



The Orissa Municipal Councils (Postponement of Elections) Act, 1991

Act 15 of 1991

Keyword(s):

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ORISSA ACT 15 OF 1991

THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS) ACT, 1991

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ORISSA ACT 15 OF 1991

[THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS) ACT, 1991]

[Received the assent of the Governor on the 29th May 1991, first published in an extraordinary issue of the *Orissa Gazette*, dated the 4th June 1991]

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

Be it enacted by the Legislature of the State of Orissa in the Forty-second Year of the Republic of India as follows:—

Short title. 1. This Act may be called the Orissa Municipal Councils (Postponement of Elections) Act, 1991.

Definitions. 2. 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 includes a Notified Area Council constituted thereunder ;

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

Postponement of general elections, consequences and validation. 3. Notwithstanding anything contained in the Municipal Act, the Balugaon Notified Area Council (Extension of Term of Office and Validation) Act, 1990, the Orissa Municipal Councils (Reduction of Term of Office) Act, 1990, the Bhubaneswar Municipal Council (Postponement of Election and Validation) Act, 1990 or any other Act or in any rules or orders or notifications made or issue under the Municipal Act,—

Orissa Act
12 of 1990,
Orissa Act
13 of 1990,
Orissa Act
15 of 1990.

(a) all proceedings or actions taken in furtherance of holding general elections for the constitution or reconstitution, as the case may be, of the Municipal Council specified in the Schedule are hereby cancelled ;

(b) the general elections for the constitution or reconstitution, as the case may be, of the said Municipal 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, 1991 as the State Government may, by notification, direct, and the Municipal Councils so reconstituted shall, for all intents and purposes, be deemed to have been constituted under and be governed by, the provisions of the Municipal Act ;

(c) all actions taken, things done or order passed by the Special Officer, appointed under sub-section (1) of section 423 of the Municipal Act in relation to the Bhubaneswar Municipal Council during the period commencing on the 1st January, 1991 till the date of commencement of this Act, under the belief or purported belief that the election to the said Municipal Councils was validly postponed shall, for all intents and purposes, be deemed to have been validly taken, done or made, as the case may be, and no such action, thing or order shall be called in question in any court of law or otherwise open to challenge merely on the ground that the election to the said Municipal Council was not validly postponed; and

(d) the omission on the part of the Special Officer referred to in clause (c) for not holding the election to the Bhubaneswar Municipal Council within the required time shall not be called in question in any Court of Law or otherwise open to challenge merely on the ground that the Special Officer did not act in accordance with the law.

1. For statement of objects and reasons see *Orissa Gazette*, Extra Ordinary, dated the 26th February 1991, (No. 230).

THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS) ACT, 1991
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SCHEDULE

Serial
Number

Name of the Municipal Councils

- 1 Banki Notified Area Council
- 2 Pattamundai Notified Area Council
- 3 Puri Municipal Council
- 4 Khandapara Notified Area Council
- 5 Jaleswar Notified Area Council
- 6 Bhadrak Municipal Council
- 7 Nilagiri Notified Area Council
- 8 Brajarajnar Municipal Council
- 9 Barpalli Notified Area Council
- 10 Barbil Municipal Council
- 11 Joda Notified Area Council
- 12 Bolangir Municipal Council
- 13 Patnagarh Notified Area Council
- 14 Rourkela Municipal Council
- 15 Chatrapur Notified Area Council
- 16 Kabisuryanagar Notified Area Council
- 17 Aska Notified Area Council
- 18 Ganjam Notified Area Council
- 19 Jeypore Municipal Council
- 20 Gunupur Notified Area Council
- 21 Baripada Municipal Council
- 22 Bhubaneswar Municipal Council
- 23 Balugaon Notified Area Council
- 24 Jajpur Municipal Council
- 25 Kendrapara Municipal Council
- 26 Jagatsingpur Notified Area Council
- 27 Jajpur Road Notified Area Council
- 28 Athagarh Notified Area Council
- 29 Nayagarh Notified Area Council
- 30 Khurda Notified Area Council
- 31 Jatani Notified Area Council
- 32 Pipli Notified Area Council
- 33 Banapur Notified Area Council
- 34 Nimapara Notified Area Council
- 35 Basudebpur Notified Area Council
- 36 Soro Notified Area Council
- 37 Rairangpur Notified Area Council
- 38 Udala Notified Area Council

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(Schedule—Contd.)

Serial Number	Name of the Municipal Councils
39	Karanjia Notified Area Council
40	Jharsuguda Municipal Council
41	Bargarh Municipal Council
42	Deogath Municipal Council
43	Padampur Notified Area Council
44	Kuchinda Notified Area Council
45	Talcher Municipal Council
46	Angul Notified Area Council
47	Bhuban Notified Area Council
48	Sonepur Municipal Council
49	Titilagarh Notified Area Council
50	Kantabanji Notified Area Council
51	Tarava Notified Area Council
52	Binika Notified Area Council
53	Rajgangpur Municipal Council
54	Sorada Notified Area Council
55	Rambha Notified Area Council
56	Gopalpur Notified Area Council
57	Hinjilicut Notified Area Council
58	Kashinagar Notified Area Council
59	Polsara Notified Area Council
60	Khallikote Notified Area Council
61	Buguda Notified Area Council
62	Chikiti Notified Area Council
63	Purusottampur Notified Area Council
64	Digapahandi Notified Area Council
65	Nowrangpur Municipal Council
66	Rayagada Municipal Council
67	Kotpad Notified Area Council
68	Umerkote Notified Area Council
69	Gudari Notified Area Council
70	Khariar Notified Area Council
71	Khariar Road Notified Area Council
72	Juagarh Notified Area Council
73	Kesinga Notified Area Council

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(Schedule—Contd.)

Serial Number	Name of the Municipal Councils
74	Phulbani Notified Area Council
75	Balasore Municipal Council
76	Sambalpur Municipal Council
77	Kleonjhar Municipal Council
78	Dhenkanal Municipal Council
79	Sundargarh Municipal Council
80	Berhampur Municipal Council
81	Bhawanipatna Municipal Council
82	Konark Notified Area Council
83	Kodala Notified Area Council
84	Kamakshyanagar Notified Area Council
85	Malkangiri Notified Area Council
86	G. Udayagiri Notified Area Council
87	Boudhgarh Notified Area Council
88	Koraput Notified Area Council
89	Biramitrapur Municipal Council
90	Paralakhemundi Municipal Council
91	Bellagantha Notified Area Council
92	Bhanjanagar Notified Area Council
93	Chaudwar Municipal Council
94	Anandapur Notified Area Council
95	Hirakud Notified Area Council
96	Cuttack Municipal Council

ORISSA ACT 1 OF 1992

***THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS)
AMENDMENT ACT, 1991**

[Received the assent of the Governor on the 21st January 1992 first published in an extraordinary issue of the Orissa Gazette, dated the 21st January 1992]

AN ACT TO AMEND THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS) ACT, 1991.

Be it enacted by the Legislature of the State of Orissa in the Forty-second Year of the Republic of India as follows:—

Short title
and
commence-
ment.

1. (1) This Act may be called the Orissa Municipal Councils (Postponement of Elections) Amendment Act, 1991.

(2) It shall be deemed to have come into force on the 22nd day of November, 1991.

Amendment
of section 3.

2. In the Orissa Municipal Councils (Postponement of Elections) Act, 1991 (hereinafter referred to as the principal Act), in clause (b) of section 3, for the figures, letters and word "31st December, 1991", the figures, letters and word "29th February, 1992" shall be substituted.

Orissa Act
15 of 1991

Repeal and
Savings.

3. (1) The Orissa Municipal Councils (Postponement of Elections) Amendment Ordinance, 1991 is hereby repealed.

Orissa Ordinance No.
9 of 1991.

(2) Notwithstanding such repeal, any thing done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

*For the Bill, see *Orissa Gazette*, Extraordinary, dated the 16th December 1991 (No. 1513)

ORISSA ACT 35 OF 1992

***THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS) AMENDMENT ACT, 1992**

[Received the assent of the Governor on the 5th December 1992, first published in an extraordinary issue of the Orissa Gazette, dated the 14th December 1992].

AN ACT FURTHER TO AMEND THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS) ACT, 1991.

BE it enacted by the Legislature of the State of Orissa in the Forty-third 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) Amendment Act, 1992.

(2) It shall be deemed to have come into force on the 29th day of February, 1992.

Amendment of section 3.

2. In the Orissa Municipal Councils (Postponement of Elections) Act, 1991, in clause (b) of section 3, after the words, figures, letters and comma "the 29th February, 1992", the commas, words, figures and letters ", except in the case of the Sonapur Municipal Council and the Binika Notified Area Council in which case such election being held not later than the 30th June, 1993" shall be inserted.

Orissa Act 15 of 1991.

*For the Bill, see *Orissa Gazette, Extraordinary*, dated the 28th October 1992 (No. 1460)