

**GOVERNMENT OF WEST BENGAL
DEPARTMENT OF MUNICIPAL AFFAIRS
WRITERS' BUILDINGS: KOLKATA**

NOTIFICATION

No. 13/MA/O/C-4/1A-8/2014(Pt. - I)

Dated, Kolkata, the 13th day of January, 2015.

In exercise of the powers conferred by sub-section (2) of section 1 of the Kolkata Municipal Corporation (Amendment) Act, 2014 (West Ben. Act XIX of 2014) (hereinafter referred to as the said Act), the Governor is pleased hereby to appoint the 15th day of January, 2015 as the date on which the remaining provisions of this Act shall come into force.

By order of the Governor,
Sd./- U. N. Sarkar.

Jt. Secy. to the Govt. of West Bengal.

No. 13/1(50)/MA/O/C-4/1A-8/2014(Pt. - I)

Dated, Kolkata, the 13th day of January, 2015.

Copy, with a copy of the Kolkata Municipal Corporation (Amendment) Act, 2014, forwarded for information and necessary action to the, -

- (1) Secretary to the Chief Minister, West Bengal, NABANNA, Mandirtala, Howrah-711102.
- (2) The Additional Chief Secretary, _____ Department, Govt. of West Bengal.
- (3) The Principal Secretary, Urban Development Department, Govt. of West Bengal.
- (4) The Principal Secretary, Finance Department, Govt. of West Bengal.
- (5) The Principal Secretary, _____, Govt. of West Bengal.
- (6) OSD to the Chief Secretary to the Govt. of West Bengal
- (7) Municipal Commissioner, Kolkata Municipal Corporation, 5, S.N. Banerjee Road, Kolkata- 700 013.
- (8) Chief Engineer, Municipal Engineering Directorate, Govt. Of West Bengal,
- (9) Joint Director, ILGUS, ILGUS Bhaban, HC – Block, Salt Lake, Kolkata – 106.
- (10) P.S. to the Minister-in-Charge, _____ Department
- (11) P.S. to the Minister-in-Charge, Municipal Affairs & Urban Development Department.
- (12) Pr. S. to the Principal Secretary, Municipal Affairs Department.
- (13) Guard file of Cell – 4.


Joint Secretary

The



Kolkata **Gazette**

सत्यमेव जयते
Extraordinary
Published by Authority

PAUSA 19]

FRIDAY, JANUARY 9, 2015

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PART III—Acts of the West Bengal Legislature.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 29-L.—9th January, 2015.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XIX of 2014

**THE KOLKATA MUNICIPAL CORPORATION
(AMENDMENT) ACT, 2014.**

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette*,
Extraordinary, of the 9th January, 2015.]

An Act to amend the Kolkata Municipal Corporation Act, 1980.

WHEREAS it is expedient to amend the Kolkata Municipal Corporation Act, 1980, for the purposes and in the manner hereinafter appearing;

West Ben.
Act LIX
of 1980.

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

1. (1) This Act may be called the Kolkata Municipal Corporation (Amendment) Act, 2014.

*The Kolkata Municipal Corporation
(Amendment) Act, 2014.*

(Sections 2-4.)

(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.

Insertion of new clause in section 2 of the West Ben. Act LIX of 1980.

2. In section 2 of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as the principal Act), after clause 81A, the following clause shall be inserted :—

“(81B) “State Government” means the Government of the State of West Bengal in the Department of Municipal Affairs.”.

Amendment of section 172.

3. In section 172 of the principal Act,—

(1) in sub-section (1), in clause (b),—

(a) in sub-clause (iii), for the word and figures ‘section 171.’, the word and figures ‘section 171;’ shall be substituted;

(b) after sub-clause (iii), the following sub-clause shall be inserted:—

“(iv) any building, which are exclusively used for residential purpose and the manner of its maintenance or distinctive features or otherwise may likely to contribute to the beautification of the Kolkata:

Provided that the exemption under this sub-clause shall be for a period of one year only and the applicant shall get such exemption only for one time:

Provided further that the application for exemption may be made during such period as may be stipulated by the Corporation:

Provided also that the Corporation under this sub-clause shall specify the guidelines that may likely to contribute to the beautification of the Kolkata.”;

(2) after sub-section (1C), the following sub-section shall be inserted:—

“(1D) The Mayor-in-Council may exempt from payment of a portion of the property tax not exceeding ninety *percent* of the actual gross amount of property tax on pond, tank or water body in nature, either whole or a part thereof, subject that the actual pond, tank or water body shall exist and be kept and preserved by the owner in such good manner so as to maintain ecological balance of the locality, as to be determined by the Corporation by regulations:

Provided that water body in the nature of swimming pool of any type shall be out of purview of this exemption.”.

Amendment of section 184.

4. In section 184 of the principal Act, for the existing Explanation, the following Explanation shall be substituted:—

“*Explanation.*—A written notice under this section shall be deemed to be duly served, if it is sent through any mode of service of Indian Postal Service or as may be decided by the Corporation, to the owner or to any lessee, sub-lessee or occupier of any land or building and, in such case the date of sending such notice through Postal Department or through any other means shall be deemed to be the date of service of the notice to the owner or to the lessee, sub-lessee or occupier of such land or building, as the case may be.”.

*The Kolkata Municipal Corporation
(Amendment) Act, 2014.*

(Sections 5-7.)

Insertion of new sections 192A and 192B after section 192.

5. After section 192 of the principal Act, the following sections shall be inserted :—

“Fast Track Settlement Committee.

192A. In exercising power vested under section 192, for the cases where annual value of any land or building determined under the heading ‘C. Determination of Annual Valuation’ of this Chapter exceeds such amount as may be decided by the Corporation through regulations, the Municipal Commissioner may refer the same to a Committee, namely Fast Track Settlement Committee, to be constituted by the State Government for the purpose of examination and recommendation, if any, for carrying out the purposes of section 192.”;

“Constitution of Fast Track Settlement Committee.

192B. The State Government may, by notification, in the *Official Gazette*, constitute a Fast Track Settlement Committee, consisting of such number of members as may be appointed by the State Government and shall function for such period as may be notified by the State Government from time to time. The Corporation shall make regulations relating to the procedures to be followed by the Fast Track Settlement Committee.”.

Insertion of new section 198A after section 198.

6. After section 198 of the principal Act, the following section shall be inserted :—

“Continuance of certain existing provisions.

198A. (1) An owner or person liable to pay the property tax of any land or building can exercise option in the form, as may be notified by the Municipal Commissioner, to have the annual value of his property determined and consequential property tax be assessed in accordance with the provisions, contained in this Chapter, as those provisions stood prior to the final publication of the Scheme upon commencement of the Kolkata Municipal Corporation (Amendment) Act, 2006.

(2) In case an owner or person liable to pay the property tax of any land or building exercises option under sub-section (1), provisions of section 171, sub-section (1) of section 174, sections 175, 179, 180, 182A, 184, 185, 186, 189, 190, 191, 193, 197, 215, 217 and 221A, as those provisions stood prior to the final publication of the Scheme upon commencement of the Kolkata Municipal Corporation (Amendment) Act, 2006, shall continue to apply.

(3) Notwithstanding anything contained in sub-sections (1) and (2), the provisions of section 171, sub-section (1) of section 174, sections 175, 179, 180, 182A, 184, 185, 186, 189, 190, 191, 193, 197, 215, 217 and 221A, as those provisions stood prior to the final publication of the Scheme upon commencement of the Kolkata Municipal Corporation (Amendment) Act, 2006, shall continue to apply till final publication of the Scheme.”.

Amendment of section 216.

7. In sub-section (1) of section 216 of the principal Act, for the existing Explanations, the following Explanation shall be substituted:—

“*Explanation.*—A bill shall be deemed to be presented under this section if it is sent by post through any mode of service of Indian Postal Service or any mode as may be decided by the Corporation to the person liable for payment of the amount included in the bill, and in such cases, the date borne on such mode shall be deemed to be the date of the presentation of the bill to such person.”.

