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CUTTACK, TUESDAY, DECEMBER 29, 1942

LAW DEPARTMENT

NOTIFICATION

The 29th December 1942

No. 15135-L.(C).—In pursuance of the provision of rule 90 of the Orissa Legislative Assembly Rules, 1937, the following Act of the Orissa Legislative Assembly, having been assented to in His Majesty's name by the Governor on the 24th December 1942, is hereby published for general information :—

ORISSA ACT III OF 1942
THE ORISSA LOCAL AUTHORITIES
EXTENSION OF OFFICE ACT, 1942

AN ACT TO PROVIDE FOR EXTENSION OF
THE TERM OF OFFICE OF LOCAL AUTHO-
RITIES IN THE PROVINCE OF ORISSA

Preamble

WHEREAS it is expedient to enable the Provincial Government to extend the term of office of the present members and office-bearers of certain local authorities in the Province of Orissa;

It is hereby enacted as follows :—

Short title,
commencement
and duration

1. (1) This Act may be called the Orissa Local Authorities Extension of Office Act, 1942.

(2) It shall come into force at once.

(3) It shall be in force during the continuance of the present hostilities and for a period of six months thereafter, and shall then expire except as regards the continuance in office of members and office-bearers of local authorities for such period as is referred to in section 3.

Temporary
amendments of
certain Acts

2. During the continuance of this Act—

(1) section 29 of the Bihar and Orissa Municipal Act, 1922, shall have effect R. & O. Act
VII of 1922

as if after sub-section (3) thereof the following sub-section had been added, namely :—

“(4) Notwithstanding anything contained in sub-section (1) and subject to the saving mentioned therein and to the provisions of sub-section (2), the Provincial Government may, by notification in the official Gazette, extend the term of office of the Commissioners, Chairman, Vice-Chairman and President of any municipality holding office at the date of commencement of the Orissa Local Authorities Extension of Office Act, 1942, for such period as that Government may deem fit.”;

(2) the Bihar and Orissa Local Self-Government Act, 1885, shall have effect as if after section 13 thereof the following section had been added, namely :—

Bengal Act
III of 1885

“13-A. Notwithstanding anything contained in section 13 and subject to the saving mentioned therein, the Provincial Government may, by notification in the official Gazette, extend the term of office of the members, and consequentially of the Chairman and Vice-Chairman, of any District Board holding office at the date of commencement of the Orissa Local Authorities Extension of Office Act, 1942, for such period as that Government may deem fit.”;

(3) the Sambalpur Local Self-Government Act, 1939, shall have effect as if—

Orissa Act
VI of 1939

(a) after section 16 thereof the following section had been added, namely :—

“16-A. Notwithstanding anything contained in section 16 and

subject to the saving mentioned therein, the Provincial Government may, by notification in the official Gazette, extend the term of office of the members, and consequentially of the Chairman and Vice-Chairman, of the District Board holding office at the date of commencement of the Orissa Local Authorities Extension of Office Act, 1942, for such period as that Government may deem fit.”; and

(b) in sub-section (1) of section 17 thereof, after the words “mentioned in section 16”, the words “or that term as extended by notification under section 16-A” had been inserted;

(4) section 8 of the Madras District Municipalities Act, 1920, shall have effect as if after sub-section (5) thereof the following sub-section had been added, namely:—

Madras Act
V of 1920

“(6) Notwithstanding anything contained in sub-section (1) and subject to the saving mentioned therein the Provincial Government may, by notification in the official Gazette, extend the term of office of the councillors, and consequentially of the Chairman and Vice-Chairman, of any municipality holding office at the date of commencement of the Orissa Local Authorities Extension of Office Act, 1942, for such period as that Government may deem fit.”;

(5) section 11 of the Madras Local Boards Act, 1920, shall have effect as if after sub-section (5) thereof the following sub-section had been added, namely:—

Madras Act
XIV of 1920

“(6) Notwithstanding anything contained in sub-sections (1) and

(1-A) and subject to the saving mentioned in sub-section (1), the Provincial Government may, by notification in the official Gazette, extend the term of office of the members, and consequentially of the Chairman and Vice-Chairman, of any District Board holding office at the time of commencement of the Orissa Local Authorities Extension of Office Act, 1942, for such period as that Government may deem fit."

Restriction of powers of Provincial Government

3. The powers conferred on the Provincial Government by section 2 shall be exercised subject to the restriction that the term of office of the members or office-bearers of any local authority shall not be extended beyond the date six months after the termination of the present hostilities, but without prejudice to the continuance in office beyond such date of such members or office-bearers for such period as is provided by sub-section (2) of section 29 of the Bihar and Orissa Municipal Act, 1922, section 24 of the Bihar and Orissa Local Self-Government Act, 1885, or sub-section (1) of section 17 of the Sambalpur Local Self-Government Act, 1939.

B. & O. Act VII of 1922

Bengal Act III of 1885

Orissa Act VI of 1939

Definition of the date of termination of the present hostilities

4. For the purposes of this Act the date of termination of the present hostilities shall be determined by the Provincial Government by notification in the official Gazette.

By order of the Governor

W. W. DALZIEL

Secretary to Government

HEALTH AND LOCAL SELF-
GOVERNMENT DEPARTMENT

NOTIFICATIONS

The 29th December 1942

No. 15151-L.S.-G.(C).—In exercise of the powers conferred by sub-section (6) of section 11 of the Madras Local Boards Act, 1920, as amended by the Orissa Local Authorities Extension of Office Act, 1942, the Governor of Orissa is pleased to extend the term of office of the Members and consequentially of the President and Vice-President of the Ganjam District Board, holding office at the date of commencement of the latter Act, up to the 31st December 1943 or up to the date six months after the termination of the present hostilities, whichever is earlier.

The 29th December 1942

No. 15152-L.S.-G.(C).—In exercise of the powers conferred by sub-section (4)

of section 29 of the Bihar and Orissa Municipal Act, 1922, as amended by the Orissa Local Authorities Extension of Office Act, 1942, the Governor of Orissa is pleased to extend the term of the office of the Commissioners, Chairmen, Vice-Chairmen and Presidents of the Municipalities specified below, holding office at the date of the commencement of the latter Act, up to the 31st December 1943 or up to the date six months after the termination of the present hostilities, whichever is earlier :—

Cuttack Municipality

Kendrapara Municipality

Jajpur Municipality

Puri Municipality

Balasore Municipality

By order of the Governor

S. DAS

Secretary to Government