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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. 193-L.—5th February, 2018.—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. 4 of 2018**

**THE KOLKATA MUNICIPAL CORPORATION  
(AMENDMENT) BILL, 2018.**

**A**  
**BILL**

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

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

West Ben. Act  
LIX of 1980.

It is hereby enacted in the Sixty-ninth 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, 2018.

*The Kolkata Municipal Corporation  
(Amendment) Bill, 2018.*

(Clause 2.)

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

Insertion of new section 496A after section 496 of the West Ben. Act LIX of 1980.

2. After section 496 of the Kolkata Municipal Corporation Act, 1980, the following section shall be inserted:—

“Prevention of mosquito-breeding 496A. (1) If, in the opinion of the Municipal Commissioner, any pool, ditch, tank, well, pond, swamp, quarry, hole, drain, cesspool, watercourse, pit, cistern, desert or air-cooler, ground, underground, or overhead tank or any collection of water, or any land on which water may, at any time, accumulate, is or likely to become a breeding place of mosquitoes or, in any other respect, becomes a nuisance, the Commissioner may, by notice, require the owner or occupier or the person having control thereof to take all or any of the following actions:—

- (a) to clean, or drain off or remove water therefrom, or to provide cover thereto, or
- (b) to treat the same in such physical, chemical or biological method as may consider suitable in the circumstances, or
- (c) to fill up unwholesome waterbody:

Provided that any unwholesome waterbody may be filled up only after compliance with the provisions of section 4C of the West Bengal Land Reforms Act, 1955, by the owner or the person having control thereof.

West Ben. Act X of 1956.

(2) No person shall keep, or permitted to be kept or maintained, within any premises or land any collection of stagnant or flowing water which, in the opinion of the Municipal Commissioner, is, or is likely to be, a breeding place for mosquitoes, unless such collection of water is treated in such manner as may effectively prevent the breeding of mosquitoes.

(3) All borrow pits dug in the course of construction and repairs of buildings, roads, or embankments shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly sloped for discharge into a river, stream, channel, or drain, and no person shall create any isolated borrow pit which is likely to cause accumulation of water which again, in turn, may breed mosquitoes.

(4) The owner or occupier or any person having control of any premises or land shall not keep therein any bottle, tyre (old or new), vessel, can, container or receptacle in such manner as may allow it to collect, or to retain, water which may breed mosquitoes, and shall clean and dry such bottle, tyre (old or new), vessel, can, container or receptacle at the interval of seven days.

(5) The owner or occupier or any person having control of any premises or land shall wrap the openings of the vent-pipes and the outlets of septic tanks with proper mosquito-proof nets and shall maintain covering slabs of septic tanks to prevent entry and exit of mosquitoes.

(6) The owner or occupier or any person having control of any premises or land shall seal the overhead tanks, cisterns or water receptacles to prevent mosquito breeding, and shall provide safe ladder for making the overhead tanks or cisterns or water receptacles approachable in order to facilitate inspection of the water therein by the Municipal authorities or the officers of the Corporation, as the case may be.

*The Kolkata Municipal Corporation  
(Amendment) Bill, 2018.*

*(Clause 2.)*

(7) If the owner or occupier or person on whom the notice under sub-section (1) is served on fails or refuses to take the measures, or adopt the method of treatment, specified in such notice within the time specified therein or contravenes the foregoing provisions under this section, the Municipal Commissioner himself or any officer duly authorized by him may take such measures or adopt such treatment, specified in such notice within the time specified therein, and recover the cost of doing so from the owner or the occupier of the premises, as the case may be, by way of levying special conservancy charges, at such rate as may be determined by the Mayor-in-Council, and shall also be liable to a penalty which shall not be less than rupees one thousand but which may extend to rupees one lakh only.”.

**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) for inserting provision in the said Act, for prevention of vector borne diseases.

2. The Bill has been framed with the above object in view.
3. There is no financial implication involved in giving effect to the provision of the Bill.

KOLKATA,  
*The 2nd February, 2018.*

FIRHAD HAKIM,  
*Member-in-Charge.*

By order of the Governor,

AKHILESH KUMAR PANDEY,  
*Secy.-in-Charge to the Govt. of West Bengal,  
Law Department.*