

The

Kolkata **Gazette**
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MONDAY, DECEMBER 31, 2018

[SAKA 1940

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
Urban Development & Municipal Affairs Department
NAGARAYAN, 6th Floor,
DF-8, Sector-I, Salt Lake City, Kolkata-700 064

NOTIFICATION

No. 985/MA/O/C-4/1A-14/2018

Dated, Kolkata, the 31st day of December, 2018

In exercise of the powers conferred by sub-section (2) of section (1) of the West Bengal Municipal (Second Amendment) Act, 2018 (West Ben. Act XXVI of 2018) (hereinafter referred to as the said Act), the Governor is pleased hereby to appoint the **2nd day of January, 2019** as the date on which remaining sections of the said Act shall come into force.

By order of the Governor,

SANTANUDAS
Joint Secretary to the Government of West Bengal

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WEDNESDAY, DECEMBER 26, 2018

[SAKA 1940

PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 2558-L.—26th December, 2018.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXVI of 2018

**THE WEST BENGAL MUNICIPAL
(SECOND AMENDMENT) ACT, 2018.**

[*Passed by the West Bengal Legislature.*]

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 26th December, 2018.]

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 Sixty-ninth 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 (Second Amendment) Act, 2018.

*The West Bengal Municipal
(Second Amendment) Act, 2018.*

(Sections 2-8.)

(2) This section shall come into force at once; and the remaining sections shall come into force on such date or dates as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 54 of the West Ben. Act XXII of 1993.

2. In section 54 of the West Bengal Municipal Act, 1993 (hereinafter referred to as the principal Act), for sub-section (3A), the following sub-section shall be substituted:—

“(3A) The recruitment to the posts not required to be made through the West Bengal Municipal Service Commission constituted under sub-section (1) of section 3 of the West Bengal Municipal Service Commission Act, 2018, shall be made through the open advertisement or through such other method as the State Government may determine from time to time.”.

West Ben. Act
XII of 2018.

Substitution of new section for section 55.

3. For section 55 of the principal Act, the following section shall be substituted:—

“Selection of personnel. 55. The West Bengal Municipal Service Commission constituted under sub-section (1) of section 3 of the West Bengal Municipal Service Commission Act, 2018, shall select such personnel for the municipalities as may be prescribed by the State Government, and it shall be binding on the Municipality to appoint the personnel selected by the said Commission.”.

Amendment of section 68.

4. In section 68 of the principal Act, —

- (i) for the words “any bank in the municipal area,” the words “any Scheduled Bank” shall be substituted;
- (ii) the ‘*Explanation.*’ shall be omitted.

Insertion of a new section 102C after section 102B.

5. After section 102B of the principal Act, the following section shall be inserted:—

“Exemption of holding used for Government owned Hospitals, clinics etc. 102C. All Health Care Organizations, either primary or secondary or all clinic, owned or sponsored by the Government, shall be exempt from property tax:

Provided that the Board of Councillors may impose a service charge, not exceeding five *per cent* of annual value of lands and buildings of such Health Care Organizations or clinic, for providing civic services to such institutions.”.

Amendment of section 105.

6. In clause (ii) of section 105 of the principal Act, for the words “sixty-five years”, the words “sixty years” shall be substituted.

Amendment of section 116.

7. For sub-section (5) of section 116 of the principal Act, the following sub-section shall be substituted:—

“(5) The Executive Officer shall, on receipt of a notice of transfer or devolution record the transfer or devolution of property in such form and in such manner as may be determined and upon payment of such fee as may be prescribed.”.

Amendment of section 272.

8. In section 272 of the principal Act, for the words “which shall not be less than fifty rupees or more than five thousand rupees”, the words “which shall not be less than five hundred rupees or more than fifty thousand rupees” shall be substituted.

*The West Bengal Municipal
(Second Amendment) Act, 2018.*

(Section 9.)

Amendment of
section 333.

9. For sub-section (9) of section 333 of the principal Act, the following sub-section shall be substituted:—

“(9) if any person contravenes any provision of this section or fails to comply with any requirement under this section, he shall be punished with a fine which shall not be less than rupees one thousand but which may extend to rupees one lakh only.”.

By order of the Governor,

SANDIP KUMAR RAY CHAUDHURI,
*Secy. to the Govt. of West Bengal,
Law Department.*