



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

Act 5 of 1985

**Keyword(s):**  
**Municipal Act, Municipal Council**

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## ORISSA ACT 5 OF 1985

## \*[THE ORISSA MUNICIPAL COUNCILS (POSTPONEMENT OF ELECTIONS) ACT, 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 on 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.

Orissa Act  
23 of 1984.  
Orissa Ordinance  
No. 15 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.

\* For Statement of objects and reasons see Orissa Gazette, Extraordinary dated the 21st March 1985 (No. 475).

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

(Orissa Act 13 of 1985)

**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, Champua
11	Bolangir Municipal Council	.. District Magistrate, Bolangir
12	Puri Municipal Council	.. District Magistrate, Puri
13	Barbil Municipal Council	.. Subdivisional Officer, Champua
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., dated the 22nd November 1984.