

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Act IX of 2000

THE WEST BENGAL MUNICIPAL ELECTIONS (AMENDMENT) ACT, 2000.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 3rd April, 2000.]

[3rd April, 2000.]

An Act to amend the West Bengal Municipal Elections Act, 1994.

West Ben.
Act XXXIV
of 1994.

WHEREAS it is expedient to amend the West Bengal Municipal Elections Act, 1994, for the purposes and in the manner hereinafter appearing;

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

1. (1) This Act may be called the West Bengal Municipal Elections (Amendment) Act, 2000.

Short title
and
commencement.

(2) It shall be deemed to have come into force on the 21st day of February, 2000.

2. In section 2 of the West Bengal Municipal Elections Act, 1994 (hereinafter referred to as the principal Act), after clause (r), the following clause shall be inserted:—

Amendment
of section 2
of West Ben.
Act XXXIV
of 1994.

‘(rr) “voting machine” means any machine or apparatus, whether operated electronically or otherwise, used for giving, or recording of, votes, and any reference to a ballot-box or ballot-paper in this Act or the rules made thereunder shall, save as otherwise provided, be construed to include a reference to a voting machine used at any election;’.

3. In sub-section (1) of section 62 of the principal Act, after clause (a), the following clause shall be inserted:—

Amendment
of section
62.

“(aa) any voting machine develops a mechanical failure during the course of giving, or recording of, votes; or”.

(Sections 4-6.)

Amendment
of section
64.

4. To section 64 of the principal Act, the following provisos shall be added:—

“Provided that notwithstanding anything contained in this Act or the rules made thereunder, the manner of giving, or recording of, votes by a voting machine shall be such as may be prescribed:

Provided further that a voting machine may be used at an election in such constituency or constituencies as the Commission may, having regard to the circumstances in each case, by notification, specify.”.

Amendment
of section
88.

5. In sub-section (2) of section 88 of the principal Act,—

(1) after clause (f), the following clause shall be inserted:—

“(ff) the procedure of counting of votes recorded by a voting machine;”;

(2) in clause (i), the words “by this Act” shall be omitted.

Repeal and
saving.

6. (1) The West Bengal Municipal Elections (Amendment) Ordinance, 2000, is hereby repealed.

West Ben.
Ord. III of
2000.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been validly done or taken under the principal Act as amended by this Act.