



The Orissa Gazette

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PART IV.

Regulations, Orders, Notifications and Rules, of the Government of India, of the Government of Bihar, and of the High Court. Papers extracted from the *Gazette of India* and Provincial Gazettes. Orders of Commandants of Volunteers Corps.

**HOME, REVENUE AND FINANCE
DEPARTMENTS.**

NOTIFICATIONS.

The 23rd September 1936.

No. 4368-A.—The following notification issued by the Government of India, Reforms Office, is published for general information.

By order of the Governor,
A. F. W. DIXON,

Offg. Chief Secretary to Government.

Simla, the 15th September 1936.

F. 54/35-G (B)-2.—In exercise of the powers conferred by sub-paragraph (2) of paragraph 23 of the Government of India (Constitution of Orissa), Order, 1936, the Governor General in Council is pleased to make the following rules for the protection of members of a Provincial or Subordinate Service required to serve in, or in connection with the affairs of Orissa:—

1. (1) Any member of a Provincial or Subordinate Service serving immediately before the 1st day of April 1936, in or in connection with the affairs of the Presidency

of Madras or the Central Provinces, who is required to serve in or in connection with the affairs of Orissa (hereinafter in these rules referred to as a transferred officer), may, at any time within two years from his first employment under the Government of Orissa, elect to revert to his original province; and such election once made shall be irrevocable. A transferred officer who has so elected to revert shall be returned by the Government of Orissa to his original province as soon as recruitments to the Provincial and Subordinate Services of Orissa render possible his replacement by an officer so recruited, and the Government of his original province shall receive him back into its service.

(2) The Government of Orissa may at any time, by agreement with the Government of the province concerned, return any transferred officer to his original province whether such officer has or has not elected to revert under sub-rule (1).

2. The condition of services as respects pay, allowances, leave and pension of a transferred officer, while such officer is serving in or in connection with the affairs of Orissa, shall not, in the case of an officer who has elected under sub-rule (1) of rule 1 to revert to his original province, be less favourable than they would have been if he had continued to serve in his original province:

Provided that nothing in this rule shall apply to conditions of service which prescribe rates of travelling allowance:

Provided further that the Government of Orissa may make such alterations in the conditions of service of any transferred officer who has elected to revert as would have applied to him if he had continued to serve in the province in which he was previously serving.

3. If any transferred officer who has elected to revert makes a representation to the Government of Orissa that his conditions of service while serving in or in connection with the affairs of Orissa are less favourable than the conditions to which he is entitled under these Rules, the Government of Orissa shall before passing orders on the representation (unless the orders proposed are to allow the representation in full) consult the Public Service Commission functioning in Orissa, or, until such Commission has been constituted, the Public Service Commission, if any, functioning in the province from which such officer was transferred, or, if there is no such Public Service Commission, the Central Public Service Commission.

4. A transferred officer shall be subject to the general disciplinary control of the Government of Orissa while serving in or in connection with the affairs of that province:

Provided that before passing any final order imposing a penalty in a disciplinary case relating to any transferred officer who has elected to revert the Government of Orissa shall, if the case is one in which by any law, rule or order applicable to such officer immediately before he was required to serve in Orissa consultation with a Public Service Commission was necessary, consult the Public Service Commission functioning in Orissa, or, if such Public Service Commission has not yet been constituted, the Public Service Commission if any, functioning in the province in which such officer was previously serving.

5. Any transferred officer who has elected to revert and any such person as is referred to in rule 6 may, at any time, by notice in writing to the Government of Orissa, waive his right to have his condition of service determined in accordance with these rules, and elect to be governed by the conditions of service prescribed by the Government of Orissa for its officers. Such election once made shall be irrevocable.

6. The conditions of services as respects pay, allowances, leave and pension of any member of a Provincial or Subordinate Service serving immediately before the 1st day of April, 1936, in or in connection with the affairs of the province of Bihar and Orissa, who is required to serve in or in connection with the affairs of Orissa shall not in the case of any such person while he is serving in or in connection with the affairs of Orissa be less favourable than they were immediately before the 1st day of April 1936;

Provided that the Government of Orissa may make such alterations in the conditions of service of a such person as would have applied to him if he had passed from the service of the Government of Bihar and Orissa to the service of the Government of Bihar:

Provided further that nothing in this rule shall apply to conditions of service which prescribe rates of travelling allowance.

7. The provisions of rule 3 shall apply to a member of a Provincial or Subordinate Service serving immediately before the 1st day of April, 1936, in or in connection with the affairs of the province of Bihar and Orissa, who is required to serve in or in connection with the affairs of Orissa as they apply to a transferred officer referred to in that rule.

8. Nothing in these rules shall affect the provisions of sections 243 and 266 (4) of the Government of India Act, 1935, as to the subordinate ranks of the police force of Orissa.

E. CONRAN-SMITH,

Jt. Secy. to the Government of India,

The 24th September 1936.

No. 4412-P.—The following notification issued by the Government of India in the Legislative Department publishing the Orissa Laws (Amendment) Regulation, 1936, is republished for general information.

A. F. W. DIXON,

Offg. Chief Secretary to Government.

Simla, the 19th September 1936.

No. 264/36-P.—Whereas by the Government of India (Constitution of Orissa) Order, 1936, His Majesty has been pleased to direct that the provisions of section 71 of the Government of India Act (except sub-section (4) thereof), hereinafter called "the said section", shall apply to the whole of Orissa;

And whereas the Local Government of Orissa has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

And whereas the Governor General in Council has taken the said draft and reasons into consideration and has approved the draft and the same has received the assent of the Governor General on the 11th day September 1936;

In pursuance of the direction contained in sub-section (2) of the said section the said Regulation is published in the Gazette of India and will be published in the Orissa Gazette.

REGULATION No. XI of 1936.

A REGULATION to

Amend the Orissa Laws Regulation, 1936.

I of 1936. Whereas it is expedient to amend the Orissa Laws Regulation, 1936, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Regulation may be called the Orissa Laws (Amendment) Regulation, 1936.

I of 1936. Amendment of Orissa Laws Regulation, section 1, Regulation I of 1936. 2. For sub-section (2) of section 1 of the Regulation, the following sub-section shall be substituted, namely:—

"(2) Sections 3, 7 and 13 of this Regulation extend to the whole of the province of Orissa except the districts of Angul and the Khondmals. The remaining sections extend to the whole of that province except the said districts and the territories mentioned under the headings "I.—In Ganjam" and "II.—In Vizagapatam" in Part I of the First Schedule to the Scheduled Districts Act, 1874."

G. H. SPENCE

Secretary to the Government of India.

The 17th September 1936.

No. 999-C.—The following notifications by the Government of the Punjab are republished for general information.

By order of the Governor,

A. F. W. DIXON,

Offg. Chief Secretary to Government.

Simla-E., the 15th August 1936.

No. 9041-P. B.—In exercise of the powers conferred by section 19 of the Indian Press (Emergency Powers) Act, XXIII of 1931, the Governor in Council hereby declares to be forfeited to His Majesty all copies, wherever found, of the booklet in Urdu headed "Shama Azadi Ke Tin Parwane—Bhagat Singh-Sukhdev-Raj Guru" (Three months of the lamp of freedom, Bhagat Singh, Sukhdev and Raj Guru) published by Messrs. Narain Dutt Sehgal and Sons, Booksellers, outside Lohari Gate, Lahore, and printed by Munshi Rahim at the Ahuja Printing Works, Anarkali, Lahore, and all other documents containing copies or translations of, or extracts from the said booklet inasmuch as it contains matter of the nature described in clauses (a) and (b) of sub-section (1) of section 4 of the aforesaid Act.

Simla-E., the 17th August 1936.

No. 8982-P. B.—In exercise of the powers conferred by section 99-A of the Code of Criminal Procedure, 1898, as amended by section 4 of the Indian States (Protection against Disaffection) Act, 1922, the Governor in Council hereby declares to be forfeited to His Majesty all copies, wherever found, of the book in Urdu entitled "Main ne ek crore rupaya kaise kamaya" (How I earned rupees one crore) published by Shaikh Zia-ul-Haq (formerly, editor of the Daily Peshwa) and printed at the Khwaja Barqi Press, Delhi, and all other documents containing copies or translations of, or extracts from, the said book inasmuch as it contains matter of the nature described in sub-section (1) of section 3 of the Indian States (Protection against Disaffection) Act, 1922.

Simla-E., the 26th August 1936

No. A-7 (8) 12-S. B.—In exercise of the powers conferred by section 19 of the Indian Press (Emergency Powers) Act, XXIII of 1931, the Governor in Council hereby declares to be forfeited to His Majesty all copies, wherever found, of a leaflet in Gurmukhi entitled "Lal Dhandora", Volume 1, No. 6, the organ of the Hindustan Communist Party's Punjab Provincial Committee—a part of the Communist International, for July, 1936, edited by a Communist and printed at the Punjab Communist Press, Lenin Building, and all other documents containing copies or translations of or extracts from the said leaflet inasmuch as it contains matter of the nature described in sub-section (1) of section 4 of the aforesaid Act, read with section 16 (d) of the Criminal Law Amendment Act, XXIII of 1932.

By order of the Governor in Council,

F. H. PUCKLE,

Chief Secretary to Government, Punjab.

XIV of 1874.