

**GOVERNMENT OF WEST BENGAL
LEGISLATIVE DEPARTMENT**

West Bengal Act XLII of 1975

**THE WEST BENGAL GOVERNMENT TOWNSHIPS
(EXTENSION OF CIVIC AMENITIES) ACT, 1975.**

[Passed by the West Bengal Legislature.]

*[Assent of the Governor was first published in the Calcutta
Gazette, Extraordinary, of the 5th January, 1976.]*

[5th January, 1976.]

An Act to provide for the extension of civic amenities to Government Townships in West Bengal and for matters connected therewith or incidental thereto.

WHEREAS it is expedient to provide for the extension of civic amenities to Government Townships in West Bengal and for matters connected therewith or incidental thereto;

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

1. (1) This Act may be called the West Bengal Government Townships (Extension of Civic Amenities) Act, 1975. Short title
and extent.

(2) It extends to the whole of West Bengal.

2. In this Act, unless there is anything repugnant in the subject or context,— Definitions.

(a) "Administrator" means an officer not below the rank of a Deputy Collector, appointed by the State Government to carry out the purposes of this Act:

Provided that there may be different Administrators for different areas;

(b) "civic amenity" includes roads, buildings, water-supply, street-lighting, drainage, conservancy and sewerage, sanitation, maintenance of public health, prevention or abatement of nuisance, registration of births and deaths, parks, gardens, recreation grounds, schools, hospitals and dispensaries, markets, work-shops, warehouses, godowns,

(Sections 3-6.)

factories, offices, industrial or commercial establishments, or any other convenience which the State Government may, by notification in the *Official Gazette*, specify to be an amenity;

- (c) "Government Township" means an area which is declared as such by the State Government by notification published in the *Official Gazette*.

Application of enactments to Government Townships.

3. Whenever, in the opinion of the State Government, it is necessary to make provisions for all or any of the purposes of this Act in respect of a Government Township, the State Government may, by order to be published in the *Official Gazette*, extend to such Government Township with such incidental or consequential modifications as the State Government may consider necessary—

- (a) any provision of the Calcutta Municipal Act, 1951, the Bengal Municipal Act, 1932, or the Calcutta Metropolitan Water and Sanitation Authority Act, 1966, West Ben. Act XXXIII of 1951.
- (b) any provision of any other Act which applies to the Corporation of Calcutta or to a Municipality, or Ben. Act XV of 1932.
- (c) any rule or by-law in force in such Corporation or Municipality. West Ben. Act XIII of 1966.

Officers and employees

4. (1) For every Government Township there shall be an Administrator who shall be responsible for carrying out the purposes of this Act in respect of the area included within that Government Township.

(2) The Administrator shall be assisted by such number of other officers and employees as the State Government may think fit to appoint.

Consequences of the application of certain enactments to a Government Township.

5. When any tax is imposed in a Government Township under any of the provisions of the Calcutta Municipal Act, 1951, or the Bengal Municipal Act, 1932, as the case may be, as extended under Section 3, the proceeds of such tax shall be credited to the Consolidated Fund of the State.

Vesting of additional powers.

6. The State Government may by order vest the Administrator with such powers and duties exercisable by any other authority within the whole or any part of a Government Township under any law for the time being in force, as the State Government thinks fit.

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(Sections 7-12.)

7. If any difficulty arises in giving effect to the provisions of this Act or the rules made thereunder the State Government may take such steps or issue such orders not inconsistent with the said provisions as may be necessary for the removal of the difficulty.

Removal
of difficul-
ties.

8. No suit, prosecution or other legal proceedings shall lie against any person for anything in good faith done or intended to be done under this Act.

Indemnity.

9. Subject to such conditions as may be imposed by rules made in this behalf the Administrator may by an order in writing delegate any of his powers under this Act to any officer or employee appointed under Section 4 to assist him.

Delegation.

10. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law or in any contract, express or implied, or in any instrument and notwithstanding any custom or usage to the contrary.

Act to
override
other laws.

11. The State Government may, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Act.

Power to
make rules.

West Ben.
Ord. XII
of 1975.

12. (1) The West Bengal Government Townships (Extension of Civic Amenities) Ordinance, 1975, is hereby repealed.

Repeal and
savings.

(2) Anything done or any action taken under the West Bengal Government Townships (Extension of Civic Amenities) Ordinance, 1975, shall be deemed to have been validly done or taken under this Act as if this Act had commenced on the 23rd day of September, 1975.