

REGISTERED No. P.-390.



The Orissa Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

CUTTACK, TUESDAY, NOVEMBER 4, 1941.

REVENUE DEPARTMENT.

NOTIFICATION.

The 4th November 1941.

No. 3159-R.—The following draft of the Madras Estates Land (Orissa Amendment) Bill, 1941, which the Governor of Orissa, in exercise of the legislative powers assumed to himself by Proclamation, dated the 6th November, 1939, under section 93 of the Government of India Act, 1935, proposes to enact, is hereby published together with a statement of objects and reasons for the information of all persons likely to be affected thereby and notice is hereby given that the Bill will be taken into consideration on or after the 30th November, 1941.

Any objection or suggestion which may be received from any person with respect to the said Bill before the date specified above will be duly considered.

By order of the Governor,

S. SOLOMON,

Secretary to Government.

THE MADRAS ESTATES LAND
(ORISSA AMENDMENT) BILL,
1941.

A
BILL

TO AMEND THE MADRAS ESTATES LAND
ACT, 1908, IN ITS APPLICATION TO
ORISSA.

WHEREAS it is expedient to amend
the Madras Estates Land Act, ^{Madras Act}
1908, in its application to Orissa for the ^{I of 1908.}
purpose hereinafter appearing ;

The Governor of Orissa in exercise of
the legislative powers assumed to himself
by Proclamation, dated the 6th November,
1939, under section 93 of the Govern-
ment of India Act, 1935, hereby enacts
as follows :—

Short title and
commencement.

1. (1) This Act may be called the
Madras Estates Land (Orissa Amend-
ment) Act, 1941.

(2) It shall come into force at once.

Amendment of
section 166.

2. For sub-section (2-A) of section 166
of the Madras Estates Land Act, 1908 ^{Madras Act}
(hereinafter referred to as the said Act), ^{I of 1908.}
the following sub-section shall be sub-
stituted, namely :—

“(2-A) The Collector shall, along
with the final record, cause to be
published—

(a) in any case where a direction
under sub-section (1-A) of
section 168 has been made by
the Provincial Government,
the fact that such a direction
has been made, and

(b) in any other case, the name or
official designation of the

person to whom and the date on or before which the Provincial Government direct that applications for settlement of rent under sub-section (1) of section 168 should be made.

Any date fixed by the Provincial Government under clause (b) of this sub-section shall not be earlier than six months from the date of publication of the final record. ”

Amendment of section 168.

3. In section 168 of the said Act—

- (a) In sub-section (1) for the words, figure, letter and brackets “under sub-section (2-A)” the words, figure, letters and brackets “under clause (b) of sub-section (2-A)” shall be substituted ;
- (b) In sub-section (1-A) between the words “has been ” and “published ” the words “or is about to be ” shall be inserted.

STATEMENT OF OBJECTS AND REASONS.

In estates governed by the Madras Estates Land Act a settlement of rents can be carried out in respect of lands of which a record-of-rights has been prepared and finally published, on the application either of the land-holder or of a certain number of raiyats, made within a specified period of not less than six months, or, if Government direct a settlement of rents, at any time. This is provided for in section 168 of the Act. The record-of-rights is finally published under section 166, sub-section (2-A) of which provides that the Collector shall, along with the final record, publish the date on or before which Government direct that applications for settlement of rent should be made. When a considerable number of villages are undergoing survey and settlement and Government decide to order settlement of rents in all or some of the villages, the fixing of a date within which applications for settlement of rents should be made becomes superfluous although under the sections as they stand this procedure must be carried out. The Amending Bill is designed to remove the necessity for fixing and publishing the dates of application in such cases, by providing that Government may, before the actual final publication of the record-of-rights, pass orders directing a settlement of rents to be made and that when such an order has been passed the publication of dates for making applications will not be required.