

ORISSA ORDINANCE No. 5 OF 1977

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

[Promulgated by the Governor on the 20th August 1977, Published in an extraordinary issue of the Orissa Gazette, dated the 22nd August 1977]

AN

ORDINANCE

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

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 re-election of office bearers and elected members of certain Panchayat Samitis in the State of Orissa in the manner hereinafter appearing ;

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 Twenty-eighth Year of the Republic of India:—

Short title,
extent and
commence-
ment.

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

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

(3) It shall come into force at once.

Definitions

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

(a) "appointed date" means the date appointed by the Government by notification, for the purpose of this Ordinance ;

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

(c) words and expressions used in this Ordinance, 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-Chair-
man and
members of
Panchayat
Samitis and
filling up
vacancies.

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 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 one year.

(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 the rules made thereunder and shall, subject to the provisions of that Act, hold office for three Years.

H. SINGH BRAR

Governor of Orissa

Dated the 20th August, 1977