



The Orissa Gazette

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 Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART VII.

Advertisements and Notices, etc.

THE ORISSA GAZETTE.

NOTICE.

From the 1st April 1936, the subscription to the *Government Gazette* will be at the following rates payable in advance :—

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Applications for the Gazette should be addressed to "The Publisher of *The Orissa Gazette*, Cuttack",

and must be accompanied by a remittance—unless the applicant desires that the Gazette should be sent by value-payable post in which case in addition to the ordinary postage the usual charge for postal commission will be made.

Applications for the supply of the Gazette on "The Public Service" should be addressed to the Secretary to the Government of Orissa, Home, Revenue and Finance Departments, Cuttack.

Complaints regarding non-receipt of any number of the Gazette should be forwarded within a week after the date on which it is due.

All subscriptions are payable in advance and may be paid annually, half-yearly or quarterly on or before the 1st January, 1st April, 1st July or 1st October.

Subscribers will please note that their Gazette will be stopped at the expiry of the period subscribed for, unless the order distinctly states that it is to be continued until further instructions.

All Notifications and other matters intended for publication in *The Orissa Gazette* should reach the Publisher's Office on the preceding Wednesday to ensure appearance in that week's Gazette.

V. M. MONEY,

Publisher, The Orissa Gazette.

NOTICE.

The Proceedings of the Orissa Advisory Council printed in separate pamphlet form are available for sale at the office of the Secretary to the Orissa Advisory Council, Cuttack.

Rs. as.

Price of single copy 0 4

RANGERS COURSE TRAINING AT DHERA-DUN, 1937—39.

Applications are invited from candidates for admission into the Dehra-Dun Forest College, for the Session 1937—39.

Candidates must not be less than 18 or more than 25 years of age on the 1st July 1937, no candidate, who is not a native of or domicile in Orissa, need apply. Anyone claiming domicile in Orissa should produce a certificate of domicile from the District Magistrate of the district in which he claims his domicile.

The application must be accompanied by the following certificates:—

- (a) A certificate of age (Matriculation certificate).
- (b) A certificate of respectability and good moral character from two or more persons whose social and official position can be accepted as a guarantee of reliability.
- (c) A certificate of having passed the B. A., B. Sc., or I. A., I. Sc. Examination.

(The certificate (b) must bear date not further back than the 1st July 1936).

The provisionally selected candidates will be required to pass a qualifying examination which will be held at a centre to be decided later on the 5th and 6th of October 1936, candidates will not get any travelling expenses in connection with this examination.

No fee will be charged for the examination.

The final selected candidate will be required to produce a health certificate in the Form prescribed by Article 49 of the Civil Service Regulations, 5th Edition, signed by a Civil Surgeon, and testifying to the candidates' sound constitution, good vision and hearing, and general physical fitness for a rough outdoor life in the Forest Department, and to the fact that he bears on his body marks of successful vaccination or of small-pox.

Application should be addressed to the Conservator of Forests, Orissa, Angul, and should reach him by the 1st September 1936.

J. W. NICHOLSON,

*Offg. Conservator of Forests,
Orissa.*

ANGUL: 7th July 1936.

[4—2—14-3-1936.]

WANTED

Registered Medical Licentiates for recruitment in the cadre of Sub-Assistant Surgeons of the Province of Orissa. Medical graduates may also apply. The scale of pay which is provisionally fixed at Rs. 65—4—85—4/2—117 with selection grades on Rs. 135 and Rs. 150, will be finally decided later by the Government of Orissa.

Selected candidates will be appointed on a temporary basis in permanent vacancies and if their services are found satisfactory, they will be confirmed in that grade in due course.

Applicant should state their age on the 10th August 1936 (according to the Matriculation certificate), registration number, academic distinctions such as medals, prizes, scholarships, etc., the date of admission into the Medical School, the date of passing the Final Examination and the name of the Medical school from which they passed and submit along with the application Matriculation certificate and a certificate of character from the Superintendent of the Medical School from which they qualified. Candidates claiming domicile in Orissa should submit domicile certificates in original.

Applications should be submitted to the undersigned by the 10th August 1936, those received after this date will not be considered.

None need apply who is not a native of, or domiciled in, the province of Orissa.

G. VERGHESE, MAJOR, I.M.S.,

*Director of Health and Prisons
Services, Orissa.*

CUTTACK: 16th July 1936.

[3—2—7-8-1936]

WANTED

Applications are invited from candidates for enrolment for the posts of Foresters on a salary of Rs. 25 a month with prospects to rise up to Rs. 50. No candidate, who is not a native of or domiciled in Orissa and who has not passed at least the Matriculation or S. S. L. C. examination need apply. A candidate claiming domicile in Orissa should produce a certificate of domicile from the District Magistrate in which he claims his domicile. The candidate should not be below 18 and above 25 years of age on the 1st September 1936. The application should be addressed to the "Conservator of Forests, Orissa, P. O. Angul".

J. W. NICHOLSON,

Offg. Conservator of Forests, Orissa.
ANGUL: 8th July 1936.

[4—2—14-8-1936.]

NOTICE OF SALE OF ABKARI PRIVILEGES.

Notice is hereby given that the privilege of sale of toddy in independent shops in the tree-tax areas of the Ganjam district will be put up to auction subject to the conditions hereinafter set forth. The period for which the privileges will be sold will be twelve months commencing 1st October 1936 and ending 30th September 1937. The number of shops and farms, the local limits appointed for them and the dates on which, the places at which and the officers by whom, the auction sales will be conducted, will be notified by Collectors in their District Gazettes. A separate notification will be issued regarding operations under the tree-tax system.

CONDITIONS OF AUCTION SALE.

I. Any person desiring to bid must deposit Rs. 20 with the selling officer on the day of sale, but discretion is given to the selling officer to reduce the deposit to Rs. 10 when necessary. No one will be admitted to the auction room unless he has made this deposit. No one may bid for another person unless he holds a power-of-attorney from him. No shop will be knocked down in the name of two or more persons. In the case of a duly recognized company or firm an agent duly authorized by a power-of-attorney, or any office-bearer empowered by the articles of association or similar rules, may bid for and act on behalf of the company or firm. Deposits made under this clause will be returned on application to unsuccessful bidders at the close of the day's sale.

II. The officer conducting the sale may, at his discretion, refuse to accept the bid of any person on the ground (1) that he has been convicted by a criminal court or has previously been guilty of such a breach of the conditions of licence or of a contract under the ^{Abkari} ~~Opium~~ Act as to render him undesirable as a holder of a licence; or (2) that he is insolvent or in arrears to Government; or (3) that his bid is purely speculative; or (4) that he is a village officer or a relative of a village officer of the village in which the shop is situated or which is supplied by the shop or of a neighbouring village; or (5) that he is a contract supplier of country spirits for the contract area within which the shop is situated; or (6) that he is a brewer or agent of a brewer (either local or foreign) bidding for any shop in which beer is sold for consumption on the premises; or (7) that such a course is necessary to prevent arrangements to the detriment of Government interests; or (8) for any other valid reason.

III. The reserve price placed on each shop or farm will not be published but the average monthly rental during the previous five years will be notified by Collectors, wherever possible, for the information of bidders. The selling officer will fix the upset price of each shop or farm

IV. The shops or farms will be put up to auction in the order in which they are notified unless the selling officer sees reason to change that order.

V. The highest bid will be provisionally accepted by the selling officer subject to confirmation by the Collector. Such subsequent confirmation after the close of the sale will be necessary even if the selling officer is the Collector himself. The Collector will be at liberty to accept or reject any bid at his discretion. If the selling officer before the close of the sale rejects under condition II the highest bid for any shop or farm, he may at his discretion either accept the next highest bid or resell the shop or farm. In case of dispute the selling officer's decision will be final.

VI. (a) Every person whose bid is provisionally accepted shall—

(i) at once, if so required by the selling officer, or otherwise at the close of the day's sale, deposit, in addition to the deposits made under clause I, half a month's rent for each shop or farm knocked down to him, unless the initial deposit equals or exceeds two months' rent;

(ii) at once apply in writing for a licence for each shop or farm knocked down to him and within a week thereafter furnish the Tahsildar with the boundaries of the site selected by him for the location of the shop or farm and a statement in the prescribed form (annexed to this notification) showing details of the immovable property possessed by him, or in which he has an interest together with accurate and full details of encumbrances, etc., thereon;

(iii) within fifteen days from the date of sale deposit such further sum as with the deposits already made under sub-clause (i) supra will make up two months' rent of all shops or farms knocked down to him.

(b) Further if the Tahsildar is not satisfied that any such person can be trusted to pay his rent punctually and fully, he may require him, in addition to the deposits required under clause (a) (iii) supra, either

(i) to deposit two months' rent of all shops or farms knocked down to him, or

(ii) to execute a mortgage of his immovable property in favour of the Government for all moneys that may become due under the terms of the contract with a power of sale in favour of the mortgagee to be exercised in default of payment thereof by the purchaser, or

(iii) to produce a surety or sureties, to be accepted by the Tahsildar, who should execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract and to execute a mortgage deed of his or their immovable property in favour of the Government

for the payment of all moneys due under the said contract by the purchaser with a power of sale in favour of the mortgagee in default of payment thereof, by the surety or sureties or by the purchaser, or

(iv) if the Tahsildar is not satisfied that the value of his immovable property tendered as security is adequate, he may require such person further to produce, in addition to mortgaging his property, a surety or sureties to be approved by the Tahsildar, who shall execute a security bond for the balance of the money that may become due and execute a mortgage deed of the surety or sureties' property in favour of the Government. The sureties referred to in sub-clauses (iii) and (iv) should submit to the Tahsildar a statement in the prescribed form annexed to this notification showing details of their immovable property. The purchaser shall be bound to carry out the provisions of sub-clauses (i) to (iv) above within fifteen days from the date of sale.

The bond and the mortgage deeds shall be stamped and registered at the expense of the purchaser. He shall also be bound to execute a counterpart agreement. The bidder or his surety must produce at his cost an encumbrance certificate in cases where immovable property is mortgaged to Government.

VII. Deposits will be returned in any case in which the Collector refuses to confirm the acceptance of the bid.

VIII. At the close of the day's sale the selling officer will notify the date on which resales, if any are found necessary, will be held; when the list of shops or farms to be resold has been drawn up, a copy of it will be sent to any bidder who gives his name and address to the Tahsildar.

IX. The order of the Collector confirming or refusing to confirm the acceptance of a bid shall be final unless it is revised by the Commissioner for special reasons. In the event of any original bid not being confirmed by the Collector for the reason that it is inadequate, the resale should begin with the bid provisionally accepted by the selling officer at the original sale and in the name of the individual who offered that bid.

X. On the failure of any person to make a deposit or apply for a licence under condition VI or to comply with any requisition or to execute any engagement under condition VI, the shop or farm may be resold under the orders of the Divisional Officer or on a report from the Divisional Officer may be otherwise disposed of by the Collector. Resales under this condition will be at the risk of the defaulting bidder, who will forfeit all gain and in the event of a loss, will be required to make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful

bidder at the resale. In the latter case the deposits already made by the defaulting bidder will be forfeited and deducted from the loss arising from the resale, and the balance of the loss, if any, will be recoverable in the same manner as if it were an arrear of land revenue. Should however the deposits be greater than the loss by resale, only such part of the deposits as is necessary to cover loss by resale will be forfeited and the balance refunded to the defaulter. The defaulting bidder will be similarly liable if the shop or farm is disposed of otherwise than by resale and such disposal results in loss to Government as compared with the original sale. Disposal otherwise than by resale includes closure.

XI. The purchaser of any abkari or opium privilege is liable to the penalties prescribed for breaches of the conditions set forth below, though a formal licence may not have been issued to him. In the event of the purchaser's death after issue of the licence, his heirs and assigns shall be responsible for all moneys that may become due to Government under the terms of the licence as well as for the proper observance of all the conditions of the licence.

XII. The deposits under condition VI (a) (iii) and (b) (i) may be made either in cash or in recognized Government, Port Trust, Municipal or Local Board securities, or by depositing Postal savings bank pass books or deposit certificates obtained from the Provincial Co-operative Bank (Madras Central Urban Bank) or from any of the Central Banks approved by the Registrar of Co-operative Societies. When deposits are made otherwise than in cash, the Collector may demand that they shall be of such higher face value than the cash deposit required as in the circumstances of the market he may think necessary. Where the deposits under this condition are sufficient, under the Collector's orders, to cover also deposits made in cash under conditions I and VI (a) (i) which have not been refunded as well as deposits due under condition VI (a) (iii) and (b) (i) the deposits made in cash may be returned to the depositors. Renters who have made the deposits under condition VI (a) (iii) and (b) (i) in the form of deposit certificates obtained from any of the Central Banks mentioned above or in cash may make a formal requisition to the Treasury Officer or Sub-Treasury Officer as the case may be to transfer the cash deposits made by them under conditions I and VI (a) (i) or under conditions I, VI (a) (i) and VI (a) (iii) and (b) (i) to the fixed deposits in the Central Bank in the name of the Tahsildar. The Treasury Officer or Sub-Treasury Officer as the case may be will endorse this requisition on to the Bank and inform it that when the Bank gives the necessary formal receipt, he will hand over the amount to the representative of the Bank duly authorized to receive it, or will remit it by postal money

order or insurance cover to the Bank. When the amount has to be sent by postal money order or insurance cover the renter will be required to deposit in the Treasury or Sub-Treasury, with his requisition to transfer the deposit, an amount which shall, in the opinion of the Treasury Officer or Sub-Treasury Officer as the case may be, be sufficient to cover the cost of forwarding the amount of the deposit to the Bank; any balance not utilized for this purpose will be credited towards any rent due from the depositor. The securities or savings bank pass books deposited must be endorsed in the name of the Collector and Government promissory-notes must be encased for payment of interest at the treasuries at which they are deposited if so required. In the case of Co-operative Bank deposit certificates the deposits must be made in the name of the Tahsildar of the taluk; the contractor must agree in writing that he undertakes the risks, if any, involved in the investment and the banks must certify on the deposit certificate granted that the deposit is withdrawable on the Tahsildar's demand.

XIII. Deposits in cash will be adjusted towards the instalments of kists due in the last months of the period of the lease. Deposits of securities or savings bank pass books or Co-operative Bank deposit certificates will be returned on payment in cash of the full amount of the rent due and of any penalties or other sums recoverable under the terms of the licence or of the conditions set forth below unless the depositors wish that Government should take them over, in which case they will be taken over at the price of the day, and the balance, if any, due to Government must be paid in cash. In cases of default under condition X of the conditions of auction sale or under condition 37 of the general conditions applicable to all abkari and opium licences, all securities deposited are liable to be sold for any amount due to Government under the terms of the lease, the remainder, if any, due after such sale, being recovered as arrears.

GENERAL CONDITIONS APPLICABLE TO ALL ABKARI AND OPIUM LICENCES.

1. Shops and depots must be opened by the dates fixed by the Collectors and must be kept open every day unless their temporary or permanent closure is authorized under condition 10, 11 or 40 infra.

2. Except where definite sites in the possession or under the control of Government have been prescribed, purchasers of shops must make their own arrangements for securing proper sites for their shops. They are at liberty to choose any site within the local limits notified by the Collector, provided the site selected is approved of by the Revenue and Police Authorities; in areas for which Excise Licensing Boards have been constituted under rules framed by Government the sites selected by renters will have

to be approved by the Licensing Boards when the rules so require. The limits of the site selected and approved will be entered in the licence. The possession (except subject to the rules applicable to unlicensed persons) or sale of liquor, opium or intoxicating drugs outside those limits is prohibited.

3. Sales under any abkari or opium licence must be conducted in an approved building of which the whole or the whole of a separable part must be entirely set aside for use as a depot or shop. Licensees must keep their shop premises in a sanitary condition to the satisfaction of inspecting officers. In the case of arrack shops and taverns in municipalities, or towns having a population of 20,000 or over, there shall be no possible means of ingress or egress in any direction except into the main street; if there are other doors they shall be kept locked under the seal of an officer of the Excise Department; the interior of the shop shall be sufficiently lighted by day and the whole interior visible from the front door; the shop shall not be used as a place of residence save by the vendor and his family or caretakers. If there are means of communication between the depot or shop and an adjoining dwelling house, they must be kept locked at night.

4. Except when two or more foreign liquor licences are held by one person or in the case of licences held by chemists and druggists and medical practitioners, sales under different licences must be conducted in different premises:

Provided that ganja and opium shops may be kept in the same premises, if the portion occupied by one shop is effectively partitioned from the portion occupied by the other shop.

5. In liquor shops in which consumption on the premises is permitted, private bars may be allowed by the Collector under a special licence to be granted by him free of fee; provided that the interior of the bar is wholly visible from the doorway, and that the entrance to it is either through the main door of the shop or through a separate door provided with a proper sign to show the nature of the bar.

6. A signboard must be affixed to the front of each depot or shop showing the nature and number of the licences under which sales are conducted there, the name of the licensee and (except in the case of foreign liquor) the current rate of sale. These particulars must be legibly painted in the local vernacular and in the case of taverns and wholesale depots in English also. The licence must be hung up in a conspicuous place within the depot or shop.

7. The possession upon any licensed premises of any liquor, opium or intoxicating drug except that to which the licence relates or of any essence or substance used or

capable of being used for colouring or flavouring liquor except in accordance with the terms of a compounding licence is prohibited.

8. Such supply of liquor, opium or intoxicating drugs as the Collector may consider sufficient to meet local requirements must be maintained in depots and shops.

9. No arrack shop shall be opened before 9-30 A.M. No foreign liquor tavern or beer shop shall be opened before 9-30 A.M. Toddy shops shall not be opened before sunrise. Arrack depots shall be kept open from 7 A.M. to 12 noon and from 2 P.M. to 6 P.M.

10. (a) No shop or depot shall be kept open after the hours prescribed below except under special authority:—

Shops	..	..	.. 8 P.M.
Depots	..	..	.. 6 P.M.

Collectors may on the report of the Police or for other sufficient reasons order the closure of any shop at an earlier hour if they consider such a course to be advisable in the interests of the public. The Commissioner may, for sufficient reasons, order the general closure of any kind or kinds or all kinds of licensed premises at any earlier hour than those prescribed above.

(b) The Commissioner may order the closure of particular shops, or shops of any kind or all kinds, on Sundays and days of election to the local boards, municipalities, Legislative Council and the Assembly. Such restrictions shall, in the case of independent shops appointed for the sale of liquor, opium or intoxicating drugs, be notified by Collectors before the sales. With the previous sanction of the Commissioner, Collectors are authorized (i) to notify at the time of the auction that specified shops will be closed on the occasion of specified festivals, and that the hours of sale at specified shops which are in the neighbourhood of a market or shandy will be limited on market days generally or that they will be liable to limitation on such occasions by orders issued during the currency of the lease, if it is found that the shops promote drunkenness; (ii) to order the closure of specified shops in the neighbourhood of factories, mills and other places, where large number of operatives assemble, from 11-30 A.M. to 1-30 P.M. on week days, on the afternoons of pay days and at all hours on Sundays except between 11-30 A.M. and 4 P.M. A special condition embodying these restrictions or liabilities will be inserted by the Collector in the licences granted to the renters of all such shops.

(c) 9 P.M. is fixed as the general closing hour in the case of Railway refreshment rooms. Collectors are authorized to note in the licences the particular hours after 9 P.M. during which such licensed premises may be kept open for the sale of liquor to bona fide travellers only with reference to arrival and departure of trains. Collectors may alter these hours during the currency of the

licence with reference to any alteration in the Railway time-tables.

11. Depots and shops must be closed, if the Collector so orders, while a regiment or detachment of soldiers is passing or is encamped in the vicinity. Collectors or Divisional Officers shall have power also temporarily to close any shops in times of religious excitement or disturbance. Every depot and shopkeeper shall close his depot or shop when a riot or disturbance occurs or appears likely to occur in the neighbourhood.

12. All liquor, opium and intoxicating drugs sold or kept for sale shall be of good quality and unadulterated. Nothing shall be added to liquor, opium or intoxicating drugs either to increase their intoxicating power or for any other purpose. This prohibition, however, does not apply to the compounding or blending of liquor or to the manufacture of intoxicating drugs from hemp drugs and of opium mixture in accordance with the terms of a licence. Liquor shall not be bottled except under a bottling licence. Nor shall different kinds of liquors be mixed and sold under the designation of one of them.

13. No woman shall be employed in any abkari or opium shop for the sale of liquor, opium or intoxicating drugs without the special permission of the Collector unless she be a member of the renter's family.

14. No person suffering from leprosy or any contagious disease shall be allowed to be the holder of abkari or opium privileges; nor shall licences be granted to persons under the age of majority according to the Indian Majority Act in the case of abkari privileges and under the age of twenty-one in the case of opium privileges. The sale or transport of liquor, opium or intoxicating drugs by persons below the age of eighteen (twenty in the case of opium) or by persons suffering from leprosy or any contagious disease and the employment in any capacity of such persons in shops or depot licensed for the sale of the same are prohibited. No persons who have been convicted under the Indian Penal Code shall be employed in the transport or sale of liquor, opium or intoxicating drugs without the Collector's previous permission. The Divisional Officer may, where necessary, call for the names of all persons employed or proposed to be employed in any capacity in connexion with the management or the working of a depot or shop and the tapping and drawing of toddy for the supply of toddy shops in the topes in which the trees are marked and, if he disapproves of any such person, may forbid the licensee from keeping him in employment.

NOTE.—This rule applies to the sale of eatables by persons in liquor shops.

15. (a) No liquor, opium or intoxicating drug shall be sold or given—

I. Except at shops specially approved by the General Officer Commanding the Division

(or independent brigade) or the Officer Commanding the Cantonment or Camp, and then only in respect to such liquors as shall be approved by the same authority in consultation with the local Excise authorities and specified in the licence—

(1) to sailors of the Royal Navy, soldiers and members of their families; or

(2) to any other person living in barracks;

II. (1) to persons whom a vender knows, or has reason to believe, to be camp followers, i.e., any class of followers (other than private servants) whether on or off duty, who have a right to be in cantonments;

(2) to Policemen, Excise officers, Railway servants and to drivers and conductors of motor buses, taxis and lorries, when on duty; or

III. in any circumstances to any

(1) European vagrant under escort of the Police;

(2) insane person;

(3) person known or believed to be intoxicated; or

(4) person known or suspected to be about to take part in a riot or disturbance of the public peace or other crime.

(b) No liquor or intoxicating drug shall be sold or given in any circumstances to any child or young person under eighteen years of age or adult female; no opium shall be sold or given in any circumstances to any child or young person under twenty years of age or adult female.

(c) No child, young person under eighteen years of age or adult female shall be admitted into the premises of any shop in which consumption is allowed on the premises subject to the exception in condition 13.

NOTE.—(1) The restrictions in I and II do not apply to soldiers, their families and followers when they are absent on leave from their regiments.

(2) The restrictions in clauses (b) and (c), so far as they relate to adult females, do not apply to foreign liquor licences issued on fixed fees.

16. No liquor, opium or intoxicating drug shall be sold in shops except for cash. The licensee shall be bound to give intimation of the offer of anything other than cash to the nearest Magistrate or Police officer. This condition is not, however, meant to restrict credit sales in the ordinary course of business by shopkeepers or firms of standing and respectability dealing in foreign liquor for consumption off the premises.

17. No liquor, opium, or intoxicating drug shall be sold either below or above such minimum * or maximum † prices as may be fixed for sale of the same in accordance with the law for the time being in force.

18. No liquor, opium or intoxicating drug in excess of the quantities prescribed for possession without a licence as specified below shall be issued to any person at any one time from any licensed premises without a valid permit, nor shall liquor be sold at wholesale depots in quantities less than the minima prescribed:—

Arrack.—Four drams.

Toddy.—Half a gallon.

Ganja.—In the Agency tracts six tolas of ganja and ten tolas of bhang, and elsewhere three tolas of ganja, ten tolas of bhang and preparations or admixtures containing the above quantities.

Opium.—In the Agency tracts two tolas of raw opium or any quantity of opium mixture containing not more than two tolas of raw opium, and elsewhere one tola of raw opium or any quantity of opium mixture containing not more than one tola of raw opium.

Coconut toddy arrack.—Two Imperial gallons.

Permits shall be in printed books, which can be obtained at all offices of the Inspectors of the Excise Department on production of receipts for payment of the cost price into a Government treasury. The signing of blank permits for subsequent issue is prohibited.

19. Only such weights and measures as may from time to time be prescribed by the Commissioner of Excise shall be possessed or used on any licensed premises, and they shall be tested and stamped by the stamping establishment of the district if the Collector shall so direct. Short measurement or short weightment is strictly forbidden.

20. No drunkenness, disorder or gaming shall be permitted in depots or shops. Entertainments of any kind in depots or shops are also strictly forbidden. Licensees are prohibited from advertising the sale of liquor, opium or intoxicating drugs by beat of tom-tom or placards in the streets and in the neighbourhood of markets and from giving or offering liquor, opium or intoxicating drugs free with the object of increasing the custom or for any other reason. They are also prohibited from employing motor or other conveyances to convey possible customers to their shops.

21. No robbers or thieves or disorderly or riotous persons shall be harboured in depots and shops. Intimation of their resort thereto shall be given to the nearest Magistrate or Police officer.

22. No person shall be harboured in any depot or shop during the night.

23. True accounts of transactions shall be maintained from day to day in ink in the prescribed form. Unless special permission is given to the contrary, separate accounts shall be kept for the transactions under each licence. The accounts shall be in printed books which may be obtained from local Revenue officers on payment of cost price. Permits for liquor, opium or intoxicating drugs received and the counterfoils of permits

* For liquor shops—vide Commissioner's Notification No. 3, dated 1st February 1934.

† For opium shops in the Agency tracts of Ganjam, Vizagapatam and East Godavari districts a uniform rate of one rupee two annas a tola has been fixed.

issued must be carefully filed in support of the accounts. The accounts and counterfoils of permits shall be preserved for one year after the period covered by the licences; they shall be handed over at the end of the lease either to the range Sub-Inspector or to the incoming licensee and they shall be produced when called for by an officer not below the rank of an Assistant Inspector of the Excise Department.

24. Except in the case of fixed fee licences, the amount for which the privilege of sale has been purchased shall be payable in advance in twelve equal monthly instalments ('kists') into a Government treasury of the taluk where the shop is situated or to an authorized village munsif in the same taluk on or before the 1st of each month beginning with April or October as the case may be. In the case of toddy shops, tree-tax should also be paid into a Government treasury of the taluk where the shop is situated or to an authorized village munsif in the same taluk. Fines will be levied on any amounts not so paid; interest will also be levied on any amounts not paid before the end of the month for which they are due. After the 20th of the month shops are liable to be sold for failure to pay kists. Toddy shops may also be resold for failure to pay tree-tax. Fees for depot licences must be prepaid.

25. No remission or abatement of the rent shall be claimable on any account whatever.

26. Power is reserved to revenue officers to suspend licences in case of failure of payment of kists or of tree-tax on the due date. In the case of arrack, toddy, ganja and beer shops and taverns, this power will be exercised by Tahsildars or Deputy Tahsildars in independent charge, in the case of opium shops by Divisional Officers and in other cases by Collectors. In the event of suspension of a licence for failure to pay arrears, the privilege of sale will be resold with effect from the date of issue of the licence to the new purchaser, or otherwise disposed of at the Collector's discretion. Disposal of the privilege of sale otherwise than by resale includes also closure of the shop or tavern. All losses on account of suspension and resale or other disposal of the privilege shall be borne by the defaulting licensee and shall become due immediately on resale or other disposal of the shop; but the defaulting licensee shall have no right to any gain which may accrue. The whole of the deposit, if any, made by the licensee shall be liable to forfeiture. The officer who has power to suspend the licence may at his discretion allow sales to continue pending resale or other disposal of the privilege.

27. (a) No privilege of supply or vend shall be sold, transferred or sub-rented without the Collector's or in the case of a supplier under the contract distillery supply system, the Commissioner's previous permis-

sion. Nor, if the Collector so orders, shall any agent be appointed for the management of any such privilege without his previous approval.

(b) The transfer of a privilege will take effect from the date of issue of a licence to the transferee.

28. (a) No abkari or opium licensee in an Indian State or Foreign territory will be allowed to have any interest in a licence for the same article in British territory without the special permission of the Collector.

(b) No abkari or opium licensee in any area in British territory may have any interest in, or hold a licence for, the same article in any other area in British territory in which a different rate of duty is in force without the special permission of the Collector for which the party concerned must apply without delay. Breach of this condition will render the party liable to the penalties prescribed by condition 37 in respect of all or any of the licences held.

29. Such returns and information as may be required by the Divisional Officer from time to time shall be furnished by holders of licences.

30. Licensees are bound to report to the Divisional Officer all instances which come to their knowledge of persons employed by them in the manufacture, transport or sale of liquor, opium or intoxicating drugs, committing breaches of the Abkari Opium laws and to comply with the Divisional Officer's orders respecting the continued employment of such persons.

31. Pecuniary dealings by licensees of any kind whatever with officials of the Land Revenue and the Excise Departments are absolutely prohibited.

32. With the sanction of the Commissioner, any licence shall be revocable by the Collector at his discretion on giving the licensee fifteen days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded.

33. All licensees shall be bound by any additional general rules that may be prescribed under the Abkari Opium laws and shall, if so required by the Collector or any officer authorized by him, deliver up their licences for amendment or for the issue of fresh ones.

34. The officers authorized to inspect licensed shops and depots are—

(1) any officer of the Revenue Department of rank not lower than Revenue Inspector, and

(2) any officer of the Excise Department of rank not lower than Sub-Inspector.

These officers are empowered to enter and examine the premises, to test the weights, measures, liquor, opium and intoxicating

drugs in the possession of the licensees, and to call for and check the accounts kept in the shop or depot. Police officers will also make inspections when it comes within the scope of their duty.

35. All officers authorized to inspect depots and shops are authorized to detain any liquor, opium or intoxicating drugs found unfit for consumption or use or which they may believe to have been tampered with in any of the ways referred to in condition 12 and all Collectors and Deputy Commissioners of the Excise Department are empowered to confiscate or destroy such liquor, opium or intoxicating drugs.

36. An inspection note-book, in the prescribed form (G-10), shall be maintained for the use of inspecting officers and shall be handed over to the Inspector of the circle or to any officer authorized by him to receive it on a receipt being given therefor. This note-book is the property of Government and shall be returned at the end of the lease to the range Sub-Inspector or to the incoming renter in an un mutilated and reasonably clean condition on a receipt being given therefor.

37. (1) If a licensee or any person in his employment is convicted by a competent court of any offence against the ^{Abkari} ~~Opium~~ Act or of any offence under the Indian Penal Code which in the Collector's opinion renders it desirable to cancel the licence or if it is brought to the notice of the Collector that the licensee has been convicted by a competent court of any such offence prior to the grant to him of the licence, the Collector may direct that the licence shall be cancelled and the privilege be resold or otherwise disposed of at the risk of the licensee and may further direct, if he considers it necessary to do so, that any deposits made by the licensee shall be forfeited.

(2) Infraction of any of the conditions of the licence by a licensee or by any person in his employment will render the licensee liable either to be prosecuted and on conviction dealt with under clause (1) or to fine not exceeding Rs. 50 or to cancellation of licence and resale or other disposal of the privilege at the risk of the licensee and if considered necessary by the Collector to forfeiture of deposits. The rent for the whole lease shall become due at once when a lease is cancelled under this or the preceding rule.

(3) When a licensee holds more than one licence granted under the Abkari or Opium Act and when any one of these licences is cancelled under clause (1) or (2) above or under the special conditions applicable to ganja or opium shop licences, the Collector, at his discretion, may direct that any or all of the other licences under the Abkari and Opium Acts held by the licensee shall be cancelled and the several privileges be resold

or otherwise disposed of at the risk of the licensee and, if necessary, may further direct that any deposits made by the licensee shall be forfeited. The rent for the whole lease shall become due when a licence is cancelled under this rule.

NOTE.—For continuing breaches of a licence, continuing fines may be imposed.

38. Any sum due by a licensee may be adjusted from the deposit, if any, made by him or collected under the Revenue Recovery Act as an arrear of land revenue. The licensee shall be bound to replace any sum adjusted from his deposit within fifteen days of receipt of notice from the Tahsildar or Deputy Tahsildar in independent charge.

39. Interest on all moneys due shall be payable at the rate of 6 per cent per annum.

40. Specified sites or definite limits for each shop not overlapping those of other shops will be prescribed and notified in the District Gazettes before the sales. A Tahsildar may at any time permit or order the transfer of a shop within the limits notified for the shop in the sale notice. No changes in the number or location of shops and depots likely to affect the interest of adjacent shopkeepers shall be made during the currency of a lease except under the special sanction of the Commissioner.

41. The right is reserved to the Collector to grant 'occasional licences' for the sale of liquor, opium and intoxicating drugs on the occurrence of fairs, festivals, etc., in places in the vicinity of which there are no regularly licensed shops. Such licences should be issued only when absolutely necessary and shall ordinarily be granted to the shopkeepers who usually supply the locality or in rented areas to the representative of the renter. The licences shall run only for such period not exceeding ten days as they are actually required. Not more than one licence shall be issued for a fair or festival without the sanction of the Commissioner. The fees to be paid for the licences shall be fixed at the discretion of the Collector.

CONDITIONS APPLICABLE TO TODDY LICENCES.

1. The privilege conferred extends only to the sale of toddy.

2. Toddy required for sale should be drawn under separate tree-tapping licences to be obtained under the tree-tax rules from toddy trees in the tract in which the shop is situated or in any other tract in which the rates of tree-tax are not lower, subject to the discretion of the officer granting transport permits.

3. No toddy, except the produce of trees for the tapping of which a licence has been issued, shall be kept in the shop, offered for sale or sold.

4. The Collector will fix the minimum number of trees to be entered in original applications for tree-tapping licences.

5. The licence confers no right to the free use of any trees.

6. Arrangements for tapping private trees must be made with the owners thereof and tree-tax at the prescribed rates paid thereon.

7. The licensee shall be responsible to Government for all payments of instalments of fees due on account of tree-tapping licences granted on his application in his own name or in the names of his nominees under the conditions set forth therein and in the rules relating thereto.

8. The addition of water to, and the distillation of spirits from, toddy are absolutely prohibited.

9. No sweet toddy, even if it be the produce of marked trees on which tree-tax has been paid, shall be kept or sold in the shop, nor shall any sweet toddy be mixed or allowed to be mixed with fermented toddy drawn from trees marked for the shop either in the shop or outside it.

10. Toddy drawn for one shop should not be mixed with that drawn for another and transported in one receptacle.

ANNEXURE.

List of immovable property possessed by
successful bidder of shop No.
surety of the successful bidder
at taluk district, for the
lease 193 193 .

- (1) Name
- (2) Father's or uncle's name
- (3) Residence and address
- (4) Occupation
- (5) Particulars of immovable property possessed:—

I.—

District.	Taluk.	Village and name of street in case of houses.	Survey numbers (and door numbers in case of houses).	Extent.	Wet or dry.	Assessment.	Market value per acre in case of land.	Registered in whose name, if putdar, patta number.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

II. What is the nature and extent of your ownership or interest in the above property?

III. Are there any existing encumbrances on the above property? If so, nature and amount of each such encumbrance. Have you other debts? If so, to what extent.

IV. Are there any other claims upon the property shown in head I above? If so, the nature and amount of such claim should be stated.

I son of _____, residing at _____ hereby solemnly declare that the facts about my property above stated are complete and true and that there are

no encumbrances thereon beyond those shown in head III above and I shall not encumber any of the property shown further encumber in statement above without the previous intimation in writing to the Tahsildar of taluk.

Witness
Address
Date
Place
Signature

NOTE.—(1) Under head II, it should be stated whether the property is the sole or joint family property of the declarant; if joint family, the share of the declarant and value thereof should be stated.

(2) Under head IV should be noted interests in, or claims on, the property other than those noted under head II, e.g., claims on account of dowry or aridhanam.

(3) The Tahsildar should question the deponent further, if necessary in order to elucidate his statement and should record the replies which should be signed by the deponent and the Tahsildar and attached to this declaration.

No. 1.—In virtue of the powers delegated under clause XI of Government Notification No. 485, dated 13th July 1896, published on pages 1203 and 1204 of the *Fort St. George Gazette*, dated 29th September 1896, Part I, as amended by Government Notification No. 101, dated 15th March 1924, and in supersession of Commissioner's Notification No. 9, dated 26th June 1934, the Commissioner of Excise hereby prescribes the following rules for the issue, etc., of licences under section 12 of the Madras Abkari Act I of 1886, for the tapping of toddy-producing trees and for the drawing of toddy therefrom, to have effect in the following local areas from the 1st day of October 1936:—

GANJAM DISTRICT.

2. Tree-tapping licences shall be issued on the application of licensed toddy shopkeepers in areas in which the toddy shops are sold by auction or licensed separately.

The licences may be issued in the name of the applicant only.

3. Persons wishing to apply for the grant of tree-tapping licences must first pay the fees (or the first instalment thereof, as the case may be) due on account of the trees which they desire to tap, into a Government treasury, which may be either the district treasury or a taluk treasury. Divisional officers may also empower heads of villages to receive payments on account of tree-tax and to grant receipts therefor. In the case of persons mentioned in rule 2 the tree-tax must be paid into a Government treasury of the taluk in which the shop is situated or to an authorized village munsif in the same taluk, and the renters concerned should affix a declaration in the applications to the effect that they have obtained a licence permanent or temporary for a shop specifying also the name and number of the shop for which trees are to be marked. The shop licences

should be produced before village munsifs in cases where the application and fees are presented to these officers.

4. (1) Applications for the grant of tree-tapping licences must be made in the prescribed form to the Inspector, Excise Department, in charge of the circle in which the trees are situated. Forms may be obtained from the Inspectors of the Excise Department and from all Tahsildars and Deputy Tahsildars and will be supplied free of charge. Applications put in by shopkeepers and tappers need not be stamped; those put in by other persons must bear a court-fee stamp of one anna. In any case, if the fees have been paid into a treasury, the application must contain a certificate of payment from the treasury officer; if payment has been made to a village head, the receipt must accompany the application.

5. Persons applying for the issue of licences will be responsible to Government for all sums payable as tree-tax on account of the trees licensed to be tapped.

6. (1) Unless there are special reasons for refusing to mark the trees, the Inspector on receipt of an application will at once take steps for the marking of the trees by an officer of rank not lower than a Sub-Inspector and for the issue of the licence. The Inspector may also at his discretion refuse to comply with an application either wholly or in part, if he considers that the trees applied for are in excess of the legitimate demand

of the shop. Applicants for trees shall point out to the marking officer, when required by the latter to do so, the trees applied for by them. Should they fail to do so after reasonable notice the fees paid by them shall be liable to be forfeited at the Collector's discretion.

7. Collectors may, from time to time, prescribe the minimum number of trees to be entered in an original application. They may also direct that the trees situated in one village only shall be included in an application.

8. Toddy shall not be drawn from any toddy tree nor shall any pot be attached to any toddy tree until the tree has been marked by the proper officer.

9. For palmyra and date trees tree-tapping licences shall be annual, that is, in force from 1st October or any subsequent date to the 30th September immediately following and for coconut and sago trees they shall be half yearly, that is, in force from 1st October or any subsequent date to the 31st March immediately following, and from 1st April or any subsequent date to the 30th September immediately following, except in the case of the trees which have been illicitly tapped, on which the full tree-tax may be levied.

10. The following shall be the fees payable on account of each tree for the tapping of which licence is applied for:—

District.	Coconut palms (for each half-year as defined in rule 9 above.)			Sago palms (for each half-year as defined in rule 9 above.)			Palmyra or date palm (for the whole year as defined in rule 9 above.)			Dadasal (Arenga Wightii) palms (for the whole year as defined in rule 9 above.)		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Ganjam ..	4	8	0	9	0	0	3	0	0	1	0	0

11. The fees payable on account of any licence issued under these rules shall be payable in the following instalment unless the Commissioner of Excise shall otherwise direct:—

Period within which the licence is applied for. Instalments in which tree-tax is to be paid.

In the case of half-yearly fees.

Between 1st October and 31st December in any year.	One-half at the time of application and the other half on the 1st February following.
Between 1st January and 31st March in any year.	The whole at the time of application.
Between 1st April and 30th June in any year.	One-half at the time of application and the other half on the 1st July following.
Between 1st July and 30th September in any year.	The whole at the time of application.

In the case of annual fees.

Between 1st October and 31st December in any year.	One-half at the time of application and the other half on the 1st February following.
Between 1st January and 30th April in any year.	One-half at the time of application and the other half on the 1st of the second month following.
Between 1st May and 30th September in any year.	The whole at the time of application.

12. Every instalment of tree-tax shall be paid on the first day of the month in which it falls due.

13. For the convenience of applicants, applications will be received from 1st September or 1st March; but no trees will be marked, nor licences issued, nor preparation of spathes permitted before 15th September or 15th March; nor shall pots be attached to trees before the evening of the 30th September or 31st March, as the case may be. In the case of date trees the process of preparation will be allowed from the 15th September, but the incision required for the insertion of the drip leaves will not be allowed before the evening of the 30th September. In no case shall toddy be drawn except during the currency of the licence.

14. All toddy drawn under the tree-tapping licences granted in accordance with these rules shall, as soon as the pots containing it are removed from the trees, be immediately conveyed direct to a distillery or a licensed toddy shop under a general transport permit which will be granted gratis by the Inspector. No toddy drawn under these rules shall be sold otherwise than to a licensed distiller or shopkeeper except at a regularly licensed shop. Tree-foot sales or sales in the open are absolutely prohibited.

15. Between sunset and sunrise no toddy shall be drawn or kept by a person holding a licence under these rules in the garden or field in which stand the trees which he is licensed to tap, except the toddy contained in the pots attached to the spathes of the trees, provided that the Commissioner of Excise may, on sufficient cause being shown, relax the restriction in any local area.

U. C. DAS,

For Revenue Commissioner, Orissa.

CUTTACK: 21st July 1936.

WANTED

A Telugu woman Pandit for the Government Secondary and Training School for Women, Berhampore. The applicant should have passed the Vidwan Examination in Telugu. The appointment will be provisionally on the scale of Rs. 35—1—45 but will ultimately be on a scale to be fixed by the Government of Orissa.

2. Applications with copies of testimonials should be sent to the Inspectress of Schools, Orissa, not later than the 4th August 1936.

Preference will be given to a native of or domiciled in Orissa. Candidates should state their age, home district and previous experience in their application.

N. NAYAK,

Inspectress of Schools, Orissa.

CUTTACK: 18th July 1936.

[2—2—31-7-1936.]

IN THE COURT OF THE SUB-JUDGE OF CUTTACK.

Ex. NO. 141 OF 1936.

Paramananda Das of Prusonda, pargana Soso, district Balasore—*Decree-holder*,

versus

Bula Bibi, wife of Prahalad Ray of Barahat, Trilochanpur, pargana Soso, district Balasore—*Judgment-debtor*.

Date fixed for sale the 15th September 1936.

LOT NO. 3.—District Balasore, thana Banta, pargana Soso—Touzi no. 3644, Mahal Bhagaban Chandrapur, Zamindari Sadr Jama Rs. 2,626, Mufassal Jama Rs. 4,819-4-2. Abadi and Anabadi area 3459-05 acres. Judgment-debtor's share 8 annas Sadr Jama Rs. 1,313. Bicree share 1 anna, Mouza Oliha, Pahadpur, Srirampur Mouzas, share 8 annas, Sadr Jama Rs. 157-13-3. Separate account Touzi no. 3644/1. Balance separate account Touzi no. 3644/E., share 7 annas Mouza Barahat-Trilochanpur, Bara-Sandado, Banta, Barahua-pur, Dhanghara, Giridharinagar, Haladipahani, Kandaba, Mohantipara, Nuapokhari, Oladanga, Panichhatra, Prusonda, Routrapur, Sana-Sandado and Tikara Mouza share 8 annas. Abadi and Anabadi area 1459-82½ acres Sadr Jama—Rs. 1,155-2-9 and Mufassal Jama Rs. 2,108-6-9p-14 Biswa. Value Rs. 2,000.

WANTED

FOR GOVERNMENT PRESS, CUTTACK.

- (1) A Stationery Clerk on Rs. 70—3—85
- (2) A Computer on Rs. 30—2—72.
- (3) An Accountant on Rs. 60 (provisional).
- (4) A Senior Reader on Rs. 75 provisional and temporarily for 2 years.

Candidates must have previous experience of similar work in each case in a Government Press and Stationery Office. (1) and (3) will have to give cash security of Rs. 500 each.

Apply in candidate's own handwriting stating age, qualifications, details and duration of post held, to the Press Officer, Secretariat, Cuttack, before 7th August 1936.

CUTTACK: 14th July 1936.

[2—2—31-7-1936.]

WANTED

A typist with a knowledge of Shorthand for the office of the Director of Public Instruction, Orissa, on a pay of Rs. 40 a month.

Applications with copies of testimonials will be received by the undersigned up to the 15th August 1936.

None need apply who has not passed the Matriculation Examination or an Examination equivalent thereto and is not a native of, or domiciled in, Orissa. Preference will be given to one who has passed the Intermediate Examination. Candidates should state their age, home district, educational qualifications and previous office experience in their applications.

H. DIPPIE,

Director of Public Instruction.

[2—1—7-8-1936]

IN THE COURT OF THE DISTRICT
JUDGE OF GANJAM.

PRESENT.—P. RAMALINGAM, Esq., I.C.S. (Bar-at-Law), DISTRICT JUDGE.

I. P. NO. 9/1936.

Macherla Tarinayya and brothers, Berhampur—*Petitioners.*

Vysyaraju, Soorayyaraju and others—*Respondents (Creditors).*

Notice is hereby given under section 19 (2) of Act V of 1920, that the abovenamed petitioner has applied to this court for being adjudged an insolvent and that the said petition stands posted to the 29th August 1936. Any creditor wishing to oppose the same may do so either in person or by a pleader on the said date.

[ILLEGIBLE],

Subordinate Judge-incharge.

GANJAM: 20th July 1936.