



The Orissa Gazette

PUBLISHED BY AUTHORITY.

No. 45. CUTTACK, FRIDAY, NOVEMBER 6, 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.

FINANCE DEPARTMENT.

NOTIFICATIONS.

The 30th October 1942.

No. 3807—F. 120/42-F.—In exercise of the powers conferred by clause (b) of sub-section (2) of section 241 of the Government of India Act, 1935, the Governor of Orissa is pleased to direct that the following amendment shall be made in the Orissa Service Code, namely :—

AMENDMENT.

The existing note under rule 100 of the said Code shall be numbered as Note 1 and after the said note as so numbered, the following note shall be added, namely :—

“NOTE 2.—A Sub-Inspector of Police in receipt of a horse allowance when transferred to a post not carrying the allowance, will ordinarily draw the horse allowance till the date of making over charge of his post, or till the date of disposal of the horse, whichever is earlier. If, however, due to insufficient notice of transfer, the horse has not been disposed of by the date of making over charge, he may draw the allowance till the date of disposal of the horse or till the expiry of one month from the date on which he received the order of transfer whichever is earlier.”

The 30th October 1942.

No. 3809—F. 120/42-F.—In exercise of the powers conferred by clause (b) of sub-section (2) of section 241 of the Government of India Act, 1935, the Governor of Orissa is pleased to direct that the following amend-

ment shall be made in the Orissa Travelling Allowance Rules, namely :—

AMENDMENT.

At the end of the exception under rule 36 of the said Rules, the following shall be added, namely :—

“Sub-Inspectors of Police transferred from a post carrying a horse allowance to a post not carrying such an allowance may draw the allowance after receipt of the order of transfer subject to the conditions and limitations prescribed in Note 2 under rule 100 of the Orissa Service Code.”

By order of the Governor,

C. S. JHA,

Deputy Secretary to Government.

REVENUE DEPARTMENT.

NOTIFICATIONS.

The 2nd November 1942.

No. 12077—La-80-R.(C).—Whereas it appears to the Government that the land specified in the schedule below and situated in the Kerada village, Rayaghada taluk, Koraput district, is needed for a public purpose, to wit, for the construction of a submersible bridge over the Gedda, 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 1 of 1894 as amended by the Land Acquisition Amendment Act XXXVIII of 1923 ; and the

Governor of Orissa hereby authorizes the Special Assistant Agent, Rayaghada, 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 Special Assistant Agent, Rayaghada, to perform the functions of a Collector under section 5-A of the Act.

SCHEDULE.

District—Koraput.

Taluk—Rayaghada.

Village—Kerada.

Description of land, wet or dry, inam or poramboke, with survey or paimash No.—Jirayiti plot No. 1, dry and plot Nos. 2 and 3, wet.

Name of owner—Maharaja of Jeypore.

Names of occupiers—Plot No. 1, Sellapureddi Swamy Naidu and plot Nos. 2 and 3, Durvasula Sannayya Pantulu.

Boundaries of the lands required to be taken up—

Plot No. I.

North—Durvasula Sannayya Pantulu's wet land.

East—Gullipilli Appalanaidu's dry land.

South—Kerada Gedda.

West—P. W. D. Road.

Plot No. II.

North—Durvasula Sannayya Pantulu's land.

East— Ditto.

South—Sellapureddi Swamy Naidu's Jirayiti land.

West—P. W. D. Road.

Plot No. III.

North—Durvasula Sannayya Pantulu's land.

East— Ditto.

South— Ditto.

West—P. W. D. Road.

Approximate extent to be taken up—0.95 acre.

Whether waste or arable—Arable.

The 2nd November 1942.

No. 12095-R.(C).—In exercise of the powers conferred by clause (c) of sub-section (2) of section 26 of the Madras Survey and Boundaries Act, 1923 (Madras Act VIII of 1923), the Governor is hereby pleased to direct that the following amendment shall be made to the rules framed under the said section of the said Act, the same having been previously published as required by sub-section (1) of the said section, namely:—

AMENDMENT.

In the schedule to the rule under the heading "Rules under clause 2(c)" in the entry relating to officers empowered under section 11, for the words "Tahsildars and Deputy Tahsildars in independent charge and Executive authorities of the Municipalities" the words and commas "Tahsildars and Deputy Tahsildars in independent charge, Executive authorities of the Municipalities, Settlement Officers and Assistant Settlement Officer in charge" shall be substituted.

By order of the Governor,

F. E. A. TAYLOR,

Secretary to Government.

DEVELOPMENT DEPARTMENT.

NOTIFICATION.

The 4th November 1942.

No. 12220-D.(C).—The following draft of Rules which the Government of Orissa propose to make in exercise of the powers conferred on them by sections 3 and 7 of the Sugarcane Act, 1934 (Act XV of 1934), is hereby published for the information of persons or public bodies likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 15th December 1942. Any objections or suggestions with respect to the draft rules received from any person or from public bodies on or before the 15th December 1942 will be duly considered by Government.

By order of the Governor,

F. E. A. TAYLOR,

Secretary to Government.

In exercise of the powers conferred by sections 3 and 7 of the Sugarcane Act, 1934 (Act XV of 1934), the Government of Orissa are pleased to make the following rules specifying the areas declared as controlled areas for the purposes of the said Act, fixing the minimum prices for the purchase therein of the sugarcane intended for use in a sugar factory, prohibiting the

purchase of sugarcane otherwise than from the grower of the sugarcane or from a licensed purchasing agent, and for the purpose generally of carrying into effect the objects of that Act :—

THE ORISSA SUGARCANE RULES, 1942.

Short title, extent and commencement.

1. (1) These rules may be called the Orissa Sugarcane Rules and shall take effect from.....1942.

(2) These rules shall apply to the Rayaghada Division of the Koraput district, the Ghumsur Division of the Ganjam district and the Banki-Dompara area of the district of Cuttack, which are hereby declared under section 3 of the Sugarcane Act, 1934 (Act XV of 1934), to be controlled areas for the purposes of that Act.

Definitions.

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

- (i) " the Act " means the Sugarcane Act, 1934 (XV of 1934) ;
- (ii) " cane " means sugarcane ;
- (iii) a " cane-growers' co-operative society " means a society registered under the Bihar and Orissa Co-operative Societies Act, 1935 (Bihar and Orissa Act VI of 1935), or the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932), one of the objects of which is to sell cane, grown by its members ;
- (iv) " District Magistrate " includes any officer exercising the powers and performing the duties of a District Magistrate under section 11 of the Code of Criminal Procedure and any person appointed by the Provincial Government whether by name or by virtue of his office to exercise the powers of a District Magistrate under these rules ;
- (v) " inspector " means any person appointed under these rules to perform the duties of an inspector ;
- (vi) " manager " means the manager of a factory appointed in accordance with the provisions of rule 4 (2) ;
- (vii) " occupier " means the occupier of a factory, as defined in sub-rule (1) of rule 4 and includes any person deemed to be, or nominated as, the occupier of a factory according to the provisions of the said sub-rule ;
- (viii) " purchasing agent " means any person licensed under these rules to act as a purchasing agent and includes any person not being the grower of cane or his authorized representative or a cane-growers' co-operative society or a paid employee of the factory not employed on a commission basis, who purchases, supplies, delivers, weighs and pays for cane ;
- (ix) " purchasing centre " means any place at which cane intended for use in a factory is purchased, supplied, delivered, weighed or paid for and includes such portions of the premises of a factory at which any of these operations takes place ;
- (x) " weigh-bridge " means any mechanism used to weigh sugarcane intended for use in a factory and includes any weigh-bridge maintained or used by the occupier, manager or purchasing agent or by any person acting on behalf of the occupier, manager or purchasing agent ;
- (xi) " year " means the year commencing on the 1st day of July and ending on the 30th day of June, next following.

Inspectors.

3. (1) The Provincial Government may, by notification, appoint such officer in the service of the Crown as it deems fit, to be the inspector ex-officio for all the controlled areas.

(2) The District Magistrates of Cuttack, Koraput and Ganjam districts, the Subdivisional Officers of Rayaghada and Ghumsur and the Officer-in-charge, Banki-Dompara, shall be ex-officio inspectors within their respective jurisdictions.

(3) The Provincial Government may also, by notification, appoint such persons in the service of the Crown as it deems fit to be additional inspectors for all or any of the purposes of these rules, within such local limits as it may assign to them respectively.

(4) All inspectors within a district shall be subordinate to the District Magistrate of the district.

(5) An inspector shall be deemed to be a public servant within the meaning of the Indian Penal Code.

(6) An inspector may, within the local limits of his jurisdiction and with such assistants as he thinks necessary—

(i) enter every factory or other place which is or which he has reason to believe is used as a purchasing centre or office in connection therewith and examine the weigh-bridge, scales and weights kept therein and any records, registers and accounts maintained in connection with purchase of cane;

(ii) cause carts or wagons carrying canes or consignments of canes to be weighed or reweighed in his presence:

Provided that sugarcane loaded in wagons may not be required to be unloaded for the purposes of reweighment;

(iii) record the statement of any person whom he may deem necessary to examine for carrying out the purposes of the Act or these rules;

(iv) call for from the occupier or manager of the factory any information relating to the production, supply, crushing of cane, the manufacture of sugar and the quantity of sugar manufactured, issued and in stock;

(v) call for from a purchasing agent, a cane-grower or a cane-growers' co-operative society any information relating to the production, cultivation and supply of cane;

(vi) exercise such other powers as may be reasonably necessary for carrying out the purposes of the Act and the rules.

Occupier and Manager.

4. (1) The occupier of a factory shall mean the person or body of persons having ultimate control over its affairs, provided that—

(a) where the affairs of a factory are entrusted to a managing agent or agents or to a lessee or lessees, such agent or agents or lessee or lessees shall be deemed to be the occupier of the factory;

(b) where the occupier of a factory is a company, registered under the Indian Companies Act, everyone of the directors thereof, or in the case of a private company, everyone of the shareholders thereof, shall for the purposes of these rules be regarded as the occupier, unless the company has by notice to the District Magistrate nominated a director, or, in the case of a private company, a shareholder, to be the occupier of the factory. Such notice shall be signed by the director or shareholder concerned in token of his acceptance of such nomination and sent in duplicate. The director or shareholder so nominated shall be deemed to be the occupier of the factory for the purposes of these rules until further notice cancelling his nomination or intimating his resignation is received by the District Magistrate or until he ceases to be director or shareholder and notifies this fact to the District Magistrate;

(c) where the occupier of a factory is a firm, partnership or other association of individuals, everyone of the individual partners or members thereof shall be regarded as the occupier for the purposes of these rules unless the firm, partnership or association has by notice given to the District Magistrate nominated one of their number to be the occupier of the factory; such notice shall be signed by the person so nominated in token of his acceptance of such nomination and sent in duplicate. Thereupon such individual shall be deemed to be the occupier for the purposes of these rules until further notice cancelling his nomination or intimating his resignation is received by the District Magistrate or until he ceases to be a partner or member of the firm or association.

(2) The occupier shall appoint a person as the manager of the factory from time to time and in any case before the factory commences to crush cane and shall send to the District Magistrate a written notice containing the name of the person so appointed and signed by the latter in the

presence of two witnesses in token of his acceptance and subject to the provisions of sub-rule (3) such person shall be deemed to be the manager of the factory for the purposes of these rules.

(3) The District Magistrate may require any person appointed as manager under sub-rule (2) to deposit as security an amount not exceeding rupees one thousand in cash or in Government promissory notes or otherwise to the satisfaction of the District Magistrate and no person shall be deemed to be appointed as manager until such deposit has been made.

(4) Whenever a new manager is appointed the occupier shall send to the District Magistrate a written notice of the change, signed by the person newly appointed in token of his acceptance of the appointment within fourteen days from the date on which the new manager assumed charge.

(5) During any period for which no person has been designated as manager, any person found acting as manager, or if no such person is found or can be proved to have been so acting, the occupier himself shall be deemed to be the manager for the purposes of these rules.

Licensing of purchasing agents.

5. (1) An application for a licence to act as a purchasing agent under the Act shall be made to the District Magistrate of the district where the applicant wishes to purchase cane.

(2) Such application shall be made in Form II appended to these rules.

(3) Save in the case of a cane-growers' co-operative society, such application shall be duly stamped and accompanied by—

- (i) a treasury receipt showing that the prescribed licence fee has been paid;
 - (ii) a declaration that the applicant is willing to abide by the terms and conditions of the licence; and
 - (iii) a nomination from the occupier or manager of the factory concerned in Form III appended to these rules.
- (iv) The licence fee for each new licence or renewal of a licence of a purchasing agent shall be Rs. 5.

(4) A licence shall remain in force only till the 30th June next following. It shall be renewed for the year following the said 30th June and for each subsequent year, on application being made to that effect by the licensed purchasing agent in writing to the District Magistrate granting the licence in the same manner and on the same conditions as if it were an application for a new licence. On the expiry of a licence it shall, if not renewed, be returned to the District Magistrate who issued it.

(5) Every applicant for a purchasing agent's licence other than a cane-growers' co-operative society shall deposit with the District Magistrate five hundred rupees in cash or in Government promissory notes or in postal cash certificates or in landed property as security for the due observance of the conditions of the licence and no licence shall be issued until such security is furnished. This security will be deposited with the District Magistrate throughout the period the licence remains in force and six months thereafter. The Provincial Government shall have a first charge on such security for the recovery of any fine imposed on a licensed purchasing agent under the Act or under these rules and a provision to that effect must be made in the security bond:

Provided that the District Magistrate may for adequate reasons which must be recorded reduce the amount to be furnished by any purchasing agent who intends to supply cane only for a factory worked by the open pan process:

Provided further that if an occupier or a manager satisfies the District Magistrate that a purchasing agent can be relied on to discharge his duties under the Act or under these rules but is unable to deposit the sum mentioned, or that the amount prescribed is for any reason in the particular case excessive, the District Magistrate may dispense with the security deposit or permit the deposit of such smaller security as he thinks proper. In such cases the occupier or manager shall execute a bond to be responsible for any sum recoverable from the purchasing agent by way of fine under the Act or under these rules or otherwise up to a limit of rupees five hundred only.

(6) On receipt of such application, the District Magistrate shall grant a licence in Form IV appended to these rules if the applicant is a cane-growers' co-operative society or in other cases if he is satisfied that the applicant—

- (i) is not a minor or a purdanashin lady or an undischarged insolvent or a person of unsound mind;
- (ii) has not been convicted within the previous two years of an offence under the Act or these rules, other than one which is in the opinion of the District Magistrate of a technical nature and not such as to justify the refusal of a licence;

(iii) has not been sentenced to imprisonment for an offence involving moral turpitude ;

(iv) is not a company, firm or other association of persons, other than a cane-growers' co-operative society.

(7) A licence other than one to a cane-growers' co-operative society shall be valid only within the local limits of the controlled area for which it is granted and shall permit purchases for one factory and at only one purchasing centre ; but the District Magistrate may at his discretion permit purchases to be made at not more than three purchasing centres on condition that the licensed purchasing agent furnishes a separate security as mentioned in sub-rule (5), for each purchasing centre at which he is permitted to make purchases.

(8) A licence of a purchasing agent or an endorsement on a licence of a purchasing agent may be cancelled or suspended or an entry of warning made thereon by the District Magistrate or the inspector appointed under sub-rule (1) of rule 3 for breach of any of the provisions of the Act or of these rules or of the conditions of the licence without prejudice and in addition to any other penalty which the licensee may have incurred under the Act or these rules. No orders for refusal to grant a licence or for renewal of an old licence or for the cancellation or suspension of a licence or an endorsement thereon or for the making of an entry of warning on the licence shall be issued, except for reasons to be recorded in writing, after giving an opportunity for explanation to the purchasing agent and to the occupier or manager of the factory who nominated him.

(9) An appeal shall lie to the Revenue Commissioner from an order of the District Magistrate refusing to grant or renew a licence or cancelling or suspending a licence. Such appeals shall be filed within one month of the date of the order. The order of the Revenue Commissioner on appeal and the order of the District Magistrate, if no appeal is filed within the time fixed, shall be final.

Purchases of cane.

6. (1) No person shall purchase cane intended for use in a factory except—

- (i) the occupier or manager of such factory, or a person employed by him for the purpose of making such purchases,
- (ii) a licensed purchasing agent or a person employed by him for the purpose of making such purchases,
- (iii) the paid employees of a cane-growers' co-operative society.

(2) An occupier or manager of a factory or a licensed purchasing agent or a person employed by them shall not purchase cane from any person other than—

- (i) the grower of such cane or a person duly authorised by such grower to deliver cane on his behalf ;
- (ii) a cane-growers' co-operative society ;
- (iii) a licensed purchasing agent.

NOTE.—A grower, who hands over to the persons delivering cane the written requisition from the occupier or manager of a factory or a licensed purchasing agent for the cane shall be deemed to have authorized such person to deliver the cane on his behalf.

(3) A licensed purchasing agent or a person employed by him shall not purchase cane for a factory except in accordance with the terms and conditions of his licence.

(4) Intimation of opening a purchasing centre shall be sent within 24 hours of the start of operations to the District Magistrate of the district and to the ex-officio inspector for the whole province stating the date of opening, the probable date of closure and a notice shall be affixed at a conspicuous place at the centre showing these dates.

(5) If a purchasing centre has to be abruptly closed or its activities temporarily suspended owing to a breakdown of machinery or other causes, the occupier or manager or licensed purchasing agent concerned shall cause immediately to be posted a notice to that effect at the purchasing centre indicating the probable duration of the suspension ; and shall advertise the notice as widely as possible and shall purchase all canes brought to the centre on his requisition within 12 hours of posting of such notice. He should also send intimation thereof immediately to the inspector within whose jurisdiction the purchasing centre is situated.

(6) An occupier or manager or a licensed purchasing agent shall put up a list (which shall be maintained up to date) at each purchasing centre showing the names and full particulars of the persons employed by him for making weighments, purchases and payments at that centre ; and shall send a copy of the said list along with the notice mentioned in sub-rule (4) to the inspectors within whose jurisdiction such purchasing centre is situated. Persons mentioned in the list who are employed for making weighments,

purchases and payments shall have written authority to that effect, which shall be produced on demand by an inspector. No person shall be employed for doing the work aforesaid who has been previously convicted for breach of any of the provisions of the Act or these rules or has been sentenced to imprisonment for any offence involving moral turpitude.

(7) A licensed purchasing agent shall produce his licence on demand by an inspector and shall actively participate in, and, if possible, personally supervise the work of purchase of cane at, at least, one of the purchasing centres at which purchases are made by him or on his behalf.

Minimum prices.

7. (1) The Provincial Government may by notification in the official Gazette determine in respect of any controlled area the minimum price to be paid for a standard maund of 82 2/7 lb. (avoirdupois) by occupiers and managers of factories or licensed purchasing agents in that area.

(2) The Provincial Government may vary the minimum price from time to time by notification in the official Gazette.

(3) An occupier or manager or licensed purchasing agent or any person employed by an occupier or manager or licensed purchasing agent shall not purchase cane for a factory or pay for it at a price below the minimum price fixed under these rules in accordance with section 3 of the Act.

Weighments.

8. (1) All dealings and contracts and weighments in connection with the purchase and supply of cane shall be had and made according to the maund of 82 2/7 lb. (avoirdupois) and its multiples and sub-multiples and it shall not be lawful to use any other weight in relation to any such dealing or contract or weighment.

(2) Where weighment is made on a weigh-bridge the weight shall be correctly recorded to the nearest quarter maund. Where weighment is made on a beam scale the actual weight shall be correctly recorded.

(3) No scales or weights shall be used, kept or possessed for the weighment of cane by, or on behalf of, an occupier or manager or a licensed purchasing agent—

(i) which are inaccurate, provided that a weigh-bridge shall not be deemed to be inaccurate which weighs correctly to within two per cent of the correct weight of the consignment actually being weighed, and cannot be adjusted more accurately, or

(ii) the scale arms of which are not clearly marked and are either not accessible to the vendors of cane and their authorized agents or not legible to persons standing near the carts which are being weighed, and which do not show recorded weight according to the standard maund and multiples or sub-multiples thereof to the nearest quarter maund, or

(iii) which have been disapproved by an inspector:

Provided that the inspector shall not disapprove any scales or weights which comply with the rules, unless if after due warning a weigh-bridge is not adjusted and is persistently found to be incorrect.

(4) All weights used, kept or possessed for the purchase of cane shall be made of iron, brass or other suitable metal and be clearly stamped or marked to indicate the denominations.

(5) That part of the mechanism of a weigh-bridge by which its adjustment is controlled shall, wherever possible, be kept suitably locked and sealed.

(6) No scales or weights shall be used, kept or possessed by, or on behalf of, a manager or a purchasing agent which in addition to readings according to standard weight show any alternate readings unless such alternate readings are effectively effaced or blocked to the satisfaction of an inspector.

(7) All scales and weights used, kept or possessed for the purchase of cane shall be open to inspection, examination and test by an inspector, at all times without notice and shall be made available for such inspection; the standard weights of two maunds in the aggregate shall be kept by the occupier or manager or the licensed purchasing agent concerned, as the case may be, at every purchasing centre where there is a weigh-bridge for testing the same.

(8) An occupier, manager or purchasing agent shall cause all weigh-bridges or scales used, kept or possessed by him for the purchase of cane to be tested at least twice a week and maintain a record of such test which shall on demand be shown to the inspector.

(9) At every purchasing centre adequate facilities to the satisfaction of the District Magistrate shall be provided for weighments and for regulating entry and parking of carts to avoid congestion and for sheltering and watering the cattle. Carts shall not be kept waiting unduly for weighments.

Explanation.—A cart shall not be deemed to have been kept waiting unduly if the supplier of cane, having received instructions in writing to deliver cane on a certain day, ignores those instructions, or where the practice of issuing written instructions is in force, brings cane without receiving such instructions, but there shall be no detention of cane carts for more than ten hours without adequate cause, unless lighting arrangements approved by the inspector as sufficient for the easy reading of the scale arm by both the purchaser and the vendor or his authorized agent are made and maintained.

(10) No cane shall be extracted from carts for any form of charity and no deduction shall be made from the net weight of cane on the ground of dryage, improper stripping, or on any other ground whatsoever :

Provided that where cane is brought bound in bundles and weighed in bundles, a deduction not exceeding half a seer per full maund of cane may be made on account of the weight of the binding material.

(11) A representative of a cane-growers' co-operative society shall be allowed to be present at the weighment of canes at the weigh-bridge. Any representative of cane-growers, if authorized by the District Magistrate, shall also be allowed to be present.

Payments.

9. (1) All payments for cane purchased for a factory shall be made at the purchasing centre within 24 hours of demand :

Provided that, in the case of purchases made at such purchasing centres (other than the factory premises) as may be approved by the District Magistrate of the district in which the purchasing centre is situated, payments shall be made within seven days of demand.

(2) Payments shall be made on the basis of the recorded weight of the cane purchased.

(3) Payments for cane purchased for a factory shall not, save in the case of a cane-growers' co-operative society, be made to a representative of the grower (or to a representative of the person representing himself to be such grower) unless he is duly authorized by him in writing to receive such payments :

Provided that no person who has purchased the cane from the grower or who is employed by an occupier or manager or by a licensed purchasing agent and no person (other than a cane-growers' co-operative society) who has lent money to the grower shall be so authorized by the grower to receive such payment.

(4) An occupier or manager or licensed purchasing agent shall be liable for all payments due for cane supplied to him or on his behalf. If a licensed purchasing agent, other than a cane-growers' co-operative society, fails to make payment for cane purchased by him for a factory, the occupier of such factory shall be responsible for making such payments :

Provided that notice or complaint of non-payment is given or made in writing to the occupier or manager of the factory concerned within one month of the date on which the purchasing centre at which the cane was supplied is closed.

(5) Except as provided in sub-rules (6), (7) and (8) no deduction shall be made by way of fine or otherwise from the price of the cane purchased which would reduce such price to a figure below that calculated at the prescribed minimum rate.

(6) If an occupier or manager provides his own means of transport at a purchasing centre, a deduction for the cost of such transport may be made at the rate approved by the District Magistrate from the price of cane purchased at that purchasing centre :

Provided that the supplier of cane shall have the option of delivering the cane using his own means of transport and in such case he shall be entitled to receive payment of the full price payable, without deduction.

(7) Such deduction as the Provincial Government may by notification direct may be made from the price of cane purchased at a purchasing centre situated in any tract declared by the Provincial Government as a tract—

- (i) in which cane is definitely below the average of standard cane for the year on account of natural causes, e.g., serious water-logging, intensive insect attack, disease or severe frost ; or
- (ii) in which a specified inferior variety of cane is ordinarily or preponderatingly grown ; or

(iii) in which owing to inaccessibility, or other special causes, the circumstances are such that a deduction from the minimum price would be in the interest of the growers.

(8) The Provincial Government, if satisfied that in any local area a substantial quantity of cane will remain standing and unsold on the 1st of May in any year and is not likely to be purchased at the prescribed minimum price, may, by notification in the Gazette, direct that in such area such deduction as may be specified in the notification may be made from the price of the cane purchased on or after that date.

(9) If any loan has been advanced to the person from whom cane has been purchased, the amount of such loan, together with simple interest thereon at a rate not exceeding nine per cent per annum for the period for which the loan has been outstanding, may, subject to the terms of the agreement between the lender and the borrower, be deducted from the amount paid for the cane :

Provided that the amount of the loan is not disproportionate to the area to be sown or the assistance necessary to sow it or the value of the cane to be delivered. The unpaid balance of any such loans taken in any one year may be carried forward to the following and subsequent years so long as recovery is not barred by the law of limitation.

Explanation I.—A loan for the purpose of this sub-rule shall mean only an advance made in pursuance of an agreement to sow a definite area of sugarcane and for enabling or assisting such area to be sown or in pursuance of an agreement to deliver a certain amount of cane.

Explanation II.—No loan will be considered to be disproportionate within the meaning of explanation I unless it exceeds the amount which is fixed by the Agriculture Department as being proportionate to the area to be sown or the value of the cane to be delivered.

Notices.

10. (1) A manager and a licensed purchasing agent (other than a cane-growers' co-operative society) shall cause to be put up at each purchasing centre, from the date on which it is started till the date on which it is closed, (i) a copy or an abstract of the rules (when received from Government) and (ii) notices showing correctly the minimum price or prices fixed by Government and the rate at which cane is being purchased at the centre.

(2) Such notices shall be put up—

- (a) at each entrance to the factory ;
- (b) at the place at which weighments of cane are made for the factory ;
- (c) at such other conspicuous places near the places mentioned in (a) and (b) as the Collector may direct.

(3) Entries of such notices shall be made legibly in Oriya and in any other language as directed by the District Magistrate.

Registers and records.

11. (1) A manager or a licensed purchasing agent, other than a cane-growers' co-operative society, shall also cause to be prepared at each purchasing centre as soon as weighment takes place a "chalan" in triplicate showing correctly—

- (a) serial number of chalan ;
- (b) the date of purchase ;
- (c) the name of the person from whom the cane is purchased ; his parentage and full address together with similar particulars about the person authorized by the vendor to deliver the cane on his behalf ;
- (d) the number of requisition slip, if any, assigned to the vendor ;
- (e) the weight of the cane including the weight of the cart or wagon, as the case may be ;
- (f) the weight of the cart or wagon (tare) ; and
- (g) the weight of the binding material (if any) to be deducted ;
- (h) the net weight of the cane purchased ;
- (i) the rate at which cane is purchased ;
- (j) the price that has to be paid at this rate ;
- (k) the amount of loan, if any, advanced to the cane-vendor ;
- (l) deductions to be made on account of such advance ;
- (m) balance of advance recoverable, if any ;
- (n) the amount actually paid on account of cane purchased ; and
- (o) the date of payment.

The entries under items (e) and (f) shall be made and announced in the presence of the person who actually delivers the cane, while the cart or wagon is still standing on the weigh-bridge and in the case of weighment on beam scales immediately on completion of weighment.

(9) At every purchasing centre adequate facilities to the satisfaction of the District Magistrate shall be provided for weighments and for regulating entry and parking of carts to avoid congestion and for sheltering and watering the cattle. Carts shall not be kept waiting unduly for weighments.

Explanation.—A cart shall not be deemed to have been kept waiting unduly if the supplier of cane, having received instructions in writing to deliver cane on a certain day, ignores those instructions, or where the practice of issuing written instructions is in force, brings cane without receiving such instructions, but there shall be no detention of cane carts for more than ten hours without adequate cause, unless lighting arrangements approved by the inspector as sufficient for the easy reading of the scale arm by both the purchaser and the vendor or his authorized agent are made and maintained.

(10) No cane shall be extracted from carts for any form of charity and no deduction shall be made from the net weight of cane on the ground of dryage, improper stripping, or on any other ground whatsoever :

Provided that where cane is brought bound in bundles and weighed in bundles, a deduction not exceeding half a seer per full maund of cane may be made on account of the weight of the binding material.

(11) A representative of a cane-growers' co-operative society shall be allowed to be present at the weighment of canes at the weigh-bridge. Any representative of cane-growers, if authorized by the District Magistrate, shall also be allowed to be present.

Payments.

9. (1) All payments for cane purchased for a factory shall be made at the purchasing centre within 24 hours of demand :

Provided that, in the case of purchases made at such purchasing centres (other than the factory premises) as may be approved by the District Magistrate of the district in which the purchasing centre is situated, payments shall be made within seven days of demand.

(2) Payments shall be made on the basis of the recorded weight of the cane purchased.

(3) Payments for cane purchased for a factory shall not, save in the case of a cane-growers' co-operative society, be made to a representative of the grower (or to a representative of the person representing himself to be such grower) unless he is duly authorized by him in writing to receive such payments :

Provided that no person who has purchased the cane from the grower or who is employed by an occupier or manager or by a licensed purchasing agent and no person (other than a cane-growers' co-operative society) who has lent money to the grower shall be so authorized by the grower to receive such payment.

(4) An occupier or manager or licensed purchasing agent shall be liable for all payments due for cane supplied to him or on his behalf. If a licensed purchasing agent, other than a cane-growers' co-operative society, fails to make payment for cane purchased by him for a factory, the occupier of such factory shall be responsible for making such payments :

Provided that notice or complaint of non-payment is given or made in writing to the occupier or manager of the factory concerned within one month of the date on which the purchasing centre at which the cane was supplied is closed.

(5) Except as provided in sub-rules (6), (7) and (8) no deduction shall be made by way of fine or otherwise from the price of the cane purchased which would reduce such price to a figure below that calculated at the prescribed minimum rate.

(6) If an occupier or manager provides his own means of transport at a purchasing centre, a deduction for the cost of such transport may be made at the rate approved by the District Magistrate from the price of cane purchased at that purchasing centre :

Provided that the supplier of cane shall have the option of delivering the cane using his own means of transport and in such case he shall be entitled to receive payment of the full price payable, without deduction.

(7) Such deduction as the Provincial Government may by notification direct may be made from the price of cane purchased at a purchasing centre situated in any tract declared by the Provincial Government as a tract—

(i) in which cane is definitely below the average of standard cane for the year on account of natural causes, e.g., serious water-logging, intensive insect attack, disease or severe frost ; or

(ii) in which a specified inferior variety of cane is ordinarily or preponderatingly grown ; or

(iii) in which owing to inaccessibility, or other special causes, the circumstances are such that a deduction from the minimum price would be in the interest of the growers.

(8) The Provincial Government, if satisfied that in any local area a substantial quantity of cane will remain standing and unsold on the 1st of May in any year and is not likely to be purchased at the prescribed minimum price, may, by notification in the Gazette, direct that in such area such deduction as may be specified in the notification may be made from the price of the cane purchased on or after that date.

(9) If any loan has been advanced to the person from whom cane has been purchased, the amount of such loan, together with simple interest thereon at a rate not exceeding nine per cent per annum for the period for which the loan has been outstanding, may, subject to the terms of the agreement between the lender and the borrower, be deducted from the amount paid for the cane :

Provided that the amount of the loan is not disproportionate to the area to be sown or the assistance necessary to sow it or the value of the cane to be delivered. The unpaid balance of any such loans taken in any one year may be carried forward to the following and subsequent years so long as recovery is not barred by the law of limitation.

Explanation I.—A loan for the purpose of this sub-rule shall mean only an advance made in pursuance of an agreement to sow a definite area of sugarcane and for enabling or assisting such area to be sown or in pursuance of an agreement to deliver a certain amount of cane.

Explanation II.—No loan will be considered to be disproportionate within the meaning of explanation I unless it exceeds the amount which is fixed by the Agriculture Department as being proportionate to the area to be sown or the value of the cane to be delivered.

Notices.

10. (1) A manager and a licensed purchasing agent (other than a cane-growers' co-operative society) shall cause to be put up at each purchasing centre, from the date on which it is started till the date on which it is closed, (i) a copy or an abstract of the rules (when received from Government) and (ii) notices showing correctly the minimum price or prices fixed by Government and the rate at which cane is being purchased at the centre.

(2) Such notices shall be put up—

- (a) at each entrance to the factory ;
- (b) at the place at which weighments of cane are made for the factory ;
- (c) at such other conspicuous places near the places mentioned in (a) and (b) as the Collector may direct.

(3) Entries of such notices shall be made legibly in Oriya and in any other language as directed by the District Magistrate.

Registers and records.

11. (1) A manager or a licensed purchasing agent, other than a cane-growers' co-operative society, shall also cause to be prepared at each purchasing centre as soon as weighment takes place a "chalan" in triplicate showing correctly—

- (a) serial number of chalan ;
- (b) the date of purchase ;
- (c) the name of the person from whom the cane is purchased ; his parentage and full address together with similar particulars about the person authorized by the vendor to deliver the cane on his behalf ;
- (d) the number of requisition slip, if any, assigned to the vendor ;
- (e) the weight of the cane including the weight of the cart or wagon, as the case may be ;
- (f) the weight of the cart or wagon (tare) ; and
- (g) the weight of the binding material (if any) to be deducted ;
- (h) the net weight of the cane purchased ;
- (i) the rate at which cane is purchased ;
- (j) the price that has to be paid at this rate ;
- (k) the amount of loan, if any, advanced to the cane-vendor ;
- (l) deductions to be made on account of such advance ;
- (m) balance of advance recoverable, if any ;
- (n) the amount actually paid on account of cane purchased ; and
- (o) the date of payment.

The entries under items (e) and (f) shall be made and announced in the presence of the person who actually delivers the cane, while the cart or wagon is still standing on the weigh-bridge and in the case of weighment on beam scales immediately on completion of weighment.

(2) Entries under (a) to (d) and (g) to (i) shall be made as soon as the weighing takes place and the chalan in duplicate shall be handed to the person from whom cane is purchased or to his authorized agent before he leaves the purchasing centre. The triplicate copy or counterfoil shall be kept at the purchasing centre concerned.

(3) Entries under (j) to (o) shall be filled in when payment is made for cane purchased, and the receipt of the payee shall be taken on one of the counterfoils of the chalan handed over to him :

Provided that, if a number of chalans are presented together for payment, the receipt of the payee for the whole amount due to him may be taken only on the latest chalan. In such cases, the numbers of, or other reference to, the other chalans covered by the receipt shall be given in the receipt, and the other chalans duly cancelled.

(4) A manager or a licensed purchasing agent (other than a cane-growers' co-operative society) shall cause to be maintained, at each purchasing centre, a register or records showing correctly the details mentioned in sub-rule (1) above.

(5) An occupier, manager or a licensed purchasing agent shall maintain or cause to be maintained at each purchasing centre an inspection book in which inspectors may record their remarks and instructions.

(6) The registers and records maintained and copies or counterfoils of chalans issued including the copies or counterfoils of the chalans containing the receipts of the payee shall be kept at the purchasing centre until it is finally closed for the year. They shall be open to inspection and check by an inspector, or such other public servant as may be appointed by him for the purpose in this behalf.

(7) The registers, records, chalans, etc., referred to in sub-rule (4) shall be preserved for one year from the date of the last transaction entered thereon.

(8) The occupier or manager of a factory shall submit correct returns relating to the production and sale of sugar and purchase of cane in such form, by such date and to such authority as may be directed by the inspector appointed under sub-rule (1) of rule 3.

Advisory Committee.

12. (1) The Provincial Government may by notification establish an advisory committee for any controlled area.

(2) Such advisory committee shall be appointed by the Provincial Government and shall ordinarily consist of—

- (i) the District Magistrate who shall be its Chairman ;
- (ii) two persons representing the interests of the cane-growers, one of whom shall be a representative of a cane-growers' co-operative society, if there be any in the area ;
- (iii) the occupier or manager of the sugar factory in the area ;
- (iv) one licensed purchasing agent, if any.

The persons so appointed under (ii) and (iv) shall ordinarily be residents in the area. The Secretary of the committee shall be appointed by the District Magistrate and shall ordinarily be the subdivisional or other officer within whose jurisdiction the factory is situated.

(3) The term of appointment of an advisory committee shall be till the 30th June next following.

(4) The functions of an advisory committee shall be—

- (i) to investigate ways and means of maintaining healthy relations between cane-growers, the occupiers and managers of the factories and the licensed purchasing agents,
- (ii) to make suggestions to ensure that the main objects of the Act and these rules are achieved, without causing any undue hardship to any person, and
- (iii) to offer advice on any matter which may be referred to it for its advice by the inspector appointed by the Provincial Government under sub-rule (1) of rule 3.

(5) The Secretary shall, subject to the control of the Chairman, convene meetings of the advisory committee as often as may be necessary, circulate agenda, keep minutes of meetings, carry on correspondence on behalf of the advisory committee and discharge such other functions as may be necessary for the proper discharge of his duties.

(6) The procedure prescribed in Appendix I to these rules shall be followed at a meeting of an advisory committee.

Offences and Penalties.

13. (1) Any person purchasing cane in contravention of provision of sub-rule (1) of rule 6 shall be punishable with a fine which may extend to Rs. 300 :

Provided that no prosecution shall be instituted except by order or under the authority from the District Magistrate.

(2) If a manager or, if no manager has been appointed, an occupier or any other person acting on his behalf or a licensed purchasing agent or any person acting on his behalf—

- (a) purchases cane in contravention of the provisions of sub-rule (2) or (3) of rule 6 ;
- (b) fails to comply with or contravenes any of the provisions of sub-rules (4), (5), (6) and (7) of rule 6 ;
- (c) fails to comply with or contravenes any of the provisions of rule 8 ;
- (d) fails to make payments as required by sub-rules (1), (2), (3) and (4) of rule 9 ;
- (e) makes deductions from the price of the cane purchased in contravention of sub-rule (5) of rule 9 ;
- (f) fails to put up notices as required by rule 10 or puts up notices which are incorrect in any material particular or otherwise not in accordance with the requirements of rule 10 ;
- (g) fails to cause a copy or an abstract of the rules to be posted as required by rule 10 ;
- (h) fails in contravention of rule 11 to maintain any register or record or to issue any chalan or maintains registers or records and issues chalans which are incorrect in any material particular or otherwise not in accordance with the requirements of rule 11 ;
- (i) fails to make available at a purchasing centre the registers, records and copies of counterfoils of chalans for inspection as required by sub-rule (6) of rule 11 ;
- (j) destroys or causes to be destroyed any register or record or copy of counterfoil of a chalan in contravention of sub-rule (7) of rule 11 ;

such occupier or manager or licensed purchasing agent shall be punishable with fine which may extend to Rs. 500 and in case of a continuing offence to a fine which may extend to Rs. 50 per diem, subject to maximum of Rs. 2,000.

(3) If a licensed purchasing agent or a person acting on his behalf is convicted of an offence referred to in sub-rule (2), his licence shall be liable to cancellation and he shall not be eligible to receive another licence or to have his licence renewed for a period of two years thereafter.

(4) Where an occupier or manager or a licensed purchasing agent is charged with an offence against these rules, he shall be entitled, subject to the discretion of the court upon complaint duly made by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge ; the trial of the case shall thereupon proceed as if such other person were also an accused person ; and if, after the commission of the offence has been proved the occupier or manager or the licensed purchasing agent, as the case may be, proves to the satisfaction of the court—

- (a) that he has used due diligence to enforce the execution of these rules, and
- (b) that the said other person committed the offence in question without his knowledge, consent or connivance that other person shall be convicted of the offence and shall be liable to the like fine as if he were the occupier or manager or licensed purchasing agent, as the case may be, and the occupier or manager or the licensed purchasing agent shall be discharged from all liability in respect thereof under these rules.

(5) When it is made to appear to the satisfaction of the inspector at any time prior to the initiation of a prosecution—

- (a) that an occupier or manager or a licensed purchasing agent has used all due diligence to enforce the execution of these rules, and

- (b) that the offence has been committed without the knowledge, consent or connivance of the occupier or manager or the licensed purchasing agent, as the case may be, or in contravention of his orders,

the inspector shall proceed against the person whom he believes to be the actual offender without first proceeding against the occupier or manager or the licensed purchasing agent and such person shall be liable to the like fine as if he were the occupier or manager or the licensed purchasing agent, as the case may be.

(6) A breach of any other rule not otherwise provided for shall be punishable with fine not exceeding Rs. 300.

(7) Every person shall obey a lawful order or direction conveyed to him in writing which a District Magistrate or an inspector is authorized under these rules to pass or issue.

Any person who fails to do so shall be liable on conviction to a fine which may extend to Rs. 500.

(8) No person shall accept or obtain or agree to accept or attempt to obtain from any person, for himself or for any other person, any gratification, consideration, bonus, set-off, luck money or any other such payment whatever other than legal remuneration as a motive or reward for weighing or purchasing cane or making payments therefor or for showing or forbearing to show in connection with the weighment or purchase of or payment for cane, favour or disfavour to any person. Any person, who, in circumstances where it would amount in effect to an attempt to evade the provisions of section 5 of the Act, contravenes the provision of this rule, shall be liable on conviction to a fine which may extend to Rs. 500.

(9) No prosecution shall ordinarily be instituted under these rules unless the party complained against has been given an opportunity to show cause why he should not be prosecuted and, in the case of prosecution under clause (d) of sub-rule (2) of rule 13 unless the complainant has made his demand in writing and the District Magistrate is satisfied that there is a general complaint of non-payment within the prescribed time.

(10) No offence under this rule shall be tried (i) by any court lower than that of a stipendiary Magistrate of the 1st or 2nd class or (ii) by a Magistrate who made the complaint or reported the offence in his capacity as an inspector.

(11) No court shall take cognizance of any offence under these rules except upon complaint made within one year of the date on which the offence is alleged to have been committed.

(12) In the case of first offence the court may, instead of passing a sentence of fine, discharge the offender after administering a warning. Such warning in the case of a purchasing agent shall be endorsed on his licence.

(13) On pronouncement of judgment in a case instituted under these rules, the court shall send copies thereof to the inspector, the occupier or the manager of the factory concerned and the Collector of the district.

14. The trying court may order compensation to be paid to any person who has suffered loss due to the misconduct of the accused out of the fine imposed on the latter on conviction.

15. (1) The District Magistrate may order forfeiture of the whole or part of the security referred to in sub-rule (5) of rule 5 after giving the licensee concerned an opportunity of explaining charges against him and of producing evidence in his defence.

(2) The order of forfeiture shall be recorded in writing. An appeal against the order shall lie to the Revenue Commissioner within one month of the date of communication of the order to the licensee.

(3) The District Magistrate or the Revenue Commissioner, on appeal, may order compensation to be paid out of the forfeited security to any person who has suffered loss owing to the misconduct of the licensee.

16. No suit, prosecution or other legal proceedings shall lie against any person for anything in good faith done or intended to be done under these rules.

17. The Provincial Government may for special reasons exempt an occupier or manager or licensed purchasing agent from all or any of the provisions of these rules made under section 7 of the Sugarcane Act (XV of 1934).

18. All matters connected with the interpretation of these rules shall be referred to the Provincial Government whose decision shall be final.

FORM I.

FORM OF NOMINATION OF OCCUPIER
APPOINTMENT MANAGER

We
I hereby give
notice that we have nominated
I appointed
under rule 4 of the Orissa Sugarcane Rules, 1942, to be the occupier
of the manager
factory for the said
rules and that he has accepted his nomination
appointment as such with effect
from.....

Signed.....

Owner or owners or persons duly authorized on their
behalf by a registered power of attorney
occupier.

Nomination
Appointment accepted

Occupier (Nominee)
Manager

Witness No. 1..... Address.....

1. Signed.....

Witness No. 2..... Address.....

2. Signed.....

FORM II.

FORM OF APPLICATION FOR A LICENCE TO ACT AS A PURCHASING AGENT.

I,, son of.....
having been selected by the occupier of the.....
factory for the purchase and supply of cane from the.....
..... purchasing centre for use in the said factory, hereby apply
for a licence under the Orissa Sugarcane Rules, 1942, to work as a purchas-
ing agent on behalf of the said factory.

I hereby agree to abide by the terms and conditions of the licence
and declare that it shall be lawful for the Collector to realise any sum
payable by me for cane purchased by me or on my behalf for which due
payment has not been made by me or any penalty which I may incur
under the conditions of the licence or under the Orissa Sugarcane
Rules, 1942, from the security which I have given under sub-rule (5) of
rule 5 of those rules, without prejudice and in addition to any other law-
ful remedy for the realisation of such dues or penalty.

Signed.....

FORM III.

NOMINATION TO BE MADE BY THE OCCUPIER OR MANAGER.

I,, being the occupier
manager of the.....
factory, hereby nominate....., son of.....
for the purchase and supply of cane intended for use in the said factory
and recommend that he may be given a licence to work as a purchasing
agent at..... on behalf of the said factory. I further
declare that he is to the best of my belief and knowledge a suitable person
for the grant of such a licence.

Signed.....

Occupier.
Manager.

FORM IV.

FORM OF LICENCE FOR A LICENSED PURCHASING AGENT.

This is to certify that....., son of.....
and resident of....., is authorized to purchase and
supply cane intended for use in the.....factory only,
subject to the terms and conditions hereinafter mentioned and to the
provisions of the Sugarcane Act, 1934 and rules made thereunder.

(1) The licence shall, unless suspended or cancelled in accordance with
the rules, remain in force till the date noted in column 2 of Statement I
below.

(2) The licence shall be valid only in the..... controlled area and for the purchasing centre.....

(3) The licensee shall comply with provisions of the Act and the rules made thereunder and the terms and conditions of this licence.

(4) The licensee shall obey all lawful directions which may be issued to him by the inspector or an inspector authorized to issue such directions.

(5) The licensee shall be responsible for all purchases of cane, weighments, parking and lighting arrangements and for all payments either made or due to be made for cane purchased in all cases whether made or done personally by him or by any person on his behalf.

(6) The licence shall be liable to be suspended or cancelled by the District Magistrate who issued the same, acting in accordance with the rules, without prejudice to and in addition to any penalty which the licensee may incur under the provisions of the Act and the rules made thereunder.

(7) The licensee shall be responsible for returning the licence to the District Magistrate who issued it on the expiry of the term thereof or, in the event of the licence being suspended or cancelled by the District Magistrate on such suspension or cancellation.

STATEMENT I.

Renewal of licence.

Date of issue of renewal.	Date up to which licence is valid.	Signature of District Magistrate.

STATEMENT II.

Entry of warnings.

APPENDIX I.

RULES OF PROCEDURE AT MEETINGS OF ADVISORY COMMITTEES.

1. All meetings of the advisory committee shall be held in or near the place where the factory is situated.

2. Notice in writing of meetings of the advisory committee shall be circulated to all the members of the advisory committee not less than two weeks before the meeting. Notice of a resolution or motion to be moved at a meeting of the advisory committee shall be made available to the Chairman at least ten days before the meeting. The agenda shall be circulated at least one week before the meeting.

3. All meetings of the advisory committee shall be presided over by the Chairman.

4. At all meetings of the advisory committee, one-half of the members inclusive of the Chairman shall form a quorum.

5. No business other than that contained in the agenda shall be transacted at a meeting except with the consent of the Chairman and the majority of the members present.

6. In the case of the votes being equally divided, the Chairman shall have a second or casting vote.

7. The Chairman shall be the sole judge of any point of order, and may call any member to order, and may, if necessary, dissolve the meeting or adjourn it to any other date.

8. If at any meeting of the advisory committee there is no quorum, the Chairman shall adjourn the meeting to any subsequent date and no quorum will be necessary at any such adjourned meeting.

9. In any case not provided by these rules, the Chairman shall be entitled to give his own ruling as to procedure.

NOTIFICATION.

The 29th October 1942.

No. 9398-A.—In exercise of the powers conferred on me by rule 4 of the Bihar and Orissa Municipal Election Rules, published under Government of Bihar and Orissa in the Ministry of Local Self-Government's notification No. 1970-L.S.-G., dated the 13th February 1923, it is hereby notified for general information that a vacancy having

been caused by the resignation of Dr. Sasan^{ka} Sekhar Dutta Roy, an elected Commissioner in respect of Ward No. VI of the Cuttack Municipality, a by-election will be held on Monday, the 7th December 1942, for election of a Commissioner for the said Ward No. VI of the Cuttack Municipality.

L. P. SINGH,

District Magistrate, Cuttack.