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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. 254-L.— 16th February, 2018.—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. 10 of 2018**

**THE NEW TOWN, KOLKATA DEVELOPMENT AUTHORITY  
(AMENDMENT) BILL, 2018.**

**A  
BILL**

*to amend the New Town, Kolkata Development Authority Act, 2007.*

WHEREAS it is expedient to amend the New Town, Kolkata Development Authority Act, 2007, for the purposes and in the manner hereinafter appearing;

West Ben. Act  
XXX of 2007.

It is hereby enacted in the Sixty-ninth 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 New Town, Kolkata Development Authority (Amendment) Act, 2018.

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

*The New Town, Kolkata Development Authority  
(Amendment) Bill, 2018.*

(Clause 2.)

Insertion of new Chapter after Chapter XIV of West Ben. Act. XXX of 2007.

2. After Chapter XIV of the New Town, Kolkata Development Authority Act, 2007 (hereinafter referred to as the principal Act), the following Chapter shall be inserted:—

**“CHAPTER XIVA  
Animals and Birds**

Premises not to be used for keeping animals, birds, etc., without licence. 130A. No person shall use, or permit to be used, any land or premises for keeping horse, cattle, pig, dog or other quadruped animals or any kind of bird, for any purpose whatsoever without, or otherwise than in conformity with, the terms of a licence granted by the Chairman on payment of such fees as may be determined by the Development Authority by regulations:

Provided that the Development Authority may, by a written order, exempt any class of animal or bird from such licence or from any purpose for which such class of animal or bird may be kept.

Seizure of certain animals or birds. 130B. (1) If any cattle, horse, pig, dog, or any other four-footed animal or bird is kept on any land or premises in contravention of the provisions of this Chapter or is found roaming or straying or tethered on any street or public place or is found causing nuisance or danger to the public, the Chairman may direct any officer or employee of the Development Authority to seize such cattle, horse, pig, dog or any other four-footed animal or bird and may cause it to be impounded or removed to and maintained in such place as may be appointed by the Development Authority for this purpose; and the cost of such seizure and impounding or removing and maintenance shall be recoverable by sale of such animal or bird, as the case may be, by auction:

Provided that any person claiming such animal or bird may, within seven days of such seizure, get it released on his paying all the expenses incurred by the Development Authority in seizing, impounding or removing, or maintaining such animal or bird and on his producing such evidence in support of his claim as the Chairman may think sufficient.

(2) The proceeds of sale of any such animal or bird by auction under sub-section (1), shall be applied in meeting the expenses incurred on account of seizure, impounding or removal and maintenance of such animal or bird and of holding such sale; and the surplus, if any, shall be held in deposit by the Chairman and shall, if not claimed by the owner of such animal or bird within a period of ninety days from the date of sale, be credited to a fund maintained by the Development Authority.

Power to deal with infected dogs or animals. 130C. The Chairman may—

- (a) causes to be destroyed, or to be confined for such period as he may direct, any dog or other animal which is, or is reasonably suspected to be, suffering from rabies, or which has been bitten by any dog or other animal suffering or suspected to be suffering from rabies;
- (b) by public notice, direct that after such date as may be specified in the notice, dogs which are without a licence distinguishing them as private property and are found straying on the streets or beyond the enclosures of the houses of their owners, if any, may be confined and cause them to be otherwise dealt with or destroyed, if necessary.

*The New Town, Kolkata Development Authority  
(Amendment) Bill, 2018.*

(Clause 2.)

Power to stop  
nuisances from  
animals within  
premises.

130D. (1) Whenever the Chairman is of opinion that user of any premises for keeping any animal or bird, even if licensed, is causing a nuisance and that such nuisance should immediately be stopped, the Chairman may, by order, require the owner or the occupier of such premises to stop such nuisance within such period as may be specified in the order.

(2) If, at the end of such period, the nuisance is not stopped, the Chairman or any other officer authorised by him in this behalf, may cause such use of such premises to be stopped forthwith by such means as he thinks fit and direct such owner or occupier to show cause why the licence for keeping the animal or the bird, as the case may be, shall not be cancelled.

(3) If such owner or occupier does not show cause to the satisfaction of the Chairman or if the nuisance is not abated, the nuisance shall be stopped by the seizure and auction of the animal or the bird found in the premises after cancellation of the licence thereof.

Control and  
removal of  
*Khataals*.

130E. Subject to the provisions of any other law for the time being in force for removal of *Khataals*, the Development Authority may make regulations specifically for control of *khataals* within the area of Development Authority or removal of *khataals* therefrom.”.

#### STATEMENT OF OBJECTS AND REASONS.

The New Town, Kolkata Development Authority has been constituted as per the New Town, Kolkata Development Authority Act, 2007 (West Ben. Act XXX of 2007), to provide civic services to the inhabitants of this developing Green Field City. Since the project is under rapid development, the instant legislation is of utmost importance for the benefit of the township as a whole.

2. Since the township of New Town is now in developing stage, there are considerable number of vacant plots and people from neighbourhood areas which are mostly rural areas, have been letting their cattles and other livestock lease to graze or other purposes in the vacant plots of New Town. Apart from creating nuisances and being source of health hazards, these cattles often venture into the Major Roads in New Town posing serious threat to road safety specially, to the fast moving traffic on Biswa Bangla Sarani (MAR-1111) and other Major Arterial Roads and causing fatal road accidents involving human casualties and cattle casualties in the city.

3. Apart from the problem of intruding cattles from neighbourhood areas, there are some stray cattles roaming in New Town causing nuisance, creating health hazards which are becoming potential threat to road safety.

4. Such free influx and movements of cattles within the city periphery needs to be controlled to ensure safety and well being of the citizens as well as to the cattle.

*The New Town, Kolkata Development Authority  
(Amendment) Bill, 2018.*

5. Therefore, in order to control and regulate safe movements of cattle within New Town, Kolkata and thereby, to avoid harm or injury to human lives and also to cattle, it is considered necessary and expedient to make amendments to the New Town, Kolkata Development Authority Act, 2007, to provide regulatory powers to the New Town, Kolkata Development Authority, to control such free flow of cattle within the New Town, Kolkata.

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

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

KOLKATA,  
*The 15th February, 2018.*

FIRHAD HAKIM,  
*Member-in-Charge.*

By order of the Governor,

AKHILESH KUMAR PANDEY,  
*Secy.-in-Charge to the Govt. of West Bengal,  
Law Department.*