



## The West Bengal District Boards Act, 1947

Act 3 of 1947

**Keyword(s):**

**Boundary Commission, Dissolution, Constitution, District Boards**

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## West Bengal Act III of 1947<sup>1</sup>

### THE WEST BENGAL DISTRICT BOARDS ACT, 1947.

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|---------|----|---|
| AMENDED | .. | [ West Ben. Act XV of 1948.<br>West Ben. Act VIII of 1949.<br>West Ben. Act III of 1950.<br>West Ben. Act LIII of 1950. |
| ADAPTED | .. | The Adaptation of Laws Order, 1950.   |

[30th December, 1947.]

*An Act to provide for the dissolution and constitution of certain district boards.*

WHEREAS under the award of the Boundary Commission parts of the districts of Jalpaiguri, Malda, Nadia and Dinajpur have been excluded from the Province of West Bengal;

AND WHEREAS the new districts of <sup>2</sup>[Nadia], West Dinajpur, Malda and Jalpaiguri have been constituted comprising respectively the parts of the former districts of Nadia, Dinajpur, Malda and Jalpaiguri which have been included within West Bengal under the said award;

AND WHEREAS it is expedient to provide for the dissolution and constitution of certain district boards;

It is hereby enacted as follows:—

1. (1) This Act may be called the West Bengal District Boards Act, 1947.

Short title and commencement.

(2) It shall come into force on the date on which the West Bengal District Boards Ordinance, 1947, ceases to operate.

West Ben. Ord. XI of 1947.

2. In this Act, the expression "Boundary Commission" means the Boundary Commission referred to in the Indian Independence Act, 1947.

Definition.

3. Notwithstanding anything contained in the Bengal Local Self-Government Act of 1885 or in any other law for the time being in force, on and from the date on which the award of the Boundary Commission came into force the district boards of the districts of Nadia, Dinajpur, Malda and Jalpaiguri constituted under the said Act shall be deemed to have been dissolved and every member of each such board shall be deemed

Dissolution of certain district boards.

10 & 11, Geo. VI, c. 30.

Ben. Act III of 1885.

<sup>1</sup>For Statement of Objects and Reasons, see the *Calcutta Gazette*, dated the 15th November, 1947, Part IV, page 243; for proceedings of the West Bengal Legislative Assembly, see the proceedings of the meeting of the West Bengal Legislative Assembly held on the 26th November, 1947.

<sup>2</sup>This word was substituted for the word "Navadwip" by the West Bengal District Boards (Amendment) Act, 1948 (West Bengal Act XV of 1948).

## (Sections 4-6.)

to have ceased to hold office as such member in so far as such boards had authority over any area included within West Bengal under the said award.

Constitu-  
tion of certain  
district  
boards.

4. (1) Notwithstanding anything contained in the Bengal Local Self-Government Act of 1885 or in any other law for the time being in force, the <sup>1</sup>{State} Government may, by notification in the *Official Gazette*, constitute district boards of the districts of <sup>2</sup>{Nadia}, West Dinajpur, Malda and Jalpaiguri in such manner and consisting of such number of members as it may determine in this behalf.

Ben. Act III of  
1885.

(2) The district boards constituted under sub-section (1) shall be deemed to have been constituted on and from the date on which the award of the Boundary Commission came into force.

Term of  
office of  
members.

5. The <sup>1</sup>{State} Government may, by notification in the *Official Gazette*, fix the term of office of members of the district boards constituted under section 4:

Provided that the term of office so fixed shall not exceed <sup>2</sup>{four years, four months and fifteen days} from the date on which the award of the Boundary Commission came into force.

Reconsti-  
tution of  
certain  
District  
Boards in  
accordance  
with the  
provisions of  
the Bengal  
Local Self-  
Government  
Act of 1885.

<sup>3</sup>5A. On the expiration of the term of office of the members of the District Boards constituted under section 4, the said District Boards shall be reconstituted in accordance with the provisions of the Bengal Local Self-Government Act of 1885; and for the purpose of such reconstitution, the members of the said District Boards shall be elected, before the expiry of the term of office of the members of the District Boards constituted under section 4, in accordance with the provisions of the Bengal Local Self-Government Act of 1885 and the rules framed thereunder and the persons who ceased to hold their offices under section 3 shall not be deemed disqualified for such elections if they are otherwise qualified therefor.

Savings.

6. Any rules, by-laws, notifications or directions issued or anything done or any action taken or any suit instituted or any proceedings commenced by or against the district boards dissolved under section 3

<sup>1</sup>This word was substituted for the word "Provincial" by para. 4(1) of the Adaptation of Laws Order, 1950.

<sup>2</sup>See foot-note 2 on page 1, *ante*.

<sup>3</sup>The words "and six months" were originally inserted after the words "two years" by s. 2 of West Ben. Act VIII of 1949, thereafter the words "three years and four months" were substituted for the words "two years and six months" by s. 2 of West Ben. Act III of 1950, and finally the words "four years, four months and fifteen days" were substituted for the words "three years and four months" by s. 2 of the West Bengal District Boards (Second Amendment) Act, 1950 (West Ben. Act LIII of 1950).

<sup>4</sup>This section was inserted by s. 3 of the West Bengal District Boards (Amendment) Act, 1949 (West Ben. Act VIII of 1949).

III of 1947.]

(Section 7.)

in relation to the areas comprised in the districts of <sup>1</sup>[Nadia], West Dinajpur, Malda and Jalpaiguri before the publication of the notification constituting the district boards of the said districts under sub-section (1) of section 4 shall be deemed to have been issued, done, taken, instituted or commenced, as the case may be, by or against the respective district boards as so constituted as if such boards had been constituted and in existence at the time when such rules, by-laws, notifications or directions were issued, thing done, action taken, suit instituted or proceedings commenced.

7. Any notification issued or anything done or any action taken in exercise of any power conferred by the West Bengal District Boards Ordinance, 1947, 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 1st day of November, 1947.

West Ben.  
Ord. XI of  
1947.

Continuance  
of action  
taken under  
West Bengal  
Ordinance XI  
of 1947.

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<sup>1</sup>See foot-note 2 on page 1, *ante*.