

## **Bhubaneswar Municipal Council (Postponement Of Election And Validation) Act, 1990**

**15 of 1990**

**[03 July 1990]**

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## **Bhubaneswar Municipal Council (Postponement Of Election And Validation) Act, 1990**

**15 of 1990**

**[03 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 CONNECTEDTHEREWITH. BE it enacted by the Legislature of the State of Orissa in the Forty-first Year of the Republic of India as follows:- For the Bill, see Orissa Gazette, Extraordinary dated the 1st June 1990 (No. 710)

### **1. Short Title And Commencement :-**

(1) This Act may be called the Bhubaneswar Municipal Council (Postponement of Election and Validation) Act, 1990.

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

### **2. Definitions :-**

In this Act, unless the context otherwise requires,-

(a) "Municipal Act" means the Orissa Municipal Act, 1950(Orissa Act 23 of 1950);

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

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

### **3. Postponment Of Election, Validation Of Actions And On Sequences :-**

Notwithstanding anything contained in the Municipal Act or in any rules or orders made or issued there under or in the Orissa Municipal Councils (Postponement of Elections) Act, 1984 (Orissa Act 9 of 1984),-

(a) the election for reconstitution of the Bhubaneswar Municipal Council shall be held in accordance with the provisions of the Municipal Act and the rules made there under 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 constituted under, and be governed by, the provisions of the Municipal Act;

(b) the omission on the part of the Special Officer appointed under sub-section (1) of section 423 of the Municipal Act 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 otherwise open to challenge merely on the ground that the Special 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.