

ORISSA ORDINANCE No. 9 OF 1984

**THE PURI MUNICIPAL COUNCIL (HOLDING OF ELECTION AND
VALIDATION) ORDINANCE, 1984**

[Promulgated by the Governor on the 15th July 1984, published in an extraordinary issue of the Orissa Gazette, dated the 17th July 1984.]

**AN
ORDINANCE**

**TO PROVIDE FOR THE HOLDING OF ELECTION TO THE PURI
MUNICIPAL COUNCIL AND TO VALIDATE CERTAIN
ACTIONS OF THE DISTRICT MAGISTRATE OF PURI**

WHEREAS, the Legislature of the State of Orissa is not in session ;

AND WHEREAS the Governor of Orissa is satisfied that circumstances exist which render it necessary for him to take immediate action to provide for the holding of election to the Puri Municipal Council and to validate certain actions of the District Magistrate of Puri :

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Orissa is pleased to make and promulgate the following Ordinance in the Thirty-fifth Year of the Republic of India :—

Short title
and
commence-
ment.

1. (1) This Ordinance may be called the Puri Municipal Council (Holding of Election and Validation) Ordinance, 1984.

(2) It shall come into force atonce.

Definitions.

2. In this Ordinance, unless the context otherwise requires,—

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

(b) Words and expressions used in this Ordinance, but not defined herein, shall have the same meaning as assigned to them respectively, under the Municipal Act.

Orissa Act
23 of 1980.

Holding of
general elec-
tion of Puri
Municipal
Council.

3. Notwithstanding anything contained in the Municipal Act or any rules or orders, made or issued thereunder, the general election for the reconstitution of Puri Municipal Council, shall be held in accordance with the provisions of that Act on such date, not being later than the thirty-first day of December, 1984, as may be fixed by the State Government in that behalf.

Validation of
actions and
other inci-
dental
matters.

4. Notwithstanding anything contained in the Municipal Act,—

(i) all actions taken, things done or orders passed by the District Magistrate of Puri in exercise of the powers and performance of functions of the Municipal Council and the Chairman of Puri Municipality, during the period between the date of expiry of the term of office of the previous Councillors of the said Council and the date on which this Ordinance comes into force in the belief or purported belief that he was authorised to exercise such powers and perform such functions of the said Council and its Chairman, shall, for all intents and purposes, be deemed to have been validly taken, done or passed and no such actions, things or orders shall be questioned in any court of law or shall otherwise be open to challenge merely on the ground that he was not empowered to take such action or do such things or pass such orders; and

(ii) The District Magistrate of Puri is hereby empowered to exercise all the powers and perform all the functions of the said Council and its Chairman from the date of Commencement of this Ordinance till the succeeding elected Council takes office or the thirty-first day of December, 1984, whichever is earlier.

B. N. PANDE

GOVERNOR OF ORISSA

Dated the 15th July 1984