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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. 690-L.—25th May, 2015.—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. 14 of 2015

**THE WEST BENGAL PANCHAYAT
(AMENDMENT) BILL, 2015.**

**A
BILL**

to amend the West Bengal Panchayat Act, 1973.

WHEREAS it is expedient to amend the West Bengal *Panchayat Act, 1973*, for the purposes and in the manner hereinafter appearing;

West Ben. Act
XLI of 1973.

It is hereby enacted in the Sixty-sixth 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 *Panchayat (Amendment)* Act, 2015.

(2) It shall come into force on such date or dates as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different sections.

*The West Bengal Panchayat
(Amendment) Bill, 2015.*

(Clauses 2-4.)

Amendment of
section 23.

2. Proviso to sub-section (1) of section 23 of the West Bengal *Panchayat* Act, 1973 (hereinafter referred to as the principal Act) shall be renumbered as the second proviso to that sub-section and before sub-section so re-numbered, the following proviso shall be added:—

“Provided that where the State Government or an authority or agency under the State Government intends to set up or has set up an industrial estate or industrial park within the jurisdiction of a *Gram Panchayat*, permission for erection of any structure or building or any addition to the structure or building for setting up an industry within such industrial estate or industrial park, shall be obtained from such authority or industrial development authority or corporation as the State Government may, by notification, specify.”.

Amendment of
section 114A.

3. To sub-section (1) of section 114A of the principal Act, the following proviso shall be added:—

“Provided that where the State Government or an authority or agency under the State Government intends to set up or has set up an industrial estate or industrial park within the jurisdiction of a *Panchayat Samiti*, permission for erection of any structure or building or any addition to the structure or building for setting up an industry within such industrial estate or industrial park, shall be obtained from such authority or industrial development authority or corporation as the State Government may, by notification, specify.”.

Amendment of
section 116.

4. In section 116 of the principal Act,—

(1) in sub-section (1),—

- (a) in the marginal note, for the words “offensive and dangerous”, the words “of special nature” shall be substituted;
- (b) for the words “offensive or dangerous”, the words “of special nature” shall be substituted;
- (c) for the word “licence”, the words “certificate of registration” shall be substituted;
- (d) for the word “annually”, the words “annually or after every three years depending on the nature of trade” shall be substituted;

(2) in sub-section (2), for the word “licence”, the words “certificate of registration” shall be substituted;

(3) in sub-section (3),—

- (a) for the word “licence”, wherever it occurs, the words “certificate of registration” shall be substituted;
- (b) for the words “offensive or dangerous”, the words “of special nature” shall be substituted;

(4) in sub-section (4), the word “licence”, wherever they occur, the words “certificate of registration” shall be substituted.

*The West Bengal Panchayat
(Amendment) Bill, 2015.*

STATEMENT OF OBJECTS AND REASONS.

It has been considered necessary and expedient to amend the West Bengal *Panchayat* Act, 1973 (West Ben. Act XLI of 1973) (hereinafter referred to as the said Act), by way of making amendments,—

- (1) in section 23 of the said Act in order to inserting a new proviso to make provision for seeking permission from such authority or industrial development authority or corporation as may be notified by the State Government, for erection of any structure or building or any addition to the structure or building for setting up an industry within an industrial estate or industrial park within the jurisdiction of a *Gram Panchayat* by the State Government or by an agency or authority of the State Government;
- (2) in section 114A of the said Act in order to inserting a new proviso to make provision for seeking permission from such authority or industrial development authority or corporation as may be notified by the State Government, for erection of any structure or building or any addition to the structure or building for setting up an industry within an industrial estate or industrial park within the jurisdiction of a *Panchayat Samiti* by the State Government or by an agency or authority of the State Government;
- (3) in section 116 of the said Act,—
 - (a) the term “offensive and dangerous” trade has been modified as trade “of special nature”;
 - (b) the provision of “licence” in respect of such trade has been changed to “certificate of registration”;
 - (c) a new provision has been incorporated to make the certificate of registration renewable annually or after every three years depending on the nature of trade.

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

3. There is no financial implication involved in the Bill.

KOLKATA,
The 22nd May, 2015.

SUBRATA MUKHERJEE,
Member-in-charge.

By order of the Governor,

MADHUMATI MITRA,
*Secy. to the Govt. of West Bengal,
Law Department.*