

ORISSA ORDINANCE No. 12 OF 1984

**THE ORISSA DEVELOPMENT AUTHORITIES (AMENDMENT)
ORDINANCE, 1984**

[Promulgated by the Governor on the 13th December 1984, published in an extraordinary issue of the *Orissa Gazette*, dated the 15th December 1984.]

AN

ORDINANCE

TO AMEND THE ORISSA DEVELOPMENT AUTHORITIES ACT, 1982

WHEREAS the Legislature of the State of Orissa is not in Session;

AND WHEREAS, the Governor of Orissa is satisfied that the circumstances exist which render it necessary for him to take immediate action to amend the Orissa Development Authorities Act, 1982;

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 Thirty-fifth Year of the Republic of India:—

Short title
and commencement.

1. (1) This Ordinance may be called the Orissa Development Authorities (Amendment) Ordinance, 1984.

(2) It shall come into force at once.

Amendment
of Section 3.

2. In Section 3 of the Orissa Development Authorities Act, 1982 (hereinafter referred to as the principal Act),—

Orissa Act 14
of 1982

- (i) in Sub-section(5), after clause (b) the following proviso shall be inserted, namely :—

"Provided that the State Government may appoint a part-time Vice-Chairman for a period not exceeding two months during the vacancy caused due to the absence of the whole time Vice-Chairman to avoid dislocation in the functioning of the Authority";

- (ii) Sub-section (6) shall be substituted by the following Sub-section, namely :—

"(6) The members appointed under clauses (c) to (f) of Sub-section (5) may either be whole-time or part-time members".

Amendment
of Section 5.

3. In section 5 of the principal Act, in Sub-section (2), for clause (a) the following clauses shall be substituted, namely :—

"(a) The President, who shall be appointed by the State Government;

(a-1) The Vice-Chairman, member *exofficio*;"

Amendment
of Section 91.

4. In section 91 of the principal Act, in Sub-section (1) after the words "such permission, approval or sanction has been granted", the following words, figures, letter and brackets shall be inserted, namely :—

"or any development deemed to be a development undertaken, carried out or completed without a permission as referred to in Section 15 under clause (b-1) of Sub-section (2) of Section 128".

Amendment
of Section
128

5. In Section 128 of the principal Act, in Sub-section (2), after clause (b), the following clause shall be inserted, namely :—

"(b-1) Any work or construction or reconstruction of building undertaken, carried out or completed in contravention of Sections 247 to 251 and Chapter XVII of the Orissa Municipal Act, 1950 or any rules, bye-laws or regulations made thereunder in force at the relevant point of time or any orders made or permission granted in respect thereof within the whole or part of development area and to which the provisions of clause (b) do not apply, shall be deemed to be a development undertaken, carried out or completed without a permission as referred to in section 15".

Orissa Act 23
of 1950

B. N. PANDE,

Dated the 13th December, 1984

GOVERNOR OF ORISSA