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PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

**GOVERNMENT OF WEST BENGAL**

**LAW DEPARTMENT**

**Legislative**

**NOTIFICATION**

No. 202-L.—17th February, 2015.—The Governor having been pleased to order, under rule 66 of the

Rules of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons and the Financial Memorandum which accompany it, in the *Kolkata Gazette*, the Bill, the Statement of Objects and Reasons and the Financial Memorandum are accordingly hereby published for general information:—

**Bill No. 2 of 2015**

**THE WEST BENGAL TOWN AND COUNTRY (PLANNING AND DEVELOPMENT) (AMENDMENT) BILL, 2015.**

**A**  
**BILL**

*to amend the West Bengal Town and Country (Planning and Development) Act, 1979.*

WHEREAS it is expedient to amend the West Bengal Town and Country (Planning and Development) Act, 1979, for the purposes and in the manner hereinafter appearing;

West Ben.  
Act XIII of 1979.

It is hereby enacted in the Sixty-sixth 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 Town and Country (Planning and Development) (Amendment) Act, 2015.

(2) It shall come into force from the date as the State Government may, by notification in the *Official Gazette*, appoint.

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(Amendment) Bill, 2015.*

(Clauses 2 – 4.)

Substitution of long title and preamble.

2. In the West Bengal Town and Country (Planning and Development) Act, 1979 (hereinafter referred to as the principal Act),—

(1) for the long title, the following long title shall be substituted:—

“An Act to provide for the planned, eco-friendly, holistic and sustainable development of rural and urban areas, restricted development of fringe areas of forests, coastal zones, wetlands and other eco-sensitive zones without disturbing or sacrificing the existing rich biodiversity of flora and fauna, treasure of plants, shrubs and herbs of medicinal value, unique ecosystems in West Bengal and for matters connected therewith or incidental thereto.”;

(2) for the preamble, the following preamble shall be substituted:—

“WHEREAS it is expedient in the public interest to provide for the planned, eco-friendly, holistic and sustainable development of rural and urban areas, restricted development of fringe areas of forests, coastal zones, wetland fringes and other margins of eco-sensitive zones without disturbing or sacrificing the existing rich biodiversity of flora and fauna, treasure of plants, shrubs and herbs of medicinal value, unique ecosystems in West Bengal and for matters connectd therewith or incidental thereto;”.

Amendment of section 2.

3. In section 2,—

(1) after clause (2), the following clause shall be inserted:—

‘(2A) “Board” means the West Bengal Town and Country Planning Advisory Board constituted under section 3;’;

(2) after clause (9), the following clause shall be inserted:—

‘(9A) “Eco-tourism Board” means the West Bengal Eco-tourism Advisory Board constituted under section 8A;’.

Insertion of a new Chapter after Chapter II.

4. After Chapter II of the principal Act, the following Chapter shall be inserted:—

“CHAPTER IIA

**State Eco-tourism Advisory Board.**

State Eco-tourism Advisory Board.

8A. (1) The State Government shall, for the purpose of carrying out the functions assigned to it under this act constitute by notification an advisory Board to be called the West Bengal Eco-tourism Advisory Board (hereinafter referred to as the Eco-tourism Board).

(2) The Eco-tourism Board shall consist of a Chairperson, a Vice-Chairperson and not more than 15 other members.

Composition of Eco-tourism Board.

8B. (1) The Chief Minister of the State of West Bengal or a Minister nominated by the Chief Minister of West Bengal shall be the Chairperson.

(2) The Chief Secretary shall be the *ex officio* Vice-Chairperson of the Board.

(3) Other members of the Eco-tourism Board shall be nominated by the State Government.

(4) The Member-Secretary of the Eco-tourism Board shall be nominated by the State Government.

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Functions of Eco-tourism Board.

8C. The Eco-tourism Board shall, in accordance with the provisions of this Act and the rules made thereunder, advise the State Government for framing rules under section 138 in matters relating to restricted development of fringe areas of forests, coastal zones and other eco-sensitive zones without disturbing or sacrificing the existing rich biodiversity of flora and fauna, treasure of plants, shrubs and herbs of medicinal value, unique ecosystems, wetlands in West Bengal and for matters connected therewith or incidental thereto, to promote eco-tourism, ensure eco-tourism planning, development and co-ordination in conformity with the existing Land Use and Development Control Plan as prepared under Chapter VI.

Term of office and conditions of service of members of Eco-tourism Board.

8D. (1) The term of office and allowances of the nominated members of the Eco-tourism Board shall be such as may be prescribed:

Provided that the State Government may, if it thinks fit, terminate the appointment of any nominated member before the expiry of his term of office.

(2) A nominated member of the Eco-tourism Board may resign his membership by giving notice in writing to the State Government. He shall cease to be a member on acceptance of such resignation.

(3) Any vacancy by resignation, death or otherwise of a nominated member shall be filled by fresh nomination by the State Government.

Meeting of Eco-tourism Board.

8E. (1) The Eco-tourism Board shall meet at least four times in a year at such time and place as it thinks fit and the meeting shall be held according to such procedure as may be prescribed.

(2) The Chairperson or in his absence the Vice-Chairperson shall preside at a meeting of the Eco-tourism Board. In case both the Chairperson and the Vice-Chairperson are absent the members present shall elect one of the members to preside at the meeting.

Quorum.

8F. Thirty *per centum* of the members of the Eco-tourism Board shall form a quorum for a meeting:

Provided that no quorum shall be necessary for any adjourned meeting.”.

### STATEMENT OF OBJECTS AND REASONS.

It is considered necessary and expedient to amend the West Bengal Town and Country (Planning and Development) Act, 1979 (West Ben. Act XIII of 1979) (hereinafter referred to as the said Act), *inter alia*, by way of—

- (a) substituting the long title and the preamble with a view to providing eco-friendly, planned, sustainable development of eco-sensitive zones, preserving the biodiversity and ecosystems in West Bengal;
- (b) inserting new definitions of “Board” and “Eco-tourism Board”;

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(c) inserting a new Chapter IIA with a view to incorporating the objectives of the Eco-tourism Board along with the establishment of the structure, role and functions of the West Bengal Eco-tourism Board,  
in order to effective implementation of the provisions of the said Act.

2. The Bill has been framed with the above objects in view.

KOLKATA,  
The 16th February, 2015.

FIRHAD HAKIM,  
*Member-in-Charge.*

**FINANCIAL MEMORANDUM.**

There is financial implication involved in giving effect to the provisions of the Bill. Necessary provisions for this purpose will be made in the budget in due course in consultation with the Finance Department.

KOLKATA,  
The 16th February, 2015.

FIRHAD HAKIM,  
*Member-in-Charge.*

By order of the Governor,

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