



The Orissa Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY.

CUTTACK, TUESDAY, SEPTEMBER 8, 1942.

HOME DEPARTMENT.

SPECIAL SECTION.

NOTIFICATIONS.

The 8th September 1942.

No. 3020-C.—Whereas the Provincial Government of Orissa is satisfied of the existence of an emergency arising from disorder within the Province, now therefore in exercise of the powers conferred by sub-section (3) of section 1 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor of Orissa is pleased to declare the said Ordinance to be in force in the districts of Cuttack and Balasore in the Province of Orissa.

The 8th September 1942.

No. 3021-C.—In exercise of the power conferred by section 4 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor of Orissa is pleased to appoint Rai Bahadur C. C. Coari, District and Sessions Judge, Cuttack-Sambalpur, to be a Special Judge under the said Ordinance for the districts of Cuttack and Balasore.

The 8th September 1942.

No. 3022-C.—In pursuance of section 5 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor of Orissa is pleased to empower the District Magistrates of Cuttack and Balasore to direct within their respective districts, by general or special order in writing, that any offences or classes of offences or any cases or classes of cases be tried by the Special Judge appointed under section 4 of the said Ordinance for those districts.

The 8th September 1942.

No. 3023-C.—In pursuance of section 8 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor of Orissa is pleased to nominate the Hon'ble Mr. Justice C. M. Agarwala, a Judge of the High Court of Judicature at Patna, to review as provided in the said section the proceedings of the Special Judge appointed under the said Ordinance for the districts of Cuttack and Balasore in the Province of Orissa.

The 8th September 1942.

No. 3024-C.—In exercise of the power conferred by section 9 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor of Orissa is pleased to invest all Subdivisional Magistrates in the districts of Cuttack and Balasore who have exercised powers as Magistrates of the first class for a period of not less than two years with the powers of a Special Magistrate under the said Ordinance.

The 8th September 1942.

No. 3025-C.—In pursuance of section 10 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor of Orissa is pleased to empower the District Magistrates of Cuttack and Balasore to direct within their respective districts, by general or special order in writing, that any offences or classes of offences or any cases or classes of cases be tried by a Special Magistrate appointed under section 9 of the said Ordinance.

The 8th September 1942.

No. 3026-C.—In exercise of the power conferred by section 15 of the Special Criminal Courts Ordinance, 1942 (Ordinance No. II of 1942), the Governor of Orissa is pleased to empower all Magistrates of the first class in the districts of Cuttack and Balasore to exercise, within their respective jurisdictions, the powers of a Summary Court under the said Ordinance.

By order of the Governor,
J. BOWSTEAD,
Chief Secretary to Government.

The 8th September 1942.

No. 3027-C.—The following Ordinance made by the Government of India is republished for general information.

By order of the Governor,
J. BOWSTEAD,
Chief Secretary to Government.

LEGISLATIVE DEPARTMENT.

New Delhi, 19th August 1942.

ORDINANCE NO. XLII OF 1942.

AN

ORDINANCE

further to amend the Special Criminal Courts Ordinance, 1942.

Whereas an emergency has arisen which makes it necessary further to amend the Special Criminal Courts Ordinance, 1942, for the purposes hereinafter appearing; II of 1942.

Now, therefore, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance:— 26 Geo. 5,
c. 2.

Short title and commencement.

1. (1) This Ordinance may be called the Special Criminal Courts (Second Amendment) Ordinance, 1942.

(2) It shall come into force at once.

2. In sub-section (3) of section 1 of the Special Criminal Courts Ordinance, 1942 (hereinafter referred to as the said Ordinance), after the words "arising from" the words "any disorder within the Province" shall be inserted. Amendment of section 1, Ordinance II of 1942.

3. In clause (b) of section 24A of the said Ordinance, for the words "the Court" the words "where the prosecution opposes the application, the Court" shall be substituted. Amendment of section 24A, Ordinance II of 1942.

LINLITHGOW,
Viceroy and Governor-General.

G. H. SPENCE,
Secretary to the Government of India.

The 8th September 1942.

No. 3028-C.—In pursuance of sub-section (1) of section 92 of the Government of India Act, 1935 the Governor of Orissa is pleased to direct that the Special Criminal Courts (Second Amendment) Ordinance, 1942 (XLII of 1942), shall apply to all the partially-excluded areas in the Province of Orissa.

The 8th September 1942.

No. 3029-C.—In exercise of the powers conferred by sub-rule (2) read with sub-rule (2A) of rule 89 of the Defence of India Rules, 1939, the Governor of Orissa is pleased to make the following Order:—

ORDER.

1. (i) This Order may be called the Boat (Registration) Order, 1942.
- (ii) It extends to the districts of Balasore, Cuttack, Puri and Ganjam.
2. In this Order unless there is anything repugnant in the subject or context—
 - (i) the term 'boat' includes all transport on inland waterways or tidal waters or along the coast.
 - (ii) 'officer-in-charge' means the officer in charge of the police-station within the jurisdiction of which the 'owner' of the boat plies his boat;
 - (iii) 'owner of a boat' includes also a person having custody of a boat, temporary or permanent.

3. Every owner of a boat shall, at such time as may be fixed by an order of the District Magistrate or the Subdivisional Officer, present himself in person or through his representative at the police-station within the jurisdiction of which he plies his boat and shall furnish to the officer-in-charge such information relative to all his boats as may be necessary for completion of a register in the form shown in Schedule I.

4. The officer-in-charge shall thereupon enter the particulars in the register to be maintained by him in the form shown in Schedule I, and shall assign to each boat a registration number composed of the appropriate alphabetical symbol shown in Schedule II followed by a separate letter or letters for each police-station (to be determined by the District Magistrate) and the serial number of the entry relating to the boat in the register, and shall furnish to the owner a registration card containing the registration number. The owner of the boat shall thereupon paint or engrave the registration number on some conspicuous part of the boat:

Provided that, if any registration card issued or deemed to have been issued under this paragraph, for any reason ceases to be in possession of the person to whom it appertains, any substitute registration card of a similar description provided by him shall be deemed to be a registration card issued under this paragraph.

5. From a date to be notified by the District Magistrate no person shall be in possession of any boat which has not been registered under this Order and no boat shall be used in any way unless the registration number has been painted or engraved on it in accordance with paragraph 4.

6. (i) The owner of every registered boat shall within seven days give notice to the officer-in-charge of—

- (a) any change in the particulars entered in columns 2, 3 or 4 of the register maintained under paragraph 3; or
- (b) any circumstance in which possession of the boat has passed from himself to any other person for a period of seven days or more; or
- (c) any circumstance in which a registration card issued under paragraph 4 ceases to be in his possession.

(ii) Such notice shall include such particulars as would be required to correct the entries in the register maintained under paragraph 3, including the name and address of the new owner if ownership of the boat has changed.

(iii) Any person who after the commencement of the Order, in any manner acquires possession or ownership of a boat shall, within seven days of such acquisition, furnish to the officer-in-charge the particulars referred to in paragraph 3, and if the boat has not previously been registered, the officer-in-charge shall proceed to register it in the manner laid down in paragraph 4 and the owner shall paint or engrave the registration number on some conspicuous part of his boat.

By order of the Governor,
 J. BOWSTEAD,
 Chief Secretary to Government.

SCHEDULE I.

(See Paragraph 3.)

Register of boats registered at..... Police-station.....
 Alphabetical symbol of police-station.....

Serial No.	Particulars of boat. [Enter (a) details of description (country-craft, steam launch, etc.), (b) size, (c) purpose for which used, and (d) area in which it plies.]	Particulars of owner (enter regularly in order, details of each change of ownership).		Date of registration and supply of registration card.	Signature of officer-in-charge.
		Name.	Address.		
1	2	3	4	5	6

SCHEDULE II.

DISTRICTS WITH REGISTRATION LETTERS.

Name of district.	Alphabetical symbol.					
Cuttack	C
Ganjam	G
Balasore	B
Puri	P
Sambalpur	S
Koraput	K