



The Orissa Re-Enacting Act, 1962

Act 15 of 1962

Keyword(s):
Article 357(2) of Constitution

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ORISSA ACT 15 OF 1962

[THE ORISSA RE-ENACTING ACT, 1962]

[Received the assent of the President on the 29th May 1962, first published in an extraordinary issue of the Orissa Gazette, dated the 4th June 1962]

AN ACT TO RE-ENACT CERTAIN ENACTMENTS

WHEREAS the President of India, by a Proclamation issued on the 25th February, 1961 under clause (1) of Article 356 of the Constitution, assumed to himself all functions of the State Government and declared that the powers of the State Legislature shall be exercisable by or under the authority of Parliament;

AND WHEREAS in pursuance of those powers certain laws have been made by Parliament and the President;

AND WHEREAS the said Proclamation was revoked by the President on the 23rd June, 1961;

AND WHEREAS clause (2) of Article 357 of the Constitution provides that the laws so made by Parliament or the President which Parliament or the President would not, but for the issue of the Proclamation have been competent to make, shall, to the extent of the incompetency, cease to have effect on the expiration of a period of one year after the Proclamation has ceased to operate, unless the laws which shall so cease to have effect, are sooner re-enacted by an Act of the appropriate Legislature;

AND WHEREAS it is expedient to re-enact the laws aforesaid;

Be it enacted by the Legislature of the State of Orissa in the Thirteenth Year of the Republic of India as follows:—

1. This Act may be called the Orissa Re-enacting Short title Act, 1962.

2. The Acts of Parliament specified in the First Re-enact- Schedule with its annexure are hereby re-enacted ment of Acts with the modifications specified in section 4. made by Parliament.

1. For the Statement of Objects and Reasons see *Orissa Gazette, Extraordinary*, dated the 7th March 1963 (No. 139).

Re-enact-
ment of
President's
Acts.

3. The President's Acts specified in the Second Schedule with its annexure are hereby re-enacted with the modifications specified in section 4.

Modifica-
tions to the
Acts.

4. Notwithstanding anything contained in the Acts specified in the First and Second Schedules the provisions of the said Acts shall be read and construed subject to the following modifications, namely:—

(1) In each of the Acts of Parliament specified in the First Schedule for the words "BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows" the words "BE it enacted as follows" shall be substituted.

(2) In each of the President's Acts specified in the Second Schedule—

(a) the words "Enacted by the President in the Twelfth Year of the Republic of India" shall be omitted, and

(b) for the words beginning with "In exercise of the powers" and ending with "the President is pleased to enact as follows" the words "BE it enacted as follows" shall be substituted.

THE FIRST SCHEDULE

ACTS OF PARLIAMENT

(See sections 2 and 4)

Serial No.	Year	Number	Short title
1	2	3	4
1	1961	3	The Orissa Appropriation Act, 1961
2	1961	10	The Orissa Appropriation (Vote on Account) Act, 1961
3	1961	18	The Orissa Appropriation (No. 2) Act, 1961

THE SECOND SCHEDULE

PRESIDENT'S ACTS

(See sections 3 and 4)

Serial No.	Year	Number	Short title
1	2	3	4
1	1961	1	The Orissa Merged Territories' Petition Writers' Continuance of Licences (Amendment) Act, 1961.
2	1961	2	The Orissa Sales Tax Laws (Amendment) Act, 1961
3	1961	3	The Bihar and Orissa State-Aid to Industries (Orissa Amendment) Act, 1961.
4	1961	4	The Orissa House Rent Control (Amendment) Act, 1961
5	1961	5	The Orissa Taxation (On Goods carried by Roads or Inland Water-ways) Amendment Act, 1961.