The Orissa Re-enacting Act, 1974

Act 13 of 1975

Keyword(s):
Article 357(2) of Constitution
[THE ORISSA RE-ENACTING ACT, 1974]

AN ACT TO RE-ENACT CERTAIN ENACTMENTS

WHEREAS the President of India, by a Proclamation issued on the 3rd March, 1973 under 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 the President;

AND WHEREAS the said Proclamation was revoked by the President on the 6th March, 1974;

AND WHEREAS clause (2) of Article 357 of the Constitution provides that the laws so made by the President which 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 as 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 some of the aforesaid laws;

BE it enacted by the Legislature of the State of Orissa in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Orissa Re-enacting Act, 1974.

1. For the Statement of Objects and Reasons see Orissa Gazette Extraordinary, dated the 10th December, 1974 (No. 1935).
2. The President's Acts specified in the Schedule with its Annexure are hereby re-enacted with the modifications specified in section 3.

3. Notwithstanding anything contained in the Acts specified in the Schedule, the provisions of the said Acts shall be read and construed subject to the modifications that in each of the said Acts:

(a) the words beginning with "Enacted by the President" and ending with "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.

**SCHEDULE**

**PRESIDENTS ACTS**

(See sections 2 and 3)

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Year</th>
<th>Number of the Act</th>
<th>Short Title</th>
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<tbody>
<tr>
<td>(1)</td>
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<tr>
<td>1</td>
<td>1973</td>
<td>6</td>
<td>The Orissa Sales Tax (Amendment) Act, 1973 [excluding clause (a) of section 2 which has been repealed by Orissa Act 18 of 1974].</td>
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<td>2</td>
<td>1973</td>
<td>21</td>
<td>The Orissa Estates Abolition (Amendment) Act, 1973</td>
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<td>The Orissa River Pollution Prevention (Amendment) Act, 1974</td>
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<td>The Orissa Municipal (Amendment) Act, 1974</td>
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