

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

NOTIFICATION

No. 725/MA/O/C-4/1A-14/2017

Dated, Kolkata, the 6th day of November, 2017

In exercise of the powers conferred by sub-section (2) of section (1) of the Kolkata Municipal Corporation (Second Amendment) Act, 2017 (West Ben. Act XXXII of 2017) (hereinafter referred to as the said Act), the Governor is pleased hereby to appoint the **6th day of November, 2017** as the date on which this Act shall come into force.

By order of the Governor,
Sd./- Santanu Das
Joint Secretary to the Govt. of West Bengal.

No. 725/1(6)/MA/O/C-4/1A-14/2017

Dated, Kolkata, the 6th day of November, 2017

Copy, with a copy of the Kolkata Municipal Corporation (Second Amendment) Act, 2017, forwarded for information and necessary action to the, -

- (1) Municipal Commissioner, Kolkata Municipal Corporation, 5, S.N. Banerjee Road, Kolkata- 700 013.
- (2) Municipal Secretary, Kolkata Municipal Corporation, 5, S.N. Banerjee Road, Kolkata- 700 013.
- (3) P.S. to the Minister-in-Charge, Urban Development & Municipal Affairs Department.
- (4) Pr. S. to the Secretary, Urban Development & Municipal Affairs Department.
- (5) PA to Hon'ble Mayor, Kolkata Municipal Corporation, 5, S.N. Banerjee Road, Kolkata- 700 013.
- (6) Guard file of Cell – 4.


Joint Secretary

The



Kolkata **Gazette**

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FRIDAY, SEPTEMBER 15, 2017

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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1103-L.—15th September, 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 XXXII of 2017

**THE KOLKATA MUNICIPAL CORPORATION
(SECOND AMENDMENT) ACT, 2017.**

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette*,
Extraordinary, of the 15th September, 2017.]

An Act further to amend the Kolkata Municipal Corporation Act, 1980.

WHEREAS it is expedient to amend the Kolkata Municipal Corporation Act, 1980, for the purposes and in the manner hereinafter appearing;

West Ben. Act
LIX of 1980.

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 Kolkata Municipal Corporation (Second Amendment) Act, 2017.

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

*The Kolkata Municipal Corporation
(Second Amendment) Act, 2017.*

(Sections 2-6.)

Amendment of section 2 of West Ben. Act LIX of 1980.

2. In section 2 of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as the principal Act),—

- (1) for clause (81B), the following clause shall be substituted:—
‘(81B) “State Government” means the Government of the State of West Bengal in the Department of Urban Development and Municipal Affairs;’;
- (2) in clause (83B), after the words ‘in the scheme,’ the words ‘or land as the Corporation may by order specify, as the case may be,’ shall be inserted.

Amendment of section 171.

3. In section 171 of the principal Act,—

- (1) in clause (b) of sub-section (2), after the first proviso, the following proviso shall be added:—
“Provided further that notwithstanding anything contained in the first proviso, no property tax on such vacant land as specified by the Corporation shall be leviable on any premises in which there is a construction.”;
- (2) in sub-section (5), for the words ‘occupancy certificate’, the words ‘completion certificate’ shall be substituted.

Amendment of section 172.

4. In clause (b) of sub-section (1) of section 172 of the principal Act,—

- (1) in sub-clause (i), for the words “five hundred rupees”, wherever they occur, the words “two thousand rupees” shall be substituted.
- (2) in sub-clause (iA), for the words “any self-occupied residential land or building or portion thereof, annual value of which does not exceed one thousand rupees and owned singly or jointly by citizen who attained the age of sixty-five years or more, or owned by widow or deserted women irrespective of age, or a certified physically challenged person, as may be prescribed, irrespective of age, or jointly owned by any of these categories of persons:”, the words “to the extent of ten *per cent* of the property tax on land and building owned by singly or jointly by citizen who attained the age of sixty-five years or more, or owned by widow or deserted women irrespective of age, or a certified physically challenged person, as may be determined by the Corporation, irrespective of age, or jointly owned by any of these categories of persons in case such land and building is self-occupied and used for residential purpose:” shall be substituted.

Amendment of section 178.

5. In sub-section (5) of section 178 of the principal Act, for the words “occupancy certificate”, the words “completion certificate” shall be substituted.

Amendment of section 182A.

6. In section 182A of the principal Act,—

- (1) in sub-section (1),—
 - (a) in clause (a), for the words “within sixty days”, the words “within such time as the Corporation may, by order, determine” shall be substituted.
 - (b) in clause (b), the words “on an annual basis” shall be omitted;
 - (c) to clause (b), the following proviso shall be added:—
“Provided that such owner or person or any occupier, in the absence of such owner or person shall file a return within ninety days from the expiry of the quarter in which any circumstance of revision, as specified under sub-section (2) of section 180, occurs.”;
 - (d) in clause (c), for the word “shall”, the word “may” shall be substituted;
- (2) in sub-section (2), the words “Every such return shall be accompanied by proof of payment of such property tax and interest, if any.” shall be omitted;
- (3) in sub-section (3), for the words “within sixty days”, the words “within such time as the Corporation may, by order, determine” shall be substituted;
- (4) in sub-section (4),—
 - (a) for the words “occupancy certificate”, wherever they occur, the words “completion certificate” shall be substituted;
 - (b) for the words “thirty days”, the words “within such period as the Corporation may, by order, determine” shall be substituted.

*The Kolkata Municipal Corporation
(Second Amendment) Act, 2017.*

(Sections 7, 8.)

Amendment of
section 196.

7. In sub-section (2) of section 196 of the principal Act, after the words “by courier agency”, the words “or in such other manner as the Corporation may decide” shall be inserted.

Amendment of
section 539.

8. In section 539 of the principal Act,—

(1) for the words “with respect to the disposal of property”, the words “with respect to the disposal or otherwise of property” shall be substituted;

(2) after clause (d) the following clause shall be inserted:—

“(da) the Municipal Commissioner may, with the sanction of Mayor-in-Council, subject to payment of such utilisation fee as may be specified in the budget estimate referred to in sub-section (3) of section 131, or as may be decided by the Mayor-in-Council, whichever is higher, and on such terms and conditions to be determined by the Mayor-in-Council, grant license for utilisation of the immovable property.”.

By order of the Governor,

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