

# THE ORISSA GRAMA PANCHAYAT ACT

## ORISSA ACT OF 1965 THE ORISSA GRAMA PANCHAYAT ACT, 1964

[ Received the assent of the President on the 21st January 1965,  
first published in an extra ordinary issue of the Orissa Gazette  
dated the 22nd January 1965. ]

An Act to consolidate and amend the Law relating to Grama Panchayats in the State of Orissa.  
BE it enacted by the Legislature of the State of Orissa in the Fifteenth Year of the Republic of  
India as follows:—

### CHAPTER I

#### PRELIMINARY

1. (1) This Act may be called the Orissa Grama Panchayat Act, 1964.

(2) It shall extend to the whole of the State of Orissa:

Provided that it shall not apply to any area which has been or may be constituted Orissa Act  
hereafter as a Municipality<sup>8</sup> [ \* ' \* \* \* ]<sup>5</sup> under the provisions of the Orissa<sup>23 of 1950</sup> Municipal  
Act, 1950:

Provided further that when any local area is excluded from a Municipality<sup>8</sup> [ \* ' \* \* \* ]  
under the provisions of the said Municipal Act, the provisions  
of this Act shall apply to such area.

(3) It shall come into force at once

'[(4) Nothing in this Act shall apply to the Scheduled Areas referred to in clause (1) of article  
244 of the constitution.]\*

2. In this Act, unless the context otherwise requires—

(a) "Assembly Constituency" shall have the same meaning as has been<sup>43of 1950</sup> assigned to it in the Representation of the People Act, 1950;

^(a-1) 'Auditor' means an Auditor appointed under clause (a) of sub-section (3) of section  
100;];

\*['(&) 'Block' means a Block notified under section 15 of the Orissa Panchayat Samiti Act,  
1959;];

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(c) "building" includes a hut, shed, house, shop, ware-house, 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;

(J) "Collector" and "Subdivisional Officer" with reference to a Grama Sasan respectively mean  
the Chief Revenue Officer of the district and the Chief Revenue Officer of the subdivision in  
which each Grama Sasan is constituted!

(e) "Committee" means any Committee of a Grama Panchayat constituted under this Act and  
includes a joint Committee;

<sup>8</sup>['(f) 'Director of Grama Panchayats' means an officer appointed as such by the State  
Government and shall include a Deputy Director and an Assistant Director • of Grama  
Panchayats;];

'[('/-!) "Election Commission" means the State Election Commission consisting of a State  
Election Commissioner appointed by the Governor under article 243 K of the Constitution;

\*The Act has been applied to the Scheduled Areas of the State w.e.f. 22-4-1994 E. O. No. 438 dated 21st April 1994.

1. Inserted by Orissa Act, 9 of 1991 S. 2 (i) .

2. Substituted by Ibid. Sec 2. (ii)

3. Substituted by Ibid S. 2 (iii)

4. Substituted by Oriiia Act, 6 of 1994 S. 2 (a)
5. Omcnitted by Ibid S. 2 (b)
6. Inserted by Ibid S. 2(c)
7. inserted by Ibid S. 3

(/-2) "Finance Commission" means th- Finance Commission constituted by the Governor under Article 243-1 of the Constitution;]"

(g) "Grama" means a Grama constituted under section 3;

(h) "Grama Sasan" means a Grama Sasan established under section 4;

(i) "Grama Fund" means a local fund constituted under section 93;

<sup>1</sup>[(z-1) 'Jawahar Rozgar Yojana' means a scheme sponsored a? such by the Central Government for implementation in the State in the prescribed manner;];

(j) "Grama Panchayat" means the Executive Committee of the Grama Sasan established under section 7;

(k) "market" means any place set apart or ordinarily or periodically used for the assembling of persons for the sale or purchase of grains, fruits, vegetables, meat, fish or other perishable articles of food or for the sale or purchase of live-stock or poultry or of any agricultural or industrial produce or any raw or manufactured products or any other articles or commodity necessary for the convenience of life;

(l) "nuisance" includes any act, omission, place, animal or thing which causes or is likely to cause injury, danger, annoyance or offence to the sence of sight, smell, or hearing or disturbance to rest or sleep, or which is or may be dangerous to life or injurious to health or property.

(m) "offensive matter" includes animal carcasses, kitchen or stable refusee night-soil, dung, dirt or putrid or putrefying substances other than sewage;

01 (n) "owner" in respect of any property includes a person who for th? time being < is receiving or is entitled to receive, whether on his own account or on <sup>la</sup> behalf of another person as an agent, trustee, guardian, manager or receiver the rents or profits of the property;

(o) "Palli Sabha" means a Palli Sabha constituted under section 6;

<sup>2</sup>["o-1) 'Parishad' in relation to any Grama mean? the Zilla Parishad constituted under the Orissa Zilla Parishad Act, 1991 and having jurisdiction over the o area comprised within the said Grama;]";

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(P) "population" means population as ascertained in the last preceding census of which the relevant figures have been published under the relevant law for time being in force;

(q) "prescribed" means prescribed by rules made by the State Government under this Act;

\*[(q-1) 'Prescribed Authority' means the authority appointed by the State Government by notification for all or any of the purposes of this Act;]

(r) "public place" means any place which is open to the use and enjoyment of the public, whether it is actually used or enjoyed by the public or not;

(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 gutter and the land up to the defined boundary of any abouting property, notwithstanding the projection over such land of any verandah or other superstructure;

\*[(() "Samiti' in relation to any Grama means the Panchayat Samiti constituted under the prissa Panhayat Samiti Act, 1959 and having jurisdiction over thel area comprised within the said Grama;]

(«) "village" means any area recorded as a village in the revenue records of the district in which it is situated and in the absence of such records any area as the Collector of the distiict may from time to time declare to be a village for the purposes of this Act; and

(v) "year" means the financial year.

1. Inserted bj Oritsa Act 9 of 1991 S. 2 (iv)

2. Inserted by ibid S. 2 (v)
3. Inserted by Ibid S. 2 (vi)
4. Substituted by ibid S. (vii)

### **Grama, Grama Sasan, Grama Sabha And Palli Sabha**

3. (1) The State Government may for the purposes of this Act by declaration notified in the Gazette constitute any village or group of contiguous villages as a Grama and assign to such Grama, a name which shall be of one of the villages comprised within the Grama.

[Explanation—Village intervened only by forest areas, hills, streams, rivers and such other natural barriers and lands not forming part of any village may be treated as contiguous villages.]

(2) Whenever the State Government deem it fit so to do they may cancel any notification in respect of a Grama under sub-section (1) or may alter the area comprised in a Grama by reducing or adding to the number of villages comprised within such Grama and by declaration notified in the Gazette constitute such altered area or areas as a Grama or Gramas, as the case may be, for the purposes of the said sub-section.

(3) No Grama shall, so far as may be reasonably practicable, be constituted with a population of less than two thousands and more than <sup>2</sup>(ten] thousands but in no event shall a village be divided and a part thereof included within a Grama.

4. (1) For every Grama there shall be a Grama Sasan which shall be composed of all persons registered by virtue of the Representation of the People Act, 1950 <sup>3</sup> in so much of the electoral roll for any Assembly Constituency for the time being in force as relates to the Grama and the said portion of the roll shall be deemed to be the electoral roll in respect of the Grama.

(2) The Grama Sasan shall be a body corporate by the name of the Grama to which it relates, having perpetual succession and common seal, with power, subject to the provisions of this Act and the rules made thereunder, to acquire, hold and dispose of property and to contract and may by the said name sue and be sued.

(3) The office and headquarters of every Grama Sasan shall be situated within the limits of the Grama and unless otherwise ordered by the State Government in the village bearing the name of the Grama.

5. (1) There shall be at least two meetings one in February and the other in June every year of the members of the Grama Sasan and such other meetings as may be prescribed.

(2) (a) The quorum for the meetings of the Grama Sasan (hereinafter referred to as the 'Grama Sabha') shall be one-tenth of the members of the Grama Sasan.

(b) In the event of there being no quorum at any Grama Sabha it shall stand adjourned to a future day of which notice shall be given in the prescribed manner and no quorum shall be necessary for any such adjourned meeting.

(3) Subject to the other provisions of this Act, it shall be the duty of the Grama Sasan to consider—

(a) at the Grama Sabha held in February each year, the programmes and works to be undertaken by the Grama Panchayat for the ensuing year and the annual budget for the Grama for that year having regard to the recommendations, if any, of the different Palli Sabhas within the Grama made in accordance with the provisions of section 6 and give its recommendations to the Grama Panchayat;

1. Added by Orissa Act 18 of 1965
2. Substituted by Orissa-Act 9 of 1975<sup>^</sup>