

ORISSA ACT 28 OF 1962

THE ORISSA LOCAL BODIES (SUSPENSION OF ELECTIONS) ACT, 1962

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[Received the assent of the Governor on the 1st November 1962, first published in an extraordinary issue of the Orissa Gazette, dated the 2nd November 1962]

AN ACT TO SUSPEND THE HOLDING OF ELECTIONS IN RESPECT OF CERTAIN LOCAL BODIES IN THE STATE OF ORISSA

WHEREAS it is expedient to provide for the temporary suspension of elections in respect of certain Local Bodies and for matters incidental thereto;

It is hereby enacted by the Legislature of the State of Orissa in the Thirteenth Year of the Republic of India as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Orissa Local Bodies (Suspension of Elections) Act, 1962.

(2) It shall extend to the whole of the State of Orissa.

(3) It shall come into force at once and shall remain in force for a period of one year.

(4) Section 5 of the Orissa General Clauses Act, 1937 shall apply upon the expiry of this Act as if it had then been repealed by an Orissa Act.

Definitions

2. In this Act unless the context otherwise requires—

(a) "Grama Panchayat" means a Grama Panchayat constituted under the Orissa Grama Panchayats Act, 1948; Orissa Act 15 of 1948.

(b) "Municipal Council" and "Notified Area Council" shall respectively mean a Municipal Council and a Notified Area Council constituted under the Orissa Municipal Act, 1950. Orissa Act 23 of 1950.

Suspension of elections in respect of Local Bodies.

3. Notwithstanding anything to the contrary in the Orissa Municipal Act, 1950 or the Orissa Grama Panchayats Act, 1948 or in any judgment, decree or order of any Court:— Orissa Act 23 of 1950.
Orissa Act 15 of 1948.

(1) no general election shall be held in respect of any Municipal or Notified Area Council or any Grama Panchayat;

(2) no bye-election shall be held for filling up any vacancy in the office of any Councillor or Member of such Council or Panchayat, as the case may be;

(3) all casual vacancies in the office of a Councillor or Member may be filled up by nomination according as the State Government may from time to time direct ; and

(4) all orders and notifications made or issued for holding of any general election or bye-election in pursuance of the aforesaid enactments or rules made thereunder shall stand annulled.

Removal of doubts.

4. For the removal of doubts it is hereby declared that the provisions of the Orissa Municipal Act, 1950 and the Orissa Grama Panchayats Act, 1948 shall, except as otherwise provided in this Act, apply in respect of the Municipal Councils, Notified Area Councils and Grama Panchayats. Orissa Act 23 of 1950.
Orissa Act 15 of 1948.

For Statement of Objects and Reasons see *Orissa Gazette* extraordinary, dated the 30th October 1962.