



# 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.

#### NOTIFICATIONS.

*The 21st July 1937.*

**No. 2638—Wards-9/37-R.**—In exercise of the powers conferred by section 7 of the Government Management of Private Estates Act X of 1892, the Governor of Orissa is pleased to direct that the following rates be levied for the year commencing the 1st April 1937 and ending the 31st March 1938:—

(1) The rates leviable under section 3 of the Act, on all private estates as defined in clause (3) of section 2 in order to cover, as nearly as possible, the cost of all Government establishment employed and contingent expenditure incurred by Government for the supervision and management of such estates shall be as follows:—

Levy of general rate. 5 per cent on estates with gross income [as defined in clause (2) of section 2] of five lakhs of rupees or less.

For estates with a higher income, the rate will be fixed separately in each case if any such estate is taken under management during the year.

(2) If any estate is under Government management for a portion of the year only, the rate is to be levied only upon the gross income received during the period of such management.

(3) The audit fees to be charged under section 4 from all private estates which are subjected to audit by the Examiner of Local Accounts shall be levied on the basis of daily rates fixed by the Government of India.

(4) Under section 4 the payment of fees shall be obligatory on all estates for legal business done for them by the office of the Superintendent and Remembrancer of Legal Affairs. This scale of fees is as follows:—

	Rs.	to	Rs.
Drawing plaints and written statements and memoranda of appeals.	5	to	85
Settling appeals	5	to	85
Settling petitions	5	to	85

	Rs	Rs.
Opinion ... ..	5 to	85
Compromise ... ..	20 to	85
Consultation ... ..	20 to	85
Motion ... ..	—	85

The 21st July 1937.

**No 2646—La-67-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 special repairs to Atharnala or Marhatta bridge for protection of the ancient monuments at Jajpur in mauzas Siriapur, Naharpada, Khandeswar and Haripur, pargana Jajpur, thana Jajpur, nos. 235, 242, 207 and 206 respectively, zila Cuttack, it is hereby declared that for the above purpose a piece of land measuring, more or less, 0.060 acre, bounded on the—

**BLOCK A (MAUZA SIRIAPUR).**

(Measuring more or less 0.018 acre.)

North—By a canal embankment bearing plot no. 526,

East—By portions of plot nos. 905 and 906,

South—By a boundary line between the mauzas Siriapur and Naharpada,

West—By Marhatta bridge;

**BLOCK B (MAUZA NAHARPADA).**

(Measuring more or less 0.012 acre.)

North—By a boundary line between the mauzas Siriapur and Naharpada,

East—By a portion of plot no. 2,

South—By a portion of plot no. 2,

West—By Marhatta bridge.

**BLOCK C (MAUZA KHANDESWAR).**

(Measuring more or less 0.017 acre.)

North—By the side land bearing plot no. 214 of a canal embankment,

East—By Marhatta bridge and a boundary line between the mauzas Siriapur and Khandeswar,

South—By a boundary line between the mauzas Khandeswar and Haripur,

West—By portion of plot no. 215;

**BLOCK D (MAUZA HARIPUR).**

(Measuring more or less 0.013 acre.)

North—By a boundary line between the mauzas Khandeswar and Haripur,

East—By Marhatta bridge,

South—By portions of plot nos. 27 and 29,

West—By portion of plot no. 27;

is required within the aforesaid mauzas Siriapur, Naharpada, Khandeswar and Haripur.

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, Cuttack Colletorate.

By order of the Governor,

P. T. MANSFIELD,

Chief Secretary to Government.

**EDUCATION, HEALTH AND LOCAL SELF-GOVT. DEPARTMENT.**

**NOTIFICATION.**

The 17th July 1937.

**No. 4865-L.S.-G.—**In exercise of the power conferred by section 94 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 additions shall be made in the list of "aperitifs" appended to the proviso to clause (5) of Order No. XV of the Orders published under notification no. 1826-L.S.-G., dated the 31st March 1937 published at pages 308-312 of Part III of the Orissa Gazette of the 25th June 1937, namely:—

(58) "Viking Quinquina—Tonic Wine" manufactured by Messrs. Societe Larsen and Company, Cognac, France and containing 29.9 per cent proof spirit.

(59) "Finest Kola Wine, Hand Brand" manufactured by Durlacher Brothers, Germany, and containing 30 per cent proof spirit.

(60) "Champion Swan Brand Junior Wine" manufactured by Messrs. Morgan and Company, Hamburg, and containing approximately 42 per cent proof spirit.

(61) "Grand Dubos Vermouth Sec" manufactured by Messrs. Th. J. Dubos et Fils, Freres, Marseilles, and containing 31.3 per cent proof spirit.

[1] (62) --- By order of the Governor,  
E. R. WOOD,

Secretary to Government.

[1] Item No. 62 was added  
no 5786-L.S.-G. D) 2.9.37 (See  
G Gazette D) 10.9.37. P. 445?)

## LAW AND COMMERCE DEPARTMENT.

## NOTIFICATIONS.

*The 15th July 1937.*

**No. 5789-Com.**—It is hereby notified for general information that Rangoon 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 Rangoon are withdrawn.

C. G. NAIR,

*Secretary to Government.**The 15th July 1937.*

**No. 5800—1 M-5/1937-Com.**—In exercise of the powers conferred by section 30 of the Indian Mines Act, 1923 (IV of 1923), read with sub-paragraph (2) of paragraph 8 of the India and Burma (Transitory Provisions) Order, 1937, the Government of Orissa are pleased to direct that the following amendments shall be made to the rules for coal mines and the rules for mines other than coal mines published with Bihar and Orissa Government notification no. 2608—VII M-2-Com., dated the 8th September 1924, and which are in force in the areas transferred from the late Bihar and Orissa Province to the Province of Orissa :—

## AMENDMENTS IN THE RULES FOR COAL MINES.

1. In Chapter III of the rules for coal mines—
  - (a) For rule 9 the following rule shall be substituted :—
    9. The register of all persons employed in the mine shall be maintained, as required by sub-section (1) of section 28 of the Act, in the form shown in Schedule A. The register shall be kept at the office of the mine.
  - (b) For rule 9A the following rule shall be substituted :—
    - 9A. The register required by sub-section (4) of section 28 of the Act shall be maintained in the form shown in Schedule F and all entries therein shall be made at the entrance or entrances to the mine and at the time when the person against whose name the entries are made entered or left the mine. The register shall be kept at the entrance of the mine.
  - (c) After rule 11 the following rule shall be inserted as rule 11A :—
    - 11A. The register of accidents referred to in sub-section (2) of section 20 of the Act shall be in the form shown in Schedule D.
2. After Chapter VI of the rules for coal mines the following new Chapter VI A shall be inserted and the rules in Chapter VII renumbered 30 to 34 :—

## CHAPTER VIA.

*Certificate of fitness for employment underground of persons who have not completed 17 years of age.*

23. Before any person who has not completed his seventeenth year is employed underground, the manager shall arrange to have him examined by a qualified medical practitioner and, if after examination the medical practitioner is of opinion that such person is fit for employment underground, he shall grant him a certificate in the Form in Schedule E.

24. Every certificate granted by a qualified medical practitioner shall be prepared by filling up the foil and counterfoil on both of which shall be impressed the left thumb mark of the person in whose name the certificate is granted.

25. The qualified medical practitioner shall, when satisfied as to the correctness of the entries made therein, sign the foil and initial the counterfoil, and shall deliver the foil to the manager for safe custody.

26. No certificate granted under rule 13 shall be valid for a period exceeding twelve months. Every person in respect of whom a certificate of fitness has been issued shall be re-examined within twelve months of the last previous examination unless in the meantime he has completed his seventeenth year and the qualified medical practitioner making such re-examination may renew the certificate for a further period not exceeding twelve months or may suspend or revoke the said certificate.

27. A qualified medical practitioner who refuses to grant a certificate referred to in rule 23 or suspends or revokes an existing certificate under rule 26 shall state the reasons for refusing to grant a certificate or for suspending or revoking the certificate as the case may be. If the manager of the mine disagrees with the opinion of such medical practitioner, he may refer the case to the Chief Inspector or Inspector. The Chief Inspector or the Inspector shall refer the case for decision to a second qualified medical practitioner and such decision shall be final.

28. Every person who has been certified as fit for employment underground shall, before he is so employed, be provided by the manager with a metal token. Such token shall be stamped with the letter "P" and numbered. The numbers shall be the same as that of the certificate of fitness.

29. A record of every token so issued and the person to whom it was issued shall be maintained in the office of the mine.

3. In the rules for coal mines—

(a) For the existing Schedule A the following Schedule shall be substituted:—

SCHEDULE A.

(See RULE 9.)

Register of employees.

Name and caste of the employee.	Age.	Sex.	Nature of employment.	Date of commencement of employment.	Periods of work.		Intervals for rest to which he or she is entitled.		Days of rest to which he or she is entitled.	Relay* to which he or she belongs.
					Be-gins.	Ends.	Be-gins.	Ends.		
					a. m. p. m.	a. m. p. m.	a. m. p. m.	a. m. p. m.		

\* In mines where work is carried on by a system of relays.



SCHEDULE E.

(See RULE 23.)

Form of certificate of fitness for employment underground in a mine.

Counterfoil of certificate of fitness:

Certificate of fitness.

Serial No.....

Serial No.....

Date.....

Date .....

2. Name .....

This certificate unless renewed shall not be valid after.....\*

3. Father's name.....

I hereby certify that I have personally examined (name).....

4. Sex and caste or religion.....

.....  
son/daughter of.....

.....

(caste, etc.).....

5. Residence .....

residing at.....

6. Age certified.....

who is desirous of being employed in a mine

and that his/her age as nearly as can be

ascertained from my examination is.....years

and that he/she is fit for employment under

ground in a mine as an adult. His/Her

descriptive marks are.....

7. Distinctive marks.....

.....

.....

Left thumb impression.

Left thumb impression.

.....

.....

Qualified Medical Practitioner.

Qualified Medical Practitioner.

Renewed till.....

Date .....

Signature of Qualified Medical Practitioner.

\* Date twelve months after date of issue to be filled in by the Medical Practitioner.

## SCHEDULE F.

(See RULE 9A.)

*Register of persons employed underground.*

(Persons entering the mine shall be shown by a X in the column marked "In" against the name.)

(Persons leaving the mine shall be shown by a X in the column marked "Out" against the name.)

(All entries shall be made in ink.)

Name of person.	Sex.	Nature of work.	Sunday.		Monday.		Tuesday.		Wednes- day.		Thurs- day.		Friday.		Satur- day.	
			In.	Out.	In.	Out.	In.	Out.	In.	Out.	In.	Out.	In.	Out.	In.	Out.

Period of work commences at

p.m.

a.m.

Period of work ends at

p.m.

a.m.

For week commencing

and ending

Total number of persons underground.

Total number of women underground.

Percentage of persons below ground who are women.

Signature of Register-keeper.

## AMENDMENTS IN THE RULES FOR MINES OTHER THAN COAL MINES.

4. In Chapter III of the rules for mines other than coal mines for rule 9 the following rule shall be substituted :—

9. The register of all persons employed in the mine shall be maintained, as required by sub-section (1) of section 28 of the Act, in the form shown in Schedule A. The register shall be kept at the office of the mine.

5. After Chapter V of the rules for mines other than coal mines the following new Chapter VA shall be added and the rules 17 to 21 in Chapter VI renumbered as rules 24 to 28 :—

## CHAPTER VA.

*Certificate of fitness for employment underground of persons who have not completed 17 years of age.*

17. Before any person who has not completed his seventeenth year is employed underground, the manager shall arrange to have him examined by a qualified medical practitioner and if after examination the medical practitioner is of opinion that such person is fit for employment underground, he shall grant him a certificate in the Form in Schedule D.

18. Every certificate granted by a qualified medical practitioner shall be prepared by filling of the foil and counterfoil on both of which shall be impressed the left thumb mark of the person in whose name the certificate is granted.

19. The qualified medical practitioner shall, when satisfied as to the correctness of the entries made therein, sign the foil and initial the counterfoil, and shall deliver the foil to the manager for safe custody.

20. No certificate granted under rule 17 shall be valid for a period exceeding twelve months. Every person in respect of whom a certificate of fitness has been issued shall be re-examined within twelve months of the last previous examination unless in the meantime he has completed his seventeenth year and the qualified medical practitioner making such re-examination may renew the certificate for a further period not exceeding twelve months or may suspend or revoke the said certificate.

21. A qualified medical practitioner who refuses to grant a certificate referred to in rule 17 or suspends or revokes an existing certificate under rule 20 shall state the reasons for refusing to grant a certificate or for suspending or revoking the certificate as the case may be. If the manager of the mine disagrees with the opinion of such medical practitioner, he may refer the case to the Chief Inspector or Inspector. The Chief Inspector or the Inspector shall refer the case for decision to a second qualified medical practitioner and such decision shall be final.

22. Every person who has been certified as fit for employment underground shall, before he is so employed, be provided by the manager with a metal token. Such token shall be stamped with the letter "P" and numbered. The number shall be the same as that of the certificate of fitness.

23. A record of every token so issued and the person to whom it was issued shall be maintained in the office of the mine.

6. In the rules for mines other than coal mines—

(a) For the existing Schedule A the following shall be substituted :—

#### SCHEDULE A.

(See RULE 9.)

#### Register of employees.

Name of caste of the employee.	Age.	Sex.	Nature of employment.	Date of commencement of employment.	Periods of work.		Intervals for rest to which he is she entitled.		Date of rest to which he is she entitled.	Relay *to which he she belongs.
					Begins.	Ends.	Begins.	Ends.		
					a m.	a.m.	a.m.	a.m.		
					p.m.	p.m.	p.m.	p.m.		

\* In mines where work is carried on by a system of relays.

(b) For the existing Schedule C the following Schedule shall be substituted:—

SCHEDULE C.

(See RULE 9A.)

*Notice of commencement and end of work.*

Name of mine.....

Name of owner of mine.....

It is hereby notified that persons employed in this mine shall begin and end their periods of work between the hours set out below:—

Kind of worker.	1st relay.				2nd relay, if any.				3rd relay, if any.			
	Period of work.		Rest interval.		Period of work.		Rest interval.		Period of work.		Rest interval.	
	Begins.	Ends.	Begins.	Ends.	Begins.	Ends.	Begins.	Ends.	Begins.	Ends.	Begins.	Ends.
	a.m.	a.m.	a.m.	a.m.	a.m.	a.m.	a.m.	a.m.	a.m.	a.m.	a.m.	a.m.
	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.

*Note.*—The words and letters not wanted should be scored out.

In the case of underground workers, the entry in the rest interval column will be nil.

(c) After Schedule C the following Schedule shall be inserted:—

SCHEDULE D.

(See RULE 17.)

Form of certificate of fitness for employment underground in a mine.

Counterfoil of certificate of fitness.

Certificate of fitness.

Serial No.....

Serial No.....

Date.....

Date.....

2. Name .....

This certificate unless renewed shall not be valid after.....

3. Father's name.....

I hereby certify that I have personally examined (name).....

4. Sex and caste or religion.....

son/daughter of.....

.....

(caste, etc.).....

residing at.....

5. Residence .....

who is desirous of being employed in a mine

6. Age certified .....

and that his/her age as nearly as can be

ascertained from my examination is..... years

7. Distinctive marks.....

and that he/she is fit for employment under-

ground in a mine as an adult. His/Her

descriptive marks are.....

.....

.....

Left thumb impression.

Left thumb impression.

.....

.....

Qualified Medical Practitioner.

Qualified Medical Practitioner.

Renewed till.....

Date.....

Signature of Qualified Medical Practitioner.

\* Date twelve months after date of issue to be filled in by the Medical Practitioner.

By order of the Governor,

C. G. NAIR,

Secretary to Government.