

**GOVERNMENT OF WEST BENGAL**  
**DEPARTMENT OF URBAN DEVELOPMENT AND MUNICIPAL AFFAIRS**  
**(MUNICIPAL AFFAIRS BRANCH)**  
**DF-8, SECTOR-1, SALT LAKE, KOLKATA- 700 064**

**NOTIFICATION**

**No. 485/MA/O/C-4/1M-1/2001(Pt-II)**

**Dated, Kolkata, the 22<sup>nd</sup> March, 2021**

WHEREAS due to some exceptional and unavoidable circumstances, it was not possible to hold the general election to Kolkata Municipal Corporation before the expiry of the period of five years and Board of Councillors of the Kolkata Municipal Corporation was dissolved after expiry of its tenure in terms of provisions of sub-section (1) of section 81 of the Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980);

AND WHEREAS in terms of notification No. 334/MA/O/C-4/1A-1/2020, dated the 6<sup>th</sup> May, 2020, Board of Administrators has been appointed in Kolkata Municipal Corporation under provisions of section 634 of the Kolkata Municipal Corporation Act, 1980 read with the executive power of the State conferred by the Constitution of India, for ensuring continuity of functioning of the Corporation for providing all emergency and normal public utility services;

AND WHEREAS the Hon'ble High Court, Calcutta in WP 5390 (W) of 2020 read with WP 5412 (W) of 2020 titled as Pratap Banerjee -Vs- State of West Bengal & Ors. vide judgement dated. 25.08.2020 upheld the appointment of Board of Administrator, KMC;

AND WHEREAS the said judgement has been assailed before the Hon'ble Supreme Court of India in SLP (C) 10629 of 2020 (Pratap Banerjee -Vs- State of West Bengal & Ors.) with SLP (C) 10834 of 2020 and as such the Hon'ble Supreme Court is seisin over the said matter;

AND WHEREAS the Chairperson, Board of Administrators, Kolkata Municipal Corporation has tendered his resignation from the post of Chairperson of the Board of Administrators of the Kolkata Municipal Corporation and his resignation has been accepted by the State Government with effect from 20<sup>th</sup> March, 2021 which has been communicated vide No. 471/UDMA-15011(21)/1/2021-LS-MA SEC, dated the 20<sup>th</sup> March, 2021;

AND WHEREAS the Election Commission of India vide Order dated 20.03.2021, communicated vide No. 464/WB-LA/2021, dated the 20th March, 2021, has directed, in order to avoid a situation where critical functions of urban local bodies are actually discharged and thereby

affecting level playing field during the operation of Model code of Conduct or has potential of and/or may give rise to legitimate apprehension in the mind of the voters about the fairness and impartiality of the election process, to temporarily restrain such political appointees, who are holding the office of Administrators/ Head of Board of Administrators in the Municipal Corporations of West Bengal on appointment basis after the end of their elected term, from participating in/ exercising the function of the Board during the period the Model Code of Conduct is in force and to ensure a level playing field in all other Municipal Bodies in the State of West Bengal by rigorous reviews the decisions which can disturb the level playing field;

NOW, THEREFORE, in compliance with the direction of the Election Commission of India, in supersession of the notification issued earlier for this purpose under this Department notification No. 334/MA/O/C-4/1A-1/2020, dated the 6<sup>th</sup> May, 2020 as per deliberation made on 21.03.2021, in the committee constituted by Election Commission of India under Chairmanship of Chief Secretary, the State Government, in exercise of the power conferred by provisions of section 634 of the Kolkata Municipal Corporation Act, 1980 read with the executive power of the State conferred by the Constitution of India, is pleased hereby to appoint Sri Khalil Ahmed, IAS, Principal Secretary, Urban Development & Municipal Affairs Department as Administrator to the Kolkata Municipal Corporation with immediate effect till the new Board of Councillors of the Corporation takes over charge after the election to be held or until further orders, whichever is earlier for exercising or performing, as the case may be, all the powers and functions vested with the municipal authorities under the Kolkata Municipal Corporation Act, 1980 or under any other law for the time being in force, in addition to his normal duties as Principal Secretary, Urban Development & Municipal Affairs Department.

Board of Administrators, appointed earlier, including all its members cease to function with issuance of this notification.

Sd/- A. Bandyopadhyay

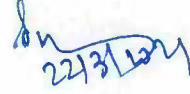
*Chief Secretary*

**No. 485/1/MA/O/C-4/1M-1/2001(Pt-II)**

**Dated, Kolkata, the 22<sup>nd</sup> March, 2021**

Copy forwarded for information and necessary action to -

1. Sri Khalil Ahmed IAS Principal Secretary, Urban Development & Municipal Affairs Department.



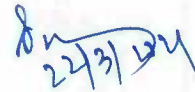
*Joint Secretary*

**No. 485/2(8) /MA/O/C-4/1M-1/2001(Pt-II)**

**Dated, Kolkata, the 22<sup>nd</sup> March, 2021**

Copy forwarded for information and necessary action to the: -

- (1) Secretary, State Election Commission, West Bengal, 18, Sarojini Naidu Sarani, Kol - 17.
- (2) Municipal Commissioner, Kolkata Municipal Corporation with the request to inform all outgoing members of erstwhile Board of Administrators accordingly.
- (3) PS to Hon'ble Minister-in-Charge, UD & MA Department.
- (4) Sr PS to Chief Secretary, West Bengal
- (5) Sr PS to Addl. Home & Hill Affairs Dept.
- (6) Sr PS to Principal Secretary P & AR Dept.
- (7) Sr. PA to Pr. Secretary, UD & MA Department.
- (8) Guard file of Statutory Wings of this Department.



*Joint Secretary*