

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

Act No. 5 of 1985

Keywords:

Election

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

Orissa Act 5 of 1985

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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

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Published vide Orissa Act 5 of 1985

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and Validation) Act, 1984 and the Orissa municipal Councils (Postponement of Election) No.2 ordinance, 1984, are hereby repealed.

(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.

Orissa Act
22 of 1984

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, SadarBalasore
4	Kavisuryanagar Notified Area Council	Subdivisional Officer, Chatrapur
5	Aska Notified Area Council	Subdivisional Officer, Bhanjanagar
6	Barpali Notified Area Council	Sundivisional 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, Ghampua
11	Bolangir Municipal Council	District Magistrate, Bolangir

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