



The Orissa Gazette

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

PART III.

Regulations, Orders, Notifications, Rules, etc., issued by the Governor and by Heads of Departments.

HOME, REVENUE AND FINANCE
DEPARTMENTS.

The 8th March 1937.

NOTIFICATIONS.

The 5th March 1937.

No. 865-R.—It is hereby certified, under rule 7 of the rules issued by the Government of India in their resolution no. 7552-7581-121, dated the 15th September 1913, for the grant by local Governments of prospecting licences and mining leases, that Mr. Ganpat Rao Laxman Rao, Sadr Bazar, Nagpur, is approved by the Government of Orissa as an applicant for a prospecting licence for coal within the province of Orissa.

This certificate will expire at midnight of the 31st December 1937.

A. F. W. DIXON,

Additional Secretary to Government.

No. 876—La-81-R.—DECLARATION.—Whereas it appears to the Government of Orissa that land is required to be taken by Government at the public expense for a public purpose, viz., for retired line in the 3rd quarter of the 8th mile of Daya left embankment no. 28-B at Atharabhad and Ujanipara, in the villages of Atharabhad and Ujanipara, pargana Kotrahang, zila Puri, it is hereby declared that for the above purpose 4 pieces of land measuring, more or less, 2.11 acres, bounded on the—

Total area—2.11 acres.

Block A—area 1.88 acres—mauza Athrabhad.

North—By the boundary of mauza Ujanipara and old embankment and part of plots nos. 542, 543, 324, 330, 331, 336 and 337,

East—By part of plots nos. 370, 364, 363, 358, 357, 356, 345, 343, 341, 339 and 369 proposed to be acquired in Block C (for replacing Gochar land) and plot no. 342,

South—By part of plots nos. 322, 321, 325, 330, 329, 338 and 339,

West—By part of plots nos. 370, 369, 364, 359, 360, 355, 348 and 349 and plot no. 363 and old embankment;

Block B—area 0.06 acre—mauza Ujanipara.

North and West—By old embankment,

East—By part of plots nos. 49 and 50 and plot no. 48,

South—By the boundary of mauza Atharabhag;

Block C—area 0.14 acre—mauza Atharabhag.

(for replacing Gochar land)

North—By plot no. 370,

East—By plot no. 367,

South—By plot nos. 364 and 368,

West—By proposed embankment to be acquired in Block A;

Block D—area 0.03 acre—mauza Ujanipara.

(for replacing Gochar land)

North—By plot no. 38,

East—By old embankment,

South—By the boundary of mauza Atharabhag,

West—By plot no. 4 Daya river; are required within the aforesaid villages of Atharabhag and Ujanipara.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Land Acquisition Deputy Collector, Irrigation Branch, Cuttack, or in that of the Executive Engineer, Southern Division, Cuttack.

By order of the Governor,

A. F. W. DIXON,

Additional Secretary to Government.

The 6th March 1937.

No. 1594—151/36-F.—The following resolution by the Secretary of State for India in Council is republished for general information.

By order of the Governor,

P. T. MANSFIELD,

Chief Secretary to Government.

In exercise of the powers conferred by sub-section 2 of section 96-B of the Government of India Act the Secretary of State

with the concurrence of a majority of votes at a meeting of the Council of India held this fifth day of May 1936, hereby makes the following amendments in the Civil Service Regulations, namely:—

In Article 23-C of the said Regulations after the words "in consideration of" the words "the unhealthiness of the locality in which the work is performed or of" shall be inserted. In Article 32 of the said Regulations the words "unhealthiness or" shall be deleted.

These amendments shall have effect and shall be deemed always to have had effect as though they had been made on 10th March 1924.

The 6th March 1937.

No. 1595—151/36-F.—In exercise of the powers conferred by rules 41, 42 and 44 of the Civil Services (Classification, Control and Appeal) Rules, the Governor is pleased to declare that the amendments in Articles 23-C and 32 of the Civil Service Regulations made by the Secretary of State in Council on the 5th May 1936 and republished in notification no. 1591-F., dated the 6th March 1937, will apply to Government servants under the rule-making control of the local Government and shall have effect and shall be deemed always to have had effect as though they had been made on the 10th March 1924.

By order of the Governor,

P. T. MANSFIELD,

Chief Secretary to Government

EDUCATION, HEALTH AND LOCAL SELF-GOVT. DEPARTMENT.

NOTIFICATIONS.

The 1st March 1937.

No. 1166-L.S.-G.—In exercise of the powers conferred by sub-section (2) of section 354 of the Bihar and Orissa Municipal Act, 1922 (Bihar and Orissa Act VII of 1922), the Government of Orissa are pleased to confirm the following by-laws framed by the Cuttack Municipality in the district of Cuttack under section 185 (c) of the Act:—

BY-LAWS UNDER SECTION 185 (c) OF THE BIHAR AND ORISSA MUNICIPAL ACT, 1922.

NOTICE OF INTENTION TO LAY OUT OR MAKE A ROAD.

1. A person intending to lay out, or make a road in his private land which will connect with a municipal road, shall send to the

Chairman at least two months before the commencement of the work a notice of his intention, together with a plan of the road drawn to a scale of 30 feet to an inch and a statement showing:—

- (i) the name of the municipal road with which the proposed road will be connected;
- (ii) the position of the existing or proposed drains on both sides of the proposed road;
- (iii) the culverts, if any, necessary over any public drain and if so, the size and position thereof;
- (iv) the time within which the road will be completed.

M. HAMID,

Secretary to Government.

The 3rd March 1937.

No. 1177—F-79/36-L.S.G.—In exercise of the powers conferred by clause (j) of section 32 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Orissa are pleased to direct that the rules published in the Bihar and Orissa notification no. 10117—III-F-4-R., dated the 15th October 1931, shall be in force in the protected forests in the districts of Angul and Puri with the following amendments therein, namely:—

“(a) In the aforesaid notification for the words ‘the protected forests in the districts of Angul and Puri’ occurring in the preamble and for the words ‘the protected forests in Angul and Puri districts’ occurring in the heading of the rules the following shall be substituted:—

‘the protected forests in the district of Puri and the undemarcated areas in the district of Angul’ as defined in clause (iii) of rule 2 of the Angul Protected Forests Rules, 1922.”

By order of the Governor,

M. HAMID,

Offg. Secretary to Government.

The 28th February 1937.

No. 1178—F-79/36-L.S.G.—In exercise of the power conferred by clause (a) of section 30 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Orissa are pleased to declare that the following species of trees in the villages and tracts outside the reserved area in the district of Angul which were declared to be reserved by Bengal Government notification no. 464-T. R. For.,

dated the 12th June 1899, shall cease to be reserved, with effect from the date of this notification, namely:—

1. Jamu (*Eugenia Jambolana*).
2. Hogplum (*Vernacular Amra*)
(*Spondias mangifera*).
3. Charo (*Buchanania latifolia*).
4. Kuchila (*Strychnos nux-vomica*).
5. Gundi (*Mallotus philippinensis*).
6. Bahara (*Terminalia belerica*).
7. Aimla (*Phyllanthus emblica*).
8. Punanga (*Culophyllum inophyllum*).
9. Telai (*Wendlandia tinctoria* and
Wendlandia exserta).
10. Mahanim (*Alianthus excelsa*).

This cancels Bihar and Orissa Government notification no. 261—111F-66-R. R., dated the 21st June 1932.

The 28th February 1937.

No. 1179—F-79/36-L. S.-G.—In exercise of the power conferred by section 32 of the Indian Forest Act, 1927 (Act XVI of 1927), the Government of Orissa are pleased to direct that the following amendment shall be made in the Schedule 1 annexed to the Angul Protected Forest Rules, 1922, which were published with Bihar and Orissa Government notification no. 1808-R., dated the 10th February 1923, namely:—

Insert the following as Note (3) under the table “(a) logs or trees” in the said schedule—

“(3) Palm trees irrespective of girth at the rate of eight annas per tree.”

2. This cancels Bihar and Orissa Government notification no. 1723—111-F-291-R. R., dated the 19th October 1928.

The 28th February 1937.

No. 1180—F-79/1936-L. S.-G.—In exercise of the power conferred by clause (a) of section 30 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Orissa are pleased to declare that the following class of tree in the protected forests in the district of Angul which was declared to be reserved by Bihar and Orissa Government notification no. 1808-111F-21, dated the 10th February 1923, shall cease to be reserved, with effect from the date of this notification, namely:—

Sagopalm Salpa (*Caryota urens*).

This cancels the Bihar and Orissa Government notification no. 262—111F-66-R. R., dated the 21st June 1932.

The 28th February 1937.

No. 1181—F-79/36-L.S.-G.—In exercise of the powers conferred by the definition of "Forest Officer" in section 2 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Orissa are pleased to direct that amendments made by the Bihar and Orissa Government notification no. 492—111-F-206-28-R. R., dated the 22nd June 1928, shall apply to the reserved and protected forests in the district of Angul.

The 3rd March 1937.

No. 1184-L.S.-G.—In exercise of the power conferred by clause (b) of section 76 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Orissa are pleased to direct that the rules published with Bihar and Orissa Government notification no. 3—III-F-208-R., dated the 3rd January 1933, to regulate the grant of rewards shall apply to the district of Angul.

The 26th February 1937.

No. 1185—F-79/36-L.S.-G.—Under clause (b) of section 30 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Orissa are pleased to substitute the following for the entries in the remarks column against block no. 43 in Bihar and Orissa Government notification no. 11252—111-F-228-R., dated the 17th November 1921, published at page 1006, Part II, of the *Bihar and Orissa Gazette* of the 23rd November 1921:—

"Tenants have the right—

- (1) to gather edible roots, fruits and leaves, and
- (2) to use the footpath leading from Pathargarh to Hinsar in order to visit the temple of Goddess Khumbeswari near the common boundary of Kalapat and Pathargarh blocks, for worship, and for repairing the temple whenever necessary.

2. This cancels Bihar and Orissa Government notification no. 196—111-F-138-R. R., dated the 1st May 1934.

The 3rd March 1937.

No. 1186-L.S.-G.—In exercise of the powers conferred by section 89 of the Bihar

and Orissa Excise Act, 1915 (Bihar and Orissa Act II of 1915), the Government of Orissa are pleased to direct that the following amendments shall be made in the rules published under Bihar and Orissa Government notification no. 471-F., dated the 15th January 1919, as subsequently amended by the Bihar and Orissa Government notification no. 8398-L.S.-G., dated the 12th December 1934, namely:—

AMENDMENTS.

For rule 8-A the following rule shall be substituted, namely:—

- (1) "8-A—Import of India-made foreign liquor, except perfumed spirit and spirit contained in drugs, medicines and chemicals, in any quantity by any person for his private consumption is prohibited".

The following proviso shall be inserted below sub-rule (1) of rule 9:—

"Provided that the pass for the import of perfumed spirit and spirit contained in drugs, medicines and chemicals from the licensed manufacturers or licensed bounded warehouses can be granted to any person".

The 3rd March 1937.

No. 1187-L. S.-G.—In exercise of the powers conferred by the proviso to sub-section (i) of section 12 of the Bihar and Orissa Excise Act, 1915 (Bihar and Orissa Act II of 1915), the Government of Orissa are pleased to direct that the following amendment shall be made in Order no. VI-A of the orders published under Bihar and Orissa Government notification no. 470-F., dated the 15th January 1919, subsequently amended by the Bihar and Orissa Government notification no. 8609, L. S.-G. dated the 18th December 1934, namely:—

AMENDMENT.

For clause (b) of Order no. VI-A the following clause shall be substituted, namely:—

"(b) foreign liquor of all other kinds manufactured in India, including perfumed spirit and spirit contained in drugs, medicines and chemicals, when imported or exported for any purpose".

The 26th February 1937.

No. 1189—F-79/36-L.S.-G.—In exercise of the powers conferred by sections 29 and 30 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Orissa are pleased—

- (a) to declare that the area specified below which, along with other forests in the district of Angul, was in Bengal Government notification no. 463-T. R. For., dated the 12th June 1899, declared to be protected forest, shall cease to be protected forest with effect from the date of this notification, and

(b) to cancel Bihar and Orissa Government notification nos. 2258, dated 16th July 1920 and 11251-R., dated 17th November 1921, so far as they relate to the area as specified below.

(c) to cancel Bihar and Orissa Government notification no. 2381-111F-132-R., dated the 22nd March 1933.

SPECIFICATION OF LAND DISFORESTED.

Name of protected forest and portion of protected forest disforested.	District.	Parganas.	Mauza.	Area in acres.
1	2	3	4	5
Chhendipada Block no. 24 ..	Angul ..	Uperbis ..	Chhendipada	132

Boundaries.

North, East and South—Chhendipada demarcated protected forest block.

West—Village lands of Chhendipada jungle-mauza.

Brief Description.

Out of 132 acres an area of 40-70 acres is under cultivation and the balance consists of poor jungle, the land being fit for cultivation.

The 28th February 1937.

No. 1190—F-79/36-L. S.-G.—In exercise of the powers conferred by section 32 of the Indian Forest Act, 1927 (XVI of 1927), the Government of Orissa are pleased to direct that the following amendments shall be made in "The Angul Protected Forests Rules, 1922"—

(1) For rule 5 of the said rules the following shall be substituted, namely:—

"Any *bona fide* resident of the Angul Government estate may, in the undemarcated protected forest allotted to his village at the Settlement of 1925-28, without payment, fell, convert or remove to his own home for his own use—

(i) any tree or timber which is not reserved or any other forest produce and

(ii) with the previous written permission of the Deputy Commissioner any tree or timber which is reserved, on payment of fees at the rates specified in the Schedule I, annexed, provided that no such permission shall be granted to cut any khair tree which is less than 24" in girth measured at a height of 6" from the ground."

(2) For the first paragraph of rule 10 of the said rules the following shall be substituted, namely:—

"Any *bona fide* resident of the Angul Government Estate may, in the undemarcated protected forest allotted to his village at the Settlement of 1925-28, without payment, cut and remove bamboos for his own use."

(3) For clause (a) of rule 11 of the said rules the following shall be substituted, namely:—

"(a) Permitting him to take for his own personal use trees, timber and other forest produce from the annual coupes in the demarcated blocks but not from undemarcated areas, provided that no such permission shall be granted to cut any khair tree which is less than 24" in girth measured at a height of 6" from the ground; or"

(4) In rule 15 of the said rules—

(a) for clauses (a) and (b) the following shall be substituted, namely:—

"(a) injure any reserved tree, whether in the course of collecting forest produce or in any other way except when permission has been accorded to do so."

(b) clauses (c) and (d) shall be relettered "(b)" and "(c)" respectively.

(5) In clause (1) of rule 17 of the said rules the words and brackets "(within the limits of their respective villages)" shall be omitted.

(6) In rule 21 of the said rules—

(a) the figure and word "6 Barkali" shall be omitted;

(b) for the figures "7" and "8" the figures "6" and "7" shall be respectively substituted;

(c) at the end, the following proviso shall be added, namely:—

"Provided that no such licence shall be granted to cut any khair tree which is less than 24" in girth measured at a height of 6" from the ground."

(7) This cancels the Bihar and Orissa Government notification no. 261-111-F.66-R. R., dated the 21st June 1932.

By order of the Governor,
M. HAMID,
Secretary to Government.

LAW AND COMMERCE DEPARTMENT.

NOTIFICATION.

The 3rd March 1937.

No. 1459-11-P-24-Com.—The following draft of amendments which, in exercise of the power conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (XV of 1908), the Government of Orissa propose to make in the directions published with notification no. 220-Com., dated the 9th February 1934, in the Bihar and Orissa

Gazette of the 14th idem, Part II, pp. 81-82, is published for the information of persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration by the Government on or after the 10th April 1937.

2. Any objection or suggestion which may be received from any person with respect to the draft amendments before the date specified above will be considered by the Government of Orissa.

DRAFT AMENDMENTS.

Delete clause (b) of direction 1 in the aforesaid notification and reletter the existing sub-clauses "(a) (i)" and "(a) (ii)" as clauses "(a)" and "(b)" respectively.

By order of the Governor,

C. GOVINDAN NAIR,

Secretary to Government.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

The 25th February 1937.

No. 1905-E.—The Public Works Execution Division hitherto styled 'Central Civil Works—Orissa Construction Division' of the Central Public Works Department with headquarters at Cuttack will be called 'Capital Construction Division' of the Orissa Public Works Department from the 1st March 1937. All correspondence relating to works at Koraput and Nawapara should henceforth be addressed to the Executive Engineers, Koraput and Sambalpur, respectively and all other correspondence relating to the Capital Construction addressed to the Executive Engineer, Capital Construction Division, Cuttack.

A. VIPAN,
Secretary to Government.

The 3rd March 1937.

No. 2244-I.—In exercise of the powers conferred by section 6 of the Canals Act, 1864 (Bengal Act V of 1864), the Governor is pleased to make the following amendments, for the period from the 1st January 1937 to 1st April 1937, in the schedule of rates of toll laid down in the Bihar and Orissa Government notification no. 3551-I., dated the 12th November 1931

published in Part II, page 1348 of the *Bihar and Orissa Gazette*, dated the 18th November 1931:—

AMENDMENT.

Substitute the following for entries at (a) under the schedule of tolls to be levied on the Orissa Coast Canal:—

(a) Range III (Mirgoda to Bhograi and vice versa.) *

Serial no.	Description.	Unit of rates.	Tollage rates.
1	2	3	4
			Rs. a. p.
1	Vessels loaded	Per 100 mds. ...	1 6 0
2	Do. empty	Ditto ...	0 11 0
3	Timber in rafts or loose ...	Per timber ...	0 3 6
4	Bamboos in floats or loose ...	Per 100 bamboos ...	0 7 0
5	Passenger traffic boats	The same rates as cargo boats.

* By reason of an agreement entered into between the Bengal and Orissa Governments, the payments made at Bhograi will entitle the payer to traverse the entire length of the canal from Bhograi in Orissa to Peechabani in Bengal.

By order of the Governor,
A. VIPAN,

Secretary to Government.

OFFICE OF THE REVENUE COMMISSIONER.

NOTIFICATION.

The 9th March 1937.

No 2146-S.G.—The following by-law for the destruction of bamboo clumps of prickly variety and other rank growths of vegetation of the Balasore district which has been approved by the Government of Orissa is confirmed under section 139 of the Bihar and Orissa Local Self-Government Act, 1885.

BY-LAW.

Any owner or occupier or any person having possession or control over any land in which there exists any bamboo clumps of prickly variety popularly known as Kantabans, not fit for house-building purpose or any other rank growth of vegetation left in a careless condition which may appear to the District Board to be injurious and offensive to health and sanitation of the neighbourhood shall, if so required by a notice in writing by the Chairman of the District Board, destroy the same within a period not more than 3 weeks from the date of service of notice. In every case the notice should be given to the owner of the land in the first instance.

The District Board may delegate the power of issuing notice to the Vice-Chairman, District Board, Chairman and Vice-Chairman, Local Boards, President of Union Board and Chairman, Union Committee.

2. Non-compliance with the notice will render the notice receiver liable to prosecution and if convicted, to a fine not exceeding Rs. 20; provided that no prosecution will be launched unless and until a local enquiry has been held by the Chairman or the Vice-Chairman and the Health Officer of the District Board and the prosecution has been sanctioned by the Chairman, District Board,

3. If after conviction the notice receiver still fails to remove the offending clump of Kantabanso, or the aforesaid rank growth of vegetation, he will be liable to a further prosecution and if convicted to the imposition of a fine not exceeding rupee one for every-day during which he is proved to have failed to comply with the notice after the date of his first conviction; provided that the sanction of the Chairman, District Board, will be sufficient for the second prosecution without any further local enquiry.

J. R. DAIN,

Revenue Commissioner.