

ORISSA ACT 29 OF 1975

THE ORISSA GRAMA PANCHAYAT (AMENDMENT) ACT, 1975

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ORISSA ACT 29 OF 1975

***THE ORISSA GRAMA PANCHAYAT (AMENDMENT)
ACT, 1975**

[Received the assent of the Governor on the 13th August 1975, first published in an extraordinary issue of the Orissa Gazette, dated the 22nd August 1975]

AN ACT TO AMEND THE ORISSA GRAMA PANCHAYAT ACT, 1964

Be it enacted by the Legislature of the State of Orissa in the Twenty-sixth Year of the Republic of India, as follows :—

Short title

1. This Act may be called the Orissa Grama Panchayat (Amendment) Act, 1975.

Amendment
of
section 83,
Orissa Act
1 of 1965.

2. In section 83 of the Orissa Grama Panchayat Act, 1964 (hereinafter referred to as the principal Act) before clause (c), the following clause shall be inserted, namely :—

Orissa Act
1 of 1965.

“(b) a tax payable by owners of vehicles (hereinafter referred to as Vehicle tax) suitable for use on roads and specified in the Schedule where such vehicles are kept or used within the Grama;”.

Amendment
of
section 89,
Orissa Act
1 of 1965.
Vehicle tax

3. For section 89 of the principal Act the following sections shall be substituted, namely :—

“86. (1) When it has been determined by the Grama Panchayat that a tax on vehicles specified in the Schedule shall be imposed, the Grama Panchayat shall make an order that the owner of every such vehicle which is kept or used within the Grama shall pay the tax in respect of such vehicle and shall cause such order to be published in the prescribed manner.

(2) Such order shall be published at least one month before the beginning of the half-year in which such tax will first take effect.

(3) Such tax shall not be imposed on vehicles kept for sale by any *bona fide* dealer in such vehicles.

(4) The time and manner of payment of tax, refund, proportionate payment or composition thereof or exemption therefrom and liability to payment of tax on transfer of ownership of vehicle shall be as may be prescribed.

*For the Bill see Orissa Gazette, Extraordinary, dated the 20th March, 1975 (No. 555.)

Grant of
licence on
payment of
vehicle tax.

87. (1) On receiving the amount of tax due to it, the Grama Panchayat shall give the person paying the same a licence for the vehicle for the period in respect of which the amount is received.

(2) Such licence shall be for the current year or half-year as the Grama Panchayat thinks fit.

(3) A Grama Panchayat licence showing the prescribed particulars shall be affixed to every vehicle at a conspicuous place so as to be distinctly visible.

Liability in
absence of
owner and
prohibition
to keep
vehicle with-
out licence.

88. (1) Whenever the owner of the vehicle liable to pay the vehicle tax is not resident within the Grama to which tax is due, the person in whose immediate possession the vehicle is for the time being kept, shall pay the tax and take out the licence for the same.

(2) No person shall keep any vehicle specified in the Schedule within the Grama or be in possession of any such vehicle kept within the Grama without the licence required under this Act.

Limits on
double taxa-
tion in
respect of
vehicles.

89. (1) Notwithstanding anything to the contrary in any other law for the time being in force, where a person is liable to pay the vehicle tax in respect of a vehicle for any particular period under this Act and also under the Orissa Municipal Act, 1950 and if he proves that the tax has been paid—

Orissa Act
23 of 1950.

(a) to any Grama Panchayat, he shall not be liable to pay such tax to any other Grama Panchayat; nor shall he be liable to pay the same to any Municipal or Notified Area Council except to the extent of the excess of the dues to the Council over the amount paid to the Grama Panchayat; or

(b) to any Municipal or Notified Area Council, he shall not be liable to pay such tax to any Grama Panchayat, but such Council shall pay to the Grama Panchayat concerned, the amount due under this Act, if the said amount is less than the amount paid to the Council.

(2) Any dispute arising under this section between two or more Grama Panchayats or between Grama Panchayats and Municipal or Notified Area Councils, shall be referred to the State Government or the prescribed authority whose decision shall be final.

(3) For the removal of doubts it is hereby declared that nothing in this section shall apply in respect of a vehicle referred to in the Schedule when such vehicle is neither kept nor used within the limits of a Grama. ”.

Amendment
of the
Schedule,
Orissa Act 1
of 1965.

4. For the Schedule to the principal Act, the following Schedule shall be substituted, namely:—

"SCHEDULE"

Tax on Vehicles

[See section 83 (b)]

Tax per half-year

Rs. P.

For every four-wheeled carriage drawn by horse	9-00
For every two-wheeled vehicle including a Cart, Jhatka and Tanga but excluding a bi-cycle.	4-00
For every bi-cycle	1-50
For every rickshaw	1-50
For every cycle rickshaw	3-00"