

THE ORISSA GRAMA PANCHAYATS (AMENDMENT) ACT, 1956

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ORISSA ACT No. 9 OF 1955
**THE ORISSA GRAMA PANCHAYATS (AMEND-
 MENT) ACT, 1955**

| *Received the assent of the Governor on the 27th September 1955 first
 published in an extraordinary issue of the Orissa Gazette,
 dated the 17th October 1955]*

AN ACT FURTHER TO AMEND THE ORISSA GRAMA
 PANCHAYATS ACT, 1948

WHEREAS it is expedient further to amend the Orissa Grama Panchayats Act, 1948, in the manner hereinafter appearing ; Orissa Act XV of 1948.

It is hereby enacted by the Legislature of the State of Orissa in the Sixth Year of the Republic of India as follows :—

Short title and commencement.

* 1. (1) This Act may be called the Orissa Grama Panchayats (Amendment) Act, 1955.

(2) It shall come into force at once.

Repeal of section 27, Orissa Act XV of 1948.

2. In the Orissa Grama Panchayats Act, 1948 Orissa Act XV of 1948. (hereinafter referred to as the said Act), section 27 shall be omitted.

Amendment of section 41, Orissa Act XV of 1948.

3. To sub-section (2) of section 41 of the said Act the following proviso shall be added, namely :—

“ Provided that where a market or fair is big and income therefrom is above two thousand rupees per annum, the State Government may direct the Grama Sabha receiving the income to make over such portion of it and for such period or periods as the State Government may determine, to such other Grama Sabhas the residents wherefrom use the market or fair in large numbers ”.

Amendment of section 48, Orissa Act XV of 1948.

4. For section 48 of the said Act the following section shall be substituted, namely :—

“48. (1) The Grama Panchayat shall keep regular accounts for receipts to and disbursements from the Grama Fund. Such accounts shall be audited annually or at such other prescribed intervals by auditors specially appointed by the Board of Revenue in this behalf. Auditors so appointed shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

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(2) The Auditor shall, after completing the audit, submit a report to the prescribed authority and that report shall, among other things, specify all cases of irregular, illegal or improper expenditure, or of failures to recover moneys or other property due to the Grama Panchayat or loss or waste of money or other property of the Grama Sabha caused by neglect or misconduct. The Auditor shall also report on any other matter which the Board of Revenue or the District Magistrate may require in respect of any specific Grama Panchayat.

(3) The provisions of the Orissa Local Funds Audit Act, 1948 and the rules made thereunder shall apply to the accounts of the Grama Fund and for the purpose of the Act herein mentioned the Examiner of Local Accounts shall mean the Board of Revenue in regard to the Grama Fund.

Orissa Act V
of 1948.

(4) The Board of Revenue shall cause to be made in accordance with the prescribed rules a periodical audit of the Grama Panchayat and the Adalti Panchayat ”.

Amendment
of section
114, Orissa
Act XV of
1948.

5. In clause (xxxiii) of sub-section (2) of section 114 of the said Act, the words “ by District Boards for Grama Panchayats or ” shall be omitted.

Repeal of
section 115,
Orissa Act
XV of 1948.

6. Section 115 of the said Act shall be omitted.

Amendment
of section
116, Orissa
Act XV of
1948.

7. In section 116 of the said Act—

(i) in sub-section (1) the words “ and the bye-laws, if any, made by the District Board. ” shall be omitted ;

(ii) for sub-section (2) the following sub-section shall be substituted, namely :—

“ (2) The draft bye-laws framed by Grama Panchayats shall be published in the prescribed manner. Any objections received thereto shall be considered at a meeting of the Grama Panchayat and the bye-laws shall then be submitted together with the objections, if any, received and the decisions taken thereon, to the District Magistrate. The bye-laws as sanctioned by the District Magistrate shall come into force after they have been published in the prescribed manner.”