

The Odisha Gazette

No. 2034

OCTOBER 20, 2012

ORISSA ACT 15 OF 1990

[THE BHUBANESWAR MUNICIPAL COUNCIL (POSTPONEMENT OF ELECTION AND VALIDATION) ACT, 1990]

(Secs. 1-3)

[Received the assent of the Governor on the 3rd July 1990, First published in an Extraordinary issue of the Orissa Gazette, dated the 7th July 1990.]

AN ACT TO PROVIDE FOR THE POSTPONEMENT OF ELECTION
OF THE BHUBANESWAR MUNICIPAL COUNCIL AND
VALIDATION OF CERTAIN ACTIONS AND FOR
MATTERS INCIDENTAL THERETO OR
CONNECTED THEREWITH.

Short title, extent and of Election and Validation) Act, 1990

1. (1) This Act may be called the Bhubaneswar municipal council (Postponement

commencement

Definations (2) It shall be deemed to have come into force on the 1st day of January, 1989.

2. In this Act, unless the context otherwise requires,-

Orissa Act (a)
23 of 1950

"Municipal Act" means Oriss Municipal Act, 1950 ;

(b) "Municipal Council" means a Municipal Council constituted under the Municipl Act;

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

Postponement
of election
validation of
Act
actions and
consequences

3. Notwithstanding anything contained in to Municipal Act or in any rules or orders made or issued thereunder or in the Orissa municipal council (Postponement of Election and Validation) Act, 1948. Orissa 9 of 1948

- (a) the election for reconstitution of the Bhubaneswar Municipal Council shall be held in accordan with the provisions of the Municipal Act and the rules made tbcreunder on such date, not being Later than the 31st December, 1990, as the State Government may, by notification, direct and the Municipal Council so reconstituted shall, for all intents and purposes, be deemed to have been coconstituted under and bc governed by the provisions of tho Municipal Act:
- b) the omission on the part of the Special officer appointed under sub-section (1) of Section 423 of the Municipal Act for not holding the election to the said Municipal Council within the required time shall not be Called in question in any court of law or othwise open to challenge merely on thc ground that the Specal Officer did not act in accordance with law, and
- (c) all actions taken, things done or orders passed by the said Special officer under the belief or purported belief that the election to the said Municipal council 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.