The



Gazette

Kolkata

सत्ममेव जयते Extraordinary

Published by Authority

SRAVANA 281

TUESDAY, AUGUST 19, 2014

[SAKA 1936

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1463-L.—19th August, 2014.—The following Act of the West Bengal Legislature. having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XII of 2014

THE HOWRAH MUNICIPAL CORPORATION (SECOND AMENDMENT) ACT, 2014.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the Kolkata Gazette, Extraordinary, of the 19th August 2014.]

An Act to amend the Howrah Municipal Corporation Act, 1980.

Whereas it is expedient to amend the *Howrah Municipal Corporation Act*, 1980, for the purposes and in the manner hereinafter appearing;

West Ben. Act LVIII of 1980.

It is hereby enacted in the Sixty-fifth 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 Howrah Municipal Corporation (Second Amendment) Act, 2014.

Substitution of new section for

section 219 of the West Ben. Act LVIII of

1980.

The Howrah Municipal Corporation (Second Amendment) Act, 2014.

(Section 2.)

- (2) This section shall come into force at once, and the remaining provision of this Act shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
- 2. For section 219 of the Howrah Municipal Corporation Act, 1980 the following section shall be substituted:-

"Schedules.

219 (1) The State Government may, on the recommendation of the Corporation, by notification, add to, amend or alter any Schedule, to this Act except Schedule I:

Provided that when the Corporation has not been constituted under this Act, the State Government may, if it considers necessary or expedient so to do, by notification, add to, amend or alter any Schedule to this Act except Schedule I:

Provided further that the State Government may, by notification and in such other manner as it may determine, declare its intention to include any area in the neighbourhood of Howrah, within the limits of Howrah, to be administered by the Corporation under this Act, or to exclude any area from the limits of Howarh.

- (2) Any local authority or any inhabitants or rate-payers of such area, affected by such intention of the State Government declared by such notification, may, if they object to such intention, submit their objections in writing to the State Government within such period as may be specified in such notification; and the State Government shall take such objections into consideration.
- (3) When the period as aforesaid has expired and the State Government has considered the objections (if any) under sub-section (2), and if the West Bengal Legislative Assembly has, by resolution adopted in this behalf with or without amendment, approved of such intention, the State Government may, by notification, include such area or any portion thereof within the limits of Howrah, to be administered by the Corporation under this Act, or exclude such area or any portion thereof from the limits of Howrah, as the case may be, and thereupon Schedule I of this Act shall be deemed to be amended accordingly.
- (4) Upon the inclusion of any area in the neighbourhood of Howrah within the limits of Howrah under this section,-
 - (a) the West Bengal Municipal Act, 1993, or the West Bengal Zilla Parishads Act, 1963, or the West Bengal Panchayat Act, 1973, or the West Bengal Townships (Extension of Civic Amenities) Act, 1975, as the case may be, if in force in such area, shall be deemed to be repealed therein; and

West Ben. Act XXII of 1993. West Ben. Act XXV of 1963. West Ben. Act XLI of 1973. West Ben. Act XLII of 1975.

(b) except as the State Government may, by notification, otherwise direct, any rules, regulations or orders made or any directions issued or any powers conferred under the provisions of this Act, which are in force at the date of such inclusion, shall apply to such area in supersession of the corresponding rules, regulations or orders made or any directions issued or any powers conferred under the West Bengal Municipal Act, 1993, or the West Bengal Zilla Parishads Act, 1963, or the West Bengal Panchayat Act, 1973, or the West Bengal Townships (Extension of Civic Amenities) Act, 1975, as the case may be.

The Howrah Municipal Corporation (Second Amendment) Act, 2014.

- (5) Upon the exclusion of any area from the limits of Howrah under this section, this Act or any rules, regulations or orders made or any directions issued or any powers conferred under this Act shall cease to apply to such area.
- (6) The State Government may issue such orders as it may consider necessary to give effect to the inclusion or the exclusion of any area within or from the limits of Howrah, as the case may be, under this section or to any matter incidental or ancillary to such inclusion or exclusion.".

By order of the Governor,

MALAY MARUT BANERJEE, Secy. to the Govt. of West Bengal, Law Department.