

The



Kolkata Gazette

सत्यमेव जयते

Extraordinary
Published by Authority

PHALGUNA 9]

THURSDAY, FEBRUARY 28, 2013

[SAKA 1934]

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. 397-L.—28th February, 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. 4 of 2013

**THE WEST BENGAL MUNICIPAL
(AMENDMENT) BILL, 2013.**

A
BILL

to amend the West Bengal Municipal Act, 1993.

WHEREAS it is expedient to amend the West Bengal Municipal Act, 1993, for the purposes and in the manner hereinafter appearing;

West Ben. Act
XXII of 1993.

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 West Bengal Municipal (Amendment) Act, 2013.

(2) This section shall come into force at once, and the remaining provisions of this Act shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

*The West Bengal Municipal
(Amendment) Bill, 2013.*

(Clauses 2-6.)

Amendment of
section 1 of West
Ben. Act XXII of
1993.

2. To the proviso to sub-section (5) of section 1 of the West Bengal Municipal Act, 1993 (hereinafter referred to as the principal Act), for the words figures and brackets “the Council for the hill areas under sub-section (1) of section 31 of the Darjeeling Gorkha Hill Council Act, 1988”, the words and figures “the Gorkhaland Territorial Administration constituted under the Gorkhaland Territorial Administration Act, 2011” shall be substituted.

West Ben. Act
XIII of 1988.
West Ben. Act
XX of 2011.

Amendment of
section 2.

3. In section 2 of the principal Act,—

- (i) clause (11) shall be omitted;
- (ii) after clause (21), the following clause shall be inserted:—

“(21A) ‘Gorkhaland Territorial Administration’ means the Gorkhaland Territorial Administration constituted under the Gorkhaland Territorial Administration Act, 2011;”;

- (iii) for clause (23), the following clause shall be substituted:—

“(23) ‘hill areas’ means the areas within the region as specified in clause (0) of section 2 of the Gorkhaland Territorial Administration Act, 2011.”.

Amendment of
section 6.

4. In section 6 of the principal Act,—

- (a) after the words “a municipal area”, the words “with a specific nomenclature”, shall be inserted; and
- (b) the following provisos shall be added:—

“Provided that the Governor may change the nomenclature of a municipal area under this section:

Provided further that for change of nomenclature of a municipal area the provisions of section 4 and section 5 shall *mutatis mutandis* be followed.”.

Amendment of
section 90A.

5. In section 90A of the principal Act, after the words “the action taken reports”, the words “as well as the report of the Comptroller and Auditor General in respect of the Municipalities” shall be inserted.

Substitution of
new section for
section 435A.

“Financial and
technical help by
Gorkhaland
Territorial
Administration.

435A. The Gorkhaland Territorial Administration constituted under the Gorkhaland Territorial Administration Act, 2011, may provide to a Municipality in the hill area such financial and technical assistance as it may require in any emergent circumstances.”.

STATEMENT OF OBJECTS AND REASONS.

It has been considered necessary and expedient to amend the West Bengal Municipal Act, 1993 (West Ben. Act XXII of 1993) for the purposes, *inter alia*, of,—

- (a) empowering Gorkhaland Territorial Administration as constituted under the Gorkhaland Territorial Administration Act, 2011 to provide to a Municipality within the jurisdictional limits of the said administration such financial and technical assistance as it may require in any emergent circumstances;

*The West Bengal Municipal
(Amendment) Bill, 2013.*

- (b) determining the nomenclature of the Municipalities; and
- (c) placing the report of the Comptroller and Auditor General in respect of the Municipalities before the Legislative Assembly.

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 this Bill.

KOLKATA,
The 27th February, 2013.

FIRHAD HAKIM,
Member-in-charge.

By order of the Governor,

MALAY MARUT BENERJEE
*Secy. to the Govt. of West Bengal,
Law Department.*