

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

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Act 9 of 1977

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The Orissa Panchayat Samiti (Re-Election of Office Bearer) Act, 1977 Orissa Act No. 9 of 1977 Published vide Orissa Gazette Extraordinary/14.10.1977. An Act to provide for the re-election of office-bearers of certain Panchayat Samities 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. Short title, extent and commencement.

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

- In this Act, unless the context otherwise requires, - (a) "appointed date" means the date appointed by the Government, by notification, for the purpose of this Act; (b) "Panchayat Samiti Act" means the Orissa Panchayat Samiti Act, 1959 (Orissa Act 7 of 1960); (c) words and expressions used in this Act but not defined herein, shall have the same meaning assigned to them respectively under the Panchayat Samiti Act.

3. Cessation of office of Chairman, Vice-Chairman and members of Panchayat Samities and filling up vacancies.

(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 selected to the said offices at any time during the period between the 25th day 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, by such periods as may be specified in the notification, so however, that the total period shall not exceed [seven] [Substituted vide Orissa Act, No. 24 of 1983.] 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 Sub-divisional Officer having jurisdiction over the concerned block.(4)The Chairman, Vice-Chairman and the members, if any, elected in pursuance of Sub-section (2), for all purposes, be deemed to have been elected under the Panchayat Samiti Act and rules made there under and shall, subject to the provisions of the Act, hold office for three years.

4. Repeal and savings.

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Orissa Panchayat Samiti (Re-Election of Office-bearers) Ordinance, 1977 (Orissa Ordinance No. 5 of 1977) is hereby repealed.(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