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SECRETARIAT
OF
THE ODISHA LEGISLATIVE ASSEMBLY

NOTIFICATION

The 18th September, 2018

No.8822/L.A.— The following Bill which has been introduced in the Odisha Legislative Assembly on the 17th September, 2018 is herewith published under Rule-68 of the Rules of Procedure and Conduct of Business in the Odisha Legislative Assembly for general information.

**THE BIHAR AND ODISHA PLACES OF PILGRIMAGE (ODISHA REPEAL)
BILL, 2018**

A

BILL

TO REPEAL THE BIHAR AND ODISHA PLACES OF PILGRIMAGE ACT, 1920 IN
ITS APPLICATION TO STATE OF ODISHA.

BE it enacted by the Legislature of the State of Odisha in the Sixty- ninth Year of the Republic of India as follows: —

Short
title.

1. This Act may be called the Bihar and Odisha Places of Pilgrimage (Odisha Repeal) Act, 2018.

2. (1) The Bihar and Odisha Places of Pilgrimage Act, 1920 is hereby repealed.

(2) On such repeal, on and from the date of commencement of this Act, —

- (a) the Committee so appointed prior to such commencement shall stand dissolved and the members including the President thereof shall be deemed to have vacated their offices;
- (b) all sums credited to the Lodging-house Fund, all assets including all property movable and immovable and all other rights and interest in or arising out of such property as were immediately before such commencement shall stand transferred to and vest absolutely in the Puri Municipality;
- (c) all debts, obligations and liabilities incurred, all contract entered into and all matters and things done or to be done pursuant to the provisions of the Act so repealed before such commencement, shall be deemed to have been incurred, entered into and done or to be done by the Puri Municipality;
- (d) all suits and other legal proceedings instituted by or against the Magistrate or any other officers and every person acting under their control immediately before such commencement may be continued by or against the Puri Municipality;
- (e) all the existing employees of the Lodging-house Fund shall be allowed to give option, within such period and in such manner as may be specified by the Government, to be absorbed in Puri Municipal service at the appropriate level subject to verification of their qualification and experience as may be required for the said post under the relevant Act, Rules and Regulation and on absorption of such employees in the Puri Municipal service, their salary and other service benefits shall not be less favourable than those applicable to such employees immediately before such commencement in the matter of pay, allowances, leave, pension, gratuity, provident fund, age of superannuation and such other conditions of service as may be decided by the Government.

(3) The existing employees referred to in clause(e) of sub-section (2) who do not exercise option for being absorbed or otherwise found unsuitable for their absorption in the Puri Municipal service at the appropriate level, they shall continue in their existing posts under the Puri Municipality till their retirement, resignation or cessation in any other manner.

(4) The seniority inter-se of the existing employees referred to in clause (e) of sub-section (2) and the employees of the Puri Municipality shall be determined separately for every cadre, if any, in the Puri Municipal Service, by the Puri Municipality taking into consideration their length of continuous service on a post in the Lodging-house Fund.

Power to
remove
difficulty.

3. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before the Odisha Legislative Assembly.

STATEMENT OF OBJECTS AND REASONS

The Bihar and Odisha Places of Pilgrimage Act, 1920 seeks to make better provisions for the control and sanitation of places of pilgrimage and for the regulation of Houses in which pilgrims are accommodated. The Act provides some welfare measures such as grant of licence for accommodation of pilgrims, inspection of Medical Officers to such Houses, revocation and suspension of licence and some penal provisions for violation of the provisions under the Act.

2. Section 20 of the Act provides constitution of a Lodging House Fund. Section 13 has empowered to impose terminal Tax on passengers brought by railway, steam vessels and public service vehicles on road. For running of the organisation, finance is generated from Terminal Tax , Licence Fee, Inspection Fee and rent from Dharmasalas.

3. Section 21 speaks about application of such Fund which includes medical relief and improvement of sanitation so also conservancy of the said area and of any place, building or road.

4. It is now felt that the Fund has lost its relevance in view of functioning of new Organisations like Puri Municipality, Water Supply and Drainage unit of Puri and different units of Health Department. These Organisations have taken up the responsibility to manage the original mandate of the Lodging House Fund and have subsumed the role and responsibility of Lodging House Fund. There are provisions in the Odisha Municipal Act, 1950 which empowers the Municipality for exercising more effective management and control in realising the mandate of the said Act.

5. Furthermore, the traditional accommodation system for pilgrims coming to Puri has undergone a sea change with the establishment of huge numbers of Hotels, YatriNiwas , top class Lodgings and Boardings which attract pilgrims coming from different places. The role of the Lodging House Fund, Puri has been squeezed to a great extent and also in view of changing scenario, Lodging House Fund, Puri is considered out dated and inadequate to cater the needs of the pilgrims.

6. Accordingly, it is considered expedient to repeal the Bihar and Odisha Places of Pilgrimage Act, 1920.

The Bill seeks to achieve the above objectives.

NIRANJAN PUJARI

Member- in-Charge

A.K. SARANGI

SECRETARY

ODISHA LEGISLATIVE ASSEMBLY