



ORISSA ACT 7 OF 1988

THE BALUGAON NOTIFIED AREA COUNCIL (EXTENSION OF TERM OF OFFICE AND VALIDATION) ACT, 1988

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AN ACT TO PROVIDE FOR THE EXTENSION OF THE TERM OF OFFICE OF THE BALUGAON NOTIFIED AREA COUNCIL TO VALIDATE THE ACTIONS OF THE SAID NOTIFIED AREA COUNCIL AND FOR MATTERS INCIDENTAL THERETO.

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

Short title
and
commencement.

1. (1) This Act may be called the Balugaon Notified Area Council (Extension of Term of Office and Validation) Act, 1988.

(2) This section and sub-section (2) of section 3 shall be deemed to have come into force on the 22nd day of February, 1988 and the remaining provisions of this Act shall be deemed to have come into force on the 10th day of September, 1987.

Definitions.

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

Orissa Act 23 of
1950.

(a) "Municipal Act" means the Orissa Municipal Act, 1950;

(b) "Notified Area Council" means a Notified Area Council constituted under the Municipal Act;

(c) words and expressions used but not defined in this Act and defined in the Municipal Act shall have the same meaning as respectively assigned to them under that Act.

Extension of
term of office
and
validation of
actions taken
by the
Balugaon
Notified Area
Council and
its Chairman.

3. (1) Notwithstanding anything contained in the Municipal Act, the State Government may, by notification, direct that the term of office of the Councillors of the Balugaon Notified Area Council as extended by the direction issued by the State Government under sub-section (6) of section 41 of the Municipal Act and last published with the notification of the State Government in the Housing and Urban Development Department No. 14276, dated the 2nd April, 1987 be further extended from the 10th day of September, 1987 to the 14th day of September, 1988.

(2) All actions taken and orders passed by the Balugaon Notified Area Council in the district of Puri and by its Chairman during the period from the 10th day of September, 1987 to the 21st day of February, 1988 (both the days inclusive) in the belief or purported belief that the term of office of the Councillors was validly extended shall, for all intents and purposes, be deemed to have been validly taken and passed and no such action or order shall

be questioned in any Court of law or otherwise open to challenge merely on the ground that the term of office of the Councillors was not validly extended.

Consequences of extension of term of Office.

4. On extension of the term of office of the Councillors of the Balugaon Notified Area Council by a direction issued under section 3,-

- (a) the provision contained in sub-section (4) of section 41 of the Municipal Act shall apply to the said Notified Area Council, with effect from the date of expiry of the term of office of the Councillors thereof;
- (b) the election or nomination, as the case may be, of the Councillors as for reconstitution of the said Notified Area Council shall be held in accordance with the provisions of the Municipal Act on such date, not being later than the 14th day of September, 1988 as may be directed by the State Government; and
- (c) the Notified Area Council so reconstituted shall, for all purposes, be deemed to have been constituted under and be governed by the provisions of the Municipal Act and rules and notifications made there under.

Repeal and savings.

5. (1) The Balugaon Notified Area Council (Extension of Term of Office and Validation) Ordinance, 1988 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification issued) under the Ordinance so repealed shall be deemed to have been done, taken or issued under this Act.

Orissa
ordinance
No. 1 of
1988.