



# The Orissa Gazette

## EXTRAORDINARY

PUBLISHED BY AUTHORITY.

---

CUTTACK, SUNDAY, NOVEMBER 8, 1942.

---

### LAW DEPARTMENT.

#### NOTIFICATION.

*The 7th November 1942.*

**No. 12336-L.(C).**—The following Bill, which it is proposed to introduce in the Orissa Legislative Assembly, is hereby published under rule 70 of the Orissa Legislative Assembly Rules, 1937, for general information :—

#### **THE ORISSA HINDU RELIGIOUS ENDOWMENTS (AMENDMENT) BILL, 1942.**

**A**

#### **BILL**

TO AMEND THE ORISSA HINDU RELIGIOUS  
ENDOWMENTS ACT, 1939.

**W**HEREAS it is expedient to amend the Orissa Hindu Religious Endowments Act, 1939, for the purposes <sup>Orissa Act IV of 1939.</sup> hereinafter appearing ;

It is hereby enacted as follows :—

**1.** This Act may be called the Orissa Hindu Religious Endowments (Amendment) Act, 1942.

**2.** In section 7 of the Orissa Hindu Religious Endowments Act, 1939 (hereinafter referred to as the said Act)— <sup>Orissa Act IV of 1939.</sup>

(a) for sub-section (1) the following sub-section shall be substituted, namely :—

“(1) The Provincial Government may, by notification in the official Gazette,

Short title.

Amendment of section 7 of Orissa Act IV of 1939.

appoint as Commissioner of Endowments a person who professes the Hindu religion and who is—

- (a) a member or retired member of the Indian Civil Service or of the Orissa Civil Service, executive or judicial branch, or
- (b) a Barrister of England or Ireland or a Member of the Faculty of Advocates in Scotland of not less than five years' standing, or
- (c) a person having been a pleader for a period of not less than ten years.”;

(b) sub-section (2) shall be renumbered as sub-section (3) and the following sub-section shall be inserted as sub-section (2), namely :—

“(2) The person so appointed shall be deemed to be holding an office in the service of the Crown in India.”

Amendment of section 8 of Orissa Act IV of 1939.

3. To sub-section (1) of section 8 of the said Act the following proviso shall be added, namely :—

“Provided that the Provincial Government may permit the Commissioner to engage in other work, if satisfied that he can do so without detriment to the performance of his duties as Commissioner.”

#### STATEMENT OF OBJECTS AND REASONS.

It is proposed to legislate for the purpose of making two amendments in the Orissa Hindu Religious Endowments Act, 1939. The post of Endowments Commissioner is now open only to members of the executive or judicial service, an expression which does not appear to include retired members. Besides making retired members eligible, it is proposed to lay the appointment open to certain non-officials, i.e., lawyers possessing the same qualifications as are laid down in the Madras Hindu Religious Endowments Act, section 12, with reference to the President of the Board of Commissioners, namely that he should be a Barrister of England or Ireland or a Member of the Faculty of Advocates in Scotland of not less than five years' standing, or a person who has been a pleader for a period not less than ten years.

Under the Act as it stands at present, the Commissioner has to devote his whole time to his duties and cannot in any circumstances engage in other work even when this can be done without harm to his duties as Commissioner. Although ordinarily the post will remain a whole-time one it is proposed to make provision that the Provincial Government may permit the Commissioner to engage in other work, if satisfied that he can do so without detriment to the performance of his duties as a Commissioner.

ABDUS SOBHAN KHAN,

The 6th November 1942.

Member-in-charge.

By order of the Governor,

W. W. DALZIEL,

Secretary to Government.