

GOVERNMENT OF WEST BENGAL
LEGISLATIVE DEPARTMENT

West Bengal Act XL of 1976

**THE WEST BENGAL HOUSING BOARD
 (AMENDMENT) ACT, 1976.**

[Passed by the West Bengal Legislature.]

[Assent of the President was first published in the *Calcutta Gazette, Extraordinary*, of the 5th August, 1976.]

[5th August, 1976.]

An Act to amend the West Bengal Housing Board Act, 1972.

West Ben.
 Act XXXII
 of 1972.

WHEREAS it is expedient to amend the West Bengal Housing Board Act, 1972, for the purposes and in the manner hereinafter appearing;

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

1. This Act may be called the West Bengal Housing Board Short title. (Amendment) Act, 1976.
2. In sub-section (4) of section 5 of the West Bengal Housing Board Act, 1972 (hereinafter referred to as the said Act), the words beginning with "who—" and ending with "such removal" shall be omitted. Amendment of section 5 of West Ben. Act XXXII of 1972.
3. In the proviso to sub-section (1) of section 15 of the said Act,—
 - (i) in clause (a), for the words "rupees fifty lakhs" the words "rupees one crore" shall be substituted. Amendment of section 15.
 - (ii) in clause (b), for the words "rupees twenty thousand", the words "rupees fifty thousand" shall be substituted.
4. In section 26 of the said Act,—
 - (a) for sub-section (1), the following sub-section shall be substituted, namely:—
 - "(1) The Board shall take necessary measures to maintain, allot, lease, sell or otherwise use the Board premises in such manner as it may decide and shall collect rent, price, compensation and damages in respect thereof.";
 - (b) in sub-section (2), in sub-clause (d) of clause (iv), after the word "buildings", the words "and for the manufacture of building materials" shall be added.

The West Bengal Housing Board (Amendment) Act, 1976.

[West Ben. Act XL of 1976.]

(Sections 5, 6.)

Substitution of new section for section 28.

5. For section 28 of the said Act, the following section shall be, and shall be deemed always to have been, substituted, namely:—

"Power to acquire. 28. (1) Where any land is needed for the purpose of a housing scheme or for performing any other duties or functions of the Board, the Board may enter into an agreement with any person for the acquisition by purchase, lease or exchange, of his rights and interests in such land either wholly or in part, on payment of an amount proportionate to the loss or deprivation caused to the enjoyment of the land.

(2) The Board may also take steps for the compulsory acquisition of any land or any interest therein required for the execution of a housing scheme or for performing any other duties or functions of the Board and such acquisition of any land or any interest therein shall be deemed to be acquisition for a public purpose within the meaning of the Land Acquisition Act."

Amendment of section 43.

6. In sub-section (2) of section 43 of the said Act, after clause (c), the following clause shall be added, namely:—

"(d) the conditions of service of the employees of the Board other than those taken over and employed under sub-section (1) of section 13."
