

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

12 of 1994

[6th July, 1994]

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**GUJARAT LOCAL AUTHORITIES (TEMPORARY
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An Act to provide for temporary postponement of elections of local authorities. WHEREAS in the wake of widespreadrain in the State of Gujarat, it is difficult to hold elections of local authorities during the monsoon season: AND WHEREAS the ElectionCommission of India has decided and directed to revise the electoral rolls intensively of all the constituencies of the State of Gujarat with reference to 1st January, 1995 as the qualifying date and also fixed the January 4, 1995 as the date for final publication of electoral rolls: AND WHEREAS electoral rolls for Assembly constituencies would be the 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 reasons stated above, it is considered necessary to provide for temporary postponement of the elections of local authorities and to provide for other connected matters. It is hereby enacted in the Forty-fifth Year of the Republic of India as follows:-

1. Short title.- :-

This Act may be called the Gujarat Local Authorities (Temporary Postponement of Elections) Act, 1994.

2. Definitions.- :-

In this Act. unless the context otherwise requires.

(a) 'election' means and includes entire election process commencing from the preparation of list of voters and all stages culminating into election of a council for or, as the case may be, a member of the local authority and it is always deemed to have meant and included entire election process:

(b) 'local authority' means a panchayat, a municipality and a Municipal Corporation constituted under the relevant Act:

(c) 'relevant Act' in relation to,-

(i) a panchayat. means the Gujarat Panchayats Act, 1993 :

(ii) a municipality, means the GUJARAT MUNICIPALITIES ACT, 1963 :

(iii) a Corporation means the Bombay Provincial Municipal Corporations Act, 1949 .

3. Postponement of elections of local authorities.- :-

Notwithstanding anything contained in the relevant Act or the rules or by-laws or order made thereunder or in any judgment, decree or order of any court or authority, during the period from the date of the commencement of this Act and upto and inclusive, of the 4th January, 1995, no general election of the Councilors of any Corporation or of any municipality or of members of any panchayat and no election to fill up any casual vacancy of any such Council for or member shall be held: and the election shall be started thereafter of such local authority of which duration has already expired before the commencement of this Act or is due to expire before 1st May, 1995 or formed for such area which are declared as transitional or smaller urban area and shall be completed before the 1st May, 1995 in accordance with the provisions of the relevant Act and the rules made thereunder.

4. Application of relevant Act:- :-

Except as otherwise provided by or under this Act, the provisions of the relevant Act shall in all other respects apply in case of a Corporation, municipality or panchayat.

5. Removal of difficulties.- :-

If any difficulty arises in giving effect to the provisions of this Act, or by reasons 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 difficulty.