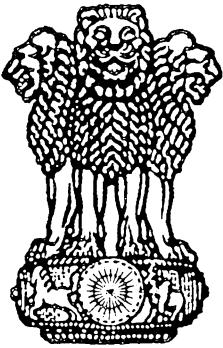


The



Kolkata Gazette

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FRIDAY, MARCH 8, 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. 434-L.—8th March, 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 and the Financial Memorandum which accompany it, in the *Kolkata Gazette*, the Bill and the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

Bill No. 8 of 2013

THE CITY CIVIL COURT (AMENDMENT) BILL, 2013.

A

BILL

to amend the City Civil Court Act, 1953.

WHEREAS it is expedient to amend the City Civil Court Act, 1953, for the purposes and in the manner hereinafter appearing;

West Ben. Act
XXI of 1953.

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 City Civil Court (Amendment) Act, 2013.

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

Amendment of
section 5 of West
Ben. Act XXI of
1953.

2. In sub-section (2) of section 5 of the City Civil Court Act, 1953 (hereinafter referred to as the principal Act), for the words "rupees ten lakhs", the words "rupees one crore" shall be substituted.

The City Civil Court (Amendment) Bill, 2013.

(Clauses 3-6.)

Amendment of section 8.

3. In sub-section (3) of section 8 of the principal Act, for the words and figures "the West Bengal Premises Tenancy Act, 1956", the words and figures "the West Bengal Premises Tenancy Act, 1997" shall be substituted.

West Ben. Act XII of 1956. West Ben. Act XXXVII of 1997.

Amendment of section 8A.

4. In section 8A of the principal Act, for the words and figures "the West Bengal Premises Tenancy Act, 1956", the words and figures "the West Bengal Premises Tenancy Act, 1997" shall be substituted.

Amendment of Second Schedule.

5. In the Second Schedule to the principal Act, for the entries in column (1), column (2), column (3) and column (4) under the heading "Acts of the West Bengal Legislature", the following entries shall be substituted in column (1), column (2), column (3) and column (4), respectively:—

'1997	XXXVII	The West Bengal Premises and Tenancy Act, 1997.	In Schedule IV, for clauses (a) and (b), the following clauses shall be substituted:—
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(a) in case the value of the suit exceeds rupees one crore, to the High Court at Calcutta;

(b) in case the value of the suit does not exceed one crore but exceeds sixty thousand, to the City Civil Court established under section 3 of the City Civil Court Act, 1953.".

West Ben. Act XXI of 1953.

Savings of suits, appeals and proceedings in High Court.

6. Nothing in this Act shall affect any suit, appeal or proceeding pending in the High Court on the date on which this Act comes into force and every such suit, appeal or proceeding shall be continued as if this Act had not been passed.

STATEMENT OF OBJECTS AND REASONS.

The existing pecuniary jurisdiction of the City Civil Court, Kolkata, is rupees ten lakhs in accordance with provisions of the City Civil Court (Amendment) Act, 1990 (West Ben. Act XXVIII of 1990). Since the year 1990, there has been a fall in money value to a great extent and therefore, it is considered expedient and necessary to enhance the existing pecuniary jurisdiction of the City Civil Court, Kolkata, from rupees ten lakhs to rupees one crore in the interest of litigant public, by way of amending the provisions of sub-section (2) of section 5 of, and the Second Schedule to, the City Civil Court Act, 1953 (West Ben. Act XXI of 1953).

2. Since the West Bengal Premises Tenancy Act, 1956 (West Ben. Act XII of 1956) has been repealed and re-enacted by the West Bengal Premises Tenancy Act, 1997 (West Ben. Act XXXVII of 1997), it is further considered expedient and necessary to amend sections 8 and 8A of the City Civil Court Act, 1953 (West Ben. Act XXI of 1953) with the reference of the repealing statute i.e. the West Bengal Premises Tenancy Act, 1997 (West Ben. Act XXXVII of 1997).

The City Civil Court (Amendment) Bill, 2013.

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

KOLKATA,
The 7th March, 2013.

CHANDRIMA BHATTACHARYA,
Member-in-charge.

FINANCIAL MEMORANDUM.

There is no financial implication involved in the Bill.

KOLKATA,
The 7th March, 2013.

CHANDRIMA BHATTACHARYA,
Member-in-charge.

By order of the Governor,

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