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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 971-L.—24th July, 2015.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XVII of 2015

THE WEST BENGAL MUNICIPAL CORPORATION (SECOND AMENDMENT) ACT, 2015.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette*,
Extraordinary, of the 24th July, 2015.]

An Act to amend the West Bengal Municipal Corporation Act, 2006.

WHEREAS it is expedient to amend the West Bengal Municipal Corporation Act, 2006, for the purpose and in the manner hereinafter appearing;

West Ben. Act
XXXIX of 2006.

It is hereby enacted in the Sixty-sixth 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 West Bengal Municipal Corporation (Second Amendment) Act, 2015.

(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.

*The West Bengal Municipal Corporation
(Second Amendment) Act, 2015.*

(Section 2.)

Substitution of
new section for
section 141 of the
West Ben. Act
XXXIX of 2006.

2. For section 141 of the West Bengal Municipal Corporation Act, 2006, the following section shall be substituted:—

“Certificate for
enlistment of
profession, trade
and callings. 141. (1) Every person engaged or intending to be engaged in any profession, trade or calling, as specified in Schedule-II, and as may be detailed in the guidelines issued by the State Government for the purpose, in any area within the jurisdiction of the Corporation, either by himself or by an agent or representative, shall obtain a Permanent Certificate of Enlistment or Provisional Certificate of Enlistment, as the case may be, as per modalities specified in sub-section (2), or get the Permanent Certificate of Enlistment renewed, on or before the expiry of the validity period thereof, from the Commissioner or, in his absence, the officer authorised to function as the commissioner, upon presentation of an application together with such application fee, as specified in the guideline, at such rates, not exceeding rupees two thousand and five hundred *per annum*, and also the documents as may be determined by the State Government by issuance of guidelines from time to time. Application form for the purpose shall be available either from the municipal office on payment of such fee as may be determined by the Corporation or through the web portal:

Provided that the Provisional Certificate of Enlistment shall not be renewable, and on or before completion of the validity period of Provisional Certificate of Enlistment, the same has to be converted into Permanent Certificate of Enlistment:

Provided further that such enlistment or renewal thereof shall not absolve such person from any liability to take out any license under this Act or any other law for the time being in force.

(2) Notwithstanding anything contained in sub-section (1), the application for enlistment of profession, trade and calling may also be submitted through web portals, as may be determined by the State Government along with the manner of submission of such applications in the guidelines, mentioned in sub-section (1). In the case of applications under this sub-section, where any or all necessary statutory clearance remain pending, Provisional Certificate of Enlistment be issued for a period of one year, and where all the statutory clearances are available, the Permanent Certificate of Enlistment be issued by the Municipality concerned within the time limit as may be determined by the guidelines under sub-section (1) on receipt of requisite fees. The recipient of the Provisional Certificate of Enlistment shall obtain all statutory clearances based on this Provisional Certificate of Enlistment, and on or before the expiry of validity of the Provisional Certificate of Enlistment shall apply for Permanent Certificate of Enlistment, and shall receive the Permanent Certificate from the municipal office on payment of requisite fees as may be determined by the guidelines. The manner of issuance of Provisional and Permanent Certificate of Enlistment shall be such as may be determined by the State Government in the guidelines mentioned in sub-section (1).

(3) Permanent Certificate of Enlistment under sub-section (1) or sub-section (2) may be obtained for a maximum period of three years together and be renewed for a maximum period of three years together, subject to condition that the fee for enlistment for the entire period shall be deposited together at a time for which the certificate to be issued.”

By order of the Governor,

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