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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
Urban Development & Municipal Affairs Department
“NAGARAYAN”, DF-8, Sector-I
Salt Lake, Kolkata-700 064

NOTIFICATION

No. 789/MA/O/C-4/3R-7/2003 dated, Kolkata, the 5th November, 2018 – In exercise of the power conferred by sub-section (1) of section 417, read with sub-section (2) of section 60A of the West Bengal Municipal Act, 1993 (West Ben. Act XXII of 1993 (hereinafter referred to as the said Act), the Governor is pleased hereby to make, after previous publication as required by sub-section (1) of section 417 of the said Act, the following rules:

CHAPTER-I

- 1. Short title and commencement**– (1) These rules may be called the West Bengal Municipal (Duties and Responsibilities of the Executive Officer) Rules, 2018.
(2) They shall come into force on the date of their publication in the Official Gazette.
(3) These rules shall apply to all the Municipalities and Notified Area Authorities guided by the West Bengal Municipal Act, 1993 (West Ben. Act XXII of 1993).
- 2. Definitions** – (1) In these rules, unless the context otherwise requires, –
 - (a) "the Act" means the West Bengal Municipal Act, 1993 (West Ben. Act XXII of 1993);
 - (b) "Executive Officer " means the Executive Officer of the Municipality appointed under section 60 of the Act;
 - (c) "rule" means a rule of these rules;
 - (d) "'section" means a section of the Act;(2) Words and expressions used but not defined in these rules shall have the same meaning and expression as provided in the Act.

CHAPTER-II

Duties and Responsibilities of the Executive Officer

- 3. Duties and Responsibilities of the Executive Officer.**– Duties and Responsibilities of the Executive Officer shall be as under, subject to compliance with the extant laws, rules & regulations and observance of any or all necessary circulars, guidelines and orders issued by the State Government from time to time :

- (1) to act as principal officer of the Municipality subject to the supervision and control of the Chairman and all officers and other employees of the municipality shall be subordinate to him;
- (2) to sign and issue the appointment orders of all officers and employees with the prior approval of the State Government against such posts other than those included in sub-section (1) of section 54;
- (3) to assign the duties among officers and employees of the Municipality with the approval of the Chairman and exercise supervision and control over the functions of all officers and employees of the Municipality;
- (4) to act as principal co-ordinating officer for implementation of various developmental programs, schemes in accordance with Government policies within the Municipality;
- (5) to cause a detailed report to be prepared during the framing of a project for the execution of any work, stating the scope of the project, its techno-economic viability and its social benefits and the execution of any work through a contract;
- (6) to cause preparation of the budget estimate of the Municipality;
- (7) to submit all reports and returns to the Director of Local Bodies, West Bengal, the District Magistrate concerned, Municipal Engineering Directorate, West Bengal, State Urban Development Agency, West Bengal Valuation Board and other agencies as well as the State Government, which may be required from time to time;
- (8) to act as Secretary to the Chairman-in-Council, to cause compilation of agenda for approval of the Chairman, to cause preparation and maintenance of proceedings of the meetings and to ensure implementation of the decision taken in the meeting in due course;
- (9) to attend meetings of the Board of Councillors, to furnish the Chairman with the agenda proposed by different authorities and to advise the Board of Councillors on the extant laws, rules & regulations to facilitate lawful decision making, to cause preparation and maintenance of the minutes of the meetings of the Board of Councillors with the assistance of any other officer so that submission of these proceedings to the concerned authorities as per the said Laws is ensured and also to ensure implementation of the decisions taken in the meeting of the Board of Councillors in due course in accordance with the extant laws, rules & regulations of the Government and following due procedure as prescribed by the Government from time to time;
- (10) to approve the tour diary and to countersign the travelling allowances bills of the employees as prescribed in the relevant rules;
- (11) to sanction temporary advance from General Provident Fund to all employees subject to the terms and conditions as laid down in the General Provident Fund Rules meant for Employees;
- (12) to counter sign the entries in the Service Books of all employees of the Municipality after being authenticated by Finance Officer;
- (13) to grant periodical increment of pay to all the employees of the Municipality and sanction Career Advancement Scheme in terms of rules or order;
- (14) to act as the competent authority for accepting options exercised by the employees and to sign the initial pay fixation statement as head of the establishment;
- (15) to examine proposals for all kinds of purchase and to make recommendation to the appropriate authority in regard to availability of fund;
- (16) to invite tenders for various purchases, Works and Project duly approved, to examine such tenders and to prepare comparative statement for furnishing the same with his views to the appropriate authority, for final decision, after observing all the formalities as set out in orders issued by the government from time to time;
- (17) to make or cause to be made physical verification of stock and stores and to certify the balances thereof half-yearly as prescribed in the relevant rules;
- (18) to communicate Chairman's/ BOC's decision authorizing Finance Officer or any other officer to act as the convener of the Tax Monitoring Cell of the Municipality and to take necessary measures for augmentation of municipal tax and non-tax revenue;
- (19) to ensure support for proper functioning of Municipal Accounts Committee;

- (20) to extend necessary support for proper functioning of the Ward Committees, to maintain quarterly report regarding functioning of the Ward Committees and submit the same to the Director of local Bodies, West Bengal with the knowledge of the Chairman;
- (21) to sign all cheques as joint signatory along with the Finance Officer, as required under Section 69A, in compliance with the extant laws, rules & regulations of the Government;
- (22) to cause transfer of the title of any person to any land or building to be recorded in the Municipality Book as required under Section 116;
- (23) to issue Certificate of Enlistment as required under Section 118;
- (24) to consider grant of licence for use of site for the purpose of advertisement as required under Section 122;
- (25) to issue notice of demand and cause to be served the same upon persons, as required under Section 151;
- (26) to stop unauthorized construction and adopt remedial measures as required under Section 220;
- (27) to provide for cleansing of streets and removal of solid wastes as required under Section 263;
- (28) to act as Disciplinary Authority in respect of municipal employees in case of disciplinary action;
- (29) to ensure Timely preparation of the Broad Sheet Replies to audit notes by the concerned department of the municipality;
- (30) to oversee the proper maintenance of, and to authenticate the records entered into the Establishment Check Register by the concerned department of the municipality;
- (31) to perform such other functions as laid down in the Act and rules made thereunder;
- (32) to prepare or cause to be prepared draft regulations as may be required under different sections of the Act.

By order of the Governor,

S. DAS
Joint Secretary to the Govt. of West Bengal.