

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

West Bengal Ordinance No. III of 2000

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

[Published in the *Calcutta Gazette, Extraordinary*, Part IIIA,
of the 2nd February, 2000.]

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;

AND WHEREAS the Legislative Assembly of the State of West Bengal is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

The Governor is pleased, in exercise of the power conferred by clause (1) of article 213 of the Constitution of India, to make and promulgate the following Ordinance:—

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

Short title
and
commence-
ment.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appointment.

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”.

*The West Bengal Municipal Elections (Amendment)
Ordinance, 2000.*

[West Ben. Ord. III of 2000.]

(Sections 4, 5.)

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.
