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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. 925-L.—12th September, 2022.—The Governor having been pleased to order, in cancellation of the

notification No. 896-L., dated 6th September, 2022, under rule 66 of the Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the re-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 re-published for general information:—

**Bill No. 20 of 2022**

**THE WEST BENGAL SCHEDULED CASTES AND SCHEDULED TRIBES (IDENTIFICATION) (AMENDMENT) BILL, 2022.**

**A**

**BILL**

*to amend the West Bengal Scheduled Castes and Scheduled Tribes (Identification) Act, 1994.*

WHEREAS it is expedient to amend the West Bengal Scheduled Castes and Scheduled Tribes (Identification) Act, 1994, for the purpose and in the manner hereinafter appearing;

West Ben.  
Act XXXVII  
of 1994.

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

1. (1) This Act may be called the West Bengal Scheduled Castes and Scheduled Tribes (Identification) (Amendment) Act, 2022.

*The West Bengal Scheduled Castes and Scheduled Tribes (Identification) (Amendment) Bill, 2022.*

(Clause 2.)

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

Insertion of new section after section 9 of West Ben. Act XXXVII of 1994.

2. After section 9 of the West Bengal Scheduled Castes and Scheduled Tribes (Identification) Act, 1994, the following section shall be inserted:—

“Appeal against cancellation etc. of certificates. 9A. (1) An appeal against any cancellation, impounding or revocation of the certificate under sub-section (1) of section 9 shall lie—

- (a) to the District Magistrate, or the Additional District Magistrate authorised by the District Magistrate in this behalf, where the certificate is cancelled or impounded or revoked by the Sub-Divisional Officer, and
- (b) to the Commissioner, Presidency Division, where the certificate is cancelled or impounded or revoked by an officer authorised under clause (b) of section 5, as the case may be:

Provided that every such appeal shall be made in such manner and within such time as may be prescribed:

Provided further that every such appeal shall be disposed of within three months from the date on which that appeal has been made:

Provided also that no such appeal shall be disposed of without giving the appellant a reasonable opportunity of being heard.

(2) The decision of the District Magistrate or the Additional District Magistrate or the Commissioner, Presidency Division, as the case may be, on any appeal under sub-section (1) shall be final.”.

**STATEMENT OF OBJECTS AND REASONS.**

Section 8 of the West Bengal Scheduled Castes and Scheduled Tribes (Identification) Act, 1994 (hereinafter referred to as the said Act) provides for an “Appeal against refusal to issue certificate”. There was no such provision of Appeal against cancellation, impounding or revocation of caste certificate by the issuing authority under the said Act.

2. Now, the State Government has considered it necessary and expedient to insert section 9A for providing provision of Appeal against cancellation, impounding or revocation of caste certificate to be dealt with by the District Magistrate or the Additional District Magistrate in the districts and by the Commissioner, Presidency Division, in Kolkata district.

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

4. There is no financial implication involved in giving effect to the provisions of the Bill.

KOLKATA:

*The 30th August, 2022.*

BULU CHIK BARAIK,

*Member-in-charge.*

By order of the Governor,

PRADIP KUMAR PANJA,  
*Secy. to the Govt. of West Bengal,  
Law Department.*