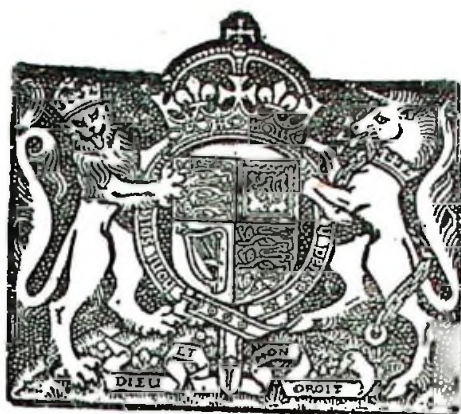




The Orissa Gazette

PUBLISHED BY AUTHORITY.

No. 30. CUTTACK, FRIDAY, JULY 24, 1942.

 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 21st July 1942.

No. 5616-A(C).—The Governor is pleased to notify that in view of the fact that by-election to the North Jajpur General Constituency of the Orissa Legislative Assembly will take place from the 5th August to the 7th August 1942, the offices specified below from which officers will be engaged in the conduct of the election shall be closed for the said days:—

- (1) Subdivisional Office, Jajpur.
- (2) Office of the Deputy Inspector of Schools, Jajpur.
- (3) Registration Office, Jajpur.

The 21st July 1942.

No. 2263-C.—In pursuance of sub-section (1) of section 92 of the Government of India Act, 1935, the Governor of Orissa is pleased to direct that the Penalties (Enhancement) Second Amendment Ordinance, 1942 (XXIX of 1942), shall apply to all partially-excluded areas in the Province of Orissa.

By order of the Governor,

J. BOWSTEAD,

Chief Secretary to Government.

REVENUE DEPARTMENT.

NOTIFICATION.

The 17th July 1942.

No. 1562—La-15-R.—In exercise of the powers conferred by section 17(b)(ii) of the Madras Survey and Boundaries Act, 1923 (Madras Act VIII of 1923), the Governor of Orissa hereby directs the survey, under the provisions of the said Act, of the land described below required for the P. W. D. Sectional Officer's quarters in the building owned by the P. W. D. and standing on the said land in the village of Govindapalli in the Malkanagiri Taluk, in the district of Koraput.

SCHEDULE.

District—Koraput.

Taluk—Malkanagiri.

Village—Govindapalli.

Description of land, wet or dry, inam or poramboke, with survey or paimash
No.—Zamindari building site S. No. 3.

Name of owner or occupier—Maharaja of Jeypore.

Name of occupier—Government in the Public Works Department.

Boundaries of the land required to be taken up—

North—Waste land of Sitaram Poricha,

East—Building of Sitaram Poricha,

South—Kotta-Malkanagiri Public Works Department Road,

West—Local Fund village road.

Approximate extent to be taken up—
Acre 0.23 or 23 cents.

Whether waste or arable—Building site.

By order of the Governor,

F. E. A. TAYLOR,

Secretary to Government.

HEALTH AND LOCAL SELF-GOVERNMENT DEPARTMENT.

NOTIFICATIONS.

The 16th July 1942.

No. 5373-L.S.-G.(C).—The following Regulations framed by the Orissa Nurses and Midwives Council under sub-section (1) of section 8 of the Orissa Nurses and Midwives Registration Act, 1938 (Orissa Act VII of 1938), having been confirmed by the Provincial Government under sub-section (2) thereof are published as required in the said sub-section.

By order of the Governor,

S. DAS,

Secretary to Government.

Regulations framed under section 8(1) of the Orissa Nurses and Midwives Registration Act, 1938.

1. The Council shall ordinarily meet in the first week of January, every year for the transaction of business.

2. The meetings of the Council shall be held at such time and place as the President may direct.

3. An extraordinary meeting of the Council, of which fifteen days' notice shall be given, may be called by the President, whenever it appears to him to be necessary and shall be called by him on a written requisition signed by not less than three members of the Council stating the purpose or purposes for which the meeting is being called. Such an extraordinary meeting shall be called by the President within a period of two months from the date on which the requisition referred to above is delivered to the President.

4. Notice of every meeting of the Council shall be served by the Registrar on each member of the Council by registered post not less than 30 days before the date of the meeting in the case of ordinary meetings

and not less than 15 days before in the case of extraordinary meetings, and the date of registration shall be deemed as the date of service.

5. A Programme of Business to be transacted at any meeting, ordinary or extraordinary, shall be sent by the Registrar to the address of each member not less than seven days before the date of such meeting.

6. Notice of a motion for both ordinary and extraordinary meetings shall reach the Registrar at least three weeks before the date fixed for such meeting and a copy of such motion shall be sent by him to the address of each member not less than fifteen days before the date of an ordinary meeting and seven days before the date of an extraordinary meeting.

7. Notice of an amendment shall reach the Registrar at least ten days before the date fixed for an ordinary meeting and a copy of such amendment shall be sent by him to the address of each member at least four days before the date of such a meeting. In the case of an extraordinary meeting notice of amendments shall reach the Registrar a week before the date fixed for the meeting and a copy of such amendment shall be sent to the address of each member three days before the date of such meeting.

8. Every meeting of the Council shall be presided over by the President. In his absence the members present shall elect a Chairman from among themselves to preside over the meeting and he shall have the same powers as the President when so presiding and all references to the President in the rules and regulations shall in these circumstances be deemed to be references to the Chairman so presiding.

9. (i) All questions before the Council shall be determined by a majority of votes of the members present including the President who shall, however, have a second or casting vote in the case of an equality of votes.

(ii) Votes shall be taken by voice, by show of hands or by division and shall always be taken by division if any member so desires.

(iii) The President shall determine the method of taking votes by divisions.

10. (i) Subject to the provisions of rule 34, if within twenty minutes after the time fixed for a meeting a quorum of four members be not present, the meeting shall stand adjourned to some future date appointed by the President unless all the members present agree to wait longer.

(ii) The President may adjourn at any time any meeting or any business to any future date or to any hour of the same date provided that, if any meeting is adjourned

to any future date the adjourned meeting shall be held on a date not earlier than a week from the date of the original meeting.

(iii) Whenever any meeting is adjourned to a future date the Registrar shall send notice of the adjournment to each member, who was not present at such meeting.

(iv) Subject to the proviso to sub-rule (ii) when any meeting has been adjourned to a future date the President may change such date to any other day, and the Registrar shall send written notice of the change to each member.

11. A roll-book shall be kept by the Registrar in which each member attending a meeting shall enter his name on the date of such attendance.

12. All motions and amendments shall be in writing, shall be signed by the mover and before they are spoken to by other members, shall be read from the Chair or by the Registrar under the authority of the Chair.

13. Every motion or amendment which has been moved shall be seconded; otherwise it shall not be discussed nor shall any question be put on it.

14. (i) A member who has moved a motion or an amendment to a motion shall not withdraw the same except by the leave of the Council.

(ii) No discussion shall take place on a motion for leave to withdraw except with the permission of the President.

15. (i) After the member who moves has spoken, other members may speak to the motion in the order in which they are called by the President.

(ii) Except in the exercise of a right of reply or as otherwise provided, no member shall speak more than once to any motion unless it be, with the permission of the President, for the purpose of making a personal explanation, but in that case, no debatable matter may be brought forward.

(iii) A member who has moved a substantive motion may speak again by way of reply.

16. An amendment to a motion must be relevant to and within the scope of the subject matter of the clause or motion to which it relates.

17. An amendment to a motion shall first be put to the vote, and if it be negatived, a second or subsequent amendment may be moved and disposed of in the same way as the first amendment until no further amendment is proposed.

18. Should every amendment be negatived, the original motion shall be put to the vote.

19. If any amendment be carried, the original motion so amended shall be regarded as a substantive motion to which further amendments may be moved.

20. In all cases where a division has taken place any member of the Council may require that the names or numbers or both the names and numbers of the majority, of the minority, of those who decline to vote and of those who are absent be entered in the minute book.

21. No speech except with the permission of the President shall exceed five minutes in duration; provided that the mover of the motion when moving the same may speak for ten minutes.

22. When a motion is under debate, no further proposal shall be considered except one of the following:—

- (i) The amendment, namely "That the motion be amended as follows".
- (ii) The postponement of the question, namely "That the consideration of the motion be postponed".
- (iii) The adjournment of the debate, namely "That the debate on the motion be now adjourned".
- (iv) The adjournment of the Council, namely "That the Council do now adjourn".
- (v) The closure of the debate, namely "That the Council do now proceed to vote on the motion".

23. When an amendment is under debate, no further proposal shall be received except one of the following:—

- (i) The adjournment of the debate on the amendments, namely "That the debate on the amendment be now adjourned".
- (ii) The adjournment of the Council, namely "That the Council do now adjourn".
- (iii) The closure of the debate on the amendment, namely "That the Council do now proceed to vote on the amendment".

24. Whenever a motion is proposed to be postponed such postponement may be to any particular date or *sine die*.

25. If the proposal for the adjournment of the debate be carried, the Council shall pass to the next item on the programme of business and such adjournment shall be resumed at the next meeting of the Council. The proposer of the adjournment shall, on the resumption of the debate, be entitled to speak first.

26. If the proposal for the adjournment of the Council be carried, the question under debate shall be dropped from the programme of business.

27. On the proposal for the adjournment of the Council being made and seconded it shall be competent for the President or Chairman as the case may be, before putting the question, to take the opinion of the Council as to whether it will before rising proceed to the transaction of the unopposed business.

28. A proposal for the closure of the debate shall be made and seconded without debate and shall unless the President or Chairman rules otherwise, be put forthwith. Should the proposal be carried the motion or amendment under debate shall be at once voted on by the Council.

29. The proceedings of the meetings of the Council shall be preserved in the form of minutes either printed or typed, authenticated after confirmation by the signature of the President or the Chairman as the case may be.

30. The minutes of each meeting shall be marked "confidential" until confirmed and a copy shall be sent to each member within thirty days of the meeting.

31. Every motion or amendment which is moved and adopted or negatived, at any meeting together with the names of the mover and seconder shall be recorded in the minutes of that meeting. The minutes shall not record any comment or observation made by any member at the meeting.

32. The minutes of each meeting shall be taken as confirmed if no objection as to their correctness is received by the Registrar from any member within thirty days from the date of despatch by registered post by the Registrar. If any such objection is received from any member or members, confirmation of the particular item or items objected to, shall await the decision of the Council at its next meeting.

33. At the close of any session of the Council, a complete copy of the confirmed minutes of such session shall be sent to each member.

34. The minutes of the Council, after final revision, shall be kept in order that as soon as convenient after the session, they may be made up in sheets and consecutively pagged for insertion in the yearly volume.

35. No business shall be transacted at any meeting of the Council unless a quorum for which the presence of four members is necessary, be present. In the event of failure to obtain a quorum at two successive meetings, the President is then

empowered to call a meeting and conduct the business with whatever members available.

36. The Council may appoint a Sub-Committee consisting of 3 members of the Council to enquire into a particular matter and report the result of their enquiry together with their opinion to the Council. The Sub-Committee may co-opt members from outside who are specially qualified to advise in the matter, with the approval of the Council or with that of the President when the Council is not sitting, action taken being reported at the next meeting of the Council.

37. No member may draw both travelling allowance and halting allowance for the same day.

38. If a member comes to the station for a particular meeting of the Council, arriving and departing on the same day of the meeting, he will draw travelling allowance but not halting allowance.

39. Members who do not arrive and depart on the day of the meeting will be entitled to halting allowance for the day or days of the meeting only and to travelling allowance for the forward and return journeys at the rates prescribed in rule 40.

40. The travelling expenses of the members who are Government servants shall be paid at the rates to which they would be entitled under the Orissa Travelling Allowance Rules. Non-official members shall be entitled to single second class fare for each journey and road mileage at four annas a mile and halting at five rupees a day. Local non-official members are entitled to two rupees and eight annas a day for days on which meetings are held to cover conveyance expenses. The travelling and halting allowances to members both official and non official shall be paid out of the fund of the Council.

41. The common seal referred to in sub-section (1) of section 3 of the Act, shall be kept in a box the key of which shall be in the custody of the Registrar.

42. The seal shall be affixed on every certificate of Registration to be issued to any person who is registered under section 10 of the Act

43. When the seal is to be used for any other object it shall be affixed only by order of the Council, or by the order of the President, when the Council is not sitting, and any such order for affixing the seal shall state the object of its use, and shall be entered in the minutes of the Council.

44. The receipt for all fees levied under the Act and all moneys received by the Council shall be granted by the Registrar on behalf of the Council.

45. The appointment of the Registrar shall be non-pensionable and his salary shall be fixed at Rs. 20 per mensem for the present.

46. It shall be competent to the Council to appoint either a part-time or full-time Registrar.

47. The Registrar shall fulfil all the duties that may be required of him by the Act and by the Rules and Regulations framed thereunder.

48. The Registrar shall be present at every meeting of the Council and shall take minutes of the proceedings at such meeting.

49. The Registrar as Secretary shall conduct and have charge of the correspondence of the Council subject to the approval of the President.

50. The Registrar shall have the general control and management of the office, authority over the clerks and servants and superintendence of the office.

51. The duties of the clerks shall be such as shall be assigned to them by the Registrar under the direction of the President.

52. If any additional assistance is urgently required when the Council is not in session, the Registrar shall be authorised to obtain such assistance with the previous sanction of the President. The action taken by the Registrar in such cases shall be reported to the Council.

53. The Registrar shall be authorised to grant casual leave to clerks and servants not exceeding ten days in a year subject to the approval of the President.

54. The Council has full power to suspend or remove the Registrar subject to the previous sanction of the Provincial Government. In the case of his office establishment the President will have power to suspend or remove any member of that establishment and fill up the vacancy so caused, informing the Council at its next meeting.

55. The office establishment of the office of the Council and their pay shall be fixed by the Council.

The 21st July 1942.

No. 5645-L. S.-G (C).—In exercise of the powers conferred by clause (a) of section 389 of the Bihar and Orissa Municipal Act, 1922 (Bihar and Orissa Act VII of 1922), the Governor of Orissa is pleased to apply the provisions of section 27 of the said Act to the notified area of the town of Angul and the village of Hulursingha in the district of Cuttack. *Angul*

By order of the Governor,
S. DAS,
Secretary to Government.

DEVELOPMENT DEPARTMENT.

dated
Notification
dated
NOTIFICATION.

The 20th July 1942.

No. 5540-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 Governor of Orissa is pleased to direct that with effect from the 12th July 1942 no person shall remove any sugar by road, rail, river or sea from any place within the limits of the Province of Orissa to any place in India outside the limits of the said Province except under a license granted by the Price Control Officer of Orissa.

By order of the Governor,

F. E. A. TAYLOR,

Secretary to Government.

Cancelled 2
Notif, No. 30618
12-12-42

OFFICE OF THE REVENUE COMMISSIONER.

NOTIFICATIONS.

The 17th July 1942.

No. 336—XI-412/42-W.—Whereas application has been made by Sri Birabar Natabar Singh Narendra Mahapatra, the proprietor of an estate in the District of Cuttack which is known as killa Rugree alias Pachhikote, Tauzi No. 1698, as well as of Tauzis Nos. 1663, 3231, 3345, 5003, 5317, 1903/3 and parts of Nos. 1926, 2847 and 99 praying that he may be declared to be a disqualified proprietor for the purpose of managing his own estates and that his estates be brought under the management of the Court of Wards under clause (e) of section 6 of the Bengal Court of Wards Act, IX (B C.) of 1874, as amended by the Bihar and Orissa Decentralisation Act, III (Bihar and Orissa) of 1916, the Court of Wards, Orissa, is pleased to declare that the said Sri Birabar Natabar Singh Narendra Mahapatra is a disqualified proprietor within the meaning of the Section and that it is expedient in the public interest that his estate should be managed by the Court of Wards. Under sections 7 and 35 of the said Act, IX (B C.) of 1879, the Court of Wards also declares that it has determined to take under its charge the property of the disqualified proprietor abovenamed, and it directs that possession be taken of such property on behalf of the said Court.

B. PATNAIK,

Secretary to the Revenue Commissioner,
Orissa.

[1] subs. by notif. no. 2437 L.S.G. dt 25.8.42 (O. 843 dt 4.9.42
Pl. III, p. 363).

The 15th/18th July 1942.

No. 915—XVII-1/42-Regn.—The following amendment to the Orissa Registration Rules approved by Government of Orissa is hereby published for general information.

AMENDMENT.

Delete item IV of rule 27 of the Orissa Registration Rules, published with notification No. 179/II-1/41-Regn., dated the 30th January 1941.

P. T. MANSFIELD,

Inspector-General of Registration.

CO-OPERATIVE SOCIETIES.

NOTIFICATION.

The 20th July 1942.

No 1043-C.—Whereas the winding up of the affairs of the Dhvajamundai Co-operative Society, bearing registration No. 48/O of 7th April 1924, in the district of Puri ordered in notification No. 4364, dated the 6th August 1941 published in the *Orissa Gazette* of the 15th August 1941, is now complete, I hereby in exercise of the power conferred by sub-section (8), section 44 of the Bihar and Orissa Co-operative Societies Act (VI of 1935), cancel the registration of the said society.

The 20th July 1942.

No. 1045-C.—Whereas the winding up of the affairs of the Bhatpur No 11 Co-operative Society, bearing registration No. 62/O of 31st October 1922, in the district of Puri, ordered in notification No. 11803, dated the 7th November 1940, published in the *Orissa Gazette* of the 15th

November 1940, is now complete, I hereby in exercise of the power conferred by sub-section (8), section 44 of the Bihar and Orissa Co-operative Societies Act (VI of 1935), cancel the registration of the said society.

S. C. ROY,

Deputy Registrar, Co-operative Societies, Orissa.

ELECTION OF MUNICIPAL COMMISSIONERS.

NOTIFICATIONS.

The 8th July 1942.

In accordance with the provisions of rule 4(2) of the Elections Rules for Municipalities, framed under section 19 of the Bihar and Orissa Municipal Act, 1922, it is notified for general information that a general election of the commissioners of the Kendrapara Municipality will be held on the 9th November 1942.

The 8th July 1942.

In accordance with the provisions of rule 4(2) of the Elections Rules for Municipalities in Bihar and Orissa, framed under section 19 of the Bihar and Orissa Municipal Act, 1922, published in Government notification No. 1970-L.S.-G., dated the 13th February 1923, it is notified for general information that a general election of the commissioners of the Jajpur Municipality in the district of Cuttack will be held on Wednesday, the 16th December 1942.

C. S. JHA,

District Magistrate, Cuttack