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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1327-L.—26th August, 2004.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act VIII of 2004

**THE WEST BENGAL MUNICIPAL (AMENDMENT)
ACT, 2004.**

[Passed by the West Bengal Legislature.]

*[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 26th August, 2004.]*

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-fifth 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, 2004.

(2) This section shall come into force at once, and the remaining provisions of this Act 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.

*The West Bengal Municipal (Amendment) Act, 2004.**(Sections 2-11.)*

Amendment of
section 2 of West
Bengal Act XXII of
1993.

Amendment of
section 16.

Amendment of
section 17.

Amendment of
section 18.

Amendment of
section 21.

Amendment of
section 21A.

Omission of
section 21AA.

Amendment of
section 54.

Amendment of
section 243.

Omission of
section 429A.

2. In clause (27A) of section 2 of the West Bengal Municipal Act, 1993 (hereinafter referred to as the principal Act), after the words "such urban area", the words "or any other area" shall be inserted.

3. In section 16 of the principal Act,—

(1) in sub-section (1), for the words "the whole time functionary of the Municipality", the words "the executive head of the Municipality and the municipal administration shall be under his control", shall be substituted; and

(2) the *Explanation* shall be omitted.

4. In sub-section (1) of section 17 of the principal Act, the proviso shall be omitted.

5. In sub-section (1) of section 18 of the principal Act, for the words, figures, letter and brackets "municipal area or is removed from his office under sub-section (3) of section 429A, as the case may be.", the words "municipal area." shall be substituted.

6. For clause (c) of section 21 of the principal Act, the following clause shall be substituted:—

"(c) he is removed from office by a written Order of the Chairman, or".

7. In section 21A of the principal Act,—

(1) for clause (e), the following clause shall be substituted:—

"(e) he is declared under section 21B to be disqualified for being a Councillor.); and

(2) clause (f) shall be omitted.

8. Section 21AA of the principal Act shall be omitted.

9. To sub-section (2) of section 54 of the principal Act, the following provisos shall be added:—

"Provided that until the cadre is constituted under sub-section (1), the Board of Councillors may, with the prior approval of the State Government, engage the officers to the posts of Health Officers and Engineers, sanctioned by the State Government, on contract basis or otherwise, and the qualifications and the recruitment procedure for such engagement shall be such as may be prescribed:

Provided further that the remuneration for such engagement shall be paid from the Municipal Fund.".

10. For clause (k) of section 243 of the principal Act, the following clause shall be substituted:—

"(k) the rates at which the charges for water supplied for domestic purposes and for various non-domestic purposes may be levied by the Board of Councillors and the use, maintenance and testing of meters and ferrules;".

11. Section 429A of the principal Act shall be omitted.

By order of the Governor,

S. K. NANDY,

*Secy. to the Govt. of West Bengal,
Law Department.*