



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 III.

Regulations, Orders, Notifications, Rules, etc., issued by the Governor and by Heads of Departments.

HOME DEPARTMENT.

NOTIFICATIONS.

The 27th May 1942.

No. 2595-A. (C).—In exercise of the powers conferred by clause (b) of sub-section (1) of section 241 of the Government of India Act, 1935, the Governor is pleased to direct that the following amendment shall be made in rule 6 of the rules for the regulation of recruitment to the Orissa Civil Service (Executive Branch) and the Orissa Subordinate Civil Service published with notification No. 864-A., dated the

28th January 1938, as subsequently amended:—

Add the following at the end of the note to rule 6:—

“Persons who hold temporary posts or hold posts in a temporary or officiating capacity or on probation, are eligible for recruitment by promotion or transfer, if they are over the age for direct recruitment.”

By order of the Governor,
E. R. WOOD,

Chief Secretary to Government.

The 23rd May 1942.

No. 2103-A.R.P.—In exercise of the powers conferred by Rule 51 of the Defence of India Rules, the Governor of Orissa is pleased to make the following Order, namely :—

ORDER.

1. *Short title.*—This Order may be called the Orissa Air Raid Precautions Order, 1942.
2. *Application of Order.*—This Order shall extend to the whole of the province of Orissa and all the provisions shall come into force at once in the districts of Balasore, Puri, Cuttack and Ganjam, excluding Ganjam Agency tract. The District Magistrate of any other district may at any subsequent date bring this Order into force in such district or any part thereof.
3. *Definitions.*—In this Order unless there is anything repugnant in the subject or context,—
 - (a) “air raid shelter” means any building or other structure or any incline, trench, excavation or other premises or property appointed for the purpose of sub-rule (2) of Rule 51 of the Defence of India Rules by the District Magistrate;
 - (b) “Air Raid Warden” means any person for the time being discharging the functions of an Air Raid Warden under the Orissa Air Raid Precautions Services Rules, 1942;
 - (c) “exempted service” includes ambulances, telephone communications, water supply, conservancy, electric supply, fire services, police, military, Air Raid Precautions Services and any other service declared by the District Magistrate to be an exempted service;
 - (d) “member of the Civic Guard” means a person appointed to be a member of the Civic Guard under the Orissa Civic Guard Rules, 1942;
 - (e) “period of an air raid” means the interval between the sounding of the “air raid alarm” signal and the sounding of the “raiders passed” signal or, if the “gas alarm” has been sounded, the “all clear” signal; and
 - (f) “Controller” means, with reference to any area, the person appointed under section 3 of the Air Raid Precautions Services Ordinance, 1941, to command the Air Raid Precautions Service constituted for such area and includes Deputy Controllers.
4. *Air Raid Signals.*—(a) The following signals shall announce the approach or termination of an air raid :—

ALARM SYSTEM.

- | | |
|--|---|
| (1) Air raid alarm announcing the approach of an air raid. | A signal of two minutes' duration consisting of either— |
| | a fluctuating or “warbling” signal of varying pitch on a siren ; |
| | or |
| | three quick rings on a gong succeeded by a pause of four seconds followed by three quick rings and a pause of four seconds and so on ; |
| | or |
| | a succession of intermittent short blasts of two seconds' duration, separated by a silent period of about three seconds on the whistles of Air Raid Wardens or Police or Civic Guards ; |
| | or |
| | a visual sign given by raising both the arms above the head and waving them while so raised by Air Raid Wardens or Police or Civic Guards. |

- (2) Incendiary bomb attack ... A succession of short blasts on a whistle by Air Raid Wardens or Police or Civic Guards.
- (3) Raiders passed or air attack over. A continuous signal of two minutes' duration at a steady pitch by a siren;
- or
- continuous ringing of gongs for two minutes;
- or
- two long blasts on the whistle repeated at an interval of five seconds by the Air Raid Wardens or the Police or Civic Guards.
- (4) Gas alarm ... Sounding a hand rattle for two minutes.
- (5) All clear (after gas alarm) .. Ringing a handbell for two minutes.

(b) On the enforcement of this Order no steam whistle, hooter or siren or gong shall be used except to sound the "air raid alarm" or the "raiders passed" signal. No crackers or fire works making sounds of explosion shall be used :

Provided that this Order will not affect whistles of railway engines used for operational purposes.

NOTE.—This Order shall apply to gongs or bells used in churches, temples and at any other place excepting small handbells of size not more than 4 inches in height.

5. *Air Raid Shelters.*—The District Magistrate may, by a notice exhibited at a conspicuous and convenient place in the locality concerned, appoint for the purposes of sub-rule (2) of Rule 51 of the Defence of India Rules, the premises and property in which persons may enter and remain during the period of an air raid, and shall cause all such premises and property to be labelled or otherwise described with the words "air raid shelter" and may specify the number of persons who may take shelter in any such premises or property.

6. *Duty to take shelter.*—During the period of an air raid—

- (a) all persons, except persons employed in connection with any exempted service, shall take cover in their own houses, or in an air raid shelter, or if no air raid shelter is near, in any ditch or hole in the ground ;
- (b) the owner or occupier of any air raid shelter shall allow all persons, up to the number specified for such shelter, intending to take shelter, to enter and remain therein :

Provided that any doctor or any priest who is proceeding to administer help to the sick or the injured or ministering to the dying, and any persons whom the doctor or the priest considers necessary to take with him for his mission may be exempted from the operation of clause (a) of this rule.

7. *Duty to obey directions given by Air Raid Wardens, etc.*—All persons shall, during the period of an air raid, obey any directions given by any Air Raid Warden, Police Officer or member of the Civic Guard regarding the manner in which they shall behave for the protection of themselves or the public.

8. *Power to commandeer vehicles when air raid is imminent, or during or after an air raid.*—At any time when an air raid appears to be imminent, or during or after an air raid, any Magistrate, any Air Raid Warden, any Police Officer or member of a Civic Guard has power, for the purpose of any Air Raid Precautions Service, to commandeer any vehicle or animal, together with the services of its driver, and the owner or driver of such vehicle or animal shall place such vehicle or animal at the disposal of the person commandeering the same, and the driver thereof shall take such vehicle or animal to the destination specified by, or comply with any other direction of, such person.

(Notification No. 1830-A.R.P., dated the 6th May 1942, published in the *Orissa Gazette*, dated the 8th May 1942.)

9. *Power to close streets.*—During or after the period of an air raid, any Police Officer or member of the Civic Guard has power to close or cordon off any street or portion of a street or passage which should, in his opinion, be closed or cordoned off for the purposes of the control or diversion of traffic, and also to remove any person or all persons from any area which he considers to be dangerous.

(Notification No. 1822-A.R.P., dated the 6th May 1942, published in the *Orissa Gazette*, dated the 8th May 1942.)

(Notification No. 1824-A.R.P., dated the 6th May 1942, published in the *Orissa Gazette*, dated the 8th May 1942.)

10. *Action to be taken by owner or driver of vehicle during air raid.*—(1) During the period of an air raid the owner or driver of a vehicle shall—

(a) immediately proceed to the nearest open place not on the roadway, stop the vehicle and, if between the hours of sunset and sunrise, extinguish all lights;

(b) unyoke all horses, bullocks or buffaloes from the vehicle and tether them apart from the vehicle in such manner that they are unable to stray; and

(c) take shelter as required by rule 6.

(2) Nothing in this rule shall apply to any vehicle which is being used by any member of the exempted services.

11. *Demolition of buildings.*—(a) Any District Magistrate, Subdivisional Magistrate, Officer of the Public Works Department not below the rank of Assistant Engineer, or Police Officer not below the rank of Inspector of Police has power to order the demolition or the completion of the demolition of any building damaged during an air raid with a view to preventing danger to life or property.

(Notification No. 1826-A.R.P., dated the 6th May 1942, published in the *Orissa Gazette*, dated the 8th May 1942.)

(b) Any Magistrate, Police Officer not below the rank of a Sub-Inspector or Officer of a Fire Fighting Service has power to order the demolition of any building, if necessary, to prevent the spread of fire.

(Notification No. 1828-A.R.P., dated the 6th May 1942, published in the *Orissa Gazette*, dated the 8th May 1942.)

12. *Penalties.*—If any person contravenes any of the provisions of rules 4(b), 6, 7, 8, 9, 10 and 11 of this Order, he shall be punishable with imprisonment for a term which may extend to six months or with fine or with both.

By order of the Governor,

J. BOWSTEAD,

Addl. Secretary to Government.

REVENUE DEPARTMENT.

NOTIFICATIONS.

The 25th May 1942.

No. 2482-R.—It is hereby certified, under rule 7 of the Government of India Mining Rules published with their Resolution in the Department of Commerce and Industry, No. 7552-7581-121, dated the 15th September 1913, that Rai Bahadur Jairam Valjee of Raigarh is approved by the Government of Orissa as an applicant for a prospecting licence and mining leases for coal in the Province of Orissa.

This certificate of approval will expire at midnight of 31st December 1942.

ERRATUM.

The 25th May 1942.

No. 1297—La.-22-R.—In the boundaries as given in declaration No. 406—La.-22/42-R., dated the 11th February 1942, regarding acquisition of land required for extension of the Khasmahal Market at Khurda in the village of Jajarsinha, pargana Khurda, zila Puri, published at page 63, Part III of the *Orissa Gazette* of the 20th February 1942, read "East" for "South" and "South" for "East".

The 20th May 1942.

No. 1288—La.-50-R.—DECLARATION.—Whereas it appears to the Government of Orissa that land is required to be taken by

Government at the public expense for a public purpose, viz., for the construction of a boat house and a bathing ghat for the use of the students of the Ravenshaw College, Cuttack, in mauza Bahar Bisinabar, paragana Bakharabad, thana Cuttack No. 214 zila Cuttack, town Cuttack, it is hereby declared that for the above purpose a piece of land measuring, more or less, 0.751 acre, bounded on the---

North--By plot No. 1/3761 and part of pilgrim road bearing plot No. 1.

East--By pilgrim road bearing plot No. 1 and part of Taladanda loop road bearing plot No. 2,

South--By Taladanda loop road bearing plot No. 2,

West - By plot No. 1/3762,

is required within the aforesaid mauza of Bahar Bisinabar.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Land Acquisition Department, Cuttack Collectorate.

By order of the Governor,

F E A. TAYLOR,

Secretary to Government.

HEALTH AND LOCAL SELF-GOVERNMENT DEPARTMENT.

NOTIFICATION.

The 25th May 1942.

No. 2485-L.S.-G.(C).—In exercise of the powers conferred by clause (e) of sub-section (2) of section 194 of the Sambalpur Local Self-Government Act, 1939 (Orissa Act VI of 1939), the Governor of Orissa is pleased to make the following rules:—

Rules of business for Union Boards framed under clause (e) of sub-section (2) of section 194 of the Sambalpur Local Self-Government Act, 1939.

MEETINGS.

1. Meetings shall be held at the office of the Union Board or at such other place as the President may, from time to time, determine.

2. A meeting of the Union Board shall ordinarily be held once a month on a day to be fixed by the Union Board at a meeting:

Provided that if for any reason it is deemed inconvenient to hold any such

meeting on a day thus fixed, the President may fix another day for that particular meeting.

3. The President may call a special meeting of the Union Board at any time and shall do so on the requisition of three members of the Union Board. If the President fails to call a meeting within thirty days after receiving such a requisition the members who signed the requisition may call the meeting in the manner prescribed in rules 4 and 6.

NOTICES OF MEETINGS.

4. At least fourteen days' notice of a meeting to consider proposals for the imposition of a tax under section 176 of the Act and at least seven days' notice of all other meetings shall be given to every member.

5. Accidental failure of service of notice on any member shall not invalidate the proceedings of any meeting.

6. The notice shall set forth clearly and fully the business to be transacted at the meeting.

QUORUM AND ADJOURNMENT OF PROCEEDINGS AT MEETINGS.

7. Except for the consideration of proposals for the imposition of a tax under section 176 of the said Act, a quorum shall consist of not less than one-third of the total number of members of the Union Board. If at a meeting other than a meeting for the purpose aforesaid a quorum is not present the President shall adjourn the meeting until such other day as he thinks fit, of which not less than three days' notice shall be given to every member. At such adjourned meeting the members present, whatever their number may be, shall form a quorum.

8. At a meeting specially convened for the consideration of proposals for the imposition of a tax under section 176 of the Act, the quorum shall consist of not less than two-thirds of the total number of members of the Union Board.

9. The President or, in his absence, the Vice-President (if any) shall preside at every meeting, and in the absence of both the President and the Vice-President, the members shall choose some one of their number to preside.

10. At ordinary meetings the business shall be conducted in the following order:—

(a) The minutes of the last ordinary meeting and of any special meeting held since, shall be read and if approved as correctly entered, shall be signed by the President of such meeting.

- (b) Business postponed from the last ordinary meeting shall be considered.
- (c) A progress report of works shall be laid before the members.
- (d) Accounts and statements shall be considered and passed.
- (e) Motions and amendments duly moved and seconded shall be discussed.
- (f) Any other business set forth in the notice given under rule 6 shall be considered.

11. At a special meeting, only the business for which the meeting was called shall be considered.

12. At a meeting convened to consider proposals for the imposition of a tax under section 176 of the Act no business other than the proposals for the imposition of the tax shall be transacted.

13. Notwithstanding anything contained in rules 10 and 11, it shall be competent for the Union Board at a meeting to transact any business other than that set forth in the notice under rule 6, if the majority of the members present agree to do so.

14. Every motion and amendment duly moved must be seconded and until seconded, no debate thereon shall take place.

15. Every motion or amendment duly made and seconded and pressed to a division shall be reduced to writing and signed by the proposer and seconder before being put to the vote. Every such resolution or amendment shall be recorded in full in the proceedings, together with the number and names of voters for and against it.

16. The President of the meeting may, for reasons to be recorded in writing and entered in the minutes of the proceedings—

- (a) rule that a motion or amendment is illegal or out of order; and
- (b) make such alterations in a motion or amendment as shall, in his opinion, render it legal and in order;

and may in case (a) refuse to put the motion or amendment to the meeting and in case (b) refuse to put the motion or amendment to the meeting, unless and until the proposer and seconder accept and sign the alterations made and the decision of the President shall be final.

17. After a motion has been moved and seconded an amendment may be moved at any stage of the debate thereon.

18. On the discussion being concluded, in the event of several amendments having been proposed, the President of the meeting shall put the amendments to the vote in the reverse of the order in which they were moved; and when the amendments have been disposed of, he shall put to the vote the original motion, or the motion as amended, as the case may be.

19. All questions which may come before the meeting shall be decided by a majority of votes. In case of equality of votes the President of the meeting shall have a second or casting vote.

20. Voting by proxy is prohibited; and no member shall vote upon any motion or amendment unless he be present in person at the time when it is put to the vote.

21. When any business of which notice has not been given is considered at a meeting, the decision recorded or resolution adopted at such meeting shall be of no effect unless and until it is confirmed at the next succeeding ordinary meeting, or at a special meeting called expressly for the purpose.

22. It shall be competent to any member to move the adjournment of the debate or of the meeting. When such motion is seconded it shall be put to the vote. No motion for adjournment shall be admissible which proposes an adjournment beyond the next ordinary meeting.

23. The members shall be informed of the date of an adjourned meeting by a fresh notice.

24. An adjourned meeting is not competent to transact any business save that which the original meeting left unfinished.

MISCELLANEOUS.

25. Unless not less than two-thirds of the members consent by signing a requisition, no subject once finally disposed of shall be reconsidered within six months.

26. The minutes of proceedings shall be recorded in the vernacular.

27. The minutes of proceedings shall be entered in a book to be kept for the purpose and shall be signed by the President of the meeting and such book shall be open to the inspection of the public.

By order of the Governor,

S. DAS,

Secretary to Government.

DEVELOPMENT DEPARTMENT.

NOTIFICATIONS.

The 27th May 1942.

No. 2594-D.(C).—In exercise of the powers conferred by section 52 of the Orissa Hindu Religious Endowments Act, 1939 (Orissa Act IV of 1939), and in modification of the notification of the Government of Orissa in the Development Department No. 654-D., dated the 4th March 1942, the Governor of Orissa is pleased to appoint the 1st October 1942 as the date on which the rules made and published under the said notification shall come into force.

The 27th May 1942.

No. 2597-D.(C).—In exercise of the powers conferred by sub-section (1) of section 613 of the Prevention of Cruelty to Animals Act, 1890 (XI of 1890) and in supersession of all previous notifications on the subject the Governor of Orissa is pleased to appoint the veterinary hospitals specified in the schedule below maintained by the authorities specified in the third column of the schedule as infirmaries for the treatment and care of animals in respect of which offences against the said Act have been committed, and to authorise the detention therein of any animal pending its production before a Magistrate.

SCHEDULE.

Sl. No.	Name of the hospital.	Name of the authority maintaining the hospital.
1.	Cuttack Veterinary Hospital.	Cuttack Municipality.
2.	Puri Veterinary Hospital	Puri Municipality.
3.	Berhampur Veterinary Hospital,	Government.
4.	Maharajah's Veterinary Hospital, Parla-khimedi.	Maharajah of Parla-khimedi.
5.	Sambalpur Veterinary Hospital.	District Board, Sambalpur.
6.	Bargarh Veterinary Hospital.	Government.

By order of the Governor,

F. E. A. TAYLOR,

Secretary to Government.

OFFICE OF THE REVENUE COMMISSIONER.

NOTIFICATIONS.

The 26th May 1942.

No. 1597-R.—XII-45/42-L.A.—In exercise of the powers delegated under section 5 of the Madras Survey and Boundaries Act, 1923 (Madras Act VIII of 1923), the Revenue Commissioner of Orissa, hereby

directs the survey, under the provisions of the said Act, of the boundaries common to the estate lands bearing S. No. 1 described below required for Agricultural Seed Farm and the adjoining Government lands.

SCHEDULE.

District—Koraput.

Taluk—Jeypore.

Village—Dullaguda.

Description of land, wet or dry, inam or poramboke, with survey or paimash
No.—Inam wet, S. No. 1.

Name of owner or occupier—Maharajah of Jeypore, Barajo Naiko of Borigumma—Occupier, Bighnorajo Singh Lal or his legal heir and T. V. V. Narasinhm of Jeypore—Inamdars.

Boundaries of the land required to be taken up—

North—Borojo Naik's land,

East—Dullaguda Naik's land in possession of Mohan Tripathy,

South—Bhikari Dalai's land and Dullaguda Naik's land in possession of Mohan Tripathy,

West—Land of Nilakantha Behera of Borigumma.

Approximate extent to be taken up—
6-30 acres.

The 26th May 1942.

No. 1598-R.—XII-45/42-L.A.—In exercise of the powers delegated under section 5 of the Madras Survey and Boundaries Act, 1923 (Madras Act VIII of 1923), the Revenue Commissioner of Orissa hereby directs the survey, under the provisions of the said Act, of the boundaries common to the estate lands bearing S. Nos. 1—1, 1—2 and 1—3 described below, required for Agricultural Seed Farm and the adjoining Government lands.

SCHEDULE.

District—Koraput.

Taluk—Jeypore.

Village—Khudiguda.

Description of land, wet or dry, inam or poramboke, with survey or paimash
No.—Zamindari wet.

Name of owner or occupier—Maharajah of Jeypore—owner, B. Apparao and Nilakantha Behera of Borigumma—occupiers.

Boundaries of the land required to be taken up—

North—Estate tank embankment, subdivision Nos. 1 and 3, Nilakantha Behera's land and embankment of estate tank.

East—Subdivision No. 3, Dullaguda land of Barajo Naiko of Borigumma.

South—Subdivision No. 2, Nilakantha Behera's land.

West—Jeypore-Nawrangpur P.W.D. road, Subdivision No. 1.

Approximate extent to be taken up—9.30 acres.

P. T. MANSFIELD,

Revenue Commissioner.

The 21st May 1942.

No. 564-L.R.S.—In exercise of the powers delegated under section 5 of the Madras Survey and Boundaries Act VIII of 1923, the Revenue Commissioner, Orissa, hereby directs the survey, under the provisions of the said Act, of the following Devadayam inam lands in the village of Santhoshapur, a confirmed whole inam village in Chatrapur taluk of the Ganjam district, and of the boundaries common to them and the adjoining estate.

Schedule showing the boundaries of the Devadayam inam land of Santhoshapur village, Chatrapur taluk, Ganjam district.

Description.	Extent.		Boundaries.
	Dry.	Wet.	
	Acres.	Acres.	
Devadayam inams of Sri Gopinath Mahaprabhu. T. D. No. 2418.	2.19	...	North—Burning ground, Santhoshapur village. East—Dry lands of T. D. No. 2417 of Sri Uttareswar Mahaprabhu of Santhoshapur. South—Path—Santhoshapur village. West—Path—Ditto.

E. R. WOOD,

Revenue Commissioner, Orissa.

Notification by the Collector of Ganjam, Chatrapur, dated the 24th May 1942, under section 5 of Act VI of 1878 (Treasure Trove Act).

The 24th May 1942.

It is hereby notified that on the 5th April 1942, 120 (one hundred twenty) coins resembling silver coins, the inscription on which cannot be deciphered were unearthed by one Sukru Nahako of Budhaisuni village, Kudala taluk, while he was raising a bund on his land called Badachirapahado. The said treasure has been deposited in the Sub-treasury at Kudala.

Any person claiming the treasure or any part thereof is hereby required to appear either in person or by an authorised agent before the Collector of Ganjam on the 1st November 1942 at Chatrapur at 11 A.M. when the claims will be enquired into and determined according to the provisions of the Act.

N. S. ARUNACHALAM,

Collector.

ORDERS.

The 5th April 1942.

It has been brought to the notice of Government that alarm has been caused by the noise of Patakhas in certain social ceremonies. It is essential that such alarm should be prevented. I, therefore, in exercise of the powers conferred on me under section 52 of the Defence of India Rules order that no Patakhas will be allowed without special permission in the towns of Balasore and Bhadrak.

The 17th May 1942.

In continuation of order, dated the 5th April 1942, prohibiting the use of Patakhas during ceremonies in the towns of Balasore and Bhadrak, I hereby order under rule 52 of the Defence of India Rules, that no Patakhas should be used for producing sounds, throughout the district of Balasore.

This will come into force with immediate effect.

V. RAMANATHAN,

District Magistrate, Balasore.