

The


सत्यमेव जयते

Kolkata Gazette

Extraordinary
Published by Authority

PAUSA 19]

TUESDAY, JANUARY 9, 2007

[SAKA 1928]

PART III— Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT

Legislative

NOTIFICATION

No. 33-L.—9th January, 2007.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :—

West Bengal Act XXXI of 2006
THE WEST BENGAL TOWN AND COUNTRY
(PLANNING AND DEVELOPMENT) (SECOND AMENDMENT) ACT, 2006.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette*,
Extraordinary, of the 9th January, 2007.]

An Act to amend the West Bengal Town and Country (Planning and Development) Act, 1979.

WHEREAS it is expedient to amend the West Bengal Town and Country (Planning and Development) Act, 1979, for the purposes and in the manner hereinafter appearing;

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

Short title and commencement.

Amendment of section 102 of West Ben. Act XIII of 1979.

1. (1) This Act may be called West Bengal Town and Country (Planning and Development) (Second Amendment) Act, 2006.

(2) It shall come into force at once.

2. For sub-section (1) of section 102 of the West Bengal Town and Country (Planning and Development) Act, 1979 (hereinafter referred to as the principal Act), the following sub-section shall be substituted :—

“(1) In accordance with the provisions of this Act, and the rules made thereunder and with the previous sanction of the State Government, every Planing Authority or Development Authority shall, by notification, levy a charge (hereinafter called the development charge) on the carrying out of any development or change of use of land, for which permission is required under Chapter VII, in the whole or any part of the Planning Area, at rates not exceeding those notified under section 103:

West Ben.
Act XIII of
1979.

*The West Bengal Town and Country (Planning and Development)
(Second Amendment) Act, 2006.*

(Section 3.)

Provided that the rates may be different for different parts of the Planning Area.

Explanation.— For the purposes of this sub-section, ‘development’ shall, in addition to those mentioned in clause (7) of section 2, also include the institution of use of any land specified in clause (a) of section 103.”.

3. For section 103 of the principal Act, the following section shall be substituted :—

“Rates of development charges. 103. The State Government shall, by notification, fix up the rates of development charge for the following :—

(a) for the institution of use—

- (i) for residence,
- (ii) for industry,
- (iii) for commerce;

(b) for change of use—

- (i) from agriculture to residence,
- (ii) from agriculture to industry,
- (iii) from agriculture to commerce,
- (iv) from residence to industry,
- (v) from residence to commerce,
- (vi) from industry to residence,
- (vii) from industry to commerce; and

(c) for carrying out any other development under this Act.”.

By order of the Governor,

S. K. CHAKRABARTI,
*Secy. to the Govt. of West Bengal,
Law Department.*