

The Rajasthan Municipal Elections (Validating) Act, 1961

Act No. 24 of 1961

RJ681

[Received the assent of Live Governor on the 16th day of October, 1961 & published in Rajasthan Gazette, Extra-ordinary, Part IV-A, dated 21-10-1961]

An Act to validate certain municipal elections held or to be held in the State of Rajasthan.

Be it, enacted by the Rajasthan State Legislature in the Twelfth Year of the Republic of India as follows:-

- 1. Short title.** - This Act may be called the Rajasthan Municipal Elections (Validating) Act, 1961.
- 2. Definitions.** - In this Act, unless the subject or context otherwise requires,-
 - (a) "the Act" means the Rajasthan Municipalities Act, 1959 (Act No. 38 of 1959), and
 - (b) "municipal election" means an election or bye-election to a municipal council or board held or to be held under and in accordance with the provisions of the Act.
- 3. Mode of publication of municipal electoral rolls.** - Notwithstanding anything contained in the Act or in any rule or order made there under and notwithstanding any omission or defect of form or procedure in the publication of municipal electoral rolls, it shall be deemed to be sufficient publication of such rolls for the purpose of sub-section (2) of Section 16 of the Act if before the commencement of this Act an electoral roll has been prepared in accordance with the provisions of the Act and placed for inspection at the office of the Collector or the Returning Officer or any other Office and a notice has been displayed at the municipal office and at two conspicuous places in the ward to which the electoral roll pertains stating that such electoral roll is available for inspection at any of the aforesaid offices during office hours.
- 4. Compliance with certain other provisions.** - Notwithstanding as aforesaid, it shall be deemed to be sufficient compliance with the provisions of the Act and the rules and orders made there under if a notification under Section 23 of the Act fixing the date for an election is issued before or simultaneously with the appointment of a Returning Officer therefore even though such notification is published in the Official Gazette after such appointment.
- 5. Municipal elections not liable to be challenged.** - No municipal election shall be liable to be challenged-
 - (a) on the ground of non-publication or improper publication of the electoral rolls of the different wards constituting the municipality for which such election has been held or is hereafter to be held if such rolls have been published in the manner specified in the section 3 of this Act, or
 - (b) on the ground of the Returning Officer therefor having been appointed before the publication of the notification under section 23 of the Act.
- 6. Repeal.** - The Rajasthan Municipal Elections (Validating) Ordinance, 1961 (No. 2 of 1961) is hereby repealed.