

ORISSA ORDINANCE No. 4 OF 1979

THE BERHAMPUR MUNICIPAL COUNCIL (POSTPONEMENT OF ELECTION) ORDINANCE, 1979

[Promulgated by the Governor on the 6th February 1979 published in an Extraordinary issue of the Orissa Gazette, dated the 6th February 1979]

AN

ORDINANCE

TO PROVIDE FOR THE POSTPONEMENT OF ELECTION TO THE BERHAMPUR MUNICIPAL COUNCIL

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 postponement of election to the Berhampur Municipal Council;

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 Thirtieth Year of the Republic of India:—

1. (1) This Ordinance may be called the Berhampur Municipal Council (Postponement of Election) Ordinance, 1979.

Short title and commencement.

(2) It shall come into force at once.

2. (1) The order of stay issued by the State Government in relation to the election proceedings for re-constitution of the Municipal Council of the Berhampur Municipality as constituted under the Orissa Municipal Act, 1950, which has been published in the notification of the State Government in the Urban Development Department No. 3365, dated the 31st January, 1979, is hereby cancelled.

Cancellation of stay order and continuance of election proceedings.

Orissa Act 23 of 1950.

(2) Notwithstanding anything contained in the Orissa Municipal Council (Postponement of Elections) Ordinance, 1978, the said election proceedings—

Orissa Ordinance No. 8 of 1978.

(a) shall be continued in accordance with the provisions of the Orissa Municipal Act, 1950 and the Orissa Municipal (Chairman and Councillors) Election Rules, 1950; and shall be completed on or before the 7th March, 1979; and

(b) shall not be liable to be questioned in any court of law merely on the ground that they could not be completed by the 1st February, 1979.

B. D. SHARMA

Dated, the 6th February, 1979

GOVERNOR OF ORISSA