

Ref by Act 56 of 1974, S 2 and Sch. I

THE WEST BENGAL STATE LEGISLATURE (DELEGATION
OF POWERS) ACT, 1970

No. 17 OF 1970

[29th April, 1970]

An Act to confer on the President the power of the Legislature of the State of West Bengal to make laws.

BE it enacted by Parliament in the Twenty-first Year of the Republic of India as follows:—

Short
title.

1. This Act may be called the West Bengal State Legislature (Delegation of Powers) Act, 1970.

Defini-
tion.

2. In this Act, "Proclamation" means the Proclamation issued on the 19th day of March, 1970, under article 356 of the Constitution, by the President, and published with the notification of the Government of India in the Ministry of Home Affairs No. G.S.R. 490 of the said date.

Confer-
ment
on the
President
of the
power
of the
State
Legis-
lature to
make
laws.

3. (1) The power of the Legislature of the State of West Bengal to make laws, which has been declared by the Proclamation to be exercisable by or under the authority of Parliament, is hereby conferred on the President.

(2) In the exercise of the said power, the President may, from time to time, whether Parliament is or is not in session, enact, as a President's Act, a Bill containing such provisions as he considers necessary:

Provided that before enacting any such Act, the President shall, whenever he considers it practicable to do so, consult a Committee constituted for the purpose, consisting of forty members of the House of the People nominated by the Speaker and twenty members of the Council of States nominated by the Chairman.

(3) Every Act enacted by the President under sub-section (2) shall, as soon as may be after enactment, be laid before each House of Parliament.

(4) Either House of Parliament may, by resolution, passed within thirty days from the date on which the Act has been laid before it under sub-section (3), which period may be comprised in one session or in two successive sessions, direct any modifications to be made in the Act and if the modifications are agreed to by the other House of Parliament during the session in which the Act has been so laid before it or the session succeeding, such modifications shall be given effect to by the President by enacting an amending Act under sub-section (2):

Provided that nothing in this sub-section shall affect the validity of the Act or of any action taken thereunder before it is so amended.