

MOTOR VEHICLES (WEST BENGAL AMENDMENT) ACT, 1977**33 of 1977****[8th December, 1977]**

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MOTOR VEHICLES (WEST BENGAL AMENDMENT) ACT, 1977**33 of 1977****[8th December, 1977]**

An Act to amend the Motor Vehicles Act, 1939, in its application to West Bengal. WHEREAS it is expedient to amend the Motor Vehicles Act, 1939, in its application to West Bengal, for the purposes and in the manner hereinafter appearing; It is hereby enacted as follow:

1. Short title :-

This Act may be called the Motor Vehicles (West Bengal Amendment) Act, 1977.

2. Application of the Act :-

The Motor Vehicles Act, 1939 (hereinafter referred to as the said Act), shall, in its application to West Bengal, be amended in the manner hereinafter provided.

3. Amendment of section 44 of Act 4 of 1939 :-

In section 44 of the said Act, after sub-section (1), the following sub-sections shall be, and shall be deemed always to have been, inserted, namely:

"(1A) The period of appointment of a State Transport Authority or a Regional Transport Authority, as the case may be, constituted by notification under sub-section (1), shall be three years from the

date of such notification:

Provided that the State Government may, if it considers proper so to do, terminate the period of appointment before the expiration of the period of three years and reconstitute the State Transport Authority or the Regional Transport Authority.

(1B) Notwithstanding the expiration of the period of three years specified in sub-section (1A), a State Transport Authority or a Regional Transport Authority, as the case may be, shall continue to exercise its powers and discharge its functions until such State Transport Authority or Regional Transport Authority is reconstituted."

4. Amendment of section 68 :-

In clause (a) of sub-section (2) of section 68 of the said Act, the words "the period of appointment and" shall be, and shall be deemed always to have been, omitted.

5. Validation :-

For the removal of doubts it is hereby declared that the State Transport Authority constituted under the Home Department notification No. 19666-WT/T3M-47/72, dated 17th December, 1973, for the State of West Bengal shall be and shall be deemed always to have been constituted under section 44 of the said Act as amended by this Act and any power exercised or any function discharged by the State Transport Authority so constituted shall be deemed to have been validly exercised or discharged as if this Act were in force on the day on which such power was exercised or such function was discharged.