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EXTRAORDINARY
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PANCHAYATI RAJ (G. P.) DEPARTMENT

NOTIFICATION The 1st November 2002

S. R. O. No. 907/2002—Whereas, the following draft of certain rules was published as required under sub-section (1) of Section 57 of the Orissa Panchayat Samiti Act, 1959 (Orissa Act 7 of 1960) in the extraordinary issue No. 1223, dated the 8th August 2002 of the *Orissa Gazette* under notification of the Government of Orissa in the Panchayati Raj (G. P.) Department No. 9714-G. P., dated the 8th July 2002 bearing S. R. O. No. 696/2002 inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of thirty days from the date of publication of the said notification in the *Orissa Gazette*;

And, whereas, no objection or suggestion has been received by the State Government during the aforesaid period ;

Now, therefore, in exercise of the powers conferred by Section 57 of the said Act, the State Government do hereby make the following rules, namely :—

PRELIMINARY

- (1) These rules may be called the Orissa Panchayat Samiti (Constitution of Standing Committees) Rules, 2002.
- (2) They shall come into force on the date of their publication in the *Orissa Gazette*.

2. (1) In these rules, unless the context otherwise requires,—

- (a) "Act" means the Orissa Panchayat Samiti Act, 1959 ;
- (b) "Block Development Officer" means the Block Development Officer referred to in Section 15-A of the Act;
- (c) "Elected members" means the total sanctioned strength of the members elected under Section 16 of the Act excluding seats which are vacant;
- (d) "Samiti" means a Panchayat Samiti constituted under the Act; and
- (e) "Standing Committee" means the Committees referred to in Section 18 of the Act.

(2) All other words and expressions used to in these rules, but not defined, shall have the same meaning as respectively assigned to them in the Act.

PART I

NUMBERS AND COMPOSITION OF THE STANDING COMMITTEES

3. (1) Every Samiti shall by resolution constitute the following Standing Committees, namely :—

- (a) Planning, Finance, Anti-poverty Programme and Coordination Standing Committee ;
- (b) Agriculture, Animal Husbandry, Soil Conservation, Horticulture, Watershed Development and Fisheries Standing Committee ;
- (c) Works, Irrigation, Electricity, Drinking Water Supply and Rural Sanitation Standing Committee ;
- (d) Health, Social Welfare including Women and Child Development Standing Committee ;
- (e) Public Distribution System, Welfare of Weaker Section, Forest, Fuel and Fodder Standing Committee ;
- (f) Handicrafts, Cottage Industry, Khadi and Village Industries and Rural Housing Standing Committee; and
- (g) Education, Sports and Culture Standing Committee.

(2) If at any time or in any case doubt arises on a subject or scheme as to which Standing Committee it relates, the same shall be placed before the Samiti for its decision which shall be final and the subject or scheme shall accordingly be entrusted to the concerned Standing Committee.

Composition of the standing Committee.

4. (1) Every Standing Committee shall consist of :—

- (i) five members in case of a Samiti having twenty or more elected members; or
- (ii) three members in case of a Samiti having less than twenty elected members.

(2) The Chairman and members of the Standing Committees shall be elected by and from among the elected members of the Samiti:

Provided that in case of Standing Committee as referred to in clause (d) of sub-rule (1) of rule 3, the Chairman or Vice-Chairman whoever be woman shall be the Chairman and only woman members shall be elected to such Standing Committees.

(3) The Block Development Officer shall be the *ex officio* Secretary of all Standing Committees.

Co-opted members.

5. (1) A Samiti may co-opt. / to each of the Standing Committee not more than three persons, not being members of the Samiti, having experience and knowledge of the subjects assigned to the respective Standing Committee.

(2) Representatives not exceeding three in number from among the Lead Bank, Co-operative Banks / Commercial Banks, Regional Rural Banks, the Life Insurance Corporation and General Insurance Corporations functioning within the local areas of the Samiti may be co-opted as members of the concerned Standing Committees if their assistance is felt necessary :

Provided that co-opting of these members shall be subject to the prior approval of the Samiti.

Term of Office

6. (1) The term of office of every Standing Committee shall be for a period of two years.

(2) One month before expiry of the term of a Standing Committee, election as provided under sub-rule (2) of rule 4 shall be held for constitution of a new Standing Committee.

PART II

POWERS AND FUNCTIONS OF THE STANDING COMMITTEES

Subject of the standing committee.

7. The respective Standing Committee of the Samiti shall deal with the matters for which it has been constituted.

Functions of the standing committee.

8. Every Standing Committee —

- (i) shall review the matters placed before it in relation to the subjects or schemes as assigned to it and prepare plans and projects thereof and furnish its recommendations to the Samiti; and
- (ii) shall ensure proper implementations of the plans and projects prepared by them and shall be responsible for the financial and physical achievements in respect of the schemes and programmes assigned to them.

Function of the Samiti.

9. (1) The recommendations of the Standing Committee shall be placed before the Samiti in finalizing the programmes and in allocation of the resources.

(2) The implementation of the recommendations of the Standing Committee shall be subject to the decision of the Samiti:

Provided that it shall be competent for the Samiti to revise or modify any such recommendation as it may deem proper.

PART III CONDUCT OF BUSINESS OF STANDING COMMITTEES

Ordinary Meeting.

10. Each Standing Committee shall meet in the Office of the Samiti *on* such date and such time as the Chairman of the Standing Committee may decide.

Spl. Meeting of the standing committee.

11. The Chairman of the Standing Committee may at any time call a special meeting of the Standing Committee within a week of the receipt of a requisition by a majority of the members of the Standing Committee. The agenda and the time of the meeting shall be approved by the Chairman of the Committee.

Business of the standing committee.

12. (1) No business shall be transacted at any meeting of a Standing Committee unless a majority of its members are present.

(2) The business of the Standing Committee shall be conducted in a simple manner.

Minutes of the proceedings.

13. (1) All minutes of the proceedings of a meeting shall be recorded in a book and shall be signed by the Chairman after the meeting. For this purpose, only summary of discussion and therecommendations of the Standing Committee shall be recorded.

(2) The Block Development Officer with the approval of the Chairman shall place the minutes of the proceeding of the Standing Committee in the next meeting of the Samiti for consideration.

(3) Copies of the minutes of the proceedings referred to in sub-rule (1) shall also be communicated to the concerned Collector and District Panchayat Officer.

Powers of First Standing Committee in case of conflict

14. In the event of conflict in the recommendation in any matters between two or more Standing Committees the matter shall be placed before the Standing Committee as referred to in clause (a) of sub-rule (1) of rule 3 for its decision which shall be final.

PART IV MISCELLANEOUS

Staff.

15. Every Standing Committee of the Samiti may, for transacting its business and for carrying out the purposes for which it is constituted, utilise the services of the Block Development Officer.

Interpretation of rules.

16. If any question arises as to the interpretation of these rules the same shall be referred to the Government for decision.

Power of Government to issue instruction.

17. The Government may from time to time, administrative instructions, as occasion may require for -

(i) smooth implementation of these rules; and

(ii) removal of any doubt or difficulties arising out of implementation of these rules.

Repeal &
savings.

18. The Orissa Panchayat Samiti (Constitution of Standing Committee) Rules, 1993 are hereby repealed :

Provided that notwithstanding such repeal, but subject to sub-rule (1) of rule 3, all action taken or orders issued under the rules so repealed shall be deemed to have been respectively taken or issued under these rules.

(No.22222-LS-I-49/2002-GP)
By order of the Governor
S. K. PRADHAN
Deputy Secretary to Government