WEST BENGAL

Notification No. SRO 421 dated 28th Oct. 1971 published in the Gazette of India dated 13th Nov, 1971.

S.R.O. 421 dated 28th October. 1971—In exercise of the powers conferred by Section 3 of the Cantonments (Extension of Rent Control Laws) Act, 1957 (46 of 1957) and in supersession of the notification of the Government of India in the Ministry of Defence No. S.R.O. 82 dated the 4th March, 1968, the Central Government hereby extends to the Cantonments in the state of West Bengal, the West Bengal Premises Tenancy Act, 1956 (West Bengal Act XII of 1956) as in force in the state of West Bengal on the date of this notification with the following modifications, namely :

In the said Act,—

1. In Section 1, for sub-section (2) and (3) including the provisos and the Explanation, the following sub-sections shall be substituted, namely :—

(2) It shall come into force at once.

(3) It extends to the areas declared to be cantonments under Section 3 of the Cantonments Act 1924 (2 of 1924) in the state of West Bengal :

Provided that nothing in this Act shall apply to :—

(a) any premises within the cantonment belonging to the Cantonment Board ;

(b) any premises belonging to or requisitioned by the Central Government;

(c) any tenancy or other like relationship created by a grant from the Central Government in respect of premises within the cantonment taken on lease or requisitioned by the Central Government;

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(d) any house within the cantonment which is, or may be, appropriated by the Central Government on lease under the Cantonments (House-Accommodation) Act, 1923."

2. In Section 2, clause (a) shall be omitted,

3. In Section 3,—

In sub-section (2) for the words. Brackets and figures "after the commencement of the West Bengal Premises Tenancy (Amendment) Ordinance 1965 (West Bengal Ord. VI of 1965)" the words, figures and letters "after the twenty fourth day of August, 1965" shall be substituted.

4. In Section 8,—in clause (d) of sub section (1) and sub-section (2) for the words "Municipal rates and taxes" wherever they occur the words "Cantonment Board rates and taxes" shall be substituted.

5. In clause (a) of Section 9 and in item (1) of the proviso to Section 12 for the words "Municipal rates and taxes" wherever they occur the words "Cantonment Board rates and taxes" shall be substituted,

6. In Section 31 for the words "municipal requisition", the words "Cantonment Board requisition" shall be substituted :

7. In Section 39, for the words, brackets and figures "Indian Limitation Act, 1908 (9 of 1908)", the words, brackets and figures "Limitation Act, 1963 (36 of 1963)" shall be substituted.

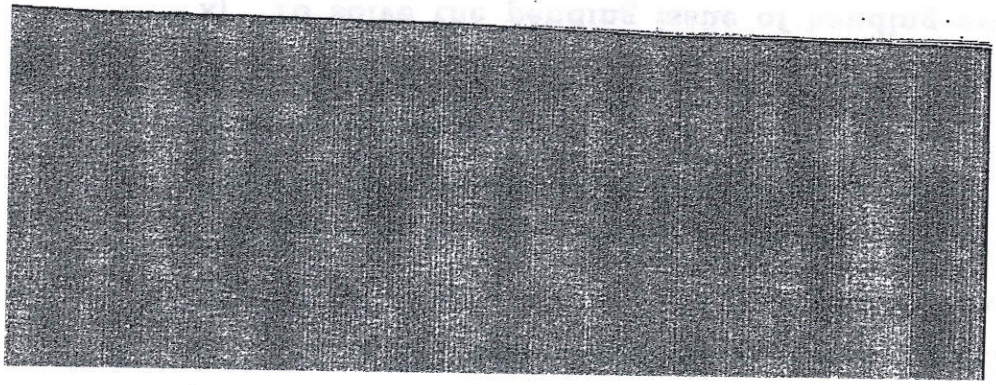
8. Section 40 shall be omitted.

Saving—Notwithstanding the supersession of the notification referred to in the preamble all suits and other proceedings under the said notification pending commencement there of before any Court or other authority, shall continue to be disposed of in accordance with the provisions of the said notification as if the same had continued in force and this notification had not been issued :

Provided that the provisions for appeal under the said notification shall continue in force in respect of suits and proceedings disposed of thereunder.

WEST BENGAL

Notification No, S.R.O 39 dated 14tb January 1974 published in the Gazette of India dated 26th Jan, 1974. .



S.R.O. 39 dated 14 January. 1974—In exercise of the powers conferred by Section 3 of the Cantonments (Extension of Rent Control Laws) Act. 1957 (46 of 1957), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Defence No, S.R.O. 421 dated the 28th October, 1971 extending the provisions of the West Bengal Premises Tenancy Act, 1956 (West Bengal Act, XII of 1956) (hereinafter referred to as the said Act) to the cantonments in the state of West Bengal namely :—

(a) In the preamble after the words "in the state of West Bengal", the words "on the date of this notification" shall be omitted.

(b) In clause (1), for sub-section (2), of Section 1 of the said Act, the following sub-section shall be substituted, namely :—

(2) It shall be deemed to have come into force on the 31st March. 1956:

Provided that the provisions contained in Section 30 and 31 of the said Act shall be operative only from the 13th October. 1971, the date on which the notification of the Government of India in the Ministry of Defence No, S.R.O. 421 dated the 28th October, 1971 was published in the Official Gazette,

COMMENTS

(1) Exemption— A house that has been appropriated by the Central Govt. would be exempt from the purview of U. P. Rent Control Act of 1972, as also the house liable to appropriation on a lease for which resort has already been taken to the conditions provided in Section 6 and 7 of the Cantonments (House-Accommodation) Act. 1923, (para 9) [1987 (1) AWC 162.]

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