Calcutta Survey Act, 1887 (Bengal Act I of 1887).
- The Land Records Maintenance Act, 1895 (Bengal Act III of 1895).
- The Estates Partition Act, 1897 (Bengal Act V of 1897).
- The Indian Stamp Act, 1899 (Act II of 1899).
- The Bengal Public Demands Recovery Act, 1913 (Bengal Act III of 1913).
- The Bengal Wakf Act, 1934 (Bengal Act XIII of 1934).
- The Bengal Development Act, 1935 (Bengal Act XVI of 1935).
- The Bengal Tanks Improvement Act, 1939 (Bengal Act XV of 1939).
- The West Bengal Private Forests Act, 1948 (West Bengal Act XIV of 1948).
- The West Bengal Non-Agricultural Tenancy Act, 1949 (West Bengal Act XX of 1949).
- The Cooch Behar (Assimilation of State Laws) Act, 1950 (West Bengal Act LXIII of 1950).
- The West Bengal Evacuee Property Act, 1951 (West Bengal Act V of 1951).
- The West Bengal Estates Acquisition Act, 1953 (West Bengal Act I of 1954).

- The West Bengal Land Reforms Act, 1955 (West Bengal Act X of 1956).
- The West Bengal Agricultural Lands and Fisheries (Acquisition and Resettlement) Act, 1958 (West Bengal Act XVIII of 1958).
- The West Bengal Court-fees Act, 1970 (West Bengal Act X of 1970).
- The West Bengal Religious Buildings and Places Act, 1985 (West Bengal Act XXXII of 1985).