

Regd. No. RJ. 2539 RAJASTHAN GAZETTE

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राजस्थान विधान मंडल के अधिनियम ।

**LEGISLATIVE DRAFTING DEPARTMENT**

**NOTIFICATION**

Jaipur, April 21, 1987.

No. F. 2 (22) Vidhai/86.- The following Act of the Rajasthan State Legislature received the Assent of the Governor on the 20th day of April, 1987 and is hereby published for general information:-

**THE RAJASTHAN MUNICIPALITIES (AMENDMENT AND VALIDATION) ACT, 1987**  
**(Act No. 19 of 1987)**

***[Received the Assent of the Governor on the 20th day of April, 1987.]***

**An**

**Act**

*further to amend the Rajasthan Municipalities Act, 1959 and also to validate the acts, etc. of certain Administrators in the State of Rajasthan.*

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

1. Short title and commencement.--(1) This Act may be called the Rajasthan Municipalities (Amendment and Validation) Act, 1987.

(2) It shall come into force at once.

2. Amendment of section 4, Rajasthan Act 38 of 1959. In clause (b) of sub-section (8) of section 4 of the Rajasthan : Municipalities Act, 1959 (Rajasthan Act 38 of 1959), herein after referred to as the principal Act, for the words "until fresh elections are held under this Act", the words "until fresh elections are held or the term or the extended term of the Board expires under this Act, whichever is earlier," shall be substituted.

3. Amendment of section 11, Rajasthan Act 38 of 1959. In sub-section (1) of section 11 of the principal Act,--

(a) in the second proviso, for the punctuation mark ".",  
the punctuation mark ":" shall be substituted; and

(b) after the second proviso, as so amended, the following shall be added, namely:

"Provided also that where the whole or part of a panchayat circle was declared as a municipality under section 4, the term of the Board shall be deemed to have commenced from the date notified by the State Government under sub-section (1) of section 7 of the Rajasthan Panchayat Act, 1953 (Rajasthan Act 21 of 1953) and to have been extended upto, and to have expired on the day immediately preceding the date on which an order is made under section 293-A or section 295 by the State Government."

4. Validation of functions, etc, of certain Administrators.—Notwithstanding any judgment, order or finding of any court to the contrary,

(a) all functions performed, powers exercised or duties discharged by an Administrator appointed by the State Government to a Municipal Board by notification No. F. 1(75) LSG/86, dated 12-2-86 shall be and shall be deemed always to have been validly performed, exercised or discharged; and

(b) all taxes levied and recovered, fines and penalties imposed and realised, rules or by-laws made,

proceedings started, appointments made, sanctions given, action taken and liabilities incurred by the said Administrator for or on behalf of the said Board shall be and shall be deemed always to have been validly levied, recovered, imposed, realised, made, started, given, taken or incurred.

5. Court not to question validity of the acts of certain Administrators.—No court shall question any action taken, things done, appointments and transfers made, powers exercised or purported to be exercised and taxes levied and recovered by an Administrator referred to in section 4 on the ground that his appointment was invalid and accordingly-

(a) no suit or other proceeding shall be maintained and continued in any court on such ground for the refund of any tax levied and collected by the said Administrator for or on behalf of a Municipal Board covered by the notification referred to in section 4; and

(b) any tax levied by the said Administrator but not collected before the commencement of this Act may be recovered by the said Municipal Board in accordance with law as if the Administrator was duly appointed.