

Government of West Bengal  
Urban Development Department  
'NAGARAYAN'  
DF-8, Sector-I, Salt Lake,  
Kolkata - 700 064.

No. 3804(5)-UD/O/M/SB/S-07/08

Dated: the 7<sup>th</sup> November, 2008.

From: Shri A. Palodhi, W.B.C.S.(Exc.),  
Deputy Secretary to the  
Government of West Bengal.

- To :
- 1) The Chief Executive Officer, K.M.D.A.,  
Prosashan Bhawan, Salt Lake, Kolkata - 700 064.
  - 2) The District Magistrate, Howrah.
  - 3) The Officer on Special Duty,  
Kolkata Improvement Trust,  
P-16, India Exchange Place Extn., Kolkata - 700 073.
  - 4) The Chief Executive Officer,  
Howrah Improvement Trust,  
19, G.T. Road(S), Howrah - 110101.
  - 5) The Commissioner, Howrah Municipal Corporation.

*Computer Consultant,  
A @ 11/11*

Sub The Howrah Improvement(Amendment) Act, 2008.

Sir,

I am directed to send herewith 5(five) copies each of the Gazette Notification of the Howrah Improvement(Amendment) Act, 2008 and its date of effect for your kind information and necessary action

Yours faithfully,

Encl. As above.

*Sd/-*

Deputy Secretary to the  
Government of West Bengal

No. 3804(5)/1-UD/O/M/SB/S-07/08

Dated: the 7<sup>th</sup> November, 2008.

Copy with the copies of the above mentioned Gazette notifications forwarded to the Officer on Special Duty to MIC, UD&MA Department.

Encl. As above

*Sd/-*

Deputy Secretary to the  
Government of West Bengal

No. 3804(5)/2-UD/O/M/SB/S-07/08

Dated: the 7<sup>th</sup> November, 2008.

✓ Copy to Shri A.K.Das, O.S.D. & Ex Officio Dy. Secretary for updating in U.D. Department website.

Encl. As above

*DA*

Deputy Secretary to the  
Government of West Bengal

19 SEP 2008  
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LAW DEPARTMENT  
LEGISLATIVE BRANCH

Hoarah Improvement

Advance Clean proofs of the (Amendment) Act, 2008 as received, have duly been checked by this Department and the same are now being sent to the Saraswaty Press Limited, for final publication.

2. The Press is accordingly requested to publish the aforesaid Act in the *Kolkata Gazette*, Extraordinary, Part III of the 18th September, 2008, under this Department notification No. 483-L, dated the 18th September, 2008, as West Ben. Act XXIII of 2008, subject to examination of the proofs copy by the Press before final printing.

3. Manuscripts of the 'Assent Notification' bearing No. 546-P.A., dated the 18th September, 2008 are also sent to the Press for publication of the same in the *Kolkata Gazette*, Extraordinary, Part I, of the same date.

4. The Press is also requested to supply --

- (i) 200 (two hundred) gazette copies of the Act for Law Department, and
- (ii) 200 (two hundred) gazette copies of the Act for the Urban Development Department of this Government, in separate packets,

i.e. Total 400 (four hundred) gazette copies along with

- (iii) 60 (sixty) gazette copies of the 'Assent Notification' of the Parliamentary Affairs Department of this Government, in another packet,

to this Department immediately after their publications.

5. In this regard the Press is requested to refer to the Commerce & Industries Department letter No. 21 CI/O/P.R./4P-2/01/G, dated the 30<sup>th</sup> March, 2006 and 103-C.I./O/P.R./4P-2/1/G, dated the 4<sup>th</sup> March, 2005, in the matter of proposed publication.

18.9.08 p/202 (Encl) dt 18-09-08

To  
The Managing Director,  
Saraswaty Press Limited,  
11, B. T. Road,  
Kolkata - 700 056.

sd-

Secretary/Deputy Secretary/Assistant Secretary  
to the Government of West Bengal, Law Department.

Handwritten notes and stamps on the left side of the page, including a date stamp '19/9/08'.

L.O. No. 1342 dated 19-09-08

Copy forwarded to the Urban Development and Commerce and Industries Department, Writers' Buildings, of this Government for information.

Secretary/Deputy Secretary/Assistant Secretary  
to the Government of West Bengal, Law Department.

**The**  
  
**Kolkata** **Gazette**  
सत्यमेव जयते

*Extraordinary*  
Published by Authority

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FRIDAY, OCTOBER 31, 2008

[SAKA 1930

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

**GOVERNMENT OF WEST BENGAL**

**Urban Development Department**  
**“NAGARAYAN”, DF-8, Sector-I,**  
**Salt Lake, Kolkata - 700 064.**

No. 3664-UD/O/M/SB/S-07/2008.

Kolkata, the 24th October, 2008.

**NOTIFICATION**

In exercise of the power conferred by sub-Section (2) of Section - I of the Howrah Improvement (Amendment) Act, 2008 (West Bengal Act XXIII of 2008), the Governor is pleased hereby to appoint the 27th Day of October, 2008, on and from which the said Act shall come into force.

By order of the Governor,

**P. K. PRADHAN,**  
*Principal Secretary*  
*to the Government of West Bengal.*

# The

# Kolkata



# Gazette

सत्यमेव जयते

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THURSDAY, SEPTEMBER 18, 2008

[SAKA 1930

PART III—Acts of the West Bengal Legislature.

**GOVERNMENT OF WEST BENGAL**

**LAW DEPARTMENT**

**Legislative**

**NOTIFICATION**

No. 1483-L.—18th September, 2008.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

## **West Bengal Act XXIII of 2008**

**THE HOWRAH IMPROVEMENT  
(AMENDMENT) ACT, 2008.**

*[Passed by the West Bengal Legislature.]*

*[Assent of the Governor was first published in the Kolkata Gazette,  
Extraordinary, of the 18th September, 2008.]*

*An Act to amend the Howrah Improvement Act, 1956.*

WHEREAS it is expedient to amend the Howrah Improvement Act, 1956, for the purposes and in the manner hereinafter appearing;

West Ben. Act  
XIV of 1956.

It is hereby enacted in the Fifty-ninth 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 Howrah Improvement (Amendment) Act, 2008.

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

*The Howrah Improvement (Amendment) Act, 2008.*

(Sections 2-7.)

Substitution of section 4 of West Ben. Act XIV of 1956.

2. For section 4 of the Howrah Improvement Act, 1956 (hereinafter referred to as the principal Act), the following section shall be substituted:—

“Constitution of Board.

4. The Board shall consist of eleven Trustees as specified below:—

- (a) Chairman, to be appointed by the State Government;
- (b) the Mayor, Howrah Municipal Corporation;
- (c) *Sabhadhipati*, Howrah Zilla Parishad or his authorised representative;
- (d) the Chairman, Bally Municipality;
- (e) the Chairman, Uluberia Municipality;
- (f) one representative of the Finance Department, Government of West Bengal;
- (g) one representative of the Urban Development Department, Government of West Bengal;
- (h) one official of the Kolkata Metropolitan Development Authority to be appointed by the State Government;
- (i) Chief Executive Officer;
- (j) District Magistrate, Howrah;
- (k) the person appointed by the State Government to be the Secretary of the Board, who shall be the Member-Secretary.”.

Amendment of section 15.

3. In section 15 of the principal Act, in clause (d), for the words “one-half”, the words “one-third” shall be substituted.

Amendment of section 22.

4. In section 22 of the principal Act, in sub-section (1), the proviso shall be omitted.

Amendment of section 23.

5. In section 23 of the principal Act, in sub-section (2), for the words “five thousand rupees”, the words “fifty thousand rupees” shall be substituted.

Amendment of section 24.

6. In section 24 of the principal Act, in sub-section (2), for the words “five thousand rupees”, the words “fifty thousand rupees” shall be substituted.

Amendment of section 29.

7. In section 29 of the principal Act, for sub-section (1), the following sub-section shall be substituted:—

“(1) Subject to any directions contained in any statement prepared under section 27 and any rules made under section 28 and for the time being in force, the power of appointing, promoting and granting leave to officers and servants of the Board, and reducing them in rank or suspending or dismissing them from service for misconduct, and dispensing with their services for any reason other than misconduct, shall be vested in the Chairman:

Provided that any officer or servant, who is reduced in rank, suspended or dismissed from service by the Chairman, may appeal to the Board whose decision thereon shall be final:

Provided further that the Chairman may place an officer or servant under suspension where a disciplinary proceeding or a departmental enquiry against the officer or the servant is contemplated or is pending or where a case against such officer or servant in respect of any criminal offence is under investigation.”.

*The Howrah Improvement (Amendment) Act, 2008.**(Sections 8-12.)*Amendment of  
section 30.**8.** In section 30 of the principal Act,—

- (1) in clause (a), for the words "officers carrying a salary of more than one thousand and five hundred rupees per mensem," the words and letter "officers belonging to group A," shall be substituted;
- (2) in clause (c), for the words "officer appointed to hold an office carrying a salary of more than one thousand and five hundred rupees per mensem," the words and letter "officer belonging to group A," shall be substituted.

Amendment of  
section 32.**9.** In section 32 of the principal Act, for sub-section (1), the following sub-section shall be substituted:—

"(1) The Chairman may, by general or special order in writing, delegate to the Chief Executive Officer any of his powers, duties or functions under this Act or any rule made hereunder, except those conferred or imposed upon or vested in him by sections 15, 18, 26, 117, 121, 125 and 127."

Amendment of  
section 117.**10.** In section 117 of the principal Act, in sub-section (1), for the words "in the month of February in each year," the words "within fifteen days from the publication of State budget in each year," shall be substituted.Amendment of  
section 124.**11.** For section 124 of the principal Act, the following section shall be substituted:—

"Receipts of  
moneys, and  
deposit in Bank.

**124.** All moneys payable to the Board shall be received by the Chief Executive Officer, and shall forthwith be paid into the State Bank of India, or any other scheduled commercial banks approved by the Reserve Bank of India to the credit of an account which shall be styled as Howrah Improvement Trust:

Provided that any money sanctioned to the Board under any specific scheme shall be deposited in such Bank as per the instructions issued in this behalf by the sanctioning authority."

Amendment of  
section 125.**12.** In section 125 of the principal Act,—

- (1) in sub-section (1), for clause (a), the following clause shall be substituted:—

"(a) deposited at interest in the State Bank of India or in any other scheduled commercial banks approved by Reserve Bank of India;"

- (2) for sub-section (2), the following sub-section shall be substituted:—

"(2) All such deposits and its investments, re-investments and withdrawals, shall be made by the Chief Executive Officer on behalf of the Board on the recommendations of an Investment Committee, to be constituted by the State Government for the purpose, comprising of following members:—

- (a) Chief Executive Officer—Chairperson;
- (b) Secretary of the Board—Member;
- (c) Financial Adviser and Chief Accounts Officer of the Board—Member;
- (d) Chief Engineer of the Board—Member;
- (e) Estate Officer of the Board—Member."

*The Howrah Improvement (Amendment) Act, 2008.**(Sections 13-17.)*

Amendment of section 126.

**13.** In section 126 of the principal Act, sub-section (2) shall be omitted.

Amendment of section 127.

**14.** For section 127 of the principal Act, the following section shall be substituted:—

"Authority to sign orders under section 125 and cheques under section 126.

**127.** All order for making any deposit, investments, re-investments and withdrawals referred to in section 125, and all cheques referred to in section 126, shall be signed by the Secretary and the Financial Adviser and Chief Accounts Officer of the Board jointly:

Provided that in absence of the Secretary or the Financial Adviser and Chief Accounts Officer, the Chief Executive Officer may authorise an officer of the Board to sign the order or cheque referred to in this section."

Amendment of section 132.

**15.** Section 132 of the principal Act shall be re-numbered as sub-section (1) of that section and—

- (1) in sub-section (1), as so re-numbered, clause (b) shall be omitted;
- (2) after sub-section (1), as so re-numbered, the following sub-section shall be inserted:—

"(2) All moneys received on account of loans taken by the Board in pursuance of section 98 or section 99 shall be credited to appropriate loan account and to be shown as liabilities in the State of Affairs of the Board in the Annual Accounts."

Amendment of section 141.

**16.** To section 141 of the principal Act, the following proviso shall be added:—

"Provided that an internal audit system shall run apart from the above by an outside agency to be engaged by the Board to establish more control over the expenditure and maintenance of accounts."

Insertion of new section 164A.

**17.** After section 164 of the principal Act, the following section shall be inserted:—

"Removal of trespassers.

**164A.** If a person or persons trespasses and enters wrongfully upon or into any part of the premises or property under lawful possession of ownership of the Board and refuses to leave, notwithstanding anything contained in any Act, such person or persons shall be removed therefrom with the aid of the Superintendent of Police, Howrah, or the sub-ordinate police officers under him."

By order of the Governor,

**ANINDYA BHATTACHARYYA,**  
*Secy.-in-charge to the Govt. of West Bengal,*  
*Law Department.*