

## ORISSA ACT VIII OF 1951

## THE ORISSA GRAMA PANCHAYATS (SECOND AMENDMENT) ACT, 1950

[Received the assent of the Governor on the 9th January 1951, first published in an extraordinary issue of the Orissa Gazette, dated the 15th January 1951]

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

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

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Orissa Grama Panchayats (Second Amendment) Act, 1950.

(2) It shall come into force at once.

Amendment of section 4, Orissa Act XV of 1948.

2. In section 4 of the Orissa Grama Panchayats Act, 1948 ( hereinafter referred to as the said Act ),—

(a) after clause (s) the following new clause shall be inserted, namely :—

“(j) ‘ market ’ includes any place where persons periodically assemble for sale of meat, butter, ghee, fish, fruit, vegetables or livestock ;”

(b) clauses (j) to (s) shall be relettered as clauses (k) to (t) and after clause (t) as so relettered, the following new clause shall be inserted, namely :—

“(u) ‘ year ’ means the financial year ”.

Amendment of section 16, Orissa Act XV of 1948.

3. In sub-section (4) of section 16 of the said Act, after the words “ or a Naib Sarpanch ” the words “ or as a Panch of an Adalti Panchayat ” shall be inserted.

Amendment of section 18, Orissa Act XV of 1948.

4. In clause (ii) of section 18 of the said Act, for the word, figure and brackets “ sub-section (3) ” the following word, figure and brackets shall be substituted, namely :—

“ sub-section (4) ”.

Amendment of section 19, Orissa Act XV of 1948.

5. In sub-section (3) of section 19 of the said Act, for the word and figures “ section 16 ” the following word and figures shall be substituted, namely :—

“ section 18 ”.

Amendment of section 40, Orissa Act XV of 1948.

6. In clause (j) of sub-section (1) of section 40 of the said Act, after the words and figures “ the Sambalpur Local Self-Government Act, 1932 ” the following words shall be inserted, namely :—

“ or under any other law for the time being in force ”.

Amendment  
of section  
44, Orissa  
Act XV of  
1948.

7. In section 44 of the said Act—

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

“Explanation—For the purpose of this sub-section “owner” means—

(i) in a ryotwari area, the ryot who holds land by patta from Government ;

(ii) in a zamindari or proprietary area the proprietor or land-holder, as the case may be, as defined in this Act.” ;

(b) in sub-section (2)—

(i) in clause (d) for the word ‘animals’ the word ‘cattle’ shall be substituted ;

(ii) in clause (e) after the words ‘any market’ the words ‘maintained by the Grama Panchayat’ shall be inserted ;

(iii) in clause (gg) for the words and figures “the provisions of section 2 of the Professions Tax Limitation Act, 1941” the following words shall be substituted, namely :—

“a maximum of fifty rupees per annum” ;

(iv) in clause (h) the words ‘and slaughter houses’ shall be omitted and the word ‘and’ shall be inserted before the word “rest-sheds” ;

(v) in clause (l) the word ‘and’ shall be omitted and after the said clause the following clause shall be inserted, namely :—

“(m) a fee on private markets, cart-stands and slaughter houses within the local area ; and” ;

(vi) the existing clause (m) shall be relettered as clause (n) ; and

(c) for sub-section (3) the following shall be substituted, namely :—

“(3) No tax, toll, fee or rate provided under sub-sections (1) and (2) shall be imposed by a District Board in any local area of a Grama Panchayat.”

Insertion of  
a new sec-  
tion 117-A.  
in Orissa  
Act XV of  
1948.

8. After section 117 the following new section shall be inserted, namely :—

Delegation  
of powers.

“117-A. The State Government may, by notification, direct that any of their powers or functions under this Act except the power to make rules shall be exercised or discharged by any officer or authority subordinate to the State Government.”