
West Bengal Valuation Board (Amendment) Act, 2009**4 of 2009****[01 June 2009]****CONTENTS**

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West Bengal Valuation Board (Amendment) Act, 2009**4 of 2009****[01 June 2009]**

An Act to amend the West Bengal Valuation Board Act, 1978. Whereas it is expedient to amend the West Bengal Valuation Board Act, 1978 (West Ben. Act LVII of 1978), for the purposes and in the manner hereinafter appearing; It is hereby enacted in the Sixtieth Year of the Republic of India, by the Legislature of West Bengal, as follows:- Footnotes: * Published in the Kolkata Gazette, Extraordinary, Part III, vide Notification No.637-L, dated 22nd April, 2009, w.e.f. 1.6.2009.

1. Short Title And Commencement :-

(1) This Act may be called the West Bengal Valuation Board (Amendment) Act, 2009. (2) This section shall come into force at once, and the remaining sections shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different sections of this Act.

2. Amendment Of Section 2 Of West Ben. Act Lvii Of 1978 :-

In section 2 of the West Bengal Valuation Board Act, 1978

(hereinafter referred to as the principal Act),- (1) in sub-section (1),- (a) clause (aaa) shall be omitted; (b) clause (d) shall be omitted; (c) for clause (f), the following clause shall be substituted:- "(i) Corporation means the Kolkata Municipal Corporation constituted under the Kolkata Municipal Corporation Act, 1980 (West Ben. Act LIX of 1980), the Howrah Municipal Corporation constituted under the Howrah Municipal Corporation Act, 1980 (West Ben. Act LVIII of 1980), and other Municipal Corporations constituted under the West Bengal Municipal Corporation Act, 2006 (West Ben. Act XXXIX of 2006);"; (d) in clause (We), for the words and figures "the Siliguri Municipal Corporation Act, 1990 (West Ben. Act XXX of 1990), the Asansol Municipal Corporation Act, 1990 (West Ben. Act XXXI of 1990), the Chandernagore Municipal Corporation Act, 1990 (West Ben. Act, XXXII of 1990),", the words and figures "the West Bengal Municipal Corporation Act, 2006," shall be substituted; (e) clause (mm) shall be omitted; (2) in sub-section (2), for the words and figures "the Siliguri Municipal Corporation Act, 1990 or the Asansol Municipal Corporation Act, 1990 or the Chandernagore Municipal Corporation Act, 1990", the words and figures "the West Bengal Municipal Corporation Act, 2006" shall be substituted.

3. Amendment Of Section 3 :-

In section 3 of the principal Act, for the words and figures "the Siliguri Municipal Corporation Act, 1990 or the Asansol Municipal Corporation Act, 1990 or the Chandernagore Municipal Corporation Act, 1990", the words and figures "the West Bengal Municipal Corporation Act, 2006" shall be substituted.

4. Amendment Of Section 9 :-

In section 9 of the principal Act,- (1) in sub-section (1), for the words and figures "the Siliguri Municipal Corporation Act, 1990 or the Asansol Municipal Corporation Act, 1990 or the Chandernagore Municipal Corporation Act, 1990", the words and figures "the West Bengal Municipal Corporation Act, 2006" shall be substituted; (2) in sub-section (2), for the words "The valuation made by the Board shall become operative with effect from such date as the State Government may, by notification, appoint in this behalf", the words and figures "The valuation made by the Board shall become operative with effect from the date as specified in section 11" shall be substituted.

5. Amendment Of Section 9A :-

In section 9A of the principal Act,- (1) in sub-section (3), the words ", by such officer or officers of the Board or the Corporation or Municipality concerned as may be specified by the Board in this behalf" shall be omitted; (2) for sub-section (4), the following sub-section shall be substituted:- "(4) The Board shall, with the approval of the State Government, appoint such officer or officers, having such experience and qualification, and on such terms and conditions as the State Government may by order determine, to hear and determine the objections to the draft valuation list, and the objection shall be determined in such manner as may be prescribed."; (3) sub-section (5) shall be omitted.

6. Substitution Of New Section For Section 11 :-

For section 11 of the principal Act, the following section shall be substituted:- "11. Publication of final valuation list-- When the application under sub-section (2) of section 9A, if any, has been determined, the Board shall prepare a final valuation list and shall give public notice of the place or places where such list may be inspected, and such valuation list shall be the final valuation list, and shall become operative from the date or quarter succeeding last date or quarter up to which the previous valuation list was valid."

7. Amendment Of Section 18 :-

In section 18 of the principal Act,- (1) for sub-section (1), the following sub-section shall be substituted:- "(1) Any officer of the Board, or any person or an Agency authorised by the Board in this behalf, in writing, may enter into any land or building and make an inspection or survey, or take measurements, thereof for the purpose of valuation."; (2) in sub-section (2), after the words "such officer", the words", person or the agency, as the case may be," shall be inserted.

8. Amendment Of Section 26 :-

To section 26 of the principal Act, after the existing proviso, the following proviso shall be added:- "Provided further that notwithstanding anything contained in this section, the Board may engage private agency or any other person with sufficient experience, on such terms and conditions as the State Government may, by order, determine, in the work of valuation of properties."

9. Insertion Of New Section After Section 29 :-

After section 29 of the principal Act, the following section shall be inserted:- "30. Validation and saving.- Notwithstanding anything

contained in this Act, with effect from the date of coming into force of the West Bengal Valuation Board (Amendment) Act, 2009, any property tax levied on annual value of land and building, or any valuation published under this Act or any assessment list published under the West Bengal Municipal Act, 1993, or the West Bengal Municipal Corporation Act, 2006 shall remain in force till a new valuation list is brought into effect.".