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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. 1071-L.—13th December, 2016.—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 which accompanies it, in the *Kolkata Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 21 of 2016

**THE KOLKATA MUNICIPAL CORPORATION
(AMENDMENT) BILL, 2016.**

**A
BILL**

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-seventh 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 Kolkata Municipal Corporation (Amendment) Act, 2016.

*The Kolkata Municipal Corporation
(Amendment) Bill, 2016.*

(Clauses 2-5)

(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 section 171A after section 171 of the West Ben. Act LIX of 1980.

2. After section 171 of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as the principal Act), the following section shall be inserted:—

“Capping of Property Tax.

171A. Notwithstanding anything contained in this Chapter, the amount of Property tax, payable by an owner or any person liable to pay such tax in respect of a property on the basis of fresh annual valuation made as per the provisions contained in this Chapter upon final publication of the Scheme, shall not be less than or shall not exceed a certain percentage, as may be determined by the Corporation by regulations and on such terms and conditions as may be specified therein, of the amount paid or payable as per the last valuation fixed by the Corporation preceding the final publication of the Scheme:

Provided that the Corporation may by regulations fix different percentage of the amount of Property tax for different groups of buildings or land or land comprising building or portion thereof:

Provided further that notwithstanding anything contained in this Act, the Property tax paid or payable shall be determined as per the last valuation made by the Corporation under the provisions of this Act.”.

Omission of section 198A.

3. Section 198A of the principal Act shall be omitted.

Amendment of section 217.

4. In section 217 of the principal Act, in sub-section (3), the following explanation shall be inserted:—

“*Explanation.*— In calculating the interest payable under this sub-section, a fraction of a rupee in the amount of the bill on which the interest is to be calculated shall be rounded off to the nearest rupee, fifty paise being treated as rupee one.”

Amendment of section 220.

5. In section 220 of the principal Act, in sub-section (2), after the words “under such warrant”, the words “and may put those seized properties in a suitable place in the said premises under lock and key and shall paste a notice in prominent place therein,” shall be inserted.

STATEMENT OF OBJECTS AND REASONS.

It is considered necessary and expedient to amend the Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980) to make, *inter alia*, provisions for—

- (a) empowering Kolkata Municipal Corporation to limit the increase as well as the decrease in the property tax to a certain extent under Unit Area Assessment system from the present system of assessment by way of applying a cap on it;

*The Kolkata Municipal Corporation
(Amendment) Bill, 2016.*

- (b) omitting the provision of section 198A which provides exercise of option.
 - (c) empowering the Kolkata Municipal Corporation to keep the seized properties, during execution of warrant for realization of outstanding property tax, in a suitable place in the premises concerned.
2. The Bill has been framed with the above objects in view.
3. There is no financial implication involved in giving effect to the provisions of this Bill.

KOLKATA:
The 13th December, 2016.

FIRHAD HAKIM,
Member-in-Charge.

By order of the Governor,

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