

THE ODISHA MUNICIPAL LAWS (AMENDMENT) ACT, 2012

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LAW DEPARTMENT

NOTIFICATION

The 6th November, 2012

No.12108/Legis.-21/2012—The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 19th October, 2012 is hereby published for general information.

ODISHA ACT 9 OF 2012

THE ODISHA MUNICIPAL LAWS (AMENDMENT) ACT, 2012

AN ACT FURTHER TO AMEND THE ODISHA MUNICIPAL ACT, 1950 AND THE ODISHA MUNICIPAL CORPORATION ACT, 2003.

BE it enacted by the Legislature of the State of Odisha in the Sixty-third Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Odisha Municipal Laws (Amendment) Act, 2012.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

CHAPTER II

AMENDMENT TO THE ODISHA MUNICIPAL ACT, 1950

2. In the Odisha Municipal Act, 1950 (hereinafter referred to as the principal Act), in Section 11,—

(a) in sub-section (1), after the words "Municipal area" occurring at the end, the words "after every two terms of general election" shall be inserted;

Short title and commencement.

Amendment of section 11.

Odisha Act 23 of 1950.

(b) in sub-section (2),—

(i) for the words and comma "but not less than, one-third", the words and comma "but not less than, one-half" shall be substituted; and

(ii) the proviso shall be omitted;

(c) in sub-section (3), after the word "constitution" occurring at the end, the words "and such seats shall be allotted by the rotation to different wards in a Municipal area after every two terms of general election" shall be inserted;

(d) in sub-section (3-A),—

(i) for the word "one-third", the words and comma "but not less than, one-half" shall be substituted; and

(ii) the proviso shall be omitted; and

(e) in sub-section (4),—

(i) for the words and comma "but not less than, one-third", the words and comma, "but not less than, one-half" shall be substituted; and

(ii) after the words "Municipal area" occurring at the end, the words "after every two terms of general election" shall be inserted.

Amendment of
section 47.

3. In the principal Act, in section 47,—

(a) in sub-section (3),—

(i) in clause (b), for the word "one-third", the commas and words ",but not less than, one-half" shall be substituted;

(ii) in clause (c), for the word "one-third", the commas and words ",but not less than, one-half" shall be substituted; and

(iii) in clause (e), for the word "one-third", the words and comma "but not less than, one-half" shall be substituted; and

(b) in sub-section (4), after the words "different Municipalities", the commas and the words ",after every two terms of general election," shall be inserted.

CHAPTER III

AMENDMENT TO ODISHA MUNICIPAL CORPORATION ACT, 2003

Amendment of
section 7.

4. In the Odisha Municipal Corporation Act, 2003, (hereinafter referred to as the principal Act), in Section 7,—

Odisha Act
11 of 2003.

(a) in sub-section (2),—

(i) for the words "but not less than one-third", the words and comma "but not less than, one-half" shall be substituted; and

(ii) the proviso shall be omitted;

(b) in sub-section (4),—

(i) for the word "one-third", the words and comma "but not less than, one-half" shall be substituted; and

(ii) the proviso shall be omitted;

(c) in sub-section (5), —

(i) for the words "but not less than one-third", the words and comma "but not less than, one-half" shall be substituted; and

(d) for sub-section (6), the following sub-sections shall be substituted, namely:—

"(6) Reservation of seats under sub-sections (1) to (5), both inclusive, shall be made by rotation to different wards, after every two terms of general election, in such manner as may be prescribed."

Amendment of
section 14.

5. In the principal Act, in Section 14,—

(a) in sub-section (3),—

(i) in clause (b), for the word "one-third", the words and comma "but not less than, one-half" shall be substituted;

- (ii) in clause (c), for the word "one-third", the commas and words "but not less than, one-half" shall be substituted; and
- (iii) in clause (e), for the word "one-third", the words and comma "but not less than, one-half" shall be substituted; and
- (b) in sub-section (4), after the words "different Corporations", the words and commas "after every two terms of general election," shall be inserted.

By Order of the Governor

D. RAUT

Principal Secretary to Government