

Karnataka Village Panchayats (Postponement of Elections) Act, 1975

6 of 1975

[16th March, 1975]

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An Act to provide for the further postponement of elections to the panchayats in the State. Whereas, it is considered necessary to provide for further postponing of elections to the panchayats in the State and to provide consequentially for the continuance of the term of the office of the members of the panchayats; Be it enacted by the Karnataka State Legislature in the Twenty-sixth Year of the Republic of India as follows.-

1. Short title, commencement and duration :-

(1) This Act may be called the Karnataka Village Panchayats (Postponement of Elections) Act, 1975.

(2) It shall be deemed to have come into force on the Twenty-ninth day of January, 1975.

(3) It shall remain in force up to and inclusive of ¹ [31st December, 1977] or such earlier date as the State Government may, by notification, specify and upon the expiry of this Act Section 6 of the

Karnataka General Clauses Act, 1899 shall apply as if this Act were a permanent Karnataka Act and 23rd day of May, 1884 had been repealed by a Karnataka Act immediately before its expiry.

1. Substituted for the figures and words "31st December, 1976" by Act No. 13 of 1977 and shall be deemed to have come into force w.e.f. 13-12-1976

2. Definitions :-

In this Act unless the context otherwise requires.-

(a) "Act" means the Karnataka Village Panchayats and Local Boards Act, 1959 (Karnataka Act 10 of 1959);

(b) the expression Panchayat shall have the meaning assigned to it in the Act.

3. Postponement of elections, etc :-

Notwithstanding anything contained in the Act or in the rules made thereunder or in any other law or in any judgment, decree or order of any Court or authority.-

(a) during the period this Act is in operation no general elections to or elections to fill any casual vacancy in any Panchayat shall be held or if any such election is commenced but the poll has not taken place the election shall not be completed;

(b) the term of office (including any extended term) of the members of any Panchayat or of the members of the Administrative committee or of an Administrator approved under the Act, who are or is as the case may be, in office on the date of the commencement of this Act, shall be deemed to be extended and such members or the Administrator shall continue to hold office during the period this Act is in operation.

4. Arrangement to be made to constitute new Panchayats before the expiry of the extended term :-

Notwithstanding anything contained in this Act, after a date (being a date before the date of expiry of this Act) to be notified by the State Government in the Official Gazette, arrangements shall be made by the Deputy Commissioner and other officers concerned, to constitute new Panchayats in accordance with the provisions of the Act and the rules made thereunder before expiration of the term of office of the members and Administrators of Panchayats which stand extended during the period this Act is in force.

5. Application of the Act :-

Except as otherwise provided by or under this Act, the Act shall in all other respects apply to the Panchayats.

6. Karnataka Act 9 of 1974 not to have effect in certain respects :-

On the commencement of this Act, the Karnataka Village Panchayats and Taluk Boards (Postponement of Elections) Act, 1974 (Karnataka Act 9 of 1974) shall insofar as it relates to Panchayats cease to be in force and any action taken thereunder for the constitution of new Panchayats shall not have any effect.

7. Repeal of Karnataka Ordinance No.1 of 1975 :-

The Karnataka Village Panchayats (Postponement of Elections) Ordinance, 1975 (Karnataka Ordinance No. 1 of 1975) is hereby repealed.