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PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1671-L.—22nd November, 2013.—The Governor having been pleased to order, under rule 66 of the

Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Kolkata Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 29 of 2013

**THE KOLKATA MUNICIPAL CORPORATION
(AMENDMENT) BILL, 2013.**

**A
BILL**

to amend the Kolkata Municipal Corporation Act, 1980.

WHEREAS it is expedient to amend the Kolkata Municipal Corporation Act, 1980, for the purpose and in the manner hereinafter appearing;

West Ben. Act
LIX of 1980.

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

Short title and commencement.

1. (1) This Act may be called the Kolkata Municipal Corporation (Amendment) Act, 2013.

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

*The Kolkata Municipal Corporation (Amendment)
Bill, 2013.*

(Clause 2.)

Amendment of
section 11 of West
Ben. Act LIX of
1980.

2. In section 11 of the Kolkata Municipal Corporation Act, 1980,—

(a) for sub-section (4), the following sub-section shall be substituted:—

“(4) The members of each Borough Committee shall elect, in accordance with such procedure as may be determined by regulations, one of its members to be the Chairman of the Borough Committee.”;

(b) after sub-section (4), the following sub-section shall be inserted:—

“(4A) In case of any casual vacancy in the office of the Chairman caused by death, resignation, removal or otherwise, the members shall, in accordance with such procedure as may be determined by regulations, elect one of the Councillors to fill up the vacancy.”;

(c) for sub-section (5), the following sub-section shall be substituted:—

“(5) The Chairman shall cease to hold office as such if he ceases to be a Councillor of the concerned ward forming part of the Borough Committee.”;

(d) after sub-section (5), the following sub-sections shall be inserted:—

“(5A) The Chairman may at any time resign his office by giving notice in writing to the Mayor and the resignation shall take effect from the date of its acceptance by Mayor.

(5B) The Chairman may be removed from office by a resolution carried by a majority of the total number of elected members of the Borough Committee holding office for the time being, present and voting by them, at a special meeting to be called for this purpose in the manner as may be determined by the Corporation by regulation upon a requisition made in writing by not less than one-third of the total number of the elected members of the Borough Committee, and the procedure for the conduct of business in the special meeting shall be such as may be determined by the Corporation by regulations:

Provided that no such resolution shall be moved before the expiry of six months from the date of assumption of office by a Chairman, and if such resolution is not carried by a majority of the total number of elected members, present and voting by them, no further resolution for such purpose shall be moved before the expiry of a period of six months from the date on which the former resolution was moved.”.

STATEMENT OF OBJECTS AND REASONS.

It is considered necessary and expedient to amend the Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980) (hereinafter referred to as the

*The Kolkata Municipal Corporation (Amendment)
Bill, 2013.*

siad Act), for the purpose of making provisions, *inter alia*, for determining—

- (a) the term of the Chairman of the Borough Committee;
- (b) the procedure for removal of the Chairman, if necessary; and
- (c) the procedure for filling up of any vacancy in the post of Chairman by the members.

2. The Bill has been framed with the above objects in view.

3. There is no financial implication involved in giving effect to the provisions of the Bill.

KOLKATA,

The 22nd November, 2013.

FIRHAD HAKIM,

Member-in-Charge.

By order of the Governor,

SIDDHARTHA CHATTOPADHYAY,
*Secy.-in-Charge to the Govt. of West Bengal,
Law Department.*