



# The Calcutta Gazette

## *Extraordinary*

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### PART I

**Orders and Notifications by the Governor of Bengal, the High Court,  
Government Treasury, etc.**

GOVERNMENT OF BENGAL

DEPARTMENT OF PUBLIC HEALTH AND LOCAL  
SELF-GOVERNMENT.

Municipal.

NOTIFICATIONS.

No. 1177M.—3rd August 1939.—In exercise of the power conferred by sub-section (2) of section 1 of the Calcutta Municipal (Amendment) Act, 1939 (Bengal Act XI of 1939), the Governor is pleased to appoint the 3rd of August 1939 as the date on which the said Act shall come into force.

No. 1178M.—3rd August 1939.—Whereas the constituencies of the Corporation of Calcutta have been materially altered by the amendments made in the Calcutta Municipal Act, 1923 (Bengal Act III of 1923), by the Calcutta Municipal (Amendment) Act, 1939 (Bengal Act XI of 1939);

And whereas such amendments necessitate modifications of the existing rules for the preparation and publication of electoral rolls for the election of the Councillors of the Corporation;

And whereas the first elections of the Councillors of the Corporation after the commencement of the Calcutta Municipal (Amendment) Act, 1939, is due to be held in March 1940;

And whereas owing to shortness of time a difficulty has arisen as to the preparation and publication of the first electoral rolls for the said first elections in accordance with the provisions of the Calcutta Municipal Act, 1923, as so amended after making necessary modifications in the existing rules;

Now, therefore, in exercise of the power conferred by section 44 of the Calcutta Municipal Act, 1923 (Bengal Act III of 1923), as substituted by the Calcutta Municipal (Amendment) Act, 1939 (Bengal Act XI of 1939), the Governor is pleased to make the following order, namely:—

#### Order.

1. In this Order unless there is anything repugnant in the subject or context,—

(1) "the Act" means the Calcutta Municipal Act, 1923 (Bengal Act III of 1923);

(2) "constituency" means one of the constituencies specified in Schedule III to the Act.

2. (1) The electoral roll of every constituency shall be prepared and published by the authority (referred to in this Order as the "Registering Authority") appointed in this behalf by the Provincial Government by notification in the *Calcutta Gazette*.

(2) For the purpose of the preparation and publication of the electoral roll, the Registering Authority may employ such agency as he thinks fit.

3. No person shall be included in the electoral roll of a General, Muhammadan or Anglo-Indian Constituency by virtue of the qualifications specified in clause (b) or clause (c) of sub-section (1) of section 20 of the Act unless his name is entered in the register maintained under the said clause on an application made by him in that behalf under that clause to the Executive Officer.

Every such application shall be made in form A or form B, as the case may be, annexed to this Order and it shall contain a declaration about the correctness of the particulars mentioned therein and the said declaration shall be signed by such person, in the case referred to in the said clause (b) in the presence of the owner or any of the owners of the premises or part of the premises in respect of which the rent referred to in that clause was paid by such person, and in the case referred to in the said clause (c) in the presence of the owner or any of the owners of the *bustee* referred to in that clause. The application shall also be accompanied by another declaration by the owner or owners of such premises or *bustee* regarding the correctness of the statement made therein about the occupancy of such premises or part thereof and the amount of rent paid in respect thereof or the ownership of any hut in such *bustee* and the amount of consolidated rate paid in respect thereof, as the case may be, during the period referred to in the said application.

4. The electoral roll of every constituency shall be prepared in English, but in order to give it wide publicity, the Registering Authority may, if he thinks fit, also prepare and publish or cause to be prepared and published a copy of the roll in such other language or languages as he may consider necessary.

5. On or before the 15th day of November 1939, the Registering Authority shall prepare or cause to be prepared a complete electoral roll (hereinafter referred to as the preliminary roll) for each constituency containing the names of all persons who appear to the Registering Authority to be entitled to be registered as electors for that constituency.



6. In the case of a General, Muhammadan or Anglo-Indian constituency, the preliminary roll shall be prepared ward by ward, but the Registering Authority may, if he thinks fit, prepare a consolidated preliminary roll for several wards comprising a constituency or part of a constituency. The Registering Authority may also sub-divide the roll in such other manner or into such other parts as he may deem expedient for the purpose of facilitating the preparation of the roll:

7. (1) The names of electors registered in the preliminary roll or any part of the preliminary roll of any such constituency as aforesaid shall be arranged in accordance with the alphabetical order (in English) of the names of the streets and the serial numbering of the premises in such streets contained in the said roll or part of the roll as the case may be.

(2) In the case of a constituency in which a seat is reserved for members of the Scheduled Castes, the caste of each elector belonging to the Scheduled Castes shall be indicated in the preliminary roll against the name of such elector.

(3) Where a person is registered as the representative of any company, body corporate, firm, joint family or other association of individuals, or as the manager of a lunatic or the guardian of a minor, a distinctive sign or mark shall be placed against his name in the preliminary roll to indicate the fact.

(4) Persons qualified as electors under clause (b) or clause (c) of sub-section (1) of section 20 of the Act shall also have a distinctive sign or mark placed against their names in the preliminary roll unless it is decided to publish their names in a separate part or parts of the preliminary roll.

8. In the case of a special constituency, the preliminary roll shall be in such form as the Registering Authority may direct. It shall contain the names of the persons registered as electors arranged alphabetically (in English) with their addresses.

9. In the case of the labour constituency, the preliminary roll shall be prepared ward by ward, but the Registering Authority may, if he thinks fit, prepare a consolidated preliminary roll for the entire labour constituency. The Registering Authority may also sub-divide the roll in such other manner or into such other parts as he may deem expedient for the purpose of facilitating the preparation of the roll. The names of the electors registered in the roll or any part thereof shall be arranged in accordance with the alphabetical order (in English) of the names of the Trade Unions of which they are members.

10. (1) Before the preparation of the preliminary roll of the labour constituency is taken in hand, the Registering Authority shall cause a notice to be issued calling upon each trade union which has its registered office within the limits of Calcutta and which is recognised in accordance with the provisions of paragraph 18 of Part IV of the Government of India (Provincial Legislative Assemblies) Order, 1936, to submit to him within such time and in such form as may be specified by him in this behalf, a list of its ordinary members who are qualified as electors of the said constituency under sub-section (4) of section 20 of the Act together with a copy of the certificate of recognition issued to it in accordance with the provisions of sub-paragraph (2) of paragraph 18 of Part IV of the said Order.

(2) Notice under sub-paragraph (1) shall be issued to each trade union referred to in that sub-paragraph and a copy of the notice shall also be published in the manner provided in clause (c) of paragraph 12 as well as in such local newspapers as the Registering Authority may deem fit.

11. For the purpose of satisfying himself as to the correctness of the list of members submitted by a trade union under paragraph 10, the Registering Authority may require any trade union to produce before him within such time as he may fix in this behalf, any register, record or document of such union, and may call upon any officer or member of a trade union to appear before him for oral examination on a date or dates to be fixed by him.

12. The preliminary roll prepared as above for every constituency shall be published by the Registering Authority not later than the 15th day of November 1939 referred to in paragraph 5 in the manner following and otherwise as he may think fit to give it wide publicity in the constituency:—

(a) In the case of a constituency other than a special or the labour constituency, by affixing for public inspection a complete

copy of the roll at the Central Municipal Office and at the following other places:—

- (i) the Municipal District office or offices, and such other Corporation office or offices as the Registering Authority may think fit, situated within the constituency concerned, or within the jurisdiction of which the constituency or any part of it may be situated,
  - (ii) one or more of the police-station or stations situated within the constituency or within the jurisdiction of which the constituency or any part of it may be situated.
  - (iii) one or more of the Post Offices, as the Registering Authority may think fit, situated within the constituency, and
  - (iv) municipal markets and such public reading rooms and public libraries as the Registering Authority may think fit.
- (b) In the case of a special constituency, by affixing, for public inspection, a complete copy of the roll at the Central Municipal Office and at the office or offices of the Chamber, Association or the Commissioners of the Port of Calcutta, constituting the constituency as the case may be.
- (c) In the case of the labour constituency, by affixing for public inspection a complete copy of the roll at the Central Municipal Office, at the registered office of each trade union which has such office within the limits of Calcutta and which is recognised in accordance with the provisions of paragraph 18 of Part IV of the Government of India (Provincial Legislative Assemblies) Order, 1936, and at such other places as the Registering Authority may consider necessary.

13. Printed copies of the preliminary roll shall be sold to the public at such prices as may from time to time be fixed by the Executive Officer.

14. For the purpose of the disposal of claims for being included and objections to the inclusion of any name in the electoral roll, the Registering Authority may, with the previous approval of the Provincial Government, appoint in writing a person or persons to perform all or any of the duties of the Revising Authority in respect of any constituency or part of a constituency:

Provided that no Councillor or Alderman shall be a Revising Authority.

15. Along with the preliminary roll of every constituency, published as above, a notice shall be simultaneously published in the constituency, and a notice of the publication of the preliminary roll shall also be given by advertisement in local papers, specifying for such constituency or any part of it, the Revising Authority to whom, the place at which, the period within which, and the manner in which, claims for being included in the electoral roll or objections to the inclusion of any name in the electoral roll shall have to be preferred.

16. Claims and objections shall be preferred in respect of the preliminary roll of any constituency not later than the 20th day of December next following the month of November referred to in paragraph 5. The Revising Authority shall not entertain any claim or objection received by him after 5 p.m. on that date.

17. All claims and objections shall be in writing and signed by the person making them and shall state the grounds on which they are based, and where they relate to any entry in the preliminary roll shall give the reference to or the particulars of that entry.

18. Every person whose claim or objection is received in time shall be served with a notice by the Revising Authority specifying the place where and the time when his claim or objection will be heard, and he may produce or cause to be produced such evidence as he may wish to adduce, but in the absence of such evidence the Revising Authority shall decide the matter on the entries appearing in the records of the Corporation.

19. When objection is made by any person whose name is on the preliminary roll to the inclusion of the name of any other person recorded therein, the Revising Authority shall serve on such other person a notice stating the grounds of such objection and specifying



the place and the time fixed for the hearing of such objection, where and when such other person may attend with such evidence as he may wish to adduce:

Provided that if any objection shall appear to the Revising Authority to be frivolous or to have been made on irrelevant grounds he shall cause to be served on the person making the objection a notice calling upon him to appear and substantiate his objection either in person or by agent on a specific date, and in such a case no notice shall be served upon the other person until the Revising Authority is satisfied that the objection is well founded, and if the person making the objection shall for any reason fail to appear and substantiate his objection, either in person or by agent on the specified date, the Revising Authority shall proceed as if no objection had been made.

20. Every notice issued by the Revising Authority shall be in writing and shall be served at the address as entered in the preliminary roll or at such other address as may be specified by the claimant or objector in his notice of claim or objection, the person objected to being served only at the address given in the roll, provided that a notice may be served by the Revising Authority by sending it to the person concerned by post.

The notice to be issued to the person objected to shall be either posted seven days before the date fixed for hearing the objection, or served three days before that date if served otherwise than by post.

21. The Registering Authority shall cause to be published from time to time on the notice-board at the Central Municipal Office, a notice showing generally the date on which and the places at which the Revising Authority will sit for hearing claims and objections.

22. The Revising Authority shall dispose of all claims and objections by a date to be fixed by the Registering Authority.

23. On the date fixed for the hearing or on such other date to which the hearing may be adjourned, the Revising Authority shall hold a summary inquiry into the claims or objections preferred, and shall record his orders either allowing or disallowing the claims or objections. He shall also decide on any application or reference made by the Registering Authority for making corrections in the preliminary roll. For the purposes of the inquiry the preliminary roll as published shall be presumed to be correct and complete until the contrary has been proved.

24. (1) The orders of the Revising Authority shall be communicated by him to the Registering Authority, who shall cause the roll to be amended in accordance therewith and shall endorse the same in token that this has been done.

(2) The roll thus amended shall be the final electoral roll and shall thereupon be published by the Registering Authority in the manner prescribed for the publication of the preliminary roll in paragraph 12.

25. It shall be the duty of the Executive Officer to produce all relevant or necessary documents or papers in his power or possession and otherwise render necessary assistance to the Registering Authority and the Revising Authority in the discharge of their duties.

26. Printed copies of the final electoral roll shall be sold to the public at such prices as may from time to time be fixed by the Executive Officer.

27. All costs incurred in connection with the preparation and printing of the electoral roll, the publication of notices and taking any other action under this Order, shall be payable from the Municipal Fund:

Provided that if the Registering Authority and other persons employed in connection with the preparation and publication of the electoral roll are servants of the Crown, they shall be paid by the Provincial Government such emoluments as may be fixed by the Provincial Government and the Corporation shall, out of the Municipal Fund, pay to the Provincial Government the amounts of emoluments so fixed.

28. The existing rules for the preparation and publication of electoral rolls for the election of the Councillors of the Corporation issued under sub-section (2) of section 25 of the Act shall not apply but this Order shall apply to the preparation and publication of the first electoral rolls for the first elections of the Councillors to be held after the commencement of the Calcutta Municipal (Amendment) Act, 1939.

## FORM A.

Form of application under clause (b) of sub-section (1) of section 20 of the Calcutta Municipal Act, 1923.

(Paragraph 3.)

To

THE CHIEF EXECUTIVE OFFICER,  
CORPORATION OF CALCUTTA.

Application for entry in the Register maintained under clause (b) of sub-section (1) of section 20 of the Calcutta Municipal Act, 1923.

1. Name of the Applicant in full .....
  2. Father's name .....  
\*Husband's name.
  - †3. Denomination of the applicant (state whether Muhammadan, Anglo-Indian or belongs to General Community. If belongs to General Community, state whether Scheduled Castes. If belonging to a Scheduled Caste, state caste as per list printed at the end). .....
  - 4(a). Number of the premises which the applicant at present owns or occupies or in which he at present resides and the name of the street on which and the number of the ward within which it is situated; .....
- Or,
- (b) Particulars of profession, trade or calling at present exercised by the applicant and the place (ward No., premises No. and name of street) where it is exercised. ....
  5. Number of premises (with the name of the street on which it is situated) which or part of which the applicant was in occupation during the year between 1st April, 1938, and the 31st March, 1939 (both inclusive) and the period of occupation. If different premises were occupied during the said period their numbers and names of streets on which they are situated and their respective periods of occupation. ....
  6. Months for which rents have been paid during and in respect of the said year for such occupancy and the rate of rent paid per month. ....
  7. Name or names of persons to whom such rents have been paid for and their respective addresses. ....

\*To be filled in only if the applicant is a married woman or a widow.

†(i) A person shall be deemed to belong to General Community, if he is neither a Muhammadan nor an Anglo-Indian.

(ii) "Anglo-Indian" means a person whose father or any of whose other male progenitors in the male line is or was of European descent but who is a native of India.

8. If the applicant is at present in occupation of any premises or part of any premises, the rate of rent paid per month for such premises or part of premises and the name of the person to whom such rent is being paid and his address. ....
9. Whether receipts for payment of such rent have been granted by the—  
 (i) present landlord .....  
 (ii) previous landlord .....
10. Whether the applicant—  
 (1) is a British Subject ; .....  
     or .....  
 (2) is a Subject of any State in India; .....  
     or .....  
 (3) being an alien has been exempted from the disabilities imposed by the Bengal (Aliens) Disqualification Act, 1918. ....

#### Declaration.

I hereby declare that the above particulars are true to my knowledge and belief and that I have attained the age of 21 years.

Signed in my presence ..... Full signature or thumb impression of the applicant .....

Owner of premises (No. and name of street in ward No.) ..... Present address (Ward No., premises No. and street) .....

Dated the .....

#### Declaration by the owner of premises.

The statements made by the applicant above-named with respect to items 5, 6 and 7 of this application are true to my knowledge and belief.

Signature of the owner (or if there be more than one owner, all the owners) of the premises occupied during the year 1938-39. ....

Present Address (Ward No., premises No. and street). ....

Dated the .....

N.B.—Any false declaration made by a person for the purpose of this application will render such person liable to prosecution.

#### List of Scheduled Castes.

Agariya.	Halalkhor.	Mahli.
Bagdi.	Hari.	Mal.
Bahelia.	Ho.	Mallah.
Baiti.	Jalia Kaihartta.	Malpahariya.
Bauri.	Jhalo Malo or Malo.	Mech.
Bediya.	Kadar.	Methor.
Beldar.	Kan.	Muchi.
Berua.	Kandh.	Munda.
Bhatiya.	Kandra.	Musahar.
Bhaimali.	Kaora.	Nagesia.
Bhuiya.	Kapuria.	Namasudra.
Bhumij.	Karenga.	Nat (not Nath or Yugi).
Bind.	Kastha.	Nuniya.
Binjhia.	Kaur.	Oraon.
Chamar.	Khaira.	Paliya.
Dhenuar.	Khatik.	Pan.
Dhoba.	Koch.	Pasi.
Doai.	Konai.	Patni.
Dom.	Konwar.	Pod.
Dosadh.	Kora.	Rabha.
Garo.	Kotai.	Rajbaanhi.
Ghasi.	Lalbegi.	Rajwar.
Gonrhi.	Lodha (not Lodha Kayastha or Lodhi Rajputs).	Santal.
Hadi.	Lohar.	Sunri.
Hajang.	Mahar.	Tiyar.
		Turi.



## FORM B.

Form of application under clause (c) of sub-section (1) of section 20 of the  
Calcutta Municipal Act, 1923.

(Paragraph 3.)

To  
THE CHIEF EXECUTIVE OFFICER,  
CORPORATION OF CALCUTTA.

Application for entry in the Register maintained under clause (c) of sub-section (1) of section 20 of the Calcutta Municipal Act, 1923.

1. Name of the Applicant in full .....
2. Father's name .....
- \*Husband's name .....
- †3. Denomination of the applicant (state whether Muhammadan, Anglo-Indian or belongs to General Community. If belongs to General Community, state whether Scheduled Castes. If belonging to a Scheduled Caste, state caste as per list printed at the end.) .....
4. (a) Number of the premises which the applicant at present owns or occupies or in which he at present resides and the name of the street on which and the number of the ward within which it is situated ; .....
- Or,
- (b) Particulars of profession, trade or calling at present exercised by the applicant and the place (ward No., premises No. and name of street) where it is exercised. ....
5. Name of the owner of the *bustee* in which the hut owned by the applicant is or was situated and his address. ....
6. Number of premises (with the number of the street) in which such *bustee* is situated. ....
7. Period for which the applicant was the owner of the hut during the year between 1st April, 1938, and 31st March, 1939 (both inclusive). ....
8. Amount of Municipal rate, if any, paid to the owner of the *bustee*, during the said year. ....
9. Whether the applicant—
  - (1) is a British Subject ; .....
  - or
  - (2) is a Subject of any State in India: .....
  - or
  - (3) being an alien has been exempted from the disabilities imposed by the Bengal (Aliens) Dis-qualification Act, 1918. ....

## Declaration.

I hereby declare that the above particulars are true to my knowledge and belief and that I have attained the age of 21 years.

Signed in my presence..... Full signature or thumb impression  
of the applicant.....Owner of *bustee* (ward No., premises  
No. and street) ..... Present address (Ward No., Premises  
No. and Street).....

Dated the .....

\*To be filled in only if the applicant is a married woman or a widow.

†(i) A person shall be deemed to belong to General Community, if he is neither a Muhammadan nor an Anglo-Indian.

(ii) "Anglo-Indian" means a person whose father or any of whose other male progenitors in the male line is or was of European descent but who is a native of India.



**Declaration by the owner of the bustee.**

The statements made by the applicant above-named with respect to items 5, 6, 7 and 8 of this application are true to my knowledge and belief.

Signature of the owner of the *bustee* .....

Present address (ward No., premises No. ....  
and street).

Dated the .....

**N.B.—Any false declaration made by a person for the purpose of this application will render such person liable to prosecution.**

**List of Scheduled Castes.**

Agariya.	Halalkhor.	Mahli.
Bagdi.	Hari.	Mal.
Bahelia.	Ho.	Mallah.
Baiti.	Jalia Kaibartta.	Malpahariya.
Bauri.	Jhalo Malo or Malo.	Mech.
Bediya.	Kadar.	Methor.
Beldar.	Kan.	Muchi.
Berua.	Kandh.	Munda.
Bhatiya.	Kandra.	Musahar.
Bhuimali.	Kaora.	Nagesia.
Bhuiya.	Kapuria.	Namasudra.
Bhumij.	Karenga.	Nat (not Nath or Yugi).
Bind.	Kastha.	Nuniya.
Binjhia.	Kaur.	Oraon.
Chamar.	Khaira.	Paliya.
Dhenuar.	Khatik.	Pan.
Dhoba.	Koch.	Pasi.
Doai.	Konai.	Patni.
Dom.	Konwar.	Pod.
Dosadh.	Kora.	Rabha.
Garó.	Kotai.	Rajbanshi.
Ghasi.	Lalbegi.	Rajwar.
Gonrhi.	Lodha (not Lodha Kayastha or Santal.	Santal.
Hadi.	Lodhi Rajputs).	Sunri.
Hajang.	Lohar.	Tiyar.
	Mahar.	Turi.

No. 1179M.—3rd August 1939.—In exercise of the power conferred by sub-paragraph (1) of paragraph 2 of the Order published with notification No. 1178M., dated the 3rd August 1939, the Governor is pleased to appoint Mr. J. C. Mukherjea, Chief Executive Officer, Corporation of Calcutta, to be the Registering Authority for the preparation and publication of the electoral rolls of all constituencies for the election of the Councillors of the Corporation at the next general election.

By order of the Governor,

G. C. SEN,

*Secy. to the Govt. of Bengal.*