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PART III— Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1286-L.—5th August, 2003.—The following Act of the West Bengal Legislature, having been assented to by the Governor is hereby published for general information:—

West Bengal Act XIII of 2003
THE WEST BENGAL MUNICIPAL (AMENDMENT) ACT, 2003.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 5th August, 2003.]

An Act to amend the West Bengal Municipal Act, 1993.

WHEREAS it is expedient to amend the West Bengal Municipal Act, 1993, for the purposes and in the manner hereinafter appearing;

West Ben. Act
XXII of 1993.

It is hereby enacted in the Fifty-fourth 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 (Amendment) Act, 2003.

(2) This section shall come into force at once; and the remaining provisions shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint, and different dates may be appointed for different provisions of this Act.

Amendment of section 21B of West Ben. Act XXII of 1993.

2. In section 21B of the West Bengal Municipal Act, 1993 (hereinafter referred to as the principal Act),—

(1) in sub-section (7), after the words “the Secretary, of the district unit”, the words “or the Head of the district functionary in whatever designation he may be called” shall be inserted;

(2) in sub-section (12), after the words “declare any Councillor or Councillors to be disqualified under, and in accordance with the provisions of, sub-section (1)”, the words “within a period of eight weeks from the date of receipt of the appeal under this sub-section” shall be inserted.

Amendment of section 54.

3. In sub-section (3) of section 54 of the principal Act, after the words “shall be made by the Municipality”, the words “with the prior approval of the State Government” shall be inserted.

*The West Bengal Municipal (Amendment) Act, 2003.**(Sections 4-11.)*Amendment of
section 93.

4. For sub-clause (iii) of clause (e) of sub-section (1) of section 93 of the principal Act, the following sub-clause shall be substituted:—

“(iii) heavy truck which shall be a heavy goods vehicle within the meaning of clause (16) of section 2 of the Motor Vehicles Act, 1988, plying on a public street.”

59 of 1988.

Amendment of
section 95A.

5. In sub-section (1) of section 95A of the principal Act, the words “and buses” shall be omitted.

Amendment of
section 95B.

6. In sub-section (1) of section 95B of the principal Act, the words “on the commercial and industrial establishments” shall be omitted.

Amendment of
section 109.

7. In section 109 of the principal Act,—

(a) in sub-section (2), for the words “six years:”, the words “five years:” shall be substituted;

(b) in the proviso, for the words “six years”, the words “five years” shall be substituted.

Amendment of
section 118.

8. In section 118 of the principal Act, for the words “not exceeding rupees five hundred,” the words “not exceeding rupees one thousand and five hundred,” shall be substituted.

Amendment of
section 123.

9. In the first proviso to sub-section (1) of section 123 of the principal Act, for the words “Provided that such rate shall not exceed,—”, the words “Provided that the minimum of such rate shall be,—” shall be substituted.

Amendment of
section 226.

10. To sub-section (2) of section 226 of the principal Act, the following proviso shall be added:—

“Provided that in the case of Water Supply Projects, implemented in any municipal area with external aid or on joint venture basis or through private participation, the Municipality may make regulations fixing fees for supply of water and other allied matters associated with the project, as may be necessitated by the terms and conditions of the project.”.

Amendment of
section 285.

11. In sub-section (1) of section 285 of the principal Act, for the words “with the prior information to the State Government,”, the words “with the prior approval of the State Government,” shall be substituted.

By order of the Governor,

A. K. BHATTACHARYA,
Principal Secy. to the Govt. of West Bengal
& Secy., Law Department.