PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 601-L.—4th May, 2010.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act IV of 2010

THE KOLKATA MUNICIPAL CORPORATION
(AMENDMENT) ACT, 2010.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the Kolata Gazette, Extraordinary, of the 4th May, 2010.]

An Act 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:

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

1. (1) This Act may be called the Kolkata Municipal Corporation (Amendment) Act, 2010.

(2) This section shall come into force at once, and the remaining sections shall come into force on such date or dates, as the State Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different sections of this Act.

(Sections 2-5.)

2. In the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as the principal Act), after section 11A, the following section shall be inserted:—

"Area Sabha.

11B. (1) There shall be Area Sabha in every ward comprising of one or more polling booths and consisting of persons whose names are included in the part of the electoral roll of the polling booth concerned.

(2) Composition and function of Area Sabha shall be such as may be prescribed."

3. In section 26 of the principal Act,—

(1) in sub-section (5A), for the words and figures “the Siliguri Municipal Corporation constituted under the Siliguri Municipal Corporation Act, 1990, or the Asansol Municipal Corporation constituted under the Asansol Municipal Corporation Act, 1990, or the Chandernagore Municipal Corporation constituted under the Chandernagore Municipal Corporation Act, 1990, or the Durgapur Municipal Corporation constituted under the Durgapur Municipal Corporation Act, 1994, or any municipality or notified area constituted under the Bengal Municipal Act, 1932”, the words and figures “the Municipal Corporations constituted under the West Bengal Municipal Corporation Act, 2006, or any Municipality or Notified Area Authority or Industrial Township Authority constituted under the West Bengal Municipal Act, 1993” shall be substituted;

(2) after sub-section (5A), the following sub-section shall be inserted:—

"(5B) Notwithstanding anything contained in this section the Municipal Service Commission shall also select such personnel for such posts in the organizations or agencies or authorities under the Control of Department of Municipal Affairs and Department of Urban Development, Government of West Bengal as the State Government may, by notification, determine from time to time."

4. After section 30 of the principal Act, the following section shall be inserted:—

"Public Disclosure.

30A. (1) The Corporation shall publish—

(a) statutorily audited financial statements for the full financial year, within three months from the date of completion of statutory audit; and

(b) such other documents relating to development programmes of the Corporation as may be notified by the State Government.

(2) The manner of publication under sub-section (1) shall be such as may be prescribed."

5. In sub-section (1) of section 174 of the principal Act,—

(1) to clause (f), the following proviso shall be added:—

"Provided that the Corporation may extend the term of Anomaly Review Committee for a period not exceeding one year and for a further period not exceeding one year thereafter.”;

(2) in clause (r),—

(a) for the words “certified by”, the words “certified by a degree holder in valuation from a recognized university or” shall be substituted;

(b) for the word “Institute”, the word “Institution” shall be substituted.

(Sections 6-8.)

6. In sub-section (1) of section 182A of the principal Act,—

(1) in clause (a), for the words "as may be specified in the scheme.", the words "as may be specified in the scheme; and if the return is not filed within the stipulated period, the Corporation may assess the property and raise the demand for recovery of property tax in accordance with the law." shall be substituted;

(2) in clause (c), for the words "certified by", the words "certified by a degree holder in valuation from a recognized university or" shall be substituted.

7. For section 393 of the principal Act, the following section shall be substituted:—

"Erection of building.

393. Every person who intends to erect a building shall apply for sanction by giving notice in writing of his intention to the Municipal Commissioner in such form together with such fees including Drainage Development fee and containing such information as may be prescribed:

Provided that the Corporation may also levy fees under this section with retrospective effect."

8. In Schedule VIII of the principal Act, for sub-heading "[See section 174(4A)]", the sub-heading "(See section 174)" shall be substituted.

By order of the Governor,

MITA BASU ROY,
Pr. Secy. to the Govt. of West Bengal,
Law Department.