

**THE ORISSA MUNICIPAL (AMENDMENT) ORDINANCE, 1979**

[Promulgated by the Governor on the 22nd July 1979, published in an extraordinary issue of the Orissa Gazette, dated the 24th July 1979]

AN

ORDINANCE

TO AMEND THE ORISSA MUNICIPAL ACT, 1950

WHEREAS the Legislature of the State of Orissa is not in session;

AND WHEREAS the Governor of Orissa is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Orissa Municipal Act, 1950 in the manner hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor of Orissa is pleased to make and promulgate the following Ordinance in the Thirtieth Year of the Republic of India:—

Short title and commencement.

1. (1) This Ordinance may be called the Orissa Municipal (Amendment) Ordinance, 1979.

(2) It shall come into force at once.

Amendment of section 11.

2. In section 11 of the Orissa Municipal Act, 1950 (hereinafter referred to as the principal Act), for the second proviso, the following proviso shall be substituted, namely:—

Orissa Act 28 of 1950.

“Provided further that the seats so reserved shall be assigned to the Wards in order of the numerical strength of the population in the different Wards of the members of the Scheduled Tribes or the Scheduled Castes, as the case may be, for whom such reservation has been made.”

Substitution of section 159-A.

3. For section 159-A of the principal Act, the following section shall be substituted, namely:—

“159-A. (1) The Municipal Council may, by resolution, provide for grant of rebate in respect of the tax due for any quarter at such percentage not exceeding ten where such tax is paid within thirty days and not exceeding five where it is paid within sixty days from the date on which it became due, as the council may determine.

(2) The Municipal Council may, in like manner, provide for grant of rebate in respect of the tax due for any year at such percentage not exceeding twenty where such tax is paid on or before the 30th April of the year and not exceeding ten where it is paid on or before the 31st May of that year, as the Council may determine.”

Amendment of section 161.

4. In section 161 of the principal Act, in sub-section (1), for the words “fourteen days” the words “sixty one days” shall be substituted.

Amendment of section 423.

5. In section 423 of the principal Act,—

(a) in sub-section (2), for the words “the newly elected Councillors”, the words “the newly elected Chairman and Councillors” shall be substituted;

(b) for sub-sections (3), (4) and (5), the following sub-sections shall be substituted, namely:—

“(3) The Special Officer shall exercise the powers, discharge the duties and perform the functions of the Municipal Council and its Chairman until the Municipal Council has been constituted.

(4) As soon as may be after the constitution of the Municipal Council, a meeting of the Municipal Council shall be held on a day and at a time fixed by the Magistrate of the district for the election of its Vice-Chairman, and if at such meeting no Vice-Chairman is elected, a fresh election shall be held on such day and at such time as may be fixed by the said Magistrate.

(5) The term of Office of the Chairman and the Councillors or of the Chairman and the Councillors, as the case may be, elected in their places to fill up casual vacancies, shall expire on such date as the State Government may fix.”

B. D. SHARMA

GOVERNOR OF ORISSA

Dated the 22nd July 1979