



The Orissa Panchayat Samiti (Re-Election of Office-Bearers) Act, 1977

Act 9 of 1977

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ORISSA ACT 9 OF 1977

***THE ORISSA PANCHAYAT SAMITI (RE-ELECTION OF OFFICE-BEARERS) ACT, 1977**

[Received the assent of the Governor on the 13th October 1977, first published in an extraordinary issue of the Orissa Gazette, dated the 14th October 1977]

AN ACT PROVIDE FOR THE RE-ELECTION OF OFFICE-BEARERS OF CERTAIN PANCHAYAT SAMITIS IN THE STATE AND FOR MATTERS INCIDENTAL THERETO

Be it enacted by the Legislature of the State of Orissa in the Twenty-eighth Year of the Republic of India, as follows :—

1. (1) This Act may be called the Orissa Panchayat Samiti (Re-election of Office bearers) Act, 1977.

Short title, extent and commencement.

(2) It extends to the whole of the State of Orissa.

(3) It shall be deemed to have come into force with effect from the 22nd day of August, 1977.

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

Definitions

(a) “appointed date” means the date appointed by the Government, by notification, for the purposes of this Act;

(b) “Panchayat Samiti Act” means the Orissa Panchayat Samiti Act, 1959;

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

Orissa Act 7 of 1960.

3. (1) Notwithstanding anything contained in the Panchayat Samiti Act, the Chairman, Vice-Chairman and members, if any, elected under sub-section (2) of section 16 of the Panchayat Samiti Act, of a Panchayat Samiti, holding office immediately prior to the appointed date, who were elected to the said offices at any time during the period between the 25th day

Cessation of office of Chairman, Vice-Chairman and members of Panchayat Samitis and filling up Vacancies.

* For Statement of Objects and Reasons see *Orissa Gazette, Extraordinary*, dated the 19th September 1977 (No. 1283).

(Sec. 4)

of June, 1975 and the 21st day of March, 1977, shall cease to hold office with effect from the appointed date.

(2) Election for filling up vacancies so caused in the offices of Chairman, Vice-Chairman and members, if any, shall be held within a period of three months from the appointed date in accordance with the provisions of the Panchayat Samiti Act and the rules made thereunder :

Provided that the Government may, by notification, for sufficient cause, which shall be stated therein, extend the aforesaid period, from time to time, by such period as may be specified in the notification, so, however, that the total period shall not exceed '[four years]

(3) During the period beginning with the appointed date and until the newly elected Chairman assumes office, the powers and functions of the Chairman shall be exercised and discharged by the Subdivisional Officer having jurisdiction over the concerned Block.

(4) The Chairman, Vice-Chairman and the members, if any, elected in pursuance of sub-section (2), shall, for all purposes, be deemed to have been elected under the Panchayat Samiti Act and rules made thereunder and shall, subject to the provisions of the Act, hold office for three years.

Repeal and savings.

4. (1) The Orissa Panchayat Samiti (Re-election of Office-bearers) Ordinance, 1977, is hereby repealed. Orissa Ordinance No. 5 of 1977.

(2) Notwithstanding such repeal, anything done, any action taken (including any notification issued) under the said Ordinance shall be deemed to have been done, taken or issued under this Act.

1. Substituted by the Orissa Panchayat Samiti (Re-Election of Office-Bearers) Amendment Act, 1980 (Or. Act 8 of 1980, s.2.