




The Orissa Gazette

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PART III.

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

HOME, REVENUE AND FINANCE DEPARTMENTS.

NOTIFICATIONS.

The 12th March 1937.

No. 2663/IM-4-37-A.—Under section 25 of the Negotiable Instruments Act, 1881 (Act XXVI of 1881), the Government of Orissa

hereby declare Wednesday, the 9th June 1937, to be a public holiday on account of the celebration in India of the birthday of His Majesty, the King Emperor.

By order of the Governor,

P. T. MANSFIELD,

Chief Secretary to Government.

The 13th March 1937.

No. 955—La-43-R.—Notification no. 3832-R., dated the 7th September 1936, published at page 116 of Part III of the *Orissa Gazette* of the 11th idem regarding acquisition of land for the playground of the Middle Vernacular School at Sohella in the village of Sohella, tahsil Bargarh, zila Sambalpur, is hereby cancelled.

The 16th March 1937.

✓ **No. 998-R**—Whereas the Collector appointed for the preparation of a record-of-rights in respect of the following villages of the Jerada, Surangi and Bodokhemidi Estates, in the district of Ganjam, has published the record-of-rights in respect of the said villages on the dates noted against them, the Governor of Orissa, in exercise of the powers vested in him under sub-section (2) of section 167 of the Madras Estates Land Act, 1908 (Madras Act I of 1908), hereby declares that a record-of-rights has been finally published for each of the said villages.

| Name of estate. | Name of villages. | Date of publication. |
|--------------------|--------------------|----------------------|
| Jerada Estate | 1. Subornopuro | 29th January 1937. |
| | 2. Mahadevipuro | 29th January 1937. |
| | 3. Gundra | 30th January 1937. |
| Surangi Estate | 4. Gottagam | 30th January 1937. |
| Bodokhemidi Estate | 5. Jhoripodoro | 25th January 1937. |
| | 6. Godogovindopuro | 31st January 1937. |
| | 7. Anangapuro | 31st January 1937. |
| | 8. Madanamohanpuro | 25th January 1937. |
| | 9. Koropoda | 26th January 1937. |

By order of the Governor,

A. F. W. DIXON,

Additional Secretary to Government.

The 18th March 1937.

✓ **No. 1032—Legis-7/37-R**—In exercise of the powers conferred by paragraph 16 of the Government of India (Constitution of Orissa) Order, 1936, and with the previous sanction of the Governor-General in Council and in pursuance of notification no 1291-L. S.-G., dated the 15th June 1936 and in partial modification of notification no. 22, dated the 1st of April 1936, the Governor is pleased to direct that the following amendments shall be made in the last-named notification, namely:—

(1) In item (2) of Schedule B of the notification, at the commencement of the existing entry in the third column, the letter and brackets "(a)" shall be inserted and, after the said entry, the following entries shall be made:—

"(b) The functions exercisable by the Commissioner of a division or by the Board of Revenue for Bihar and Orissa by virtue of any provision contained in or made under any enactment which is in force in the area mentioned opposite hereto in column 2.

(c) The functions of the Excise Commissioner under the Bihar and Orissa Excise Act, 1915."

(2) In item (3) of the said schedule, after clause (b) in the third column, the following entry shall be made:—

"(c) The functions exercisable by the Commissioner of a division or by the Board of Revenue for Bihar and Orissa by virtue of any provision contained in or made under any enactment which is in force in the area mentioned opposite hereto in column 2."

✓ The 24th March 1937.

✓ **No. 1444-R**—In exercise of the powers conferred by paragraph 16 of the Government of India (Constitution of Orissa) Order, 1936, and with the previous sanction of the Governor-General in Council and in partial modification of the notification of the Government in the Home, Revenue and Finance Departments no. 22, dated the 1st April 1936, published at page 9 of Part III of the *Orissa Gazette* of that date, the Governor is pleased to direct that the Revenue Commissioner, Orissa, shall cease to exercise the functions of the Controlling officer for registration of rainfalls.

The 24th March 1937.

No. 1445-R.—In exercise of the powers conferred by paragraph 17 of the Government of India (Constitution of Orissa) Order, 1936, and all other powers enabling him in this behalf, the Governor is pleased to direct that the functions of the Controlling officer

for registration of rainfalls, shall be exercised in the province of Orissa by the Director of Development, Orissa.

By order of the Governor,

P. T. MANSFIELD,

Chief Secretary to Government.

The 13th March 1937.

No. 934—L₂-22-R.—DECLARATION.—Under section 6 of the Land Acquisition Act, the Governor hereby declares that the land specified below and measuring 0.22 acre, be the same a little more or less, is needed for a public purpose, to wit, for Mantriddi road and under sections 3 and 7 of the same Act, the Second Officer, Berhampur, is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land. A plan of the land is kept in the office of the Second Officer, Berhampur, and may be inspected at any time during office hours.

SCHEDULE.

| District. | Taluk. | Village. | Description of land, wet or dry, inam or poramboke, with survey or palmash number. | Name of owner or occupier. | Boundaries of the land required to be taken up. | | | | Extent to be taken up. |
|------------|-------------|-----------|--|---|---|----------|-----------------|----------|------------------------|
| | | | | | North. | East. | South. | West. | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) |
| Ganjam ... | Berhampur.. | Palur ... | S. no. 28/2 Wet. | Narasingo Koro, manager for the time being of Sri Balaj Maha- prabhu of Mantriddi. | S. no. 28/1. | S. no. 2 | S. no. 28/3. | S. no. 2 | Acre. 0.22 |

A. F. W. DIXON,

Additional Secretary to Government.

The 17th March 1937.

No. 1013—L₂-22-R.—DECLARATION.—Whereas it appears to the Government of Orissa that land is required to be taken by Government at the expense of the Sambalpur District Council for a public purpose, viz., for a leper clinic at Dhama, in the village of Dhama, tahsil Sadr, zila Sambalpur, it is hereby declared that for the above purpose a piece of land measuring, more or less, 0.21 acre consisting of plot no. 794 (0.21) bounded on the—

North—By plot no. 803,

East—By plot no. 796,

South—By plot no. 795,

West—By plot no. 797,

is required within the aforesaid village of Dhama.

Mines of coal, iron-stone, slate or other minerals lying under the land or any particular portion of the land, except only such parts of the mines and minerals as it may be necessary to dig, or carry away, or use in the construction of the work for the purpose of which the land is being acquired are not needed.

This declaration is made, under the provisions of section 6 of Act I of 1894, and section 3, clause (1) of Act XVIII of 1885, to all whom it may concern.

A plan of the land may be inspected in the office of the Deputy Commissioner, Sambalpur.

The 20th March 1937.

No. 1126—L₂-39-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 the post office building at Bhadrak in the village of Kuans, pargana Randiaergara, zila Balasore, it is hereby declared that for the above purpose a piece of land measuring, more or less, 0.15 acre, bounded on the—

North—By plot. no. 1579,

East—By plot nos. 1581 (post office compound),

South—By the boundary of village Naripur and plot no. 1581 of village Kuans,

West—By plot no. 1579,
is required within the aforesaid village of
Kuans.

This declaration is made, under the provi-
sions 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 Collector, Balasore.

By order of the Governor,

A. F. W. DIXON,

Addl. Secretary to Government.

EDUCATION, HEALTH AND LOCAL SELF-GOVT. DEPARTMENT.

NOTIFICATIONS.

The 24th March 1937.

✓ **No. 1504-E.**—In exercise of the powers
conferred by sub-section (1) of section 5 of
Indian Registration Act (XVI of 1908) and
in supersession of notification no. 10, dated
the 1st April 1936, published in Part III of
the *Orissa Gazette*, dated the 1st April 1936,
the Governor is pleased to direct that with
effect from the 1st April 1937 that portion
of the registration district of Ganjam-
Koraput which comprises the undermen-
tioned five registration sub-districts shall be
detached therefrom and form a new regis-
tration district of Koraput which headquar-
ters at Koraput. The limits of the regis-
tration district of Koraput shall be con-
terminous with the limits of the revenue dis-
trict of Koraput.

1. Gunupur.
2. Jeypur.
3. Koraput.
4. Nawarangapur.
5. Rayaghada.

2. In exercise of the powers conferred by
section 6 of the said Act, the Governor is
further pleased to appoint with effect from
the 1st April 1937 the Agent to the Gover-
nor in Koraput to be Ex-officio Registrar of
the said registration district of Koraput.

The 24th March 1937.

No. 1537-E.—In exercise of the powers
conferred by sub-section (1) of section 5 of
the Indian Registration Act (XVI of 1908)
and in supersession of notification no. 10,
dated the 1st April 1936, published in
Part III of the *Orissa Gazette*, dated the
1st April 1936, the Governor is pleased to
direct that with effect from the 1st April
1937 that portion of registration district
of Ganjam-Koraput which comprises the
undermentioned eleven registration

sub-districts shall be detached therefrom and
form a new registration district of Ganjam
with headquarters at Chatrapur. The limits
of the registration district of Ganjam shall be
contiguous with the limits of the revenue
district of Ganjam :—

1. Aska.
2. Berhampur.
3. Boyirani.
4. Buguda.
5. Chatrapur.
6. Digopohandi.
7. Ghumsur.
8. Hinjili.
9. Parlakimedi.
10. Purushothampur.
11. Surada.

2. In exercise of the powers conferred by
section 6 of the said Act, the Governor is
further pleased to appoint with effect from
the 1st April 1937 the Collector of Ganjam,
to be ex-officio Registrar of the said regis-
tration district of Ganjam.

The 22nd March 1937.

No. 1561—F-33/37-L.S.-G.—In exercise
of the powers conferred by clauses (i) and
(j) of sub-section (1) of section 26 of the
Indian Forest Act, 1927 (XVI of 1927), the
Government of Orissa are pleased to direct that
the following amendment shall be made in the
Bihar and Orissa Government Reserved
Forests Shooting Rules, 1930, published with
notification no. 1066—III F-5R--R., dated
the 14th October 1930, namely:—

In line 4 of clause (a) of rule 15 of the
said rules insert the figure '5' between
the figures '4' and '13'.

By order of the Governor,

M. HAMID,

Secretary to Government

LAW AND COMMERCE DEPARTMENT.

NOTIFICATIONS.

The 14th March 1937.

No. 1762-Cem—Intimation having been
received of the outbreak of smallpox at the
port of Madras it is hereby notified for
general information that the port of Madras is
declared to be an infected port and that the
existing regulations for the prevention of the
introduction of smallpox by sea will be
enforced in the ports of Orissa against
vessels arriving from the port of Madras.

The 14th March 1937.

No. 1790-Com.—It is hereby notified for general information that Karachi is declared free from plague and that the existing regulations for the prevention of the introduction of plague by sea which were enforced in the ports of Orissa against vessels arriving from Karachi have been withdrawn.

C. G. NAIR,

Secretary to Government.

The 16th March 1937.

No. 1830—1B-2/36-Com.—The following draft of rules which, in exercise of the powers conferred by section 29 of the Indian Boilers Act, 1923 (Act V of 1923), and in supersession of all the existing rules on the subject, the Government of Orissa intend to make, is published, as required by sub-section (1) of section 31 of the said Act for general information.

2. The draft will be taken into consideration on or after the 20th April 1937, and any objection or suggestion in respect thereof which may be received by the undersigned on or before that date will be duly considered.

C. G. NAIR,

Secretary to Government.

DRAFT RULES UNDER SECTION 29 OF THE INDIAN BOILERS ACT, 1923 (V OF 1923).

I.—PRELIMINARY.

1. (1) These rules may be called the Orissa Boilers Rules, 1937.

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

- Definitions.
- (a) "the Act" means the Indian Boilers Act, 1923 (V of 1923);
- (b) "section" means a section of the Act.
- (c) "regulation" means a regulation of the Indian Boiler Regulations, 1924, framed by the Government of India under section 28 of the Act;
- (d) "form" means a form appended to these rules.

II.—GENERAL

2. Whereas the boilers in Orissa will be inspected by the Bihar Boiler department, all sums realized as fees, costs and penalties under the Act shall be credited to the Government of Bihar.

III.—FEES.

3. (1) All fees payable under the Act or under these rules shall be paid into a treasury by means of chalangans and credited to the Government of Bihar.

(2) Fees payable under sub-section (1) of section 7 and sub-section (4) of section 8 shall be calculated on the basis of boiler rating as prescribed in regulation 158.

(3) The formula for calculating boiler rating shall be as prescribed in regulation 157.

4. (1) The following fees are prescribed, namely:—

(a) *Registration fees.*—Fees for registration and first inspection of boilers shall be as prescribed in regulation 159.

(b) *Fees for renewal of certificates.*—Fees required to accompany applications for the issue of renewed certificates under sub-section (4) of section 8 shall be on the following scale:—

| | Rs. |
|---|-----|
| For boiler rating not exceeding 100 square feet | 30 |
| For boiler rating exceeding 100 square feet, but not exceeding 300 square feet | 35 |
| For boiler rating exceeding 300 square feet, but not exceeding 500 square feet | 40 |
| For boiler rating exceeding 500 square feet, but not exceeding 700 square feet | 50 |
| For boiler rating exceeding 700 square feet, but not exceeding 900 square feet | 60 |
| For boiler rating exceeding 900 square feet, but not exceeding 1,100 square feet | 70 |
| For boiler rating exceeding 1,100 square feet, but not exceeding 1,300 square feet | 80 |
| For boiler rating exceeding 1,300 square feet, but not exceeding 1,600 square feet | 90 |
| For boiler rating exceeding 1,600 square feet | 100 |

Provided that when any owner is willing to accept a renewed certificate for less than twelve months in order to approximate the date of annual inspection to the date on which other boilers in the locality are inspected, a certificate for such period, less than twelve months

as may be necessary for such approximation of dates, may be granted at a reduced fee to be calculated at one-twelfth of the ordinary fee for each full month, a portion of a month not being reckoned.

(2) *Application of the above fees.*—The fees mentioned in sub-rule (1) shall cover thorough inspection, hydraulic test and steam test, where such are necessary, subject to the provisions of sub-section (2) of section 14.

(3) *Second fees for re-inspection of defective boilers and inspections in default.*—A second fee shall be leviable for the re-inspection of a defective boiler and also in any case where the inspection of a boiler is begun, but owing to the fault or neglect of the owner or person in charge, is not completed within a period of six months from the date of commencement of inspection.

(4) A duplicate of any certificate granted under section 7, or section 8, which is at the time in force shall be granted by the Chief Inspector, on the application of the owner of the boiler if the Chief Inspector is satisfied that the duplicate is required for a *bona fide* purpose and a fee of Rs. 3 per copy is paid.

(5) A fee of Rs. 5 shall be payable for a copy of the Registration Book.

(6) *Additional fee for inspection on Sundays and certain holidays.*—Notwithstanding the provisions of sub-rule (2) an additional fee of Rs. 50 shall be charged for the inspection of a boiler on a Sunday, Christmas Day, New Year's Day, Good Friday, and the King's Birthday, provided that such inspection is made at the request of the owner of the boiler. Half of the additional fee so charged shall be paid to the Inspector, the other half shall be credited to the Government of Bihar.

(7) *Payment of Inspector's travelling expenses in certain cases.*—(a) In addition to any fees mentioned in sub-rules (1), (3) and (6) above, an Inspector's travelling expenses shall be realized from owners, whose boilers are not ready for inspection on the first visit made on their application, for every additional visit paid by the Inspector for the completion of the inspection.

(b) If the owner of a boiler requires an inspection at a time which would necessitate a special journey by an Inspector, an additional fee equal to the travelling allowance of the Inspector and his attendant staff, if any, as determined by the Bihar and Orissa Service Code Rules shall be paid by the owner of the boiler in addition to any fees mentioned in this rule :

Provided that if two or more owners apply for inspections which are made in the course of a single such journey, the additional fee prescribed in this clause shall be recovered from such owners in such proportion as the Chief Inspector may determine.

5. (1) Fees paid in excess and fees paid for inspection which, Refund of fees. for any reason not due to any fault or omission of the owners or persons in charge of boilers, have not been made, shall be refunded if an application for refunds is made to the Chief Inspector within one year from the date of payment: or may be set off against the fees for the inspections of any other boilers of the same owners.

(2) Bills for drawing money from the treasury on account of the refunds mentioned in sub-rule (1) shall be prepared in Form D and no bill shall be paid unless a certificate as specified in the form is furnished by the Chief Inspector.

(3) Refunds shall be debited to the Government of Bihar.

IV.—DUTIES OF THE CHIEF INSPECTOR.

6. The Chief Inspector shall be vested with all the powers of an Inspector under the Act, but his main duty shall be the supervision and control of the work of the Inspectors. He shall normally inspect or examine boilers only in exceptional cases, or in such cases as he considers that the work of an Inspector requires a personal check.

Specific duties.

7. The Chief Inspector shall—

- (a) personally check the registration books of all newly registered boilers, for the initial working pressure, and have all orders required by section 7 entered under his own signature;
- (b) have any subsequent entries required in the registration book entered under his own signature;
- (c) obtain the memorandum of inspection and registration books of a boiler which has been registered in

another province and the subsequent transfer of which to this province is reported under clause (b) of section 6 [see regulation 161(a)];

- (d) approve the programme of inspections of all Inspectors subordinate to him with due regard to the convenience of owners generally;
- (e) examine and countersign the Inspector's notes of inspection entered on Form B, no. 2, after each inspection;
- (f) examine and pass orders on the diaries and returns of Inspectors;
- (g) pass orders in all cases in which an Inspector proposes to increase or reduce the pressure allowed for any boiler under proviso (a) (ii) of sub-section (5) of section 8 or to revoke, cancel or refuse to renew the certificate of a boiler under section 11, or to order important repairs, structural alterations, or renewals in a boiler under section 8;
- (h) pass orders in all cases in which it is reported that after due notice the boiler has not been properly prepared for inspection;
- (i) decide all appeals against the order of Inspector under section 19;
- (j) sanction prosecutions under the Act;
- (k) enquire into serious accidents to boilers; and
- (l) prepare and submit to the local Government the Annual Report of the working of the Act.
8. The Chief Inspector may advise owners regarding the maintenance, working and cleaning of boilers.
9. The Chief Inspector shall keep in his office—
- (a) a register in Form A of all boilers registered in the province, or the registry of which has been transferred from another province;
- (b) the registration book of all boilers borne on his register;
- (c) a register of appeals;
- (d) a register of accidents; and
- (e) a register of registration and inspection-fees received.
10. When a certificate is required for a boiler application shall be made to the Inspector of boilers by the owner in Form B, no. I, stating the date on which

the boiler will be ready for inspection and such application shall be accompanied by a duplicate chalan showing that the fee prescribed under sub-rule (2) of rule 3 has been paid into the treasury. The Inspector shall then satisfy himself that the fee and the extra fee, if any, chargeable for inspection on a Sunday or other holiday as laid down in sub-rule (6) of rule 4 together with the Inspector's travelling expenses, if any, chargeable under sub-rule (7) of rule 4 have been paid. If the date of inspection stated in the application by the owner is unsuitable the Inspector shall fix a date within thirty days from the date of receipt of the application for inspection of the boiler and shall give the owner not less than ten day's notice in Form C of the date so fixed.

V.—DUTIES OF INSPECTORS.

11. Inspectors shall be directly subordinate to and under the control of the Chief Inspector.

12. The main duties of Inspectors as laid down in the Act shall be the inspection and examination of boilers and steam pipes. Instructions shall be carried out in strict accordance with Part II of the Regulations and Chapters VIII and IX of these rules.

13. There shall be two kinds of inspection of boilers—

(a) When the certificate granted under the Act is about to expire or when it has been revoked or suspended under section 11 and the owner desires that it shall be renewed, a thorough examination inside and outside, shall be made by an Inspector in person, for which purpose the boilers must be prepared as required by regulation 150.

(b) An ordinary inspection may be made by an Inspector at any time for the purpose of ascertaining whether a certificate should be revoked or suspended under section 11.

14. In addition to the inspection and examination of boilers it shall be the duty of Inspectors to search for unregistered or uncertificated boilers within their areas, and to see that certificated boilers are worked in accordance with the terms of their certificates and with any regulation or rule under the Act for safe working.

15. At the time of inspection, Inspectors may advise the owner and the person in charge of the boiler on the management and upkeep of the boiler with

special reference to the amount of cleaning required in view of the quality of water used.

Specific duties. 16. Inspectors shall—

- (a) prepare a programme of inspections with regard to the convenience of owners generally and submit it to the Chief Inspector for approval at such periods as he may fix, at least fourteen days before the first date fixed in the programme;
- (b) maintain and keep in their office a memorandum of inspection book for each boiler in their charge, in which shall be entered in ink their notes on each inspection and any other particulars affecting the history of the boiler. A copy of these notes shall be entered in the place provided on Form B, no. 2;
- (c) keep a diary for monthly submission to the Chief Inspector, showing places visited, boilers registered or inspected, variations from the programme, and any other important particulars;
- (d) receive applications for registration or inspection under section 7 or 8, proposals for repairs, alterations or renewals under sections 12 and 13, reports of accidents under section 18;
- (e) enquire into accidents to boilers or steam pipes and report to the Chief Inspector;
- (f) report to the Chief Inspector cases of unreported accidents discovered at the time of inspection; and
- (g) submit for the orders of the Chief Inspector—
 - (i) the memorandum of inspection and registration books of all boilers proposed for registration under section 7;
 - (ii) proposals for increasing or decreasing the pressure of a boiler after inspection under proviso (a) (ii) to sub-section (5) of section 8;
 - (iii) proposals for necessary repairs, structural alterations or renewals to a boiler after inspection under section 8 or 12;
 - (iv) proposals for revoking, cancelling or refusing to renew a certificate under section 8 or 11;
 - (v) report when boilers have not been properly prepared for inspection under section 14;
 - (vi) proposals for prosecutions under the Act.

17. When an inspection under the Act is completed, the Inspector's declaration. Inspector making it shall prepare a declaration in Form B, no. 2, in which the limit of the working pressure, in pounds per square inch, and the period for which the certificate is to be granted shall be clearly noted.

18. Upon receipt of the declaration in the office, a certificate Grant of certificate for the use of boiler. authorizing the use of the boiler shall be prepared in the Form VI prescribed by regulation 162. Such certificate shall be signed by the Inspector and the Chief Inspector and shall be delivered to the owner, manager or agent of the steam boiler inspected.

The time for the inspection of boiler shall be between sunrise and sunset.

VI.—ACCIDENTS.

19. On receipt of a report of an accident Investigation of accidents. to a boiler or steam-pipe under section 18, the Inspector shall, with the least possible delay, proceed to the place to investigate the accident. If the report is received by the Chief Inspector, he shall forward it at once to the Inspector, within whose jurisdiction the accident has occurred, for necessary action.

20. The Inspector at his enquiry shall Procedure during enquiry. make a careful examination of the damaged parts, and shall take such measurements and make such sketches for the purpose of his report, as he may deem necessary. He shall enquire into the circumstances attending the accident and note the time of its occurrence, its nature and extent, the injury caused to persons and the damage done to property. The report should be in the style of the Reports of Preliminary Enquiries under the British Boiler Explosion Acts, 1882 and 1890.

21. Inspectors shall take the written statements of witnesses and all persons immediately concerned with the accident. In order to comply with the provisions of sub-section (2) of section 18 the Inspector shall present to the owner or persons in charge of the boiler a series of written questions on all points that are material to the enquiry.

22. The Inspector shall decide whether Power to hold enquiry after accident. the use of the boiler can be permitted at the same or at a lower pressure without repairs or pending the completion of any repairs or alterations that he may order. In no case shall he issue a provisional order or renewal certificate, until his orders have been carried out.

23. The report shall be sent without delay to the Chief Inspector who, if he considers that the investigation has been sufficient, shall record the facts in his register of accidents and shall enter a brief account of the accident in the registration and memorandum of inspection books. If, however, the accident is of a serious nature and in all cases in which an explosion has occurred, the Chief Inspector, on receipt of the report of the Inspector, shall proceed to investigate the accident personally.

24. A brief account of all accidents and their causes shall be included in the annual report on the working of the Act.

25. If in the course of an inspection or at any other time, the Inspector discovers damage which comes within the definition of an accident, but which has not been reported, he shall report the facts at once to the Chief Inspector for action under clause (d) of section 24.

VII.—APPEALS.

26. In this part “appellate authority” means the appellate authority constituted under rule 28.

27. The Revenue Commissioner, Orissa, as President with three assessors to be appointed by the local Government on each occasion shall be the appellate authority for the purposes of section 20.

Provided that no person shall be appointed an assessor, who is directly interested in the boiler about which an appeal is made and who is not a fully qualified mechanical engineer.

28. An assessor appointed under rule 27 shall receive for the hearing of the appeal a fee to be fixed by the local Government in consultation with the Government of Bihar subject to a maximum of one hundred rupees a day for every day occupied by the hearing in addition to travelling allowance on such scale as may be fixed by the local Government in this behalf in consultation with the Government of Bihar. The fees and travelling allowances of the assessors shall be paid by the Government of Bihar.

29. Every petition of appeal shall be made in writing either in English or in the vernacular.

30. A petition of appeal may be presented either personally or by registered post to the Chief Inspector.

31. The petition of appeal shall be accompanied by the original order, notice, or report appealed against, or by a certified copy thereof; or where no such order, notice, or report has been made in writing, by a clear statement of the facts appealed against, the grounds of appeal, and the relevant section of the Act.

32. On receipt of an appeal, the Chief Inspector shall, if the appeal is to be heard by himself, at once fix a date for hearing the appeal; and if it is to be heard by the appellate authority, obtain a date for the hearing of the appeal from the President of that authority and under the instructions of the President, arrange for the attendance of the assessors appointed under rule 27 for the appeal. No delay shall be made in deciding appeals. The decisions shall ordinarily be given within ten days from the receipt of the petition of appeal.

33. When the date for hearing has been fixed, the Chief Inspector shall at once issue a notice to the appellant stating the date fixed for hearing and informing him that if he wishes to be heard in support of the appeal or to produce evidence, he shall be present either in person or by authorized agent with his evidence on the date fixed. The notice shall be sent by registered post to such address as shall be entered in the petition of appeal.

34. In all appeals the Chief Inspector shall decide whether the presence of the Inspector is necessary, and shall issue orders accordingly.

35. The appellate authority shall have power to secure the attendance of witnesses and to make local enquiries and for this purpose shall exercise the powers of a Court under the provisions of the Code of Civil Procedure, 1908.

36. If the appellant is not present on the date fixed, the appeal may be decided in his absence.

37. In appeals before the appellate authority the President shall fix the costs and recover them from the appellant in any case in which the appeal is dismissed. In all cases of appeal in which a local inspection is required by the appellant he shall deposit in advance the full costs of such inspection.

38. Any order on appeal authorizing the registering of a boiler shall be deemed to be subject to the payment of such fees as are prescribed by rules or regulations framed under the Act.

VIII.—ADMINISTRATIVE INSTRUCTIONS FOR REGISTRATION.

39. Inspectors shall carry out the technical instructions for the registration of boilers, as laid down in Part II of the Regulations, with the greatest care and precision, as the details of measurement recorded at the time of registration constitute a permanent record for the boiler and determine the original pressure at which the boiler is allowed to work.

40. Applications for registration under sub-section (1) of section 7 shall be made to the Inspector in accordance with the provision of rule 10. No boiler shall be registered if on measurement the fee is found to be deficient, until the deficit has been paid. Any excess payment will be refunded according to rule 5.

41. The Chief Inspector shall maintain a register of registered boilers in serial order in Form A in two parts; in Part I (boilers originally registered in the province) the registered number of a boiler shall be the one immediately following the last serial number in the register. Gap numbers due to boilers being broken up or transferred to another province shall not be filled up. In Part II (boilers originally registered in other provinces) entries shall be made as prescribed in rule 43.

42. (1) Whenever a boiler is transferred from one province to another, the owner shall, under section 6(b), apply to the Chief Inspector of the province to which the boiler is transferred, for the registration of the transfer; the boiler cannot be used until registration has been effected. The Chief Inspector shall then obtain from that province the registration book and memorandum of inspection book of the boiler. No fee shall be charged for recording transfer.

(2) On receipt of the registration the Chief Inspector shall enter the boiler under its original number in Part II of his register. The registration

book and the memorandum of inspection book shall be kept as provided in clause (b) of rule 9 and clause (b) of rule 16.

43. Whenever a boiler has been transferred to another province or broken up, the fact shall be noted in the register.

Note of transferred and dismantled boilers.

IX.—ADMINISTRATIVE INSTRUCTIONS FOR INSPECTION.

44. Inspectors shall carry out the inspection of boilers in accordance with the detailed instructions contained in Part II of the Regulations. The Inspector, previous to an inspection, shall scrutinize the memorandum of inspection book and shall note any entries that may have been made at the last inspection.

45. Inspectors, when inspecting one boiler of a battery, shall also examine the other boilers under steam, with special reference to the water gauges, pressure gauges and safety valves.

46. All certificates shall be issued from the head office after being countersigned by the Chief Inspector.

A provisional order shall be issued in each case of registration after the hydraulic test if the Inspector is satisfied. The steam test may be taken at any convenient time within the period of the provisional order, after which, if the test is satisfactory, the certificate under section 7 shall be issued.

A provisional order shall also be issued after each completed inspection for renewal of the certificate so as to give authority for the use of the boiler pending the issue of the certificate.

The period specified in any certificate or provisional order shall begin on the day following that on which the completed hydraulic test or thorough inspection is made.

47. Provisional orders and certificates shall be issued in Forms V and VI, respectively, prescribed under the Regulations.

Form of provisional orders and certificates.

FORM A.

[Rule 2(a).]

BOILER INSPECTION DEPARTMENT.

REGISTER OF BOILERS.

| Registry number. | Type of boiler. | Boiler rating. | Name of manufacturer. | Year and place of construction. | Date of registration. | Name of owner. | Place where in use. | Remarks. (Transfers, etc.) |
|------------------|-----------------|----------------|-----------------------|---------------------------------|-----------------------|----------------|---------------------|----------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | | | | | | | | |

N.B.—In part II of the register, column I should contain the registry number of boilers.

ISSUED BY THE CHIEF INSPECTOR
OF BOILERS, ORISSA.

Registered no.....
Certificate no.....

FORM B, No. 1.
APPLICATION FOR THE INSPECTION OF BOILERS AND STEAM-PIPES
UNDER THE INDIAN BOILERS ACT, V OF 1923.

(Rule 10.)

DIVISION I.

| Registered number of boiler. | Name of owner. | Where situated. | Date of inspection | Description of boiler and age. |
|------------------------------|----------------|-----------------|--------------------|--------------------------------|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

I attach hereto a duplicate treasury chalan in token of the payment of fees chargeable under rule 3(2) of the Orissa Boiler Rules, and hereby apply to the Inspector of Boilers for an inspection of, and certificate for, the above noted boiler.

DATED.....

This.....day of.....19 .

Owner.

DIVISION II.

(To be sent to owner with application form.)

I CERTIFY that the following fees and expenses are payable:—

| Boiler number. | Boiler rating. | Fees. | Extra fees for Sunday and holiday inspection and other expenses. | Total. |
|----------------|----------------|-------|--|--------|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

N.B.—This form with Division I, duly filled in, together with the duplicate treasury chalan for the amount of fees and expenses specified above must be forwarded as soon as possible to the office of the Chief Inspector of Boilers, Kusunda Post Office, district Manbhum, Bihar, in order that the necessary inspection may be made.

DATED AT KUSUNDA:

This.....day of.....19.

Chief Inspector of Boilers, Orissa.

DIVISION III.

No.

I HEREBY certify that I have received duplicate treasury chalan no.....for rupees annas and pies on account of the inspection of the boilers abovenamed.

DATED AT KUSUNDA:

This.....day of.....19 .

Accountant.
Office of the Chief Inspector of Boilers, Orissa.

FORM B, NO. 2.

(Rule 17.)

DECLARATION OF INSPECTOR.

Register no. of boiler.....

Description.....

Boiler-rating.....

Particulars of hyd. tests.....

Date of inspection.....

Maximum working pressure.....

Period of certificate.....

REMARKS

The above noted boiler was inspected by me on the.....19 , and found to be in accordance with the requirements of the Indian Boilers Act, V of 1923.

The boiler with attached steam pipes is in charge of a competent person, and is not in a dangerous condition.

The boiler will, in my judgment, be safe for the period and at the working pressure, stated in this form.

Dated at

This.....day of.....19 .

Inspector of Boilers, Orissa.

FORM C.

(Rule 10.)

INDIAN BOILERS ACT, 1923 (V OF 1923).

NOTICE OF EXAMINATION OF BOILERS UNDER SECTIONS 7 AND 8.

No. _____ of 19 ____ .

OFFICE OF THE INSPECTOR OF BOILERS,

Dated _____ 19 ____ .

To.....

.....

.....

In reply to your application, dated _____, you are hereby informed that boiler registry no. _____ at the abovenamed premises will be thoroughly examined by the Government Inspector on the _____ . To enable the examination to be made, you are bound—

- (a) to afford to the Inspector all reasonable facilities for the examination and all such information as may reasonably be required of you;
- (b) to have the boiler properly prepared and ready for examination in the prescribed manner; and
- (c) in the case of an application for the registration of a boiler, to provide such drawings, specifications, certificates and other particulars as may be prescribed.

Voucher no. _____ in acknowledgment of duplicate treasury chalan no. _____ for Rs. _____ accompanies.

Inspector of Boilers, Orissa.

(See reverse for preparation required.)

(Reverse of Form C.)

PREPARATION FOR EXAMINATION.

(See Part II, Chapter I of the Regulations.)

REGULATION 150.

(A) PREPARATION FOR THOROUGH INSPECTION.

At every inspection of a boiler for the grant or renewal of a certificate, the boiler shall be empty and thoroughly clean in all its parts. All doors of man-holes, handholes, and sightholes, and cleaning pugs and all caps in the headers and mud-drums of water-tube boilers, all firebars, bearers, front plates, bridge plates, firebridges, brick arches, oil fuel burners and mechanical stoker fittings shall be removed. All valves and cocks comprising the boiler mountings shall be opened up and taken apart and the valves and cocks ground, when necessary, before the Inspector's visit.

Provision shall be made for the removal of lagging or brickwork or other concealing part and for the drilling of plates, if required by the Inspector, and for verifying the pressure gauge and safety valve dimensions and weights. All smoke tubes, exterior of water-tubes, smoke boxes, and external flues must be swept clean.

Provision shall be made for the effective disconnection of all steam and hot water communication with any other boilers under steam, as prescribed in Part III of the Regulations. This shall be effected either by the removal of a length of pipe from the steam feed piping or by the insertion of substantial flanges. Where blank flanges are employed they shall be inserted between the flange of the chest and the pipe attached to it. No blank flange shall be inserted between a safety valve chest and the boiler.

NOTE.—These provisions as to effective disconnection shall extend to every case wherein a person is sent or with the assent of the owner or person in charge goes, into a boiler for any purpose. (See Part III of the Regulations.)

(B) PREPARATION FOR HYDRAULIC TEST.

The chest of all mountings subject to steam pressure shall be in place and shut tight or blank-flanged. The safety valves shall either be jammed down or removed and the chest-opening blank-flanged. The attachment* for the Inspector's pressure gauge shall be in order. All doors shall be properly joined and tightened up. The boiler shall be completely filled with water, care being taken to allow all air to escape and, if possible, a preliminary test not exceeding the working pressure of the boiler, shall be taken before the Inspector's visit to test the tightness of the joints. When a boiler is hydraulically tested for the first time, it shall be entirely cleared of lagging or brick-works; at subsequent test the lagging or brick-work or portions thereof, shall be removed, if required by the Inspector.

PREPARATION NOW REQUIRED (A), (B).

NOTE.—The last certificate for the boiler shall be shown to the Inspector.

*Tapped $\frac{3}{4}$ " Whitworth bolt and nut thread.

FORM D.

Rule 5 (2).

REFUNDS OF FEES.

Head of service charge-able. Deduct. Refunds (Name of Revenue head). Voucher no. of

For 19 . List of payments

| In whose name credited. | On what account received. | Amount realised. | Date of payment into Treasury. | Amount in which included and head to which credited. | Treasury Officer's signature in token of verification of Treasury credit. | Name of payee. | Amount to be refunded (should be written in words also). |
|-------------------------|---------------------------|------------------|--------------------------------|--|---|----------------|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | Rs. a. p. | | Rs. a. p. | | | Rs. a. p. |
| | | | | | | | |

Certified that the refund is admissible under the rules and this order of refund has been noted against the original receipt entry in the departmental accounts, under my initials and previous order for refund of the same sum has not been issued.

Chief Inspector of Boilers, Orissa.

Passed for payment under sanction given in (here enter number and date of the sanctioning order) and certified that this order of refund has been noted against receipt entries in the Treasury Accounts and no previous order for refund of the same sum has not been issued.

RECEIVED PAYMENT.

Pay Rupees

() only.

Claimant's signature.

The

19 .

Examined.

Accountant.

Treasury Officer.

The 19th March 1937.

No. 2071—IS2/1937-Com.—The following draft of an amendment which, in exercise of the powers conferred by the first proviso to section 27 of the Inland Steam Vessels Act, 1917 (I of 1917), as modified by the notification of the Government of India, in the Department of Commerce no. 282-S., dated the 27th March 1926, the Government of Orissa propose to make in Form A appended to the rules under the Government of Bihar and Orissa notification no. 3619—VIS-2-Com., dated 8th October 1935, to regulate the conditions for the grant of permits to enable the holders thereof to act as Enginucers of inland motor vessels of 40 brake horse-power and under, plying in the rivers and canals of Orissa, is hereby published as required by section 74 of the said Act for the information of persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 10th May 1937.

2. Any objection or suggestion which may be received by the undersigned in respect of the said draft on or before the date specified above will be duly considered by the Government of Orissa.

DRAFT AMENDMENT.

Below heading "2. Father's name" in Form A appended to the aforesaid rules the heading "3 caste" shall be inserted and the existing headings 3, 4, 5, 6 renumbered as 4, 5, 6, 7 respectively.

By order of the Governor,

C. G. NAIR,

Secretary to Government.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

The 19th March 1937.

No. 2893—IVS-1/37-Ry.—With effect from the 1st March 1937 Nawapara Road Passenger Halt situated between Khariar Road and Lakhna Railway stations on the Raipur-Vizianagram branch of the Bengal-Nagpur Railway has been opened as a Flag station for traffic in local booking only as mentioned below:—

(i) Coaching traffic:—

Passengers, luggage and parcels, except horses, carriages, motor cars, cattle and other animals.

(ii) Goods traffic:—

In smalls only. (In the case of outward traffic booking is restricted to 120 maunds per day).

No traffic in wagon loads can be dealt with at this station as there is no siding.

A. VIPAN,

Secretary to Government.

ELECTION OF MUNICIPAL COMMISSIONERS.

NOTIFICATION.

The 22nd March 1937.

In accordance with the provisions of rule 4 of the Election Rules for Municipalities framed under section 19 of the Bihar and Orissa Municipal Act, 1922, it is notified for general information that a general election of the Commissioners of the Cuttack Municipality will be held on Saturday, the 31st July 1937.

R. P. WARD,

District Magistrate, Cuttack.