

West Bengal Act XXIII of 1948

THE 24-PARGANAS DISTRICT BOARD DISSOLUTION (TEMPORARY PROVISIONS) ACT, 1948.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 7th October, 1948.]

An Act to provide for the dissolution and constitution of the District Board of the 24-Parganas.

WHEREAS it is expedient to provide for the dissolution and constitution of the District Board of the 24-Parganas in the manner hereinafter appearing;

It is hereby enacted as follows:—

1. (1) This Act may be called the 24-Parganas District Board Dissolution (Temporary Provisions) Act, 1948.

Short title, commencement and duration.

West Ben. Ord. III of 1948.

(2) It shall come into force on the date on which the 24-Parganas District Board (Dissolution) Ordinance, 1948, ceases to operate.

(3) It shall remain in force only up to the 9th day of May, 1950.

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

Definitions.

Ben. Act III of 1885.

(a) "the Act" means the Bengal Local Self-Government Act of 1885; and

(b) "the District Board" means the District Board of the 24-Parganas.

3. The Provincial Government may, if and so often as it so thinks fit, by an order published in the *Official Gazette* dissolve the District Board from such date as may be specified in the order:

Dissolution of the District Board.

Provided that such powers shall not be exercised when the District Board is reconstituted, on the result of the election referred to in sub-section (1) of section 7 in accordance with the provisions of the Act.

4. Notwithstanding anything contained in the Act, all the members constituting the District Board and the Chairman and the Vice-Chairmen of the District Board shall, as from the date of dissolution, vacate their offices as such members, Chairman and Vice-Chairmen.

Consequences of dissolution.

5. Notwithstanding anything contained in the Act, the Provincial Government shall, if the District Board is dissolved, by notification in the *Official Gazette*, constitute the District Board as from the date of dissolution in such manner and consisting of such number of members as it may determine in this behalf.

Constitution of the District Board.

2 The 24-Parganas District Board Dissolution (Temporary Provisions) Act, 1948.

[West Ben. Act XXIII of 1948.]

(Sections 6—9.)

Term of office of members.

6. The Provincial Government shall, by notification in the *Official Gazette*, fix the term of office of members of the District Board constituted under section 5:

Provided that the term of office so fixed shall not exceed the period during which this Act remains in force.

Reconstitution of the District Board in accordance with the provisions of the Bengal Local Self-Government Act of 1885.

7. (1) Before the expiry of the term of office of the members of the District Board constituted under section 5, there shall be a fresh general election of members of the District Board in conformity with the provisions of the Act and the rules made thereunder and the persons who vacated their offices under section 4 shall not be deemed disqualified for such election if they are otherwise qualified therefor.

(2) On the expiration of the term of office of the members of the District Board constituted under section 5, the District Board shall be reconstituted on the result of election referred to in sub-section (1) in accordance with the provisions of the Act.

Casual vacancies.

8. When the place of a member of the District Board constituted under section 5 becomes vacant, the Provincial Government shall, as soon as may be, appoint another person to fill the vacancy and the person so appointed shall hold office for the residue of the term of office of the member in whose stead he is appointed.

Continuance of action taken under West Bengal Ordinance III of 1948.

9. Any notification issued or anything done or any action taken in exercise of any power conferred by the 24-Parganas District Board (Dissolution) Ordinance, 1948, shall, on the said Ordinance ceasing to be in operation, be deemed to have been issued, done or taken in exercise of the powers conferred by this Act, as if this Act had commenced on the 3rd day of May, 1948.

West Ben. Ord. III of 1948.