

The Odisha Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No.

Date : 4th June 1991

***THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS) ACT, 1991**

ORISSA ACT 15 OF 1991

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THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTONS) ACT, 1991

[Received the assent of the Governor on the 29th May 1991, first published in an extraordinary issue of the Orissa Gazette, dated the 4th June 1991]

AN ACT PROVIDE FOR THE POSTPONEMENT OF ELECTIONS TO
MUNICIPAL COUNCILS OF THE STATE.

Be it enacted by the Legislature of the State of Orissa in the Forty-second Year of the Republic of India as follows:-

Short title **1.** This Act may be called the Orissa Municipal Councils (Postponement of Elections) Act 1991.

Definitions **2.** In this Act, unless the context otherwise requires,-

(a) "*Municipal Act*" means the Orissa Municipal Act, 1950;[Orissa Act 23 of 1950.]

Orissa Act
23 of 1950

(b) "*Municipal Council*" means a Municipal Council constituted under the Municipal Act and includes a Notified Area Council constituted thereunder;

* *Published vide Orissa Act 15 of 1991*

For statement of objects and reasons see Orissa Gazette, Extra Ordinary, dated the 26th February 1991, (No.230)

(c) Words and expressions used herein and not defined in this Act but defined in the Municipal Act shall have the same meanings as respectively assigned to them in the Municipal Act.

Postponement of
general elections,
consequences
and validation

3. Notwithstanding anything contained in the Municipal Act, the Balugaon Notified Area Council (Extension of Term of Office and Validation) Act, 1990,[Orissa Act 12 of 1990] the Orissa Municipal Councils (Reduction of Term of Office) Act, 1990,[Orissa Act 13 of 1990] the Bhubaneswar Municipal Council (Postponement of Election and Validation) Act, 1990 [Orissa Act 15 of 1990.] or any other Act or in any rules or orders or notifications made or issue under the Municipal Act,-

Orissa Act
12 of 1990
Orissa Act
13 of 1990
Orissa Act
15 of 1990

- (a) all proceedings or actions taken in furtherance of holding general elections for the constitution or reconstitution, as the case may be, of the Municipal Council specified in the Schedule are hereby cancelled;
- (b) the general elections for the constitution or reconstitution, as the case may be, of the said Municipal Councils shall be held in accordance with the provisions of the Municipal Act and the rules made thereunder on such date, not being later than the 31st December, 1991 as the State Government may, by notification, direct, and the Municipal Councils so reconstituted shall, for all intents and purposes, be deemed to have been constituted under and be governed by, the provisions of the Municipal Act;
- (c) all actions taken, things done or order passed by the Special Officer, appointed under sub-section (1) of section 423 of the Municipal Act in relation to the Bhubaneswar Municipal Council during the period commencing on the 1st January, 1991 till the date of commencement of this Act, under the belief or purported belief that the election to the said Municipal Councils was validly postponed shall, for all intents and purposes, be deemed to have been validly taken, done or made, as the case may be, and no such action, thing or order shall be called in question in any court of law or otherwise open to challenge merely on the ground that the election to the said Municipal Council was not validly postponed; and
- (d) the omission on the part of the Special Officer referred to in clause (c) for not holding the election to the Bhubaneswar Municipal Council within the required time shall not be called in question in any Court of Law or otherwise open to challenge merely on the ground that the Special Officer did not act in accordance with the law.

SCHEDULE

SCHEDULE

Serial Number Name of the Municipal Councils

- 1 Banki Notified Area Council
- 2 Pattamundai Notified Area Council
- 3 Puri Municipal Council
- 4 Khandapara Notified Area Council
- 5 Jaleswar Notified Area Council
- 6 Bhadrak Municipal Council
- 7 Nilagiri Notified Area Council
- 8 Brajaraj Nagar Municipal Council
- 9 Barpalli Notified Area Council
- 10 Barbil Municipal Council
- 11 Joda Notified Area Council
- 12 Bolangir Municipal Council
- 13 Patnagarh Notified Area Council
- 14 Rourkela Municipal Council
- 15 Chatrapur Notified Area Council
- 16 Kabisuryanagar Notified Area Council
- 17 Aska Notified Area Council
- 18 Ganjam Notified Area Council
- 19 Jeypore Municipal Council
- 20 Gunupur Notified Area Council
- 21 Baripada Municipal Council
- 22 Bhubaneswar Municipal Council
- 23 Balugaon Notified Area Council
- 24 Jaipur Municipal Council
- 25 Kendrapara Municipal Council
- 26 Jagatsingpur Notified Area Council
- 27 Jaipur Road Notified Area Council
- 28 Athagarh Notified Area Council
- 29 Nayagarh Notified Area Council
- 30 Khurda Notified Area Council
- 31 Jatani Notified Area Council
- 32 Pipli Notified Area Council
- 33 Banapur Notified Area Council
- 34 Nimapara Notified Area Council

35 Basudebpur Notified Area Council
36 Soro Notified Area Council
37 Rairangpur Notified Area Council
38 Udala Notified Area Council
39 Karanjia Notified Area Council
40 Jharsuguda Municipal Council
41 Bargarh Municipal Council
42 Deogath Municipal Council
43 Padampur Notified Area Council
44 Kuchinda Notified Area Council
45 Talcher Municipal Council
46 Angul Notified Area Council
47 Bhuban Notified Area Council
48 Sonapur Municipal Council
49 Titilagarh Notified Area Council
50 Kantabanji Notified Area Council
51 Tarava Notified Area Council
52 Binika Notified Area Council
53 Rajgangpur Municipal Council
54 Sorada Notified Area Council
55 Rambha Notified Area Council
56 Gopalpur Notified Area Council
57 Hinjilicut Notified Area Council
58 Kashinagar Notified Area Council
59 Polsara Notified Area Council
60 Khallikote Notified Area Council
61 Buguda Notified Area Council
62 Chikiti Notified Area Council
63 Purusottampur Notified Area Council
64 Digapahandi Notified Area Council
65 Nowrangpur Municipal Council
66 Rayagada Municipal Council
67 Kotpad Notified Area Council
68 Umerkote Notified Area Council
69 Gudari Notified Area Council
70 Khariar Notified Area Council

71 Kbariar Road Notified Area Council
72 Junagarh Notified Area Council
73 Kesinga Notified Area Council
74 Phulbani Notified Area Council
75 Balasore Municipal Council
76 Sambalput Municipal Council
77 Keonjhar Municipal Council
78 Dhenkanal Municipal Council
79 Sundargarh Municipal Council
80 Berhampur Municipal Council
81 Bhawanipatna Municipal Council
82 Konark Notified Area Council
83 Kodala Notified Area Council
84 Kamakshyanagar Notified Area Council
85 Malkangiri Notified Area Council
86 G. Udayagiri Notified Area Council
87 Boudhgarh Notified Area Council
88 Koraput Notified Area Council
89 Biramitrapur Municipal Council
90 Paralakhemundi Municipal Council
91 Bellaguntha Notified Area Council
92 Bhanjanagar Notified Area Council
93 Chaudwar Municipal Council
94 Anandapur Notified Area Council
95 Hirakud Notified Area Council
96 Cuttack Municipal Council

ORISSA ACT 1 OF 1992

***THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS) AMENDMENT ACT, 1991**

[Received the assent of the Governor on the 21st January 1992 first published in an extraordinary issue of the Orissa Gazette dated, the 21st January 1992]

AN ACT TO AMEND THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTION) ACT 1991.

Short title and commencement. BE it enacted by the Legislature of the State of Orissa in the Forty-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Orissa Municipal Councils (Postponement of Elections) Amendment Act, 1991.

Amendment of section 3 1991. (2) It shall be deemed to have come into force on the 22nd day of November,

2. In the Orissa Municipal Councils (Postponement of Elections) Act, 1991 [Orissa Act 15 of 1991] (hereinafter referred to as the principal Act), in clause (b) of section 3, for the figures, letters and word "31st December, 1991", the figures, letters and word "29th February, 1992" shall be substituted.

Orissa Act
15 of 1991

3. Repeal and Savings:- (1) The Orissa Municipal Councils (Postponement of Elections) Amendment Ordinance, 1991 [Orissa Ordinance No. 9 of 1991.] is hereby repealed.

Orissa
Ordinance
No. 9 of 1991

(2) Notwithstanding such repeal, any thing done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

ORISSA ACT 35 OF 1992

* For the Bill, see Orissa Gazette, Extraordinary, dated the 16th December 1991 (No. 1513)

***THE ORISSA MUNICIPAL COUNCILS
(POSTPONEMENT OF ELECTIONS)
AMENDMENT ACT, 1992**

[Received the assent of the Governor on the 5th December 1992, first published in an extraordinary issue of the Orissa Gazette dated the 14th December 1992]

AN ACT FURTHER TO AMEND THE ORISSA MUNICIPAL COUNCILS
(POSTPONEMENT OF ELECTIONS) ACT, 1991.

BE it enacted by the Legislature of the State of Orissa in the Forty-third
Year of the Republic of India as follows:-

Short title and
commencement.

1. Short title and commencement.:- (1) This Act may be called the
Orissa Municipal Councils (Postponement of Elections) Amendment Act, 1992.

Amendment of
section 3

2. Amendment of section 3.:- In the Orissa Municipal Councils
(Postponement of Elections) Act, 1991, [Orissa Act 15 of 1991] in clause (b) of
section 3, after the words, figures, letters and comma "the 29th February, 1992",
the commas, words, figures and letters, "except in the case of the Sonepur
Municipal Council and the Binika Notified Area Council in which case such election
being held not later than the 30th June, 1993" shall be inserted.

Orissa Act
15 of 1991

* For the Bill, see Orissa Gazette, Extraordinary, dated the 28th October 1992 (No. 1460)