

## GOVERNMENT OF ORISSA

## LAW DEPARTMENT

**THE ORISSA GRAMA PANCHAYATS ( SECOND AMENDMENT )  
ACT, 1956**

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## ORISSA ACT 5 OF 1957

**THE ORISSA GRAMA PANCHAYATS ( SECOND  
AMENDMENT ) ACT, 1956**

[ Received the assent of the Governor on the 31st January 1957,  
first published in an extraordinary issue of the Orissa Gazette,  
dated the 11th February 1957 ]

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 ;

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

Short title

1. This Act may be called the Orissa Grama Panchayats ( Second Amendment ) Act, 1956.

Amendment  
of section 1,  
Orissa Act  
XV of 1948.

2. In section 1 of the Orissa Grama Panchayats Act, 1948 ( hereinafter referred to as the said Act )—

Orissa Act  
XV of 1948.

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

“(2) It shall extend to the whole of the State of Orissa except to any area which has been or may be constituted hereafter as a Municipality or a Notified Area under the provisions of the Orissa Municipal Act, 1950 :

Orissa Act  
XXIII of  
1950.

Provided that when any local area is excluded from a Municipality or a Notified Area under the provisions of the said Municipal Act, the provisions of this Act shall be extended to such an area.”

(b) in sub-section (3) the words "the Provincial Government may also by notification withdraw the remaining provisions of this Act in whole or in part from any such specified areas" shall be omitted.

A m e n d -  
ment of  
section 2,  
Orissa Act  
XV of 1948.

3. In section 2 of the said Act—

(i) in the proviso to sub-section (1) for the word and figure "section 39" the word and figure "section 40" shall be substituted.

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

"(2) When in consequence of the repeal of the enactments specified in Schedule I, any Panchayat or Union Board constituted in the said areas under any of those enactments, ceases to exist, all the properties, funds and dues and all liabilities of such Panchayat or Union Board shall stand transferred to the Grama Sasan or Grama Sasans as the case may be, in accordance with such allocation as may be determined by the District Magistrate whose orders thereon shall be final".

A m e n d -  
ment of  
section 3,  
Orissa Act  
XV of 1948.

4. Section 3 of the said Act shall be omitted.

A m e n d -  
ment of  
section 4,  
Orissa Act  
XV of 1948.

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

"(4) In this Act, unless there is anything repugnant in the subject or context,—

(a) 'Adalti Panchayat' means an Adalti Panchayat established under section 57;

(b) 'Adult' means a person, male or female, who has completed his or her twenty-first year;

(c) 'Anchal Sasan' means a body corporate constituted and named as such for implementing any decentralised scheme of administration relating to Local Government under section 4 of the Orissa Anchal Sasan Act, 1955.

Orissa Act  
4 of 1956

(d) 'building' includes a hut, shed, house, shop, warehouse, workshop or other roofed structure for whatsoever purpose and of whatever material constructed but does not include a tent or other portable or temporary shelter;

(e) 'case' means a criminal proceeding in respect of an offence triable by an Adalti Panchayat ;

(f) 'circle' means the area within which an Adalti Panchayat exercises jurisdiction ;

(g) 'Collector' or 'District Magistrate' or 'Subdivisional Magistrate' with reference to a Grama Sasan means the Collector, District Magistrate or Subdivisional Magistrate of the district or the subdivision, as the case may be, in which such Grama Sasan is constituted ;

(h) 'Director of Grama Panchayats' means an officer appointed as such by the State Government;

(i) 'District Board' with reference to a Grama Panchayat means a District Board established under the Bihar and Orissa Local Self-Government Act, 1885, the Madras Local Boards Act, 1920, and the Sambalpur Local Self-Government Act, 1939, in the district in which such Grama Panchayat is constituted and includes any other authority constituted by law ;

Bengal Act  
III of 1885.  
Madras Act  
XIV of 192.  
Orissa Act  
VI of 1939.

(j) 'Grama' means a village or group of contiguous villages declared as such by the State Government under section 5 ;

(k) 'Grama Sasan' means a Grama Sasan established under section 5 ;

(l) 'Grama Fund' means a local fund constituted under section 40 ;

(m) 'Grama Panchayat' means the Executive Committee of the Grama Sasan established under section 10 ;

(n) 'market' includes any place where persons periodically assemble for sale of meat, butter, ghee, fish, fruit, vegetables or livestock or the like ;

(o) 'Munsif' with reference to an Adalti Panchayat means the Munsif having local jurisdiction in the area in which such Adalti Panchayat is constituted ;

(p) 'Palli Sabha' means a Palli Sabha constituted under section 19 ;

(q) 'population' means the population as determined in the manner prescribed in this behalf ;

(r) 'public servant' means a public servant as defined in section 21 of the Indian Penal Code ; XLV of 1860

(s) 'public street' means any road, street, bridge, lane, square, court, alley or passage which the public has a right to pass along and includes on either sides the drains or gutters and the land up to the defined boundary of any abutting property, notwithstanding the projection over such land of any verandah or other superstructure ;

(t) 'prescribed' means prescribed by rules made by the State Government under this Act ;

(u) 'prescribed authority' means the authority prescribed as such by the State Government ;

(v) 'proprietor' and 'landholder' have the meanings respectively assigned to those expressions by the tenancy laws for the time being in force but do not include a person who, by reason of any transfer, is not entitled for the time being to receive rent or profits in respect of his share in the village, and in such a case means the person, who for the time being, is entitled to receive such rent or profits ;

(w) 'suit' means a civil suit triable by an Adalti Panchayat ;

(x) 'village' means any local area recorded as a village in the revenue records of the district in which it is situate ;

(y) 'year' means the year commencing on the first day of September."

Amendment  
of the head-  
ing under  
Chapter II,  
Orissa Act  
XV of 1948.

6. In the said Act, for the heading under Chapter II the following heading shall be substituted namely :—

**" Establishment and constitution of Grama Sasans  
and Grama Panchayats "**

Amendment  
of sections 5  
to 14, Orissa  
Act XV of  
1948.

7. (1) For sections 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of the said Act, the following sections shall be substituted, namely :—

Constitution  
of Grama  
and Grama  
Sasan.

"5. (1) The State Government may, by notification declare for the purposes of this Act, any village or group of contiguous villages to be a 'Grama' and specify the name of the 'Grama' and constitute a 'Grama Sasan' for the same :

Provided that the State Government may, after making such enquiry and in such manner as may be prescribed, by notification—

(i) exclude from any Grama any village comprised thereunder ; or

(ii) include in any Grama any village contiguous to the same ; or

(iii) cancel or modify a notification under this sub-section ; or

(iv) alter the name of any Grama.

(2) On and from the date of commencement of the Orissa Grama Panchayats (Second Amendment) Act, 1956, the existing Grama Sabhas shall be Grama Sasans for the purpose of sub-section (1) and shall be designated by their respective names and the villages constituting the said Grama Sabhas, shall be deemed as Gramas accordingly. Orissa Act 5 of 1957.

Incorporation.

6. Every Grama Sasan shall be a body corporate by the name of the Grama for which it is constituted and shall have perpetual succession and a common seal with power to acquire and hold property, both movable and immovable, and, subject to the provisions of this Act or of any rules made thereunder, to transfer any property held by it, to enter into contracts and to do all other things necessary for the purpose of carrying out the provisions of this Act and may sue or be sued in its corporate name.

Grama Panchayat, its powers, duties and functions.

7. There shall be for every Grama Sasan a Grama Panchayat as hereinafter constituted and, save as otherwise expressly provided by or under this Act, the powers, duties and functions of the Grama Sasan shall be exercised, performed and discharged by the said Grama Panchayat.

The authority to exercise executive power.

8. Save as otherwise expressly provided by or under this Act, the executive power of the Grama Panchayat for the purpose of carrying out the provisions of this Act shall be exercised by the Sarpanch elected under section 10, who shall act under the authority of the said Grama Panchayat.

Registers of population and adults.

9. (1) On the first establishment of a Grama Sasan, the prescribed authority shall cause to be prepared in the prescribed form one register of population of persons ordinarily residing in the Grama and another of adults ordinarily residing therein ;

Provided that the name of an adult shall not be included in the register of adults ordinarily resident in the Grama, if he —

- (a) is of unsound mind ; or
- (b) is an undischarged insolvent ; or
- (c) is suffering from leprosy or tuberculosis ; or
- (d) is convicted of an election offence under any law for the time being in force ; or

(e) has been sentenced to imprisonment for a term exceeding three months for an offence involving moral turpitude or ordered to give security for good behaviour under section 110 of the Code of Criminal Procedure, 1898 ; or

▼ of 1898

- (f) is not a citizen of India :

Provided further that the disqualifications under clauses (d) and (e) of the preceding proviso may be removed by an order of the State Government or the prescribed authority.

*Explanation*—A person shall be deemed to reside ordinarily in a Grama, if he—

- (i) resides permanently in the Grama ;
- (ii) has his dwelling house within its limits and occasionally visits it ;
- (iii) having no dwelling house of his own resides in a building or a part of a building situated within its limits for not less than six months during a calendar year immediately preceding the date on which the register of adults ordinarily residing in the Grama is prepared or taken up for general revision ; or
- (iv) maintains within its limits a dwelling house ready for occupation in charge of servants and occasionally occupies it.

(2) The registers prescribed under sub-section (1) shall be revised periodically in the manner prescribed.

10. (1) As soon as may be after its establishment every Grama Sasan shall elect in the prescribed manner from among its members an Executive Committee which shall be known as the Grama Panchayat and the Grama Panchayat shall elect in the prescribed manner a Sarpanch and a Naib-Sarpanch from among its members.

Election of  
Sarpanch  
and Naib-  
Sarpanch.

(2) Subject to any special provision that may be prescribed for proper representation of the members of the Scheduled Caste, Scheduled Tribes or Backward classes, the District Magistrate shall decide the manner in which the local area of any Grama Sasan shall be divided on population basis, calculated as far as may be, to secure uniformity of representation, into electoral wards and the number of members to be returned for each of such wards.

(3) Notwithstanding anything contained in sub-sections (1) and (2) no member of a Grama Sasan shall be eligible to stand for election of a Grama Panchayat for more than one ward in the said Grama Panchayat or for more than one Grama Panchayat.

(4) The members of a Grama Panchayat shall be of such number as may be fixed by the District Magistrate subject to a minimum of eleven and a maximum of twenty-five including the Sarpanch and the Naib-Sarpanch.

(5) If a Grama Sasan, for any reason whatsoever fails to elect, in the prescribed manner, from amongst its members an Executive Committee either in whole or in part, a fresh election shall be held in respect of the vacancies on such date and in such manner as may be prescribed in that behalf.

(6) If at such fresh election the requisite number of members of a Grama Panchayat is not elected, the State Government shall appoint a person or persons to fill up the vacancies and thereupon the Grama Panchayat so constituted consisting of elected and appointed members shall elect a Sarpanch and a Naib-Sarpanch from amongst its members:

Provided that if any member is prevented by an order of a Court of competent jurisdiction from participating in the election of a Sarpanch and a Naib-Sarpanch, the remaining members shall be competent to elect such Sarpanch and Naib-Sarpanch.

(7) No election of a Sarpanch or a Naib-Sarpanch shall be made unless at least fifty per cent of the members of the Executive Committee be present and participate in the election.

(8) The terms of office of the members of a Grama Panchayat including that of a Sarpanch and a Naib-Sarpanch shall be three years from the date of the first meeting of the Panchayat in which its Sarpanch or Naib-Sarpanch are elected. Such members shall be eligible for re-election :

Provided that the term of three years shall be deemed to include any period which may elapse between the expiration of the said three years and the first meeting of the newly elected members at which a quorum is present :

Provided further that the State Government may, by notification for sufficient cause stated therein, direct that the term of office of any Grama Panchayat be extended by such period not exceeding one year as may be specified in the said notification.

(9) A person shall not be eligible to stand for election as or continue to be a member of the Grama Panchayat or a Panch of an Adalti Panchayat constituted under this Act, if—

(a) his name is not in the register of adults ordinarily resident in the ward of the Grama Sasan from which he intends to seek election or has been elected ;

(b) he has incurred any of the disqualifications under section 9 of the Act ;

(c) he holds any office of profit under the State or the Central Government or a Local authority other than that of a Sarpanch, Naib-Sarpanch or Member of a Grama Panchayat or President or Panch of an Adalti Panchayat ;

(d) he has been dismissed from service of the State Government, Central Government or a Local authority ;

(e) he has been in arrears of any tax, fee or rate due by him to the Grama Sasan for a continuous period of two years ; or

(f) he is in the habit of encouraging litigation in the villages and has been declared to be so on enquiry by the prescribed authority in the prescribed manner ;

Provided that the disqualification under clause (d) may be removed by the State Government in the prescribed manner :

Provided further that the disqualification under clause (e) shall cease upon payment of the arrears or on remission thereof in accordance with the provisions of the Act and the rules made thereunder :

Provided also that any one or more of the aforesaid disqualifications shall be given effect to in the prescribed manner and in case of any dispute the matter shall be referred to the State Government whose decision shall be final and shall not be questioned in any court of law.

*Explanation*—For the purpose of this section “any office of profit” shall include any office or employment, whether part-time or whole-time, whether with or without remuneration or allowance, periodic or otherwise, determined on any basis whatsoever, by virtue of which office or employment the person holding the same exercises authority in any locality within the Grama Sasan area.

Special  
power of  
the State  
Government  
to direct  
general  
election of  
the Grama  
Panchayat.

11. Notwithstanding anything to the contrary in any of the other provisions of this Act, the State Government may, by notification for any sufficient cause or for implementing any scheme of administration by constituting Anchal Sasans direct that general election of members of a Grama Panchayat be held at any time before the expiration of the term of office of such members including its Sarpanch and Naib-Sarpanch.

Act or pro-  
ceeding  
not to be  
vitiating.

12. No defect or irregularity in the matter of enrolment of a member in the register of adults and no casual vacancy in the membership with reference to the said enrolment shall vitiate any act or proceeding of the Grama Panchayat or the Palli Sabha as hereinafter constituted.

power of  
the Collector  
in certain  
matters

13 (1) In the event of any change in the population of the local area of a Grama Sasan in pursuance of clause (1) or (2) of the provision to sub-section (1) of section 5, the wards constitute for the said area under sub-section (2) of section 10 may be added to or readjusted by the Collector in such manner as to

cause the minimum alteration in the existing wards and fresh election shall be held only in respect of such of the wards as are added to or reconstituted by reason of such change.

(2) Where by a notification under section 5 any local area is included within the jurisdiction of a Grama Sasan, such area shall thereby become subject to all notifications, rules, regulations, bye-laws and orders made under this or any other enactment in force in the local area aforesaid where the notification is issued.

(3) If the whole of the local area of a Grama Sasan is included in a Municipality or Notified Area or another Grama Sasan, the Grama Sasan shall cease and its assets and liabilities shall be disposed of in the manner prescribed. When a part of the local area is so included or forms part of a new Grama Sasan its local area shall be reduced by that part and the assets and liabilities of the reduced part shall be disposed of in the manner prescribed.

Removal of difficulty.

14. If, in establishing a Grama Sasan or in the working of a Grama Panchayat any dispute or difficulty arises regarding the interpretation of any provision of this Act or any rule made thereunder or any matter arising out of or relating to such an interpretation or any difficulty arises in the working of this Act, the same shall be referred to the State Government whose decision or direction as the case may be, shall be final and conclusive.

Decision to be final.

15. Any decision finally given by any Officer or the prescribed Authority under the provisions of this Act with reference to the conduct of elections or preparation of the register of adults or making alterations therein, shall be final and shall not be challenged in a court of law.

Incidents of office.

16. (1) The office of the members of the Grama Panchayat including that of the Sarpanch and Naib-Sarpanch shall be honorary :

Provided that the Sarpanch and the Naib-Sarpanch may receive such monthly honorarium as may be prescribed.

(2) The State Government shall, subject to the restrictions provided in sub-section (1) of section 9, make rules regarding the qualifications of a Sarpanch and a Naib-Sarpanch and the grounds on which they may be removed from office for negligence, inefficiency or misbehaviour.

Power of the Sarpanch.

17. (1) The Sarpanch shall, in the execution of his duties, give effect to the decisions of the Grama Panchayat :

Provided that if in his opinion any such decision—

(a) is subversive of peace and order in the locality ; or

(b) results in manifest injustice or unfairness to an individual or body of individuals or a particular community ; or

(c) is generally against public interest, the Sarpanch shall refer the matter to the Subdivisional Magistrate and thereafter act according to such directions as he may receive from such Magistrate.

(2) The Subdivisional Magistrate may, on his own motion or on the representation by the Sarpanch set aside a decision of the Grama Panchayat, if he finds that the decision is of the nature enumerated in clause (a), (b) or (c) of sub-section (1) :

Provided that the Grama Panchayat may appeal to the prescribed authority against such a decision and the decision of the Subdivisional Magistrate, subject to such appeal, shall be final.

Resignation

18. (1) A member or a Naib-Sarpanch of a Grama Panchayat may resign his office by writing under his hand addressed to the Sarpanch and thereupon the office shall fall vacant.

(2) The Sarpanch may resign his office by writing under his hand addressed to the Subdivisional Magistrate and the Subdivisional Magistrate shall place the resignation before the next meeting of the Grama Panchayat and thereupon the Sarpanch shall be deemed to have vacated the office,

(3) Where the resignation of the Sarpanch has been accepted, as provided under sub-section (2), the Naib-Sarpanch shall exercise the powers of the Sarpanch till a new Sarpanch is elected in the vacancy and, if the Naib-Sarpanch is also not in office at the time, the Subdivisional Magistrate may nominate any member of the Grama Panchayat to carry on the duties of the Sarpanch till the new Sarpanch is elected.

(4) A Panch of an Adalti Panchayat may resign his office by writing under his hand addressed to the President of the Adalti Panchayat and thereupon the office shall fall vacant.

(5) (a) A President of an Adalti Panchayat may resign his office by writing under his hand addressed to the District Magistrate.

(b) Within fifteen days of the receipt of the resignation letter, the District Magistrate shall nominate a Panch of the Adalti Panchayat to carry on the duties of the President till a new President is elected and thereupon the President shall be deemed to have vacated the office."

(2) Sub-section (1) of section 5 as hereinbefore substituted shall be deemed always to have been substituted.

Amendment  
of the head-  
ing of Chap-  
ter III,  
Orissa Act  
XV of 1948.

### 3. In the said Act—

(a) for the heading under Chapter III the following heading shall be substituted, namely :—

#### " Pali Sabha and its Functions "

(b) for sections 15, 16, 17, 19 and 20 the following sections shall be substituted, namely :—

Pali Sabha  
and its  
meetings.

"19. (1) There shall be a Pali Sabha for every village consisting of all adults in the village included in the register of adults prepared under section 9 in so far as it relates to the village :

Provided that, where a village has a population of more than one thousand the prescribed authority may divide the village in such a manner that it may have more than one Pali Sabha therein

another 9  
11/2/51 will be  
added

(2) The Palli Sabha shall meet annually in March every year and may also meet at other times in the manner prescribed.

(3) The person representing the Palli Sabha area in the Grama Panchayat, or, if there be more than one such person, the one nominated by the Grama Panchayat, shall preside over the meeting of the Palli Sabha :

Provided that if, for some reason such person fails to be present in the meeting at the appointed time, those present in the meeting may elect by open voting one of them to preside over the meeting.

(4) The proceedings of the meeting of the Palli Sabha shall be recorded and authenticated by its President :

Provided that, if any member of the Palli Sabha files a complaint either in writing or in person in the next meeting of the Grama Panchayat challenging that the proceedings have not been correctly recorded by the President, the Grama Panchayat may in its discretion, summon another meeting of the Palli Sabha, to consider the same issue or issues, to be held in the presence of a member of the Panchayat not connected with the Palli Sabha, duly authorised by the Panchayat in this behalf ; and the recorded proceedings of this meeting, if duly countersigned by the said member of the Panchayat, shall be taken to be final.

(5) Fifty per centum of the members of the Palli Sabha shall form the quorum for a Palli Sabha meeting.

(6) Voting in the Palli Sabha meeting shall be open.

Functions  
of the Palli  
Sabha.

20. (1) The Palli Sabha shall, in its annual meeting decide what development works may be taken up in the village during the ensuing year and while recommending the same to the Grama Panchayat indicate what amount of additional labour tax may be levied in the village to meet part of the cost of the development works proposed if the Panchayat decides to take them up. The Panchayat shall, after considering such recommendations of all Palli Sabhas in its jurisdiction, decide on the priority of the schemes to be taken up on the basis of the

additional labour tax offered and while sending its budget for the approval of the prescribed authority give details of the offers made to enable him to come to a decision as to which schemes should be sanctioned.

(2) The Palli Sabha shall perform such other functions as the prescribed authority may, from time to time direct."

Amendment  
of section 21,  
Orissa Act  
XV of 1948.

9. In section 21 of the said Act—

(i) the words "repair" and "maintenance" in clause (a) shall be omitted;

(ii) for clause (h) the following clause shall be substituted, namely:—

"(h) regulation of melas, fairs and festivals and, subject to the provisions of sub-sections (2) and (5) of section 41, establishment, maintenance and regulation of markets, hats and cart-stands including stands for carriages or motor vehicles within the meaning of the Motor Vehicles Act, 1939, registration of sales of animal in such markets, hats and fairs, within its area";

(iii) to clause (i) the following words shall be added, namely:—

"until an Anchal Sasan is established to include the Grama Sabha area";

(iv) in clause (l) the words "roads, culverts, bridges and" shall be omitted;

(v) for clause (q) the following clause shall be substituted, namely:—

"(q) registration of animals sold and imposition of registration fees";

(vi) for clause (r) the following clause shall be substituted, namely:—

"(r) supervision and maintenance of village and field boundary marks and maintenance of village records when so required by the State Government";

Amendment of section 22, Orissa Act XV 1948

10. In clause (j) of section 22 of the said Act, the words "with the prior sanction of the State Government" shall be omitted.

Amend-  
ment of  
section 23,  
Orissa Act  
XV of  
1948.

**11.** In sub-section (1) of section 23 of the said Act in clauses (b), (c) and (f) before the words "public street" and in clause (d) before the word "waterways" the word "such" shall be inserted.

Amend-  
ment of  
section 25,  
Orissa Act  
XV of  
1948.

**12.** At the beginning of clause (a) of sub-section (1) of section 25 of the said Act, the words "until an Anchal Sasan is formed including the Grama Sasan area" shall be inserted.

Amend-  
ment of  
section 36,  
Orissa Act  
XV of  
1948.

**13.** In section 36 of the said Act, for the words "a Grama Sabha and Panchayat" the words "a Grama Sasan, a Grama Panchayat or an Adalti Panchayat" shall be substituted.

Amend-  
ment of  
section 42,  
Orissa Act  
XV of  
1948.

**14.** Section 42 of the said Act shall be renumbered as sub-section (1) of the said section and after the said sub-section as so renumbered, the following sub-sections shall be inserted, namely :—

"(2) Any person aggrieved by the decision of the Grama Panchayat under sub-section (1) may prefer an appeal to such authority in such manner and within such period as may be prescribed.

(3) If any such person is dissatisfied by the order passed in an appeal under sub-section (2) he may, within six months from the date of communication of the said order, institute a suit in the Civil Court for establishment of his rights, if any.

(4) The decision of the Grama Panchayat under sub-section (1) shall, subject to the result of the order of the appellate authority or the Court as the case may be, be final".

Amend-  
ment of  
section 44,  
Orissa Act  
XV of 1948.

**15.** In clause (j) of section 44 of the said Act, after the word "vehicles" the words "suitable for use on roads and" shall be inserted.

Amend-  
ment of  
section 45,  
Orissa Act  
XV of 1948.

**16.** In the said Act, section 45 shall be renumbered as sub-section (1) of the said section and after the said sub-section as so renumbered, the following new sub-section shall be inserted, namely :—

"(2) If at a meeting of the Palli Sabha not less than seventy-five per centum of the members of the said Sabha decide that for a specific development work or works, a certain amount of labour has to be provided by the village as its contribution towards such work and a resolution is passed to this effect, the Grama Panchayat on the receipt of such a resolution may, in addition to the labour-tax provided in sub-section (1) and subject to the provisions of

section 20, impose an additional labour-tax in the said village equivalent to but not exceeding ten man-days in a year."

Amendment of section 46, Orissa Act XV of 1948.

**17.** In section 46 of the said Act, for the words "Panchayat taxes and dues", the words "taxes, fees and other dues of the Panchayat" shall be substituted.

Amendment of section 48, Orissa Act XV of 1948.

**18.** In section 48 of the said Act—

(a) for the words "Board of Revenue" wherever they occur, the words "Director of Grama Panchayats" shall be substituted.

(b) in sub-section (1) for the words "Auditors so appointed shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code", the words "Auditors so appointed shall be deemed to be Auditors for the purpose of section 4 of the Orissa Local Fund Audit Act, 1948 and to be public servants within the meaning of section 21 of the Indian Penal Code", shall be substituted.

XLV of 1860

Orissa Act V of 1948.

XLV of 1860.

(c) to sub-section (3) the following proviso shall be added, namely :—

"Provided that the State Government may, for sufficient reason, condone any surcharge made under the Orissa Local Fund Audit Act, 1948".

Orissa Act V of 1948.

Amendment of section 50, Orissa Act XV of 1948.

**19.** In section 50 of the said Act for the word<sup>s</sup> "Revenue Commissioner" the words "prescribed authority" shall be substituted.

Amendment of section 97, Orissa Act XV of 1948.

**20.** In section 97 of the said Act—

(a) the proviso to sub-section (1) shall be omitted and after sub-section (1) the following new sub-section shall be inserted, namely :—

"(2) The District Magistrate may, by an order in writing, delegate all or any of his powers and functions under this Act or under any rules made thereunder except the powers conferred under clause (f) of section 98, to any officer subordinate to him ;"

(b) the existing sub-section (2) shall be renumbered as sub-section (3).

Amendment of section 114, Orissa Act XV of 1948.

**21.** In sub-section (2) of section 114 of the said Act, in clauses (viii) and (ix) for the words "Executive Committee" the words "Grama Panchayat" shall be substituted and in clause (xxiii) for the words "compulsory" the words "labour-tax" shall be substituted.

Amendment  
of section  
117, Orissa  
Act XV of  
1948.

**22.** For section 117 of the said Act the following section shall be substituted, namely :—

Power of the  
State  
Government  
to extend  
the Orissa  
Municipal  
Act, 1950.

“117. The State Government may, on the application of a Grama Panchayat, by notification, extend to the areas included within its jurisdiction any of the provisions of the Orissa Municipal Act, 1950, or any rules made thereunder and may declare such extension to be subject to such restrictions and modifications as they deem fit.”

Orissa  
Act XXIII  
of 1950.

Adaptation

**23.** In the said Act for the words “ Grama Sabha ” wherever they occur the words “ Grama Sasan ” shall be substituted.