

The Orissa Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 939, CUTTACK, TUESDAY, JUNE 22, 2010 / ASADHA 1, 1932

SECRETARIAT
OF
THE ORISSA LEGISLATIVE ASSEMBLY

NOTIFICATION
The 22nd June, 2010

No.6401/L.A.—The following Bill which has been introduced in the Orissa Legislative Assembly on the 22nd June, 2010 is herewith published under Rule-68 of the Rules of Procedure and Conduct of Business in the Orissa Legislative Assembly for general information.

THE ORISSA MUNICIPAL (AMENDMENT) BILL, 2010

A
BILL

FURTHER TO AMEND THE ORISSA MUNICIPAL ACT, 1950

BE it enacted by the Legislature of the State of Orissa in the Sixty-first Year of the Republic of India, as follows:—

Short title. **1.** This Act may be called the Orissa Municipal (Amendment) Act, 2010.

Amendment
of
section 19. **2.** In sub-section (1) of section 19 of the Orissa Municipal Act, 1950 for the words “fifteen days” the words “forty-five days” shall be substituted.

Orissa Act
23 of 1950.

STATEMENT OF OBJECTS AND REASONS

1. The State Election Commission has suggested to substitute the words “forty-five days” in place of the words “fifteen days” appearing in the sub-section (1) of section 19 of the Orissa Municipal Act, 1950 which relates to presentation of election petition with the reason that presentation of an election petition against a Councillor on the ground that the candidate has committed corrupt practices relating to non-filing of election account within the date specified and incurring expenditure beyond the prescribed limit will be impracticable because this information can only be known after the candidate files his election account which is one month after the declaration of the result whereas he has to present the election petition within 15 days from the date of declaration of result.

2. Under section 81 (1) of the Representation of the People Act, 1951, an election petition is to be presented within forty-five days from the date of election of returned candidates.

3. Accordingly, it is considered expedient to suitably amend sub-section (1) of section 19 of the Orissa Municipal Act, 1950 by enhancing the period of filing of election petition from “fifteen days” to “forty-five days”.

The Bill seeks to achieve the above objectives.

B. N. PATRA
Member-in-Charge

K. C. BARIK
Secretary
Orissa Legislative Assembly