



The Orissa Panchayat Samiti (Re-Election of Office Bearers) Act, 1981

Act 9 of 1981

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THE ORISSA PANCHAYAT SAMITI (RE-ELECTION OF OFFICE-BEARERS) ACT, 1981

ORISSA ACT 9 OF 1981

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* [THE ORISSA PANCHAYAT SAMITI (RE-ELECTION OF OFFICE-BEARERS) ACT, 1981]

ORISSA ACT 9 OF 1981

[Received the assent of the Governor on the 5th April 1981, first published in an extraordinary issue of the *Orissa Gazette*, dated the 6th April 1981]

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

Enacted by the Legislature of the State of Orissa in the Thirty-second Year of the Republic of India, as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Orissa Panchayat Samiti (Re-election of Office-bearers) Act, 1981.

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

(3) It shall be deemed to have come into force on the 19th day of December 1980.

Definitions.

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

(a) "Panchayat Samiti Act" means the Orissa Panchayat Samiti Act, 1959 ; Orissa Act 7 of 1960.

(b) 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.

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

3. (1) Notwithstanding anything contained in the Panchayat Samiti Act, a Chairman, Vice-Chairman or a member of a Panchayat Samiti, who has been elected at any date after the 21st day of March, 1977 to fill up a vacancy caused in the office of the Chairman, Vice-Chairman or member, as the case may be, by reason of death, resignation or otherwise of such Chairman, Vice-Chairman or member and whose term of office expires on any date between the 1st day and the 30th day of November, 1980 shall be deemed to have ceased to hold office on the 19th day of December, 1980.

(2) Election for filling up vacancies so caused in the office of the Chairman, Vice-Chairman and members, if any, shall be held within such time as provided for the election to fill up vacancies caused under sub-section (1) of section 3 of the Orissa Panchayat Samiti (Re-election of Office bearers) Act, 1977.

Orissa Act 9 of 1977.

(3) The powers and functions of the Chairman, who ceased to hold office under sub-section (1), shall be exercised by the Subdivisional Officer having jurisdiction over the concerned block until the newly elected Chairman assumes office.

(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.

Repeal with savings.

4. (1) The Orissa Panchayat Samiti (Re-election of Office-bearers) Ordinance* 1980 is hereby repealed.

Orissa Ordinance No. 7 of 1980.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act was in force on the day on which such thing was done or action was taken.

* For statement of objects and reasons see *Orissa Gazette*, Extraordinary, dated the 6th March, 1981 (No. 279).