

## ORISSA ORDINANCE NO. 2 OF 1996

THE ORISSA PANCHAYATI RAJ FINANCE COMMISSION  
(MISCELLANEOUS PROVISIONS) AMENDMENT ORDINANCE, 1996

[Promulgated by the Governor of Orissa on the 18th October 1996 first published in an Extraordinary issue of the Orissa Gazette, dated the 18th October 1996]

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## ORDINANCE

TO AMEND THE ORISSA PANCHAYATI RAJ FINANCE COMMISSION  
(MISCELLANEOUS PROVISIONS) ACT, 1993

WHEREAS the legislature of the State of Orissa is not in session ;

AND WHEREAS the Governor of Orissa is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Orissa Panchayati Raj Finance Commission (Miscellaneous Provisions) Act, 1993 in the manner hereinafter appearing ;

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 forty-seventh year of the Republic of India :—

- Short title      1. This Ordinance may be called the Orissa Panchayati Raj Finance Commission (Miscellaneous Provisions) Amendment Ordinance, 1996.
- Amendment of section 1.      2. In section 1 of the Orissa Panchayati Raj Finance Commission (Miscellaneous Provisions) Act, 1993 (hereinafter referred to as the Principal Act), in sub-section (1), 28 of 1993. for the words "the Orissa Panchayati Raj Finance Commission", the words "the Orissa Finance Commission" shall be substituted.
- Amendment of section 2.      3. In Section 2 of the Principal Act,—  
     (i) after clause (b) the following clause shall be inserted, namely :—  
     “(b-1) ‘institution’ means any Panchayati Raj Institution or a Municipality” ; and  
     (ii) after clause (c), the following clause shall be inserted, namely :—  
     “(c-1) ‘Municipality’ means a Municipality as defined in the Orissa Municipal Act, 1950.”. Orissa Act 23 of 1950.
- Amendment of sections 3, 4 and 5.      4. In the principal Act, for Sections 3, 4 and 5, the following sections shall be substituted, namely :—  
     3. The Commission shall consist of a Chairman and four other members out of whom one shall be appointed as the Member-Secretary :  
     Provided that Governor may increase the number of such other members if he considers it so expedient in the interest of the Panchayati Raj Institutions and Municipalities.  
     4. (1) The Chairman of the Commission shall be :—  
     (a) a serving or a retired Judge of the High Court ; or  
     (b) a person of eminence with substantial experience in public affairs ; or  
     (c) a serving or retired Government Servant with wide experience in the field of administration ; or  
     (d) an eminent economist.  
     (2) The members other than Member-Secretary of the Commission shall be selected from among the persons who—  
     (a) have special knowledge in public finance and accounts ; or  
     (b) have had wide experience in the field of public finance and administration ;  
     or



(c) have special knowledge and experience relating to local self-Government in both urban and rural areas ; or

(d) have special knowledge of economics.

5. The Member-Secretary of the Commission shall be appointed by the Governor from amongst officers belonging to the All India Service or any State Cadre, who have had at least ten years of service under the State Government and have adequate knowledge in public finance."

Amendment  
of section 8.

5. In section 8 of the principal Act, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely :—

"(1) Every member including the Chairman of the Commission shall hold office for such period as may be specified in the notification of the Governor appointing him, but shall be eligible for re-appointment :

Provided that he may, by letter addressed to Governor, resign his office.

(2) The members of the Commission shall render whole time or part time service to the Commission as the Governor may, in each case, specify."

Amendment  
of section 9.

6. In the principal Act, in Section 9 after the words "Panchayati Raj Institutions" wherever they occur, the words "and the Municipalities" shall be inserted.

Amendment  
of section 11.

7. In the principal Act, for Section 11, the following Section shall be substituted, namely:—

"11. There shall be paid to members of the Commission including the Chairman and the Member-Secretary such fees or salaries and such allowances as the State Government may, by notification, determine."

Amendment  
of section 13.

8. In the principal Act, in sub-section (2) of Section 13, for the word "Secretary", the words "Member-Secretary" shall be substituted.

Amendment  
of section 15.

9. In the principal Act, in Section 15, sub-section (2) shall be omitted.

Dated the 18th October, 1996

**GOPALA RAMANUJAM**  
GOVERNOR OF ORISSA