

Government of West Bengal
Urban Development & Municipal Affairs Department
(Municipal Affairs Branch)
Poura Prashasan Bhavan
DD- I, Salt Lake: Kolkata – 700064

No. 358/MA/O/C-4/1A-1/2017

Dated, Kolkata, the 29th day of May, 2017

From: The Joint Secretary to the
Government of West Bengal.

To: The Chairman/ Chairperson, _____ Municipality/ Notified Area
Authority,
P.O. _____, District. _____.

Sir/Madam,

I am directed to send herewith a copy of the Notification 195/MA/O/C-4/1A-1/2017 dated 31st March, 2017 indicating the 1st April, 2017 as the date on and from which the provision of the West Bengal Municipal (Amendment) Act, 2017 shall come into force, as published in the Kolkata Gazette Extraordinary on 6th April, 2017 along with a copy of the Gazette Notification of the West Bengal Municipal (Amendment) Act, 2017(West Ben. Act XI of 2017) vide Law Department Notification No. 386-L dated: 31st March, 2017 and to make the following clarifications as regards to Section 69A in the West Bengal Municipal (Amendment) Act, 2017:

- a) The provisions of the Section 69A ibid, may be effected from the date of issuance of rules/ procedure as may be prescribed by the Administrative department.
- b) Existing Executive Officers or Finance officers, whether regular or re-employed can discharge all the functions as assigned to them and all functions under Section 69A shall be performed only by the regular officers as will be notified by this Department separately.
- c) it is clearly stipulated in Section 60A(4) of the West Bengal Municipal Act, 1993 that in absence of the Executive Officer or the Finance Officer, the powers of the Executive officer or the Finance Officer under the Act or rules made thereunder shall be exercised by the Chairman or by the Vice-Chairman or by any councilor or by any officer of the Municipality as may be nominated by the Chairman. Hence, the Chairman may take necessary action accordingly.

Yours faithfully,


29/5/2017
Joint Secretary

No. 358/1(160)/MA/O/C-4/1A-1/2017

Dated, Kolkata, the 29th day of May, 2017

Copy, along with a copy of the of the Gazette Notification No. 195/MA/O/C-4/1A-1/2017 dated 31st March, 2017 and a copy of the Gazette Notification of the West Bengal Municipal (Amendment) Act, 2017(West Ben. Act XI of 2017) vide Law Department Notification No. 386-L dated: 31st March, 2017, forwarded for information and necessary action to the: -

- (1) Chief Engineer, Municipal Engineering Directorate.
- (2) Director of Local Bodies, Purta Bhawan, Bidhannagar, Kolkata-91
- (3) District Magistrate, _____, P.O. _____, Dist. _____;
- (4) Executive Officer, _____ Municipality/ Notified Area Authority,
P.O. _____, Dist. _____.
- (5) P.S. to MIC, UD & MA Department, Govt. Of West Bengal.
- (6) Sr. P.A. to Secretary of this Department.


29/5/2017
Joint Secretary

The
Kolkata  **Gazette**
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Extraordinary
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CAITRA 16]

THURSDAY, APRIL 6, 2017

[SAKA 1939

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
Urban Development & Municipal Affairs Department
(Municipal Affairs Branch)
Poura Prashasan Bhawan
DD-I, Salt Lake, Kolkata - 700 064

NOTIFICATION

No. 195/MA/O/C-4/1A-1/2017

Dated, Kolkata, the 31st day of March, 2017

In exercise of the powers conferred by sub-section (2) of section (1) of the West Bengal Municipal (Amendment) Act, 2017 (West Ben. Act XI of 2017) (hereinafter referred to as the said Act), the Governor is pleased hereby to appoint the 1st day of April, 2017 as the date on which this Act shall come into force.

By order of the Governor,

SANTANU DAS
Joint Secretary to the Govt. of West Bengal

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CHAITRA 10]

FRIDAY, MARCH 31, 2017

[SAKA 1939

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 386-L.—31st March, 2017.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XI of 2017

**THE WEST BENGAL MUNICIPAL
(AMENDMENT) ACT, 2017.**

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 31st March, 2017.]

An Act to amend the West Bengal Municipal Act, 1993.

WHEREAS it is expedient to amend the West Bengal Municipal Act, 1993, for the purposes and in the manner hereinafter appearing;

West Ben. Act
XXII of 1993.

It is hereby enacted in the Sixty-eighth 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 Municipal (Amendment) Act, 2017.

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

*The West Bengal Municipal
(Amendment) Act, 2017.*

(Sections 2-6.)

Amendment of section 54 of the West Ben. Act XXII of 1993.

2. In sub-section (3) of section 54 of the West Bengal Municipal Act, 1993 (hereinafter referred to as the principal Act), after the words “the State Government”, the words “and the order of such appointment shall be issued under the signature of the Executive Officer” shall be inserted.

Insertion of new section 69A after section 69.

3. After section 69 of the principal Act, the following section shall be inserted:—

“Operation of Bank account.

69A. Subject to other provisions of this Act, payment from the Municipal Fund shall be made in such manner as may be prescribed, and the accounts referred to in section 68 shall be jointly operated by the Executive Officer and the Finance Officer of the Municipality or by such other Officers of the Municipality as may be prescribed.”.

Amendment of section 73A.

4. In section 73A of the principal Act,—

- (a) for the words “twenty-five thousand”, the words “one lakh” shall be substituted;
- (b) for the words “one lakh fifty thousand”, the words “five lakhs” shall be substituted;
- (c) for the words “twenty-five lakh”, wherever they occur, the words “forty-five lakhs” shall be substituted.

Amendment of section 116.

5. In section 116 of the principal Act,—

- (a) in sub-section (1), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (b) in sub-section (2), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (c) in sub-section (3), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (d) in sub-section (4), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (e) in sub-section (5), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (f) in sub-section (6), for the word “Chairman”, the words “Executive Officer” shall be substituted.

Amendment of section 122.

6. In section 122 of the principal Act,—

- (a) in sub-section (2), in clause (c), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (b) in sub-section (3), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (c) in sub-section (4), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (d) in sub-section (6), for the word “Chairman”, the words “Executive Officer” shall be substituted.

*The West Bengal Municipal
(Amendment) Act, 2017.*

(Sections 7-12.)

Amendment of
section 151.

7. In section 151 of the principal Act,—

- (a) in sub-section (1), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (b) in sub-section (2), for the word “Chairman”, the words “Executive Officer” shall be substituted;

Amendment of
section 220.

8. In section 220 of the principal Act,—

- (a) in sub-section (1), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (b) in sub-section (2), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (c) in sub-section (3), for the word “Chairman”, the words “Executive Officer” shall be substituted.

Amendment of
section 263.

9. In section 263 of the principal Act,—

- (a) in sub-section (1), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (b) in sub-section (2), for the word “Chairman”, the words “Executive Officer” shall be substituted;
- (c) in sub-section (3), for the word “Chairman”, the words “Executive Officer” shall be substituted.

Amendment of
section 409.

10. In section 409 of the principal Act,—

- (a) in clause (b) of sub-section (1), after the word “Chairman”, the words “or the Executive Officer” shall be inserted;
- (b) in sub-section (2),—
 - (i) in clause (i), after the word “Chairman”, the words “or the Executive Officer” shall be inserted;
 - (ii) in clause (ii), after the word “Chairman” wherever it occurs, the words “or the Executive Officer” shall be inserted;
- (c) in sub-section (3), after the word “Chairman”, the words “or the Executive Officer” shall be inserted.

Amendment of
section 410.

11. In sub-section (3) of section 410 of the principal Act,—

- (a) in the first line, after the word “Chairman”, the words “or the Executive Officer” shall be inserted.
- (b) in the third line, after the words “the Chairman-in-Council”, the words “or the Executive Officer” shall be inserted.

Amendment of
section 412.

12. In section 412 of the principal Act, for the word “Chairman”, the words “Executive Officer” shall be substituted.

By order of the Governor,

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