

Howrah Improvement Act, 1956

Section 67 - The Board may, for carrying out the purposes of this Act, and purchase land by

1956.XIV of 1956.1 (Chapter- III.-Introductory,1,Section-65.1 whereupon such street shall be maintained, kept in repair, lighted and cleared by them; and, if the [(Howrah Municipal Corporation or any Municipality of Howrah,) as the case may be,] are of opinion that certain works are required to be done hereof such declaration may be made, to require the Board to complete such works: Provided as follows:- (a) no engineering or construction works, not included in rule schemes sanctioned by the State Government under section 50, shall be required to be done by the Board except with the sanction of the Board as a condition of such transfer; (b) when certain works in connection with the street can be taken up only after a lapse of time to allow for consolidation of roads or the erection of buildings on both sides, the declaration shall not be put off till they are completed, but shall be made, within the time prescribed under this sub-section on the Board giving an undertaking [that they shall, complete the works when asked by the [(Howrah Municipal Corporation or any Municipality of Howrah,) as the case may be,] to do so. (2) As soon as the works required to be done by the [(Howrah Municipal Corporation or any Municipality of Howrah,) as the case may be,] as aforesaid are completed, the Board shall report the same to them; and it shall be their duty to declare the street to be a public street by written notice affixed in some conspicuous position in such street within two months from the date of receipt of the report, and on the expiry of which period the liability of the Board to maintain the street and the street lighting or to pay the municipal rates, if any, assessed on the lands comprised within such street shall cease. (3) When any open space, park, garden or lake has been provided by the Board in exercising any improvement scheme, and the Board are of opinion that such open space, park, garden or lake should be transferred to the Commissioners of the Howrah Municipality, they may pass a resolution to that effect, and such open space, park, garden or lake shall hereupon pass in and be maintained at the expense of the [(Howrah Municipal Corporation or any Municipality of Howrah,) as the case may be,]: Provided that the Commissioners of the Howrah Municipality may require the Board, before any such open space, park, garden or lake is [West Bn. Act (Chapter III.-Improvement Scheme-66.-Chapter I V- Acquisition and Disposal of Land.- Section 67.)] to enclose, level, drain and lay out such open space, park, garden or lake and provide footpaths therein and, if necessary, to provide lamps and other apparatus for lighting it: Provided further that no open space, park, garden or lake transferred to the [(Howrah Municipal Corporation or any Municipality of Howrah,) as the case may be,] shall be permanently closed or locked out for building purposes without the previous approval of the State Government. (4) If any difference of opinion arises between the Board and the [(Howrah Municipal Corporation or any Municipality of Howrah,) as the case may be,] in respect of any matter referred to in the foregoing provisions of this section, the matter shall be referred to the State Government whose decision shall be final: Provided that the State Government, in deciding a dispute regarding the taking over by the [(Howrah Municipal Corporation or any Municipality of Howrah,) as the case may be,] of a public square, open space, park or garden provided by the Board, may direct the Corporation or the Municipality, as the case may be, to take it over within a specified date and [or the Corporation or the Municipality, as the case may be, failing] to comply with the direction to pay to the Board the cost of its maintenance from the said specified date to the date on which it is taken over. Section 66 - over 66. [Applicability of section 65 to other Municipalities.- Order by s. 27 of the Howrah Improvement Act, 1956 (W.B. Act XV of 1956). Acquisition and Disposal of Land. Power with the previous sanction of the State Government- (i) entered into an agreement with any person for the purchase and to acquire land or taking on lease by the Board from such person, of any under the land or any interest in such land; or a Acquisition Act, 1894. The words "or II-IC B d l y Municipality, under which" were: first inserted, in section 65, by s. 30 of the Howrah Improvement Act, 1956 (W.B. Act XLIII of 1956). Therefore, the words within the

firs1 bmckca wcre substituted Tor the words e n H o w d Municipality or h c B d y Municipality" in sub-
sefuons (2); " C o r ~ ~ r ~ ~ i s s i o o f n r h e (31, (4) md 'proviso lo sub-section (4)', by \$5, 26(b). 26(c).
26)d(i) and 7qd(ii)(A). nspxti vely, of the Hownh Impmvenrnt (Arncndnlcnt)Am 1995 (WEI Ben.A a XV
of 1995). The words within the square bnckcts werc subsri~utcdTor the words "dirccr Ihc Commissioners"
by s. 26(d)(ii)[B], ibid. 'The work wilhin II- sq Iw C b n c k were ~ subsulu~edfor the words "on he
Commisionus idling" by s. Zd(d)(ii)(C), ibid. The Holvrnlr I~ilprovertietnA cr,

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