

Bill No. 27 of 2010

THE ORISSA (ALTERATION OF NAME) BILL, 2010

A

BILL

to alter the name of the State of Orissa.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Orissa (Alteration of Name) Act, 2010.

Short title
and
commence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

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

Definitions.

(a) “appointed day” means the date appointed under sub-section (2) of section 1 for the coming into force of this Act;

(b) “appropriate Government” means, as respects a law relating to a matter enumerated in List I in the Seventh Schedule to the Constitution, the Central Government, and as respects any other law, the State Government;

(c) “law” includes any enactment, Ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or any part of the State of Orissa.

- Alteration of name of State of Orissa. **3.** As from the appointed day, the State of Orissa shall be known as the State of Odisha.
- Amendment of article 164. **4.** In article 164 of the Constitution, in clause (1), in the proviso, for the word “Orissa”, the word “Odisha” shall be substituted.
- Amendment of article 273. **5.** In article 273, in clause (1), for the word “Orissa”, the word “Odisha” shall be substituted.
- Amendment of First Schedule to the Constitution. **6.** In the First Schedule to the Constitution, under the heading “I. THE STATES”, in entry 10, under the column “Name”, for the word “Orissa”, the word “Odisha” shall be substituted.
- Amendment of Fourth Schedule to the Constitution. **7.** In the Fourth Schedule to the Constitution, under heading “TABLE”, in entry 14, in the second column, for the word “Orissa”, the word “Odisha” shall be substituted.
- Power to adapt laws. **8.** (1) For the purpose of giving effect to the alteration of the name of the State of Orissa by section 3, the appropriate Government may, before the expiration of one year from the appointed day, by order, make such adaptations and modifications of any law made before the appointed day, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made.
- (2) Nothing in sub-section (1) shall be deemed to prevent a competent Legislature or other competent authority from repealing or amending any law adapted or modified by the appropriate Government under the said sub-section.
- Power to construe laws. **9.** Notwithstanding that no provision or insufficient provision has been made under section 8 for the adaptation of a law made before the appointed day, any court, tribunal or authority, required or empowered to enforce such law, may construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.
- Legal proceedings. **10.** Where immediately before the appointed day any legal proceedings are pending to which the State of Orissa is a party, the State of Odisha shall be deemed to have been substituted for the State of Orissa in those proceedings.

STATEMENT OF OBJECTS AND REASONS

The Government of Orissa forwarded to the Central Government in December 2008, the resolution passed by the Legislative Assembly of Orissa on 28th August, 2008 that, *inter alia*, the name of the State specified as "Orissa" in the First Schedule of the Constitution be changed as "Odisha" and translation of the word "Odisha" in Hindi language should be revised as "ओड़िशा" accordingly and authorised the Government of Orissa to place the matter before Government of India for change of name of the State and change of language of the State and change of their Hindi translations.

2. As required by the proviso to article 3 of the Constitution, the President referred the Bill to the Legislature of the State of Orissa for expressing its views thereon. The Legislative Assembly of Orissa considered the Orissa (Alteration of Name) Bill, 2009 and adopted a unanimous Resolution agreeing with the Bill.

3. The Orissa (Alteration of Name) Bill, 2010 provides for such alteration of name of the State of Orissa and contains necessary amendments to the provisions of the Constitution and also consequential provisions.

NEW DELHI;
The 14th February, 2010.

P. CHIDAMBARAM.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 3 OF THE CONSTITUTION OF INDIA

**[Copy of letter No. 19012/3/2007-SR dated the 3rd March, 2010 from
Shri P. Chidambaram, Minister of Home Affairs to the Secretary-General, Lok Sabha]**

The President, having been informed of the subject matter of the Bill to alter the name of the State of Orissa, recommends the introduction of the Bill in the Lok Sabha under article 3 of the Constitution..

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill empowers the State Government to adapt and modify existing laws for the purpose of giving effect to the alteration of name of the State of Orissa to Odisha by clause 3. This power will be available only for a period of one year from the appointed day. The adaptations and modifications cannot affect the substance of the laws adapted.

2. The delegation of legislative power is of a normal character.

ANNEXURE

EXTRACTS FROM THE CONSTITUTION OF INDIA

* * * * *

Other provisions as to Ministers.

164. (1) The Chief Minister shall be appointed by the Governor and the other Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor:

Provided that in the States of Chhattisgarh, Jharkhand, Madhya Pradesh and Orissa, there shall be a Minister in charge of tribal welfare who may in addition be in charge of the welfare of the Scheduled Castes and backward classes or any other work.

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Grants in lieu of export duty on jute and jute products.

273. (1) There shall be charged on the Consolidated Fund of India in each year as grants-in-aid of the revenues of the States of Assam, Bihar, Orissa and West Bengal, in lieu of assignment of any share of the net proceeds in each year of export duty on jute and jute products to those States, such sums as may be prescribed.

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FIRST SCHEDULE

[Articles 1 and 4]

1. THE STATES

<i>Name</i>	<i>Territories</i>
*	*
10. Orissa	The territories which immediately before the commencement of this Constitution were either comprised in the Province of Orissa or were being administered as if they formed part of that Province.
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FOURTH SCHEDULE

[Articles 4(1) and 80(2)]

Allocation of seats in the Council of States

To each State or Union territory specified in the first column of the following table, there shall be allotted the number of seats specified in the second column thereof opposite to that State or that Union territory, as the case may be:

TABLE

*	*	*	*	*
14. Orissa	10
*	*	*	*	*

LOK SABHA

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BILL
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(Shri P. Chidambaram, Minister of Home Affairs)