



## **The Orissa Municipal Councils (Postponement of Election) Act, 1985**

Act No. 5 of 1985

### **Keywords:**

Election

**DISCLAIMER:** This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

# The Odisha Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No.

Date : 23rd April, 1985

## **\*THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS) ACT, 1985**

### **Orissa Act 5 of 1985**

*[Received the assent of the Governor on the 20th April 1985, first published in an extraordinary issue of the Orissa Gazette, dated the 23rd April, 1985]*

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

Be it enacted by the Legislature of the State of Orissa in the Thirty-sixth  
Year of the Republic of India, as follows:-

Short title and  
commencement.

1. (1) This Act may be called the Orissa Municipal Councils (Postponement  
of Elections) Act, 1985.

(2) It shall be deemed to have come into force on the 31st day of December,  
1984.

Definitions

2. (1) In this Act, unless the context otherwise requires:-

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

Orissa Act  
23 of 1950

(b) "Municipal Council" means a Municipal Council constituted under  
the Municipal Act and shall include Notified Area council constituted  
thereunder.

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

Postponement  
of general  
election in  
Municipal  
Councils.

3. Notwithstanding anything contained in the Municipal Act or in any  
rules made or order issued thereunder:-

(a) all proceedings or actions, excepting those actions taken for  
delimitation of wards and reservation of seats for members of  
Scheduled Castes and Scheduled Tribes taken in furtherance of  
holding general elections for the reconstitution of Municipal Councils  
as specified in column (2) of the Schedule appended hereto are  
hereby cancelled; and

- (b) the general election for the reconstitution of the said 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, 1985, as may be fixed by the State Government and the elections so held, shall, for all purposes, be deemed to be a general election held under the said Act.

Performance of  
the duties of  
Council and  
Chairman

4. The persons or the body of persons as specified in column (3) in respect of the corresponding Municipal Councils as mentioned in column (2) of the Schedule are hereby empowered to exercise all the powers and perform all the functions of the Councils and its Chairman under the provisions of the Municipal Act and Rules made thereunder unless otherwise ordered by the State Government, till the succeeding elected Council and its Chairman take office or the 31st December, 1985, whichever is earlier.

Repeal and  
savings

5.(1) Thepuri Municipal Council (Holding of Election and Validation) Act, 1984 and the Orissa municipal Councils (Postponement of Election No.2) ordinance, 1984, are hereby repealed.

Orissa Act  
22 of 1984

(2) Notwithstanding such repeal of the said Ordinance anything done or any action taken thereunder shall be deemed to have been done or taken under this Act.

Ordinance  
No. 15 of  
1984

#### SCHEDULE

Sl. No.	Name of the Council	Persons or body of persons empowered to exercise powers and perform the duties of Council and Chairman
(1)	(2)	(3)
1	Banki Notified Area Council	Subdivisional Officer, Banki
2	Bhadrak Notified Area Council	Subdivisional Officer, Bhadrak
3	Jaleswar Notified Area Council	Subdivisional Officer, Sadar Balasore
4	Kavisuryanagar Notified Area Council	Subdivisional Officer, Chatrapur
5	Aska Notified Area Council	Subdivisional Officer, Bhanjanagar
6	Barpali Notified Area Council	Subdivisional Officer, Baragarh
7	Brajarajanagar Notified Area Council	Subdivisional Officer, Jharsuguda
8	Patnagarh Notified Area Council	Subdivisional Officer, Patnagarh
9	Gunupur Notified Area Council	Subdivisional Officer, Gunupur
10	Joda Notified Area Council	Subdivisional Officer, Ghampur
11	Bolangir Municipal Council	District Magistrate, Bolangir

- |    |                           |   |
|----|---------------------------|---|
| 12 | Purl Municipal Council    | District Magistrate, Purl   |
| 13 | Barbil Municipal Council  | Subdivisional Officer, Ghampua  |
| 14 | Rourkela (Civil Township) | Council appointed in H.&U.D.  |
|    | Notified Area Council     | Department, Notifications No. 49888-<br>H.&U.D., dated the 22nd November<br>1983 read with No.43564-H.U.D., date<br>the 22nd November 1984. |
-