

ORISSA ACT 16 OF 1997

THE ORISSA PANCHAYAT SAMITI (AMENDMENT) ACT, 1997

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***THE ORISSA PANCHAYAT SAMITI (AMENDMENT)
ACT, 1997**

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AN ACT FURTHER TO AMEND THE ORISSA PANCHAYAT SAMITI ACT, 1959

BE it enacted by the Legislature of the State of Orissa in the Forty-eighth Year of the Republic of India as follows:—

- Short title 1. This Act may be called the Orissa Panchayat Samiti (Amendment) Act, 1997
- Amendment of Section 1. 2. In the Orissa Panchayat Samiti Act, 1959 (hereinafter referred to as the principal Act), in section 1, sub-section (5) shall be omitted. Orissa Act 7 of 1960.
- Amendment of Section 2. 3. In section 2 of the Principal Act, after clause (f-1), the following clause shall be inserted, namely:—
- “(f-2) “Scheduled Areas” means the Scheduled Areas as referred to in clause (1) of Article 244 of the Constitution;”
- Amendment of Section 16. 4. In section 16 of the principal Act,—
- (a) in sub-section (2), after the proviso to clause (a), the following proviso shall be inserted, namely:—
- “Provided further that in the Scheduled Areas, not less than one-half of the total number of seats to be filled by such direct election shall be reserve for the Scheduled Tribes.”
- (b) In sub-section (3-a), the following proviso shall be added to clause (i), namely:—
- “Provided that in the Scheduled Areas, offices of Chairmen of all the Samitis shall be reserved for the Scheduled Tribes.”; and
- (c) after sub-section (3-b), the following sub-section shall be inserted, namely:—
- “(3-c) Notwithstanding anything contained in this section, the Government may nominate to a Samiti in the Scheduled Areas persons belonging to such Scheduled Tribes as have no representation in the Samiti:
- Provided that such nomination shall not exceed one-tenth of the total members to be elected under clause (b) of sub-section (1).”.
- Amendment of Section 20. 5. In section 20 of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely:—
- “(5) Notwithstanding anything to the contrary in this Act, in the Scheduled Areas, the Samiti shall, in consultation with the Grama Sasan, be competent—
- (i) to exercise control and supervision, the nature and extent of which shall be such as may be prescribed, over institutions and functionaries of various social sectors in relation to the programmes and measures, as the Government may, by notification, specify; and
- (ii) to prepare the local plans including tribal sub-plans for the area and to exercise control over the resources for such plans.”.

*For the Bill see Orissa Gazette Extraordinary, dated the 8th December 1997 (No. 1510)