

The Orissa Gazette

PUBLISHED BY AUTHORITY.

No. 7. CUTTACK, FRIDAY, FEBRUARY 19, 1937.

Separate paging is given to this Part, in order that it may be filed as a separate compilation

PART IV.

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

HOME, REVENUE AND FINANCE DEPARTMENTS.

NOTIFICATIONS.

The 11th February 1937.

No. 375-C.—The following notifications by the Government of the United Provinces are republished for general information.

By order of the Governor,

P. T. MANSFIELD.

Chief Secretary to Government.

POLICE DEPARTMENT.

MISCELLANEOUS.

The 30th January 1937.

No. N-8-P/VIII—1006.—In exercise of the power conferred by section 99-A of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor in Council hereby declares to be forfeited to His Majesty every copy of a pamphlet in Hindi ontitled "Aupaniveshik Prashna Colonial Problem" by S. P. Tripathi, published by Bhishma Arya, Kashi Vidyapith, Kashi, and printed by I. B. Saksena, M.A., at the Madho Printing Works, Bairahna,

Allahabad, on the ground that the said pamphlet contains matter the publication of which is punishable under section 124-A of the Indian Penal Code.

POLICE DEPARTMENT.

MISCELLANEOUS.

The 1st February 1937.

No. 65-P/VIII—1019.—In exercise of the power conferred by section 99-A of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor in Council hereby declares to be forfeited to His Majesty every copy of a leaflet in Hindi headed "Lenin aur hamari azadi ki larai", published by the Benares District Committee of the Communist Party of India, a section of the Communis International, on the ground that the said leaflet contains matter the publication of which is punishable under sections 124-A and 153-A of the Indian Penal Code.

By order of the Governor in Council,

C. W. GWYNNE,

Chief Secretary to Government, United Provinces. The 11th February 1937.

No. 378-C .- The following notification by the Government of India is republished for general information.

By order of the Governor,

P. T. MANSFIELD,

Chief Secretary to Government.

HOME DEPARTMENT.

PUBLIC.

New Delhi, the 18th January 1937.

No. F.-10/41/36.—The following Regulations are published for general information:—

BRITISH NATIONALITY AND STATUS OF ALIENS (INDIA)

REGULATIONS

In the exercise of the powers conferred on me by the British Nationality and Status of Aliens Act, 1914 (hereinafter referred to as "the Act"), I, the Most Honourable the Marquess of Zetland, one of His Majesty's Principal Secretaries of State, make the following Regula. tions:---

FORM OF CERTIFICATE OF NATURALISATION IN BRITISH INDIA.

- 1. A certificate of naturalisation granted in British India under section 2 or under sub-section (1) of section 5, read with sub-section (1) of section 8 of the Act, shall be in one of the following forms:---
 - (A) Where the Names of Children are not included.

British Nationality and Status of Aliens Act, 1914.

Certificate of Naturalisation.

Whereas A.B. has applied for a certificate of naturalisation, alleging with respect to himself [herself] the particulars set out below, and has satisfied the Governor-General of India in Council that the conditions laid down in the above-mentioned Act for the grant of a certificate of naturalisation are fulfilled in the said A.B.'s case:

Now, therefore, in pursuance of the powers conferred on the Governor-General of India in Council by the said Act, the Governor-General of India in Council hereby grants to the said A.B. this certificate of naturalisation, and declares that upon taking the oath of allegiance within the time and in the manner required by the regulations made in that behalf the said A.B. shall, subject to the provisions of the said Act, be entitled to all political and other rights, powers and privileges, and be subject to all obligations, duties, and liabilities, to which a natural-born British subject is entitled or subject, and have to all intents and purposes the status of a natural-born British subject.

It witness whereof I have hereto subscribed my name this

day of

E.F.

(Signed)

(Secretary to the Government of India).

Particulars rel	ating to Applicant.		
Full name			
Address			
Trade or occupation			
Place and date of birth			
Nationality			
Single, married, &c.		<u>-</u> -	
Name of wife or husband			
Names and nationality of parents			

(B) Where the Names of Children are included.

BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Certificate of Naturalisation.

Whereas A.B. has applied for a certificate of naturalisation, alleging with respect to himself [herself] the particulars set out below, and has satisfied the Governor-General of India in Council that the conditions laid down in the above-mentioned Act for the grant of a certificate of naturalisation are fulfilled in the said A.B.'s case:

And whereas the said A.B. has also applied for the inclusion in accordance with sub-section (1) of section 5 of the said Act of the names of certain of his [her] children born before the date of this certificate and being minors, and the Governor-General of India in Council is satisfied that the name [names] of his [her] child [children], as hereinafter set out, may properly be included:

Now, therefore, in pursuance of the powers conferred on the Governor-General of India in Council by the said Act, the Governor-General of India in Council hereby grants to the said A.B. this certificate of naturalisation, and declares that upon taking the oath of allegiance within the time and in the manner required by the regulations made in that behalf the said A.B. shall, subject to the provisions of the said Act, be entitled to all political and other rights, powers and privileges, and be subject to all obligations, duties, and liabilities, to which a natural-born British subject is entitled or subject, and have to all intents and purposes the status of a natural-born British subject.

And the Governor-General of India in Council further declares that this certificate extends to the following minor child [children] of the said A.B.:—

[Here insert name and date of birth of any child to be included.]

In witness whereof I have hereto subscribed my name this day of

(Signed) E.F.

(Secretary to the Government of India)

Particulars relating to Applicant.

Full name

Address

Trade or occupation

Place and date of birth

Nationality

Married, &a

Name of wife or husband

Names and nationality of parents

FORM OF SPECIAL CERTIFICATE IN CASE OF DOUBT.

2.—(1) A special certificate of naturalisation granted in British India under section 4 read with sub-section (1) of section 8 of the Act to a person with respect to whose nationality as a British subject a doubt exists, shall be in the following form:—

BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Special Certificate of Naturalisation granted to a Person with respect to whose Nationality as a British Subject a doubt exists.

Whereas A.B., with respect to whose nationality as a British subject a doubt exists, has applied for such a special certificate of naturalisation as is provided for by section 4 of the above-mentioned Act, alleging with respect to himself [herself] the particulars set out below:

And whereas the Governor-General of India in Council is satisfied that such a certificate may properly be granted:

Now, therefore in pursuance of the powers conferred on the Governor-General of India in Council by the said Act, and for the purpose of quieting doubts as to the right of the said A.B., to be a British subject, the Governor-General of India in Council hereby grants to the said A.B. this special certificate of naturalisation, and declares that upon taking the oath of allegiance within the time and in the manner required by the regulations made in that behalf the said A.B. shall, subject to the provisions of the said Act, be entitled to all political and other rights, powers and previleges, and be subject to all obligations, duties and liabilities, to which a natural-born British subject is entitled or subject, and have to all intents and purposes the status of a natural-born British subject.

In witness whereof I have hereto subscribed my name this

day of

(Signed) E.F.

(Secretary to the Gevernment of India

Particulars relating to Applicant.

Full name	
Address	
Trade or occupation	
Place and date of birth	
Single, married, &c.	
Name of wife or husband	
Names and nationality of parents	

(2) Where the names of children are to be included, paragraphs corresponding to the second and fourth paragraphs of Form (B) prescribed by Regulation 1 shall be inserted in the certificate.

FORM OF CERTIFICATE OF NATURALISATION FOR MINORS.

3. A certificate of naturalisation granted in British India to a minor under subsection (2 of section 5 read with sub-section (1) of section 8 of the Act shall be in the following form:—

BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Certificate of Naturalisation granted to a Minor.

Whereas an application has been made for the grant of a certificate of naturalisation to A.B., a minor, alleging with respect to the said A.B. the particulars set out below:

And whereas the Governor-General of India in Council is satisfied that such a certificate may properly be granted:

Now, therefore, in pursuance of the powers conferred on the Governor-General of India in Council by the said Act, the Governor-General of India in Council hereby grants to the said A.B. this certificate of naturalisation, and declares that upon taking the oath of allegiance within the time and in the manner required by the regulations made in that behalf, the said A.B. shall, subject to the provisions of the said Act, be entitled to all political and other rights, powers and privileges, and be subject to all obligations, duties and liabilities, to which a natural-born British subject is entitled or subject, and have to all intents and purposes the status of a natural-born British subject.

Particulars relating to Applicant.

In witness whereof I have hereto subscribed my name this day of

(Signed) E.F.

(Secretary to the Government of India).

Full name	 	
Address	 	
Trade or occupation	 	 -
Place and date of birth	 	
Nationality	 	
Names and nationality of parents_	 	

FORM OF CERTIFICATE IN THE CASE OF PERSONS PREVIOUSLY NATURALISED.

4.—(1) A certificate of naturalisation granted in British India under section 6 read with sub-section (1) of section 8 of the Act to a person who was naturalised in British India before the passing of the Act, shall be in the following form:—

BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Certificate of Naturalisation granted to a Person who was naturalised before the passing of the above-mentioned Act.

Whereas A.B., who was naturalised before the passing of the above-mentioned Act has applied for a certificate of naturalisation under the said Act, alleging with respect to himself [herself] the particulars set out below:

And whereas the Governor-General of India in Council is satisfied that such a certificate may properly be granted:

Now, therefore, in pursuance of the powers conferred on the Governor-General of India in Council by the said Act, the Governor-General of India in Council hereby grants to the said A.B. this certificate of naturalisation, and declares that upon taking the oath of allegiance within the time and in the manner required by the regulations made in that behalf, the said A.B. shall, subject to the provisions of the said Act, be entitled to all political and other rights, powers and privileges, and be subject to all obligations, duties and liabilities, to which a natural-born British subject is entitled or subject, and have to all intents and purposes the status of a natural-born British subject.

In witness whereof I have hereto subscribed my name this day of

(signed) E.F.
(Secretary to the Government of India).

Particulars relating to Applicant.

Full name		
Address	· · · · · · · · · · · · · · · · · · ·	
Trade or occupation		
Place and date of birth		-
Single, married, &c.		
Name of wife or husband		
Names and nationality of parents		
Date of previous naturalisation		

(2) Where the names of children are to be included, paragraphs corresponding to the second and fourth paragraphs of Form (B) prescribed by Regulation 1 shall be inserted in the certificate.

FORM OF CERTIFICATE FOR WIF OF AN ENEMY ALIEN.

5.—(1) A certificate of naturalisation granted in British India under section 10 read with sub-section (1) of section 8 of the Act to a woman who is the wife of a subject of a State at war with His Majesty shall be in the following form:—

BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Certificate of Naturalisation granted to a Woman who was at birth a British Subject and is married to a Subject of a Stale at war with His Majesty.

Whereas A.B. has applied for a certificate of naturalisation alleging with respect to herself the particulars set out below, and has satisfied the Governor-General of India in Council that she was at birth a British subject, and is the wife of an alien who is a subject of a State at war with His Majesty, and that the conditions laid down in the above-mentioned Act for the grant of a certificate of naturalisation are fulfilled in her case:

And whereas the Governor-General of India in Council is satisfied that such a certificate may properly be granted:

Now, therefore, in pursuance of the powers conferred on the Governor General of India in Council by the said Act, the Governor-General of India in Council hereby grants to the said $\Lambda.B.$ this certificate of naturalisation, and declares that upon taking the oath of allegiance within the time and in the manner required by the regulations made in that behalf she shall, subject to the provisions of the said Act, be entitled to all political and

other rights, powers and privileges, and be subject to all obligations, duties and liabilities, to which a natural-born British subject is entitled or subject, and have to all intents and purposes the status of a natural-born British subject.

In witness whereof I have hereto subscribed my name this

day of

(Signed) E.F.

(Secretary to the Government of India).

Particulars relating to Applicant.

Full name	 		 _
Address	 		
Trade or occupation	10.0		
Place and date of birth	 		 _
Nationality	 	* 1	
Name of husband	 		 _
Names and nationality of parents	 		

(2) Where the names of children are to be included, paragraphs corresponding to the second and fourth paragraphs of Form (B) prescribed by Regulation I shall be inserted in the certificate.

FORM OF DECLARATION OF ALIENAGE.

6. A declaration of alienage made in British India under section 14 of the Act shall be in the following form, the various alternatives being used according to the circumstances:—

BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Declaration of Alienage.

, being the son [daughter] of C.B., to whom a certi-I, A.B., of ficate of naturalisation has been granted, in which certificate of naturalisation, in accordance with sub-section (1) of section 5 of the above-mentioned Act, my name was included, and having attained my majority within one year before the present date, [or being a person who, by reason of my having been born within His Majesty's dominions and allegiance [or on board a British ship], am a natural-born British subject, but who at my birth [during my minority] became under the law of a subject also of that State, and am still such a subject, and of full age and not under disability [or, being a natural-born British subject, who was born out of His Majesty's dominions and being of full age and not under disability] [or, having been orginally a subject or citizen of being a State with which His Majesty has by Order in Council declared that he has entered into such a convention as is mentioned in section 15 of the above-mentioned Act, and having been naturalised as a British subject of [or, being the wife of C.B., a person whose certificate of naturalisation has been revoked within six months before the present date (and being also the mother of the following minor children of the marriage of the said C.B., and myself, namely,)] do hereby renounce my nationality as a British subject.

(Signed) A.B.

Made and subscribed this

day of

before me.

(Signed) X.Y.

[Official Title.]

FORM OF DECLARATION OF RETENTION OF BRITISH NATIONALITY.

7. A declaration of retention of British nationality made in British India under section 10 (4) of the Act, by the wife of a man ceasing during the continuance of his marriage to be a British subject, shall be in the following form:—

BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Declaration of Retention of British Nationality.

I, A. B., of , being the wife of , who, during the centinuance of my marriage to him, namely, on or about the day of Nineteen hundred and , has ceased to be a British subject, hereby declare that I desire to retain British nationality.

Made and subscribed this

day of

(Signed) A.B.

before me.

(Signed) X.Y.

[Official Title.]

FORM OF DECLARATION OF ACQUISITION OF BRITISH NATIONALITY.

8. A declaration of acquisition of British nationality made in British India under section 10(5) of the Act, by the wife of a man to whom a certificate of naturalisation has been granted, shall be in the following form.—

THE BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Declaration of Acquisition of British Nationality.

I, A.B., of , being the wife of C.B., to whom certificate of naturalisation (No.) was granted on or about , hereby declare that I desire to acquire British nationality.

(Signed) A.B.

Made and subscribed this

day of

before me

(Signed) X.Y.

[Official Title.]

FORM OF DECLARATION OF RETENTION OF BRITISH NATIONALITY UNDER SECTION 1 (1) OF THE ACT.

9. A declaration of retention of British nationality under section 1 (1) of the Act, by a person whose British nationality is conditional upon registration at a British Consulate, shall be in the following form:—

BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Declaration of Retention of British Nationality.

I, A.B., of having acquired British nationality by reason of the facts that my father was a British subject at the time of my birth and that my birth was duly registered at the British Consulate at in accordance with section 1(1)(b)(v) of the British Nationality and Status of Aliens Act 1914, and for the purpose of asserting my British nationality, hereby declare that I wish to retain British nationality.

(Signed) A.B.

Made and subscribed this

day of

before me.

(Signed) X.Y.

[Official Title.]

Extension of period for making Declaration under section 1 (1) of the Act.

10. A person whose British nationality is conditional upon registration of his birth at a British Consulate may make a declaration of retention of British nationality in pursuance of section 1 (1) of the Act notwithstanding that he has attained the age of twenty-two, if in the special circumstances of the case the Secretary of State permits him to do so.

FORM OF DECLARATION OF RESUMPTION OF BRITISH NATIONALITY.

11. A declaration of resumption of British nationality made in British India under section 12 of the Act, by a person who has ceased to be a British subject, upon his parent ceasing during the minority of that person to be a British subject, shall be in the following form:—

BRITISH NATIONALITY AND STATUS OF ALIENS ACT, 1914.

Declaration of Resumption of British Nationality.

I, A.B., of , having ceased to be a British subject during my minority, by reason of my father [mother] having ceased to be a British subject, and

having attained my majority within one year before the present date, hereby declare that I wish to resume British nationality.

(Signed) A. B.

Made and subscribed this

day of

before me.

(Signed) X. Y.

[Official Title.]

TIME WITHIN WHICH OATH OF ALLEGIANCE TO BE TAKEN.

12. The oath of allegiance shall be taken within one calendar month after the date of the certificate of naturalisation to which it relates, or within such extended time as the Governor-General of India in Council may direct, and if the oath is not so taken the certificate shall not take effect.

PERSONS BEFORE WHOM THE OATH OF ALLEGIANCE MAY BE TAKEN.

13. The following persons may administer the oath of allegiance:-

In British India-

Any efficer not below the rank of a district magistrate or a magistrate of the first class.

In England or Northern Ireland-

Any justice of the peace or any commissioner authorised to administer oaths in the Supreme Court.

In Scotland-

Any sheriff, sheriff-substitute, or justice of the peace,

In a British Possession (other than British India)-

Any judge of any court of civil or criminal jurisdiction, any justice of the peace, or any officer for the time being authorised by law, in the place in which deponent is, to administer an oath for any judicial or other legal purpose.

In any British Protectorate or British protected State or territory in respect of which a Mandate on behalf of the League of Nations has been accepted by His Majesty—

Any officer for the time being authorised by law in that territory to administer an oath for any judicial or other legal purpose.

Elsewhere-

Any officer in the diplomatic or consular service of His Majesty.

OATH OF ALLEGIANCE.

- 14.—(1) The oath of allegiance shall be subscribed as well as taken, and the form in which the oath of allegiance is subscribed and attested shall be as follows:—
- I, A. B., swear by Almighty God that I will be faithful and bear true allegiance to His Majesty, King Edward the Eighth, His Heirs and Successors, according to law.

(Signed) A.B.

Sworn and subscribed this

day of

before me.

(Signed) X.Y.

[Official Title.]

(2) The oath of allegiance sworn, subscribed and attested as herein directed shall in every case be endorsed on the certificate of naturalisation to which it relates.

REGISTRATION OF CERTIFICATES OF NATURALISATION AND OATHS OF ALLEGIANCE.

15. Every certificate of naturalisation granted in British India under the Act, and every onth of allegiance relating to any such certificate, shall be registered both in London at the Home Office and in British India at such place as the Govenor-General of India in Council may direct.

PROOF OF OATH OF ALLEGIANCE.

16. The oath of allegiance may be proved in any legal proceedings by the production of the original certificate or any copy thereof certified to be a true copy by the Secretary to the Government of India or by any person authorised by the Governor-General of India in Council in that behalf.

Persons before whom Declarations may be made.

17. The persons before whom declarations of alienage and declarations of retention, acquisition or resumption of British nationality may be made, shall be the same as the persons by whom the oath of allegiance may be administered.

REGISTRATION OF DECLARATIONS.

18. Every declaration of alienage and declaration of retention, acquisition or resumption of British nationality made in British India shall be registered both in London at the Home Office, and in British India at such place as the Governor-General of India in Council may direct.

FEES

19. The following fees may be taken and shall be applied in the manner hereinafter shown:—

TABLE OF FEES.

The Matter in which the Fee may be taken.	The amount of the Fee.	To whom Payment of the Fee to be made.
	Rs.	
The grant of a certificate of naturalisation to a woman who was a British subject previously to her marriage to an alien and whose husband has died, or whose marriage has been dissolved, and the registration of the certificate and the oath of allegiance in respect thereof.	3	To the Government of India, or such officer as may be authorised by them in this behalf.
The grant of a certificate of naturalisation in other cases, and the registration of the certificate and the oath of allegiance in respect thereof.	100	The same.
Taking a declaration of alienage or of retention, acquisition or resumption of British nationality.	2	The same.
Administering the oath of allegiance	2	The same.
The registration of a declaration of alienage or of retention, acquisition or resumption of British nationality.	8	The same.
Certified copy of any declaration or certificate with or without oath.	8	The same.

Of the fee of Rs. 100 payable in respect of the grant of a certificate of naturalisation of Rs. 15 shall be payable on the submission of the application for a certificate, and shall in no circumstances be returned; the remaining Rs. 85 shall be payable on the receipt of the decision to grant a certificate.

REVOCATION.

20. The British Nationality and Status of Aliens (India) Regulations made on the 21st June 1934 are hereby revoked, but without prejudice to anything done thereunder.

SHORT TITLE.

21. These Regulations may be cited as the British Nationality and Status of Aliens (India) Regulations, 1936.

ZETLAND,

One of His Majesty's Principal Secretaries of State.

WHITEHALL, 8th December 1936.

R. M. MAXWELL,

Secretary to the Government of India.

HOME (REFORMS) DEPARTMENT.

NOTIFICATION.

Puri, the 14th February 1937.

523-Ref-P.—The following regulation which has been approved by Governor General in Council and assented to by the Governor General and has been published in the Gazette of India of the 29th January 1937, is published under sub. section (2) of section 71 of the Government of India Act.

By order of the Governor.

M. HAMID,

Deputy Secretary to Government.

Regulation no. IV of 1937.

REGULATION

TO

AMEND THE CODE OF CRIMINAL PROCEDURE, 1898, IN ITS APPLICATION TO THE PROVINCE OF ORISSA.

it is expedient to amend the Code of Criminal v of 1898. Procedure, 1898, in its application to the Province of Orissa, for the purposes hereinafter appearing; It is hereby enacted as follows:-

Short title, extent and commencement.

- 1. (1) This Regulation may be called the Orissa Criminal Procedure (Election Offences) Amendment Regulation, 1937.
 - (2) It extends to the whole of the Province of Orissa.
- (3) It shall come into force on such day as the Local Government may, by notification in the local official Gazette, direct.

Amendment of of 1898.

2. In section 196 of the Code of Criminal Procedure, 1898, inits v of 1898. section 196, Act V application to the Province of Orissa, after the word and figures "section 127", the words and figures "and section 171F so far as it relates to the offence of personation" shall be inserted.

Amendment of Schedule II, Act V of 1898.

- 3. In Schedule II to the same Code—
 - (a) in the entry relating to section 171F of the Indian XLV of Penal Code, the words "and personation" in the 1860. second column shall be omitted;
 - (b) after the said entry so amended, the following shall be inserted, namely:-

"Personation at an election. May arrest without warrant.	Summons.	Bailable.	Not compoundable.	Imprisonment of either des- cription for one year, or fine or both.	Presidency Magistrate or Magistrate of the First Class.
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(c) in the entry relating to section 171G of the Indian XLV of Penal Code, for the word "Ditto" in the third column, 1860. the words "Shall not arrest without warrant" shall be substituted.

> J. D. ANDERSON, Offg. Secy. to Govt. of India.

LAW AND COMMERCE DEPARTMENT.

NOTIFICATION.

The 12th February 1937.

No. 1135—111-C-6/37-Com.—The following notification, issued by the Government of India in the Department of Commerce, is republished for general information.

By order of the Governor, C. G. NAIR,

Secretary to Government.

TREATIES (I. E. R.).

New Delhi, 26th December 1936.

No. 318 (1)-Tr. (I. E. R.)-(A).—In pursuance of clause (a) of sub-section (1) of section 22 of the Indian Rubber Control Act, 1934 (XXVIII of 1934), read with section 22 of the General Clauses Act, 1897 (X of 1897), the Governor General in Council is pleased to direct that with effect from the 1st January 1937, the rate of licence fee for every export licence issued by the Indian Rubber Licensing Committee shall be two annas per hundred pounds of rubber covered by such licence.

H. DOW,

Offg. Secy. to Govt. of India.