



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 17th June 1942.

No. 1897-G.—In pursuance of sub-section (1) of section 6 of the Essential Services (Maintenance) Ordinance, 1942, the Governor of Orissa is pleased to make the following rules:—

1. These rules may be called the Essential Services Regulation of Wages and Conditions of Service Rules.

Short title.

2. In these rules unless there is anything repugnant in the subject or context—

Definitions.

(1) "Essential Service" means any service declared as such by the Provincial Government under section 3 of the Ordinance;

(2) "Employee" means an employee of a service declared to be an essential service by the Provincial Government;

(3) "District Magistrate" includes also an officer exercising the powers and performing the duties of a District Magistrate in pursuance of section 11 of the Code of Criminal Procedure, 1898.

3. The District Magistrates, within their respective jurisdictions, shall have power, subject to the general supervision and control of the Provincial Government, to regulate the wages and other conditions of service of all employees of Essential Services.

Object.

The 13th June 1942.

No. 2466-A.R.P.—In exercise of the powers conferred by sub-section (5) of section 2 of the Defence of India Act (XXXV of 1939), the Governor of Orissa is hereby pleased to rescind the notification of the Government of Orissa in the Home Department (A.R.P. Section) No. 1828-A.R.P., dated the 6th May 1942.

The 17th June 1942.

No. 2525-A.R.P.—In exercise of the powers conferred by sub-rule (3) of rule 51B of the Defence of India Rules, 1939 (XXXV of 1939), the Governor of Orissa is pleased to direct that the following amendments be made to the notification of the Government of Orissa in the Home Department, Special Section, No. 1495-C., dated the 5th May 1941, namely:—

For the words "town of Cuttack" substitute "towns of Cuttack, Puri, Balasore and Berhampur".

The 17th June 1942.

No. 2526-A.R.P.—In exercise of the powers conferred by sub-rule (2) of rule 78 of the Defence of India Rules, 1939 (XXXV of 1939), the Governor of Orissa is pleased to direct that the following amendments be made to the notification of the Government of Orissa in the Home Department, Special Section, No. 83-C., dated the 12th January 1942, namely:—

For the words "Cuttack Municipality" substitute the words "Municipalities of Cuttack, Puri, Balasore and Berhampur".

ERRATUM.

The 17th June 1942.

No. 3793-P.(C).—For modification No. 6 under the notification of the Government of Orissa in the Home Department No. 1367-A.(C.), dated the 6th May 1942, published in Part III of the *Orissa Gazette*, dated the 8th May 1942, read the following:—

"6. After rule 83 the following rule shall be inserted, namely:—

83-A.(1) The transport authority may from time to time—

(i) by a general order prescribe a schedule of timings for stage carriages running on specified routes; or

(ii) by a special order prescribe a schedule of timings for each stage carriage.

(2) When a schedule of timings has been prescribed under rule (1) every stage carriage on such route shall run in accordance with it, except—

(i) when prevented by accident or other unavoidable cause; or

(ii) when otherwise authorised in writing by the authority granting the permit.

(3) If at any time a stage carriage is prevented from running in accordance with the schedule prescribed or where no schedule is prescribed, is prevented from performing the service for which a permit has been granted, the holder of the permit shall forthwith report the reason therefor to the authority which granted the permit.

(4) The holder of the permit shall be responsible and punishable for any breach of rule (2) in addition to any other person who may be responsible and punishable for such breach.

(5) If the holder of a stage carriage permit proposes to withdraw the service which the vehicle covered by the permit is providing before the expiry of the permit, he shall, unless prevented by unavoidable circumstances, give at least one month's notice of his intention to the transport authority which issued the permit and shall surrender the permit on the date from which the service is withdrawn. Upon receipt of the notice, the transport authority shall post a copy of notice on the suitable notice-board situated on the premises of the authority.

(6) The transport authority may by general order direct that every stage carriage shall stop at such stations on its route as the transport authority may prescribe, and thereupon the conductor of every stage carriage shall correctly enter in the register in Form TGR kept at each station the particulars specified therein.

(7) The driver or conductor of every public service vehicle shall maintain trip sheets serially numbered in a bound book in Form TSS or TSC in English or in one of the languages of the district.

(8) Trip sheets shall—

(i) be carried by the conductor or, in case there is no conductor, by the driver, whenever the vehicle is in use;

(ii) be duly filled up from time to time as occasion arises by the conductor or, in case there is no conductor, by the driver; and

(iii) be open to inspection by any Police Officer not below the rank of Sub-Inspector of Police or Inspector of Motor Vehicles.

(9) Every holder of a permit shall, in respect of every public service vehicle specified in the permit, maintain in English or in one of the languages of the district a trip register in Form TR in a bound book of which the pages are serially numbered. The trip register shall be posted daily from the trip sheets maintained under rule (7) and be at all times open to inspection by any Police Officer not below the rank of Sub-Inspector of Police or by any Magistrate or by an Inspector of Motor Vehicles.

(10) The destination to which the stage carriage is proceeding or is about to proceed shall be clearly stated in English and in one of the languages of the district on boards conspicuously placed on the front and rear of the vehicle".

By order of the Governor,

J. BOWSTEAD,

Chief Secretary to Government.

REVENUE DEPARTMENT.

NOTIFICATIONS.

The 10th June 1942.

No. 1366—La-51-R.—Whereas it appears to the Government that the land specified in the schedule below and situated in the Lanjipalli (133) village, Berhampur taluk, Ganjam district, is needed for a public purpose, to wit, for having a garden in the Central Jail, Berhampur, notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4(1) of the Land Acquisition Act I of 1894, as amended by the Land Acquisition Amendment Act XXXVIII of 1923; and the Governor of Orissa hereby authorises the Sub-Collector, Berhampur, his staff and workmen to exercise the powers conferred by section 4(2) of the Act. Under section 3(c) of the same Act, the Governor of Orissa appoints the Sub-Collector, Berhampur, to perform the functions of Collector under section 5-A of the Act.

SCHEDULE.

District—Ganjam.

Taluk—Berhampur.

Village—133 Lanjipalli.

Description of land, wet or dry, inam or poramboke, with survey or paimash number—Part of personal inam (waste) in the unclassified block of Lanjipalli covered by T. D. No. 381.

Name of owner or occupier—Sri Raghunath Singh Deo and Srimati Anasuya Devi guardian of minor sons (1) Jaganath Singh Deo, (2) Lakshman Deo and (3) Ramachandra Singh Deo.

Boundaries of the land required to be taken up—

North—Bengal-Nagpur Railway land limits,

East—Panakalapalli village boundary,

South—District Jail garden fencing,

West—District Jail new compound wall.

Approximate extent to be taken up—4.13 acres.

Whether waste or arable—Dry (waste).

The 13th June 1942.

No. 1383—La-15-R.—DECLARATION.—Under section 6 of the Land Acquisition Act, the Governor of Orissa hereby declares that the land specified below and measuring acre 0.23, be the same a little more or less, is needed for a public purpose, to wit, for the Public Works Department Sectional Officer's quarters in the building owned by the Public Works Department and standing on the said land and under sections 3 and 7 of the same Act, the Deputy Tahsildar, Malkanagiri, is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. A plan of the land is kept in the office of the Deputy Tahsildar, Malkanagiri, and may be inspected at any time during office hours.

SCHEDULE.

District.	Taluk.	Village.	Description of land, wet or dry, inam or poramboke, with survey or paimash number.	Name of owner or occupier.	Boundaries of the land required to be taken up.				Extent to be taken up.
					North.	East.	South.	West.	
1	2	3	4	5	6	7	8	9	10
Koraput...	Malkanagiri.	Govindapalli.	Zamindari building site, S. No. 3.	Owner. Maharajah of Jeypore. Occupier. Government in the Public Works Department.	Waste land of Sitaram Poricha.	Building of Sitaram Poricha.	Kotta-Malkanagiri Public Works Department Road.	Local Fund village Road.	Acres. 0.23

By order of the Governor,

F. E. A. TAYLOR,

Secretary to Government.

DEVELOPMENT DEPARTMENT.

NOTIFICATIONS.

The 17th June 1942.

No. 3792-D.(C).—In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Provincial Government are pleased to order that, with effect from the 1st August 1942, no person shall sell, store for sale, or carry on business in cotton yarn unless he has a licence in Form B issued by the Provincial Yarn Commissioner :

Provided that no such licence shall be necessary for a person selling, storing for sale, or carrying on business in cotton yarn spun by him or the members of his family.

2. Any person desiring a licence shall apply in Form A to the Provincial Yarn Commissioner through the Subdivisional Officer or the Revenue Divisional Officer of the area in which he intends to carry on business.

3. Every person holding a licence shall comply with the conditions subject to which the licence has been granted to him, as set forth on the reverse of the licence.

FORM A.

APPLICATION FOR THE GRANT OF LICENCE TO SELL, STORE FOR SALE, OR CARRY ON BUSINESS IN COTTON YARN.

To

The Provincial Yarn Commissioner, Orissa, Cuttack.

1. Name of the applicant in full (in block letters)_____
2. Name of the applicant's father_____
3. Address of the applicant in full_____
 Village_____
- Post Office_____
- Police-station_____
- Thana or Taluk_____
- Subdivision_____
- District_____
4. Occupation of the applicant_____
5. Exact description of the premises where the applicant wants to sell, store for sale, or carry on business in cotton yarn_____
6. Whether a wholesale or retail licence is required_____
7. Details of cotton yarn in respect of which the licence is required_____
8. Period for which licence is required_____
9. I have carefully read the conditions of the licence and agree to abide by them.
10. I have not previously applied for such licence _____ and was granted a licence on.....
 I applied for such licence on..... was not granted a licence.

Dated _____ 19

Signature of applicant.

ORDER OF THE PROVINCIAL YARN COMMISSIONER.

Dated _____ 19

Provincial Yarn Commissioner

FORM B.

WHOLESALE/RETAIL LICENCE TO SELL, STORE FOR SALE, OR CARRY ON BUSINESS IN
COTTON YARN.

1. Register No. _____
2. (i) Name of licensee _____
(ii) Father's name _____
(iii) Occupation of the licensee _____
(iv) Address of the licensee in full—
Village _____
Post Office _____
Police-station _____
District _____
3. Exact description of premises where the business is to be carried on _____

4. Period for which licence has been issued _____
5. Whether the licence is for wholesale or retail business _____

6. Details of cotton yarn, in respect of which licence is granted _____

7. This licence is granted subject to the conditions specified on the reverse.

CUTTACK:

The _____ 194 . }

Provincial Yarn Commissioner, Orissa.

CONDITIONS OF LICENCE.

1. The licensee shall maintain daily accounts for each of the different counts of cotton yarn in respect of which he holds the licence showing correctly—

- (a) the opening balance on each day ;
- (b) the quantities received on each day with the sources from which such quantities were received ;
- (c) the quantities disposed of each day and in the case of yarn despatched outside the district, the destination to which despatched ; and
- (d) the closing balance at the end of each day.

2. The licensee shall submit to the Provincial Yarn Commissioner such returns as may be prescribed by him from time to time.

3. Every licensee shall issue to every customer a correct cash receipt or credit note, as the case may be, showing the date, the quantity sold and the amount charged, and shall keep a duplicate of the same and shall present it for inspection on demand by any officer authorized by the Provincial Yarn Commissioner.

4. A retail licensee shall sell to any member of the public cotton yarn not exceeding such quantity as may from time to time be fixed by the Provincial Yarn Commissioner.

5. A wholesale licensee shall sell cotton yarn only to a licensee or to a person specially permitted in this behalf by the Provincial Yarn Commissioner.

6. Every licensee shall prominently display at his business premises a correct list of prices in Oriya of cotton yarn in respect of which he holds the licence.

7. Every licensee shall render all necessary facilities at all reasonable times to such persons as may be authorized by the Provincial Yarn Commissioner for the inspection of his shop, godown or any other place used for the storage or sale of cotton yarn in respect of which he holds the licence.

8. Every licensee shall furnish correctly such information as may be demanded from him and shall carry out such instructions as may from time to time be given by the Provincial Yarn Commissioner, or any other officer authorized by him, in his behalf.

9. If any licensee contravenes any of the conditions of this licence or is found to have made any incorrect statement in his application for a licence or as required by these conditions, his licence may be cancelled.

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The 17th June 1942.

No. 3801-D.(C).—The Governor of Orissa is pleased to direct that the following shall be substituted for rule 6 of the rules for the departmental examinations in the Registration Department promulgated in notification No. 508-D., dated the 1st March 1941 :—

“The examination in languages will consist of practical tests in which the candidate will be required to register two documents correctly, and to read documents in the language in which he appears for examination. Officers whose mother-tongue is any language other than Oriya or who have not passed in Oriya as their second language in matriculation or such other examination as in the opinion of the President of the

Central Examination Committee is equal or superior to it, will appear in an examination in Oriya”.

By order of the Governor,

F. E. A. TAYLOR,

Secretary to Government.

COMMERCE AND LABOUR
DEPARTMENT.

NOTIFICATION.

The 10th June 1942.

No. 3443—HIP-21/41-Com.(C).—In exercise of the powers conferred by clause (p) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), read with

the notification of the Government of India in the Department of Education, Health and Lands, No. F-10-1/38-G., dated the 30th March 1938, the Governor of Orissa is pleased to direct that the following amendments shall be made in the Orissa Port Health Rules, the same having been previously published as required by sub-section (2) of the said section of the said Act, namely :—

In the said Rules—

(a) to rule 2, the following clause shall be added, namely :—

“(11) ‘period of incubation’ in respect of an infectious disease mentioned below means the period specified against it :—

Plague	...	6 days.
Cholera	...	5 days.
Yellow fever	...	9 days.
Typhus	...	12 days.
Smallpox	...	14 days.
Chicken-pox	...	14 days.
Cerebrospinal meningitis.		10 days.
Diphtheria	...	7 days.
Relapsing fever	...	14 days.
Influenzal Pneumonia		5 days.”

(b) for rule 39 the following rule shall be substituted, namely :—

“39. *Infected vessel*.—A vessel shall be regarded as infected if there is on board a case of one of these diseases or if, prior to the arrival of the vessel in port, there has occurred on board a case of one of these diseases within the period of incubation of that disease.

Suspected vessel.—A vessel shall be regarded as suspected if, prior to the arrival of the vessel in port, there has occurred on board a case of one of these diseases but not within the period of incubation of that disease :

Provided that a vessel shall not be regarded as suspected if the period of incubation had elapsed since the occurrence of any case before the arrival of the vessel at a previous port of call and the Health Officer is satisfied that the vessel has been subjected to proper medical examination at that port and that all necessary measures have been taken.

Healthy vessel.—A vessel shall be regarded as healthy if it is not an infected or suspected vessel as defined above.”

By order of the Governor,

W. W. DALZIEL,

Secretary to Government.