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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. 1088-L.—23rd June, 2014.—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. 11 of 2014

**THE HOWRAH MUNICIPAL CORPORATION
(SECOND AMENDMENT) BILL, 2014.**

**A
BILL**

to amend the Howrah Municipal Corporation Act, 1980.

WHEREAS it is expedient to amend the *Howrah Municipal Corporation Act, 1980*, for the purposes and in the manner hereinafter appearing;

West Ben. Act
LVIII of 1980.

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

1. (1) This Act may be called the Howrah Municipal Corporation (Second Amendment) Act, 2014.

*The Howrah Municipal Corporation
(Second Amendment) Bill, 2014.*

(Clause 2.)

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

Substitution of
new section for
section 219 of
the West Ben.
Act LVIII of
1980.

2. For section 219 of the Howrah Municipal Corporation Act, 1980 the following section shall be substituted:—

Schedules. 219 (1) The State Government may, on the recommendation of the Corporation, by notification, add to, amend or alter any Schedule, to this Act except Schedule I:

Provided that when the Corporation has not been constituted under this Act, the State Government may, if it considers necessary or expedient so to do, by notification, add to, amend or alter any Schedule to this Act except Schedule I:

Provided further that the State Government may, by notification and in such other manner as it may determine, declare its intention to include any area in the neighbourhood of Howrah, within the limits of Howrah, to be administered by the Corporation under this Act, or to exclude any area from the limits of Howrah.

(2) Any local authority or any inhabitants or rate-payers of such area, affected by such intention of the State Government declared by such notification, may, if they object to such intention, submit their objections in writing to the State Government within such period as may be specified in such notification; and the State Government shall take such objections into consideration.

(3) When the period as aforesaid has expired and the State Government has considered the objections (if any) under sub-section (2), and if the West Bengal Legislative Assembly has, by resolution adopted in this behalf with or without amendment, approved of such intention, the State Government may, by notification, include such area or any portion thereof within the limits of Howrah, to be administered by the Corporation under this Act, or exclude such area or any portion thereof from the limits of Howrah, as the case may be, and thereupon Schedule I of this Act shall be deemed to be amended accordingly.

(4) Upon the inclusion of any area in the neighbourhood of Howrah within the limits of Howrah under this section,—

(a) the West Bengal Municipal Act, 1993, or the West Bengal *Zilla Parishads*, Act, 1963, or the West Bengal *Panchayat* Act, 1973, or the West Bengal Townships (Extension of Civic Amenities) Act, 1975, as the case may be, if in force in such area, shall be deemed to be repealed therein; and

(b) except as the State Government may, by notification, otherwise direct, any rules, regulations or orders made or any directions issued or any powers conferred under the provisions of this Act, which are in force at the date of such inclusion, shall apply to such area in supersession of the corresponding rules, regulations or orders made or any directions issued or any powers conferred under the West Bengal Municipal Act, 1993, or the West Bengal *Zilla Parishads* Act, 1963, or the West Bengal *Panchayat* Act, 1973, or the West Bengal Townships (Extension of Civic Amenities) Act, 1975, as the case may be.

West Ben. Act
XXII of 1993.
West Ben. Act
XXV of 1963.
West Ben. Act
XLI of 1973.
West Ben. Act
XLII of 1975.

*The Howrah Municipal Corporation
(Second Amendment) Bill, 2014.*

(5) Upon the exclusion of any area from the limits of Howrah under this section, this Act or any rules, regulations or orders made or any directions issued or any powers conferred under this Act shall cease to apply to such area.

(6) The State Government may issue such orders as it may consider necessary to give effect to the inclusion or the exclusion of any area within or from the limits of Howrah, as the case may be, under this section or to any matter incidental or ancillary to such inclusion or exclusion."

STATEMENT OF OBJECTS AND REASONS.

It is considered necessary and expedient to amend the Howrah Municipal Corporation Act, 1980 (West Ben. Act LVIII of 1980) (hereinafter referred to as said Act) for the purpose of making provisions, *inter alia*, for—

- (a) the procedure for inclusion of any area in the neighbourhood of Howrah within the limits of Howrah to be administered by the Howrah Municipal Corporation under the said Act; and
- (b) the procedure for exclusion of any area from the limits of Howrah as defined in the said Act.

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 23rd June, 2014.

FIRHAD HAKIM,
Member-in-charge.

By order of the Governor,

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