

EXTRAORDINARY

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ORISSA ACT 15 OF 1990

¹[THE BHUBANESWAR MUNICIPAL COUNCIL (POSTPONEMENT OF ELECTION AND VALIDATION) ACT, 1990]

(Secs. 1-3)

[Received the assent of the Governor on the 3rd July 1990, Fist published in an Extraordinory issue of the Orissa Gazette, dated the 7th July 1990.]

AN ACT TO PROVIDE FOR THE POSTPONEMENT OF ELECTION OF THE BHUBANESWAR MUNICIPAL COUNCIL AND

VALIDATION OF CERTAIN ACTIONS AND FOR MATTERS INCIDENTAL THERETO OR

CONNECTED THEREWITH.

Short title, extent and commencement Definations

- **1.** (1) This Act may be called the Bhubaneswar municipal council (Postponement of Election and Validation) Act, 1990
 - (2) It shall be deemed to have come into force on the 1st day of January, 1989.
 - 2. In this Act, unless the context otherwise requires,-

(a) "Municipal Act" means Orisss Municipal Act, 1950;

Orissa Act 23 of 1950

- (b) "Municipal Council" means a Municipal Council constituted under the Municipal Act;
- (c) words and expressions used herein and not defined in this Act but defined in the Municipal Act, shall have the same meanings, respectively assigned to them in the, Municipal Act.
- **3.** Notwithstanding anything contained in to Municpal Act or in any rules or orders made or issued thereunder or in the Orissa municipal council (Postponement of Election and Validation) Act, 1948.

Orissa Act 9 of 1948

of election validation of actions and consequences

Postponement

(a) the election for reconstitution of the Bhubaneswar Municipal Councii shall be held in accordan with the provisions of the Municipal Act and the rules made tbcreunder on such date, not being Later than the 31st December, 1990, as the State Government may, by notification, direct and the Municipal Council so reconstituted shall, for all intents and

1. For Statement of objects and reasons see Orissa, Gazette extraordinary, dated the 1st june 1990 (No.710)

- purposes, be deemed to have been coostituted under and bc governed by the provisions of tho Municipal Act:
- b) the omission on the part of the Special officer appointed under subsection (1) of Section 423 of the Municipal Act for not holding the election to the said Municipal Council within the required time shall not be Called in question in any court of law or othewise open to challenge merely on the ground that the Special Officer did not act in accordance with law, and
- (c) all actions taken, things done or orders passed by the said Special officer under the belief or purported belief that the election to the said Municipal council 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.