

GUJARAT LOCAL AUTHORITIES ('TEMPORARY POSTPONEMENT OF ELECTIONS') ACT, 1994

Eilra Ne. 17 NO. elGNRIZ Cbe gujarat Gubernment \$aptte vol. xxxxy] EXTRAORDINARY PUBLISHED BY AUTBORiTY WEDNESDAY, JULY 6, 1994 15, 1916 B.arate p*ng ire. to tu Part in order that it be med a Act •e Tke folloming Act of the Gujarat Legislutnre, •asssent•ed te ky (Aik•6thJnly, 1994 is hereby published fox hf•mutiü. KIN. N. r. JIAYDh1, Secretary to flke Legislative -and Ä6frg Depa nment. GUJARAT ACT NO. 12 OF 1994 (First published, after having received the assent of the Governor in the "Gujarat Gooernment Gazette", on the 6th July, 1994). AN ACT to provide for temporary postponement of elections of local authorities. WHEREAS in the wake of widespread rain in the State of Gujarat, it ig difficult to ,hold •elections of local authorities during the monsoon season ; AND WHEREAS the Election Commission of India has decided end directed to revise the electoral rolls intensively of all the, constituencies of the State of Ga>rat with reference to 1st January, 199508 the qualifyingdate anda180 fixed the 4th Janunry, 1995 as the date for final publication of electoral rolls ; AND WHEREAS electoral rollg for Assembly constituencies M)uld bethe list Of voters for the purpose of election of local authorities , AND WHEREAS it is likely that large section of public would be covered by intensive revision of electoral rolls ; and they may not be deprived of their right Of franchise in the ensuing elections of local authorities ; AND WHEREAS for the reawns stated above, it ig considered necessary to provide for temporary postponement of the elections of local authorities and to provide for other connected mattere. It i8 hereby enacted in the Forty-fifth Year of the Republic of India as 17-1 IV-mra-17-1 17-2 [PART IV GOVERNMENT GAZETTE, EX.i 6-7-1991 Short title. Defini- tions. nement elo- of ctions of logam authori- cationo relevant Act. Removal Of diff• outhies. This Act may be called the Gujarat Local Authorities (Temporary Postponement 1. of Elections) Act, 1991

2. In this Act, unless the context otherwise requires, -- moans and includes entire election process commencing from the (a) 'election' pre parabion of list of voters and all cultninat.ing into election ofa councillor or, as the be, a member of the local authority find it is always deemed to l_Ekve nueant and included cntire election process; 'loc_ll authority' means a panch2.yat, a municipality and a Municipal Cor. porai.ion constituted under the:relevant. Act ; 'relevant Act', in relation t.o,-- (c) a panchayat, nur:an.s the Gujarat Panchayats Act, 1993, (ii) a municip_lkity, nr•ans the Gujarat Municipalities Act, 1963. (iii)' (%rpomtion, meni18 the Bombâ9 : Provincial Munioipäl. Cöiporatiöng Act. 19'1'9.' • 3. .Notwithst.andiug anything contained in the relevant Act or the rules or by-lâws or order Inqde thereunder or in any judgppxent,i decree or order any court or autho• 1)2riod ft'01n the of- .the .-'e,cnnmcencement of this Act and upto and rity, (hu•ing the inclusive of the 4th January, 1995, no general election of the Councillors of any Corpo- ration, or of _ nqtniqipality-m• Of menibers of any panchayat. and no election to (111 yp of any. such Councillor or tmember shall bo held; and the %lectioa be started thereafter of such loc_llauthority of which duration has already expired before the commencynent of this Act or is due to expire before 1st May, 1995 or fanned for such area which are declared as transitional or Binaller urban area and s}nll by cmnpleted before the 1st May, 1995 in accordance with the provisions of tug. relevant Act and the rules Inade thereunder. otherwise provided by or under this Act, the provisions of the relevant Act in all other respects apply in case of a Corporation, municipality or panchayat

5. If any diffoukty arises in giving effect to the provisions of this Act, or by cea- sons of anything contained therein, or in giving effect to the relevant Act in respect of any matter contained in this Act, the State Government may, as occasion arises, by order, do.anything which appears to it to be necessary for the purpose of removing the didculty., GOVERNMENT CENTRAL PRESS, GANDHINAGAR. of 1993. Guj. 34 of of 1964. Bom. LIX of 1949.