

The Orissa Municipal Councils (Reduction of Term of Office) Act, 1977

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Act 11 of 1977

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The Orissa Municipal Councils (Reduction of Term of Office) Act, 1977 Orissa Act No. 11 of 1977 Published vide O.G.E.No. 1398/14.10.1977. (Assented to by the Governor on the 13th October, 1977). An Act to provide for the reduction of the term of office of certain Municipal Councils and Notified Area Councils of the State and for matters incidental thereto. Be it enacted by the Legislature of the State of Orissa in the Twenty-eighth Year of the Republic of India as follows :

1. Short title, extent and commencement.

(1) This Act may be called the Orissa Municipal Councils (Reduction of term of Office) Act, 1977. (2) It shall extend to the whole of the State of Orissa. (3) It shall be deemed to have come into force on the 22nd August, 1977,

2. Definitions.

- In this Act, unless the context otherwise requires, -(a) "Municipal Act" means the Orissa Municipal Act, 23 of 1950; (b) "Municipal Council" means a Municipal Council constituted under the Municipal Act and shall include a notified area council constituted thereunder; (c) words and expressions used in this Act, but not defined herein, shall have the same meaning as assigned to them respectively, under the Municipal Act.

3. Reduction of term of office.

- Notwithstanding anything contained in the Municipal Act, the State Government may, by notification, direct that the term of office of the councillors of all the Municipal Council of the State as extended by the direction issued by the State Government under Subsection (6) of Section 41 of

the Municipal Act and published with the notification of the State Government in the Urban Development Department No.S.R.O. 319, dated the 17th May 1977, be reduced by such period as they deem fit.

4. Consequences of reduction of term of office.

- Upon reduction of term of office of the councillors of the Municipal Councils by a direction issued under Section 3, - (a) the provisions contained in Sub-section (4) of Section 41 of the Municipal Act shall apply to the said Municipal Councils, with effect from the date of expiry of the term of office of the councillors thereof : (b) [the election or nomination, as the case may be, of the councillors for reconstitution of the said Municipal Councils shall be held in accordance with the provisions of the Municipal Act on such date, not being later than the [31st day of December, 1978] [Substituted vide O.A.No. 3/78 (O.G.E.No. 351/14.3.1978).] as may be directed by the State Government; and] (c) the Municipal Councils so reconstituted shall, for all purposes, be deemed to have been constituted under and be governed by the provisions of the Municipal Act and the Rules made thereunder.

5. Repeal.

(1) The Orissa Municipal Councils (Reduction of Term) of Office) Ordinance, 6 of 1977 is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken (including any direction issued) under the said Ordinance, shall be deemed to have been done or taken under this Act.