

# Administration of Mayurbhanj State Order, 1949

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India

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### Rule ADMINISTRATION-OF-MAYURBHANJ-STATE-ORDER-1949 of 1949

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Administration of Mayurbhanj State Order, 1949Published vide Notification No. 2A, of the Government of Orissa. Home Department/ 1.1.1949Preamble-In exercise of the powers conferred by Section 4 of the Extra-Provincial Jurisdiction Act, 1947 (XLVII of 1947), read with notification No. 388-48-P, dated the 31st December, 1948 of the Government of India in Ministry of States, the Government of Orissa and pleased to make the following order for the effective exercise of the extra-provincial jurisdiction in the Mayurbhanj State, namely :

#### 1. Short title, extent and commencement.

(a)The Order may be called the Administration of Mayurbhanj State Order, 1949.(b)It extends to the whole of Mayurbhanj State.(c)It shall come into force at once.

#### 2. Interpretation.

- In this Order, unless there is anything repugnant in the subject or context-(1)"The State" means the Mayurbhanj State.(2)"Provincial Government" means the Government of the Province of Orissa.(3)"District and Subdivision" means respectively revenue district and subdivision formed under paragraph 3.(4)The Orissa General Clauses Act; 1937 (Orissa Act I Of 1937), applies for the interpretation of this Order as it applies for the interpretation of an Orissa Act.

#### 3. Revenue District and Sub-division.

- The whole of Mayurbhanj State shall be formed into a Revenue District to be known as the District of Mayurbhanj with headquarters at Baripada and subdivisions as specified below:

Name of the Sub-divisions    Territorial limits

1. Sadar As existing on the 31st December, 1948.
2. Kaptipada
3. Bamanghati
4. Panchpir

[4. Executive Authority in the State. - (a) Subject to the provisions of this Order and subject also to the general supervision and control of the Provincial Government, the Revenue Commissioner, Orissa shall be in charge of the executive administration of the State and shall exercise such powers and discharge such functions as the Provincial Government may assign to him.] [Substituted vide Notification No. 13622 dated 7.7. 1949.](b)The Provincial Government may appoint such officers as they think fit to be the District Magistrates and Additional District Magistrates and Sub-divisional Magistrates of the Revenue District of Mayurbhanj and sub-divisions respectively as specified in paragraph 3 :Provided that the same officer may be appointed as the Sub-divisional Magistrate of two or more sub-divisions.(c)The Provincial Government may appoint for the Revenue District of Mayurbhanj and each of the subdivisions thereunder as many officers as they think fit to be Deputy Magistrates and, Deputy Collectors and Sub-Deputy Magistrates and Sub-Deputy Collectors :Provided that all persons appointed in the State as District Magistrate, Additional District Magistrate, Sub-divisional Magistrates, Deputy Magistrates and Deputy Collectors and Sub-Deputy Magistrates and Sub-Deputy Collectors and continuing as such of the date of commencement of this order shall be deemed to have appointed as such under this paragraph.

## **5. Laws to be applied.**

(a)The enactment specified in the column of the Schedule hereto annexed shall so far as circumstances admit and subject to any amendments to which the enactments are for the time being generally subject in the territories to which they extend, apply to the State and any provision of any law in force in the State, whether substantive or procedural and whether based on custom and usage or status which is repugnant to any provision or any of the said enactments, shall to the extent of the repugnancy, cease to have effect from the date of commencement of the Order :[Provided that the further modifications and restrictions set forth in the sard Schedule shall be made in the enactments applied ] [Substituted vide Notification No. 13622 dated 7.7. 1949.] :Provided that the powers that were exercised by any authority other than the Ruler of the State under any of those laws prior to the commencement of this Order be exercised by the Revenue Commissioner or by any subordinate authority specially empowered in this behalf by him :Provided further that in the enactments as so applied (except here the context of modifications hereinbefore referred to otherwise required) references to "British India" shall be construed as references to "all the Provinces of India and the Mayurbhanj State".(b)As respects matters which are not covered by the enactments applied to the State under sub paragraph (a) all laws in force in the said State to prior to the commencement of this Order, whether substantive or procedural and whether based on custom and usage or status, shall subject to the provisions of this Order continue to remain in force until altered or amended by an order under the Extra-Provincial Jurisdiction Act, 1947 (XLVII of 1947) :Provided that the powers that were exercised by the Ruler of the State under any of these laws prior to the commencement of this Order shall be exercised by the Provincial Government or any officer specially empowered in this behalf by the Government :Provided further that the powers that were

exercised by any authority other than the Ruler of the State under any of those laws prior to the commencement of this Order shall, in case the authority ceases to function on or after the commencement of this Order, be exercised by the Administrator by any subordinate authority specially empowered in this behalf by the said Administrator. Explanation. - In this sub-paragraph the expression "Laws" includes rules, regulations, bye-laws and orders, (c) As respects those matters regarding which the enactments applied under sub-paragraph (a) or the laws continued in force under subparagraph (b) are inapplicable, civil, criminal and revenue jurisdictions in, the State shall be exercised in accordance with the principles of justice, equity and good conscience.

## 6. High Court.

(a) The High Court of Orissa shall, so far as circumstances admit, exercise the same jurisdiction and shall have the same powers and functions in the State as it at present exercises or has in the Province of Orissa. Any reference to the "High Court" in the laws applied or continued in force under paragraph 5 shall be construed as a reference to High Court of Orissa. (b) The High Court for the Mayurbhanj State shall cease to exercise jurisdiction in the said State from the date of commencement of this Order and all cases, suits, appeals, petitions and other proceedings pending in that Court shall, from the aforesaid date, be deemed to have been transferred to the High Court of Orissa. The latter High Court shall dispose of the same, in accordance with the law applied or continued in force under paragraph 5, as if the cases, suits, appeals, petitions, and other proceedings were instituted before it : [Provided that all Sessions cases that were instituted in the High Court for the Mayurbhanj State in exercise of its original criminal jurisdiction and pending before that Court on the 31st December, 1948, shall be deemed to have been transferred to the Court of Sessions Judge, Mayurbhanj, which shall dispose of the same as if these cases were instituted in it. ] [Inserted vide Notification No. 3846/2.3.1948.]

## 7. Revenue jurisdiction.

(a) Notwithstanding anything contained in this Order to the contrary where in a revenue matter, the law, whether applied or continued in force under paragraph 5 provides for an appeal or revision from an order, judgement or decree, the appeal, or revision shall lie - (i) from a judgement, order or decree, of the Collector or an Additional Collector to the Revenue Commissioner, Orissa who may either hear the appeal or revision himself or transfer it to an Additional Revenue Commissioner ; (ii) from an order, judgement or decree of any reference authority subordinate to the Collector to the Collector who may either hear the appeal or revision himself or transfer it to an Additional Collector. The Collector may also specially empower a Sub-divisional Magistrate or any other Revenue Officer subordinate to him to receive and hear appeals and petitions on revision from an order, judgement, or decree from any specified Revenue authority or class of authorities. (b) Notwithstanding anything contained in this Order to the contrary the Revenue Commissioner, Orissa, may either on application by a party or on his own motion, call for the records of any proceedings of any subordinate Revenue authority and pass such orders as he thinks fit. (c) Notwithstanding anything contained in this Order to the contrary, the Collector, may either on application by a party or on his own motion call for the records of any proceedings of any subordinate Revenue authority and pass such orders as he thinks fit. Explanation. - (1) The

expression "Collector" or "Additional Collector" shall respectively mean the "District Magistrate" and the "Additional District Magistrate" appointed under sub-paragraphs (b) and (c) of paragraph 4.(2)For purposes of sub-paragraph (b) all Revenue authorities in the State shall be deemed to be subordinate to the Revenue Commissioner, Orissa.

## **8. Heads of Departments.**

- Subject to the provisions of this Order and subject also to the laws that are applied or continued in force under paragraph 5, all the Heads of Departments of the Provincial Government, shall exercise the same powers, functions and jurisdiction, within the State which they at present exercise in the Province of Orissa..Explanation. - In this paragraph, the expression "Heads of Departments" means the Chief Engineer, Public Works Department, the Director of Public Instructions, the Director of Veterinary Services, the Director of Health and Inspector-General of Prisons, the Inspector-General of Police, the Collector of Commercial Taxes, the Controller of Supply and Transport, the Director of Agriculture and Food Production, the Director of Industries, the Registrar of Co-operative Societies, the Inspector-General Registration and any other officer who may be declared as such by the Provincial Government.

## **9. Claims against Ruler of the State.**

(a)The Revenue Commissioner, Orissa shall, as soon as possible, publish a notification in the Gazette in English and in vernacular calling upon all persons having pecuniary claims whether immediately enforceable or not, against the State or Ruler of the State in his capacity as Rules of that State, to notify the same in writing to the officer authorised by [the Revenue commissioner, Orissa] [Substituted vide Orissa Gazette Ext. No. 93/ dated 7.7.1949.] in this behalf (hereinafter called the said officer) within three months from the date of the notification.Explanation. - A claim shall be deemed to be pecuniary for the purpose of this paragraph, notwithstanding that a suit for its enforcement or a reference of such claim to arbitration is pending that a decree or award has been passed establishing the same.(b)The notice shall also be published at such places and in such other manner as the Revenue Commissioner, Orissa may by special or general order direct.(c)Every such claimant shall, within the period specified in subparagraph (a), notify to the said officer in writing, his claim with full particulars thereof and any claim present after the expiration of such period shall be summarily rejected.(d)Every document including entries in the books of account in possession of or under the control of the claimant on which he bases his claim shall be produced before the said officer along with the statement of the claim:Provided that if the claim relates to an amount recorded by a decree, award, it shall be sufficient for the claimant to produce before the said officer a certified copy of the decree and certificate from the Court which passed it or is executing the same declaring the amount recoverable thereunder or a true copy of the award and a statement of the sum recoverable thereunder, as the case may be, and if the claimant is pending, (sic) a jurisdiction in any Court or has been referred to arbitration, it shall be sufficient for the claimant to produce a certified copy of the plaint or a true copy of the reference to arbitration, as the case may be.(e)Unless the said officer shall otherwise direct every document produced under sub-paragraph (d) shall be accompanied by a true copy thereof. The said officer shall mark the original document for the purpose of identification and after examining and comparing the copy with it shall retain the copy

and return the original to the claimant.(f)Nothing in the preceding sub-paragraphs shall apply to any pecuniary claim of Government or any local authority.(g)The said officer, after making such enquiry as he may deem fit, decide which claim notified under sub-paragraph (e) are to be allowed in whole or in part and which are to be disallowed, and on his decision being confirmed by [the Revenue Commissioner, Orissa,] [Substituted vide Orissa Gazette Ext. No. 93/7.7.1949,] the said officer shall give written notice of the same to the claimant. The decision of [the Revenue Commissioner, Orissa, shall be final and shall not be liable to be called into question in any Court whatsoever.] [Substituted vide Orissa Gazette Ext. No. 93/7.7.1949,](h)No Court shall have jurisdiction to investigate any pecuniary claim against the State or against the ruler of the State in his capacity as Ruler of that State and such claim shall be determined only in accordance with the provisions of this paragraph.(i)The Revenue Commissioner, Orissa may delegate his powers under this paragraph to any officer subordinate to him not below the rank of an Additional District Magistrate.(j)The provisions of this paragraph shall not apply to any claim against the State based on a cause of action which arise on or after the 31st January, 1949 and such claim shall be disposed of in accordance with the laws applied or continued in force under paragraph 5.

## **10. Audit.**

- The Comptroller of Orissa shall, perform such duties and exercise powers in relation to the accounts of the State, as may be prescribed by rules made under this order by the Provincial Government.

## **10A. [ Notwithstanding anything contained in the Tenancy Laws of the States, as continued in force under sub-paragraph (b) of paragraph 4-**

(a)when land is held as service tenure, either under the Rules or any member of his family, the liability of the holder of such tenure, to render service for the use and occupation thereof shall cease, and he shall on payment of full assessment to the Provincial Government acquire occupancy right thereon,(b)when a person holds khamar, nij jote or any other private lands of a Ruler which have been recognised as such by the Provincial Government;he shall not be liable to ejectment out shall be liable to pay such fair and equitable rent as may be fixed by any competent authority appointed in this behalf by Commissioner and thereupon he shall acquire right of occupancy in respect of such lands :Provided that such liability of the holder of any service-tenure shall not cease and no occupancy right shall accrue to him therein if, on the application of the Ruler the Provincial Government direct then the holder shall continue to render such service.] [Substituted vide Orissa Gazette Ext. No. 106/25.7.1949.]

## **11. Modification of the Tenancy Laws.**

(a)Notwithstanding anything contained in the Tenancy Laws of the State continued in force under sub-paragraph (b) of paragraph 4 an occupancy tenant shall be entitled-(i)to freely transfer his holding subject to the restriction that no transfer of a holding from a member of an aboriginal tribe to a member of a non-aboriginal tribe shall be valid unless such transfer is made with the previous

permission of the Administrator or an officer especially authorised by him in this behalf,(ii)to have full right over all kinds of trees standing on his holding,(iii)to issue the land comprised in the holding in any manner which does not materially impair the value of the land or render it unfit for the purpose of the tenancy,(iv)to presume that the rent for the time being payable by him is fair and equitable until the contrary is proved.(b)Where a rent of an occupancy tenant is payable in cash it shall not be liable to be enhanced except in accordance with Tenancy Laws continued in force in the State.(c)An occupancy tenant shall not be liable to ejection from his holding except in execution of a decree for ejection passed on the ground that-(i)he has used the land comprised in his holding in a manner which renders it unfit for the purposes of the tenancy, or,(ii)he has broken a condition consistent with the provisions of Tenancy Laws in force in the State and on breach of which he is under the terms of a contract between himself and his landlord, liable to be ejected.(d)The interest of an occupancy tenant in his holding shall on his death pass by inheritance or survivorship in accordance with his personal law.(e)A "Sukhabasi" shall be entitled to the right of an occupancy tenant over his homestead notwithstanding any law or custom of the country.Explanation. - (1) An "Occupancy Tenant" means a tenant or a raiyat having occupancy rights in his holding under the Tenancy Laws continued in force in the State under sub-paragraph (b) of paragraph 4.(2)An "aboriginal tribe" means any tribe that may from time to time be notified as such by the Provincial Government for the purpose of this order.(3)A "Sukhabasi" means any person holding only homestead whether or not recorded in the settlement paper as "Ghar", "Bari" or "Ghar Bari" or a person who is granted land by the Thekadar or by a competent Revenue Officer for the purpose of using it as homestead.

## **11A. [ Added vide Orissa Gazelle Ext. No. 106/25.7 1949.]**

Notwithstanding anything contained in the Tenancy Laws of the state as continued in force under sub-paragraph(b) of paragraph 5-(a)when land is held as service tenure, either under the Ruler of any member of his family the liability of the holder of such tenure to tender service for the use and occupation thereof, shall cease, and he shall, on payment of full assessment to the Provincial Government acquire right therein,(b)when a person holds khamar, nij-jote or any other private land of a Ruler which has been recognised as such by the Provincial Government, he shall not be liable to ejection but shall be liable to pay such fair and equitable rent as may be fixed by any competent authority appointed in this behalf, by the Revenue Commissioner and thereupon he shall acquire right of occupancy in respect of such landsProvided that such liability of the holder of any service tenure shall not cease and no occupancy right shall accrue to him therein, it on the application of the Ruler, the Provincial Government direct the holder shall continue to render such service.]

## **12. Continuance of existing taxes, duties, fees, etc.**

- Until other provisions to the contrary are made by or under this order,' all taxes, duties, ceases or fees, which immediately before the commencement of this order were being lawfully levied in the State under any law for the time being in force in that State shall continue to be levied :Provided that duties on the entry or exit of goods into or from the State and bethi, begari, mangan, or other customary dues shall cease to be levied from the date of the commencement of this order.

### 13. Transitory provisions.

(a) Subject to the provisions of this order and subject also to any notification or order that may be issued under the laws applied or continued in force under paragraph 5 all persons who immediately before the commencement of this order were exercising lawful functions in the State and who are continued in service by the Provincial Government and in cases when such persons were exercising functions by virtue of their office, their successors in office as well, shall until other provisions are made by or under this order by the appropriate authority, continue to exercise those functions. Explanation. - The expression "functions" includes the powers of a Civil, Criminal and Revenue Court. (b) All officers who having being invested with powers equivalent to those of a Sub-divisional Magistrate of the First Class or Second Class or Third Class by a competent authority prior to the 1st January, 1949 continue to exercise those powers under sub-paragraph (a) shall be deemed to have been invested with the powers of such Magistrates, under the Code of Criminal Procedure, 1898 (V of 1898), as applied to the state under paragraph 4 and no proceeding before any such Magistrate, shall be called, into question in any Court whatsoever on the ground that the said Magistrate was not validly invested with such powers under the said Code as, so applied. (c) All appeals, revision petitions and other proceedings that were pending before any Civil, Criminal or Revenue Court on the 31st December, 1948 shall be heard and disposed of by the appropriate Civil, Criminal Revenue Court constituted or continued by or under this order and exercising jurisdiction which as far as may be corresponds to the jurisdiction of the Court before which such appeals and petitions were filed and such proceedings were commenced : Provided that the law to be followed by such Courts shall be the law applied or continued in force under paragraph 4.

### 14.

For the purpose of this order, proceedings shall be deemed to be pending in a Court until that Court has disposed of all issues between the parties including any issues with respect to the taxation of the costs of the proceedings.

## Schedule

[See paragraph 5]

	Enactments applied (1)	Further modifications and restrictions (2)
CENTRAL ACTS		
1.	The Interest Act, 1839 (XXXII of 1839)	
2.	Judicial Officer's Protection Act, 1850 (XVIII of 1850)	
3.	The Caste Disabilities Removal Act, 1853 (XXI of 1853)	

4. The Recusant Witnesses Act, 1853  
(XIX of 1853)
5. The Legal Representatives Suits Act,  
1855 (XI of 1855)
6. The Penal Servitude Act, 1855 (XXIV  
of 1855)
7. The Hindu Widows Remarriage Act,  
1856 (XV of 1856)
8. The Forfeiture Act, 1859 (IX of 1859)
9. The Indian Penal Code, 1860 (XLV of  
1860)
10. Societies Registration Act, 1860 (Act  
XXI of 1860)
11. The Police Act, 1861 (V of 1861)
  - (a) Reference to an Inspector-General of  
Policeshall be construed as reference to  
the Inspector-General ofPolice, Orissa.
  - (b) To Section 8 the following proviso  
shall be added, namely :  
"Provided that every Police  
Officerappointed to the Police Force in  
the Mayurbhanj State prior tothe 31st  
December, 1948 and continued in  
service after that dateshall, till the 1st  
March, 1949 be deemed to be Police  
Officerfor the purpose of this Act, but  
after the latter date he shallcease to be a  
Police Officer unless he is enrolled  
under thissection.
  - (c) In Section 46, Sub-section (1) and  
thefirst fourteen words of Sub-section  
(2) shall be omitted.
12. The Press and Registration of Books  
Act, 1867 (Act XXV of1867)
13. The Indian Divorce Act, 1869 (IV of  
1869)
14. The Court-fees Act, 1870 Act (VII of  
1870)
  - (a) As amended by Orissa Act V of 1939
  - (b) Omit the second and third  
paragraphs ofSub-sections (1) and (1a).
  - (c) for the words "appropriate  
Governmentwherever they occur; the



		words "Provincial Government shall be substituted.
15.	The Female Infanticide Act, 1870 (VIII of 1870)	Omit Section 7
16.	The Cattle Trespass Act, 1871 (1 of 1871)	(a) Omit Sub-section (2) of Section 1.  (b) In Section 6, for "Provincial Government" substitute "Magistrate of the Mayurbhanj District".
17.	The Indian Evidence Act, 1872 (I of 1872)	(a) Omit paragraphs 2 and 3 of Section 1.  (b) In Section 57, for Clause (1) substitute the following clause, namely: "(1) All laws or rules having, the force of law now or heretofore in force or hereinafter to be in force in any province of India or the Mayurbhanj State".
18.	The Special Marriage Act, 1872 (III of 1872)	
19.	The Indian Contract Act, 1872 (IX of 1872)	Omit the second paragraph of Section 1
20.	Indian Christian marriage Act. 1872 (Act XV of 1872)	
21.	The Indian Oaths Act, 1873 (X of 1873).	
22.	The Married Women's Property Act, 1874 (III of 1874)	
23.	Indian Majority Act, 1875 (IX of 1875).	
24.	The Indian Law Reports Act, 1875 (XVIII of 1875).	
25.	The Specific Relief Act, 1877 (I of 1877)	
26.	The Indian Treasure Trove Act, 1878 (VI of 1878)	In Section 9, for the words "Chief Controlling Revenue Authority" the words "Administrator, Mayurbhanj" shall be substituted,
27.	The Elephants' Preservation Act, 1879 (VI of 1879)	Omit the second and third paragraphs of Section 1.
28.	The Legal Practitioners' Act, 1879 (XVIII of 1879)	(a) Omit the third Paragraph of Section 1.

(b) As amended by Orissa Act VI of 1938.

(c) For the words "the Chief Controlling Revenue Authority" wherever they occur, the words "the Administrator, Mayurbhanj shall be substituted.

(d) After Section 41, the following new sections shall be inserted, namely:

"42. Savings-(1) All persons enrolled as Advocates in the Register of the High Court of Mayurbhanj State shall be deemed to be Advocates for the purposes of this Act;

(2) All persons enrolled as Pleaders under the authority of the said High Court and such other persons who were in the list of Pleaders in the Mayurbhanj State on the 31st December, 1948 and are found fit to continue to practise as such by the High Court of Orissa for such period or periods as it considers necessary subject to such terms and conditions as may be imposed in that behalf by the said High Court shall be deemed to be Pleaders for the purposes of this Act; and

(3) All persons who have passed Mukhtiarship examination held under the authority of the High Court of Patna or Calcutta or the Mukhtarship examination conducted by a Board constituted in the Mayurbhanj State or any other Orissa States and were practising as Mukhtars as also all persons who were in the list of Mukhtars in the Mayurbhanj State on the 31st December, 1948 and are found fit to continue to practise as such by the High Court of the Orissa for such period or periods as it considers necessary, subject to such terms and conditions as may be imposed in that behalf by the said High

		Court shall be deemed to be Mukhtars for the purposes of this Act.
29.	The Kazi Act, 1880 (Act XXI of 1880)	
30.	The Indian Trust Act, 1882 (II of 1882)	Omit the second paragraph of Section 1
31.	The Transfer of Property Act, 1882 (IV of 1882)	In Section 1, omit the second, third, fourth and the last paragraphs.
32.	The Powers of Attorney Act, 1882 (VII of 1882)	Omit the second and third paragraphs of Section 1.
33.	The Land Improvement Loans Act, 1883 (XIX of 1883)	(a) Omit Sub-section (2) of Section 1.  (b) In Section 3, after the words "a district" the words "the District Magistrate's" shall be inserted. (c) For Section 12, the following section shall be substituted, namely : 12. The powers conferred on the Provincial Government by Sections 4(1), 5(1) and 10 may be exercised in the like manner and subject to the like conditions by the Administration.
34.	The Agriculturists Loan Act, 1384 (XII of 1834)	(a) Omit Sub-section (2) of Section 1.  (b) As amended by Orissa Act VI of 1937. (c) In Sub-section (1) of Section 4, for the words "or in a province for which there is a Board of Revenue or Financial Commissioner", the words "or the Administrator, Mayurbhanj State" shall be substituted.
35.	Births and Deaths and Marriage's Registration Act, 1886 (VI of 1886)	
36.	The Suits Valuation Act, 1887 (VII of 1887)	
37.	The Provincial Small Cause Courts Acts, 1887 (IX of 1887)	Omit Sub-sections (2) and (3) of Section 1
38.	The Bengal, Agra and Assam Civil Courts Act, 1887 (XII of 1887)	(a) Omit Sub-sections (2) and (3) of Section 1  (b) For Section 2, the following section shall be substituted, namely :

- "2. Savings-(1) All Courts(whether known as Courts of Munsifs or Subordinate Judges or byany such expression) other than the Court of Additional Judge orthe District Judge, constituted appointments, nominations, rulesand orders, made, jurisdiction and powers conferred and listspublished under any enactment for the time being in force in theMayurbhanj State relating to Civil Courts shall be deemed tohave been respectively constituted, made, conferred andpublished under this Act. (2) Any enactment or instrument referring, toany law relating to Civil Courts which was repeated eitherpartially or wholly by the application of this Act shall beconstrued as referring to this Act or to the correspondingprovisions thereof."
39. The Charitable Endowments Act, 1890 (VI of 1890)
- (a) Omit Sub-sections (2) and (3) of Section 1.
- (b) For the words "appropriate Government"wherever they occur, substitute the words "ProvincialGovernment".
- (c) In Section 3-
- (i) in Sub-section(1) for the words "India" substitute the words 'theMayurbhanj State'; and
- (ii) in Sub-section(2) for "India" or as the case may be, "theProvince", substitute the words "the MayurbhanjState".
- (d) Omit Section 3-A and the proviso toSub-section (4) of Section 5.
40. The Guardian and Wards Act, 1890 (VII of 1890)
- Omit Sub-sections (2) and (3) of Section 1.
41. The Partition Act, 1893 (IV of 1893)
42. The Land Acquisition Act, 1894 (IX of 1894)
- Omit Sub-sections (2) and (3) of Section 1
43. The Prisons' Act. 1894 (IX of 1894)

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|     |  | Omit Sub-sections (2) and (3) and (4) of Section 1   |
| 44. | The Reformatory School Act, 1897 (VIII of 1897)  | Omit Sub-section (3) of Section 1  |
| 45. | The Epidemic Disease Act, 1897 (III of 1897)     |  |
| 46. | The General Clauses Act, 1897 (X of 1897)        | <p>(a) Sections 3, 4 and 4-A shall stand unmodified</p> <p>Provided that for the interpretation of any enactment in the Mayurbhanj State the definitions contained in these sections shall be applicable only after effect has been given to any modification, restriction or rule for constructions prescribed in respect of the enactment by this order.</p> <p>(b) Omit Sections 5 and 5-A.</p>   |
| 47. | The Indian Short Titles Act, 1897 (XIV of 1897)  |  |
| 48. | The Code of Criminal Procedure, 1898 (V of 1898) | <p>(a) As amended by the Code of Criminal Procedure (Amendment) Act, 1949 (IX of 1949)</p> <p>(b) [ In Section 30, after the words "and Assam" the words "in the Mayurbhanj State" shall be inserted.] [Inserted vide Orissa Gazette Extraordinary No. 106/25.7.1949.]</p> <p>(c) To Section 268, the following proviso shall be added, namely :</p> <p>"Provided that a Court of Session may at its discretion direct that any trial before that Court shall be without Jury or without the aid of assessors if the offence took place in Mayurbhanj State where prior to the 1st January, 1949, there was no trial by the Jury or with the aid of assessors.</p> <p>(d) In Sub-section (1) of Section 503 after the words "such attendants and the words "if such witness resides in any province of India or any area to which this Code has been applied" shall be</p> |

		inserted.
49.	The Glanders and Farcy Act, 1899 (XIII In of 1899)	Section 10, after the word "Inspector", the word "the Officer in charge of the Police Station" shall be inserted.
50.	The Prisoners Act, 1900 (III of 1900)	
51.	The Code of Civil Procedure, 1908 (V of 1908)	Omit Sub-sections (2) and (3) of Section 1.
52.	The Indian Limitation Act, 1908 (IX of 1908)	(a) Omit Sub-sections (2) and (3) of Section 1. (b) In Section 13, the words "or the Crown Representative" shall be omitted and the word "Central Government" shall stand unmodified. (c) Article 149 of the 1st Schedule shall stand unmodified.
53.	The Indian Criminal Law. Amendment Act, 1908 (XIV of 1908)	For the words "That province" in Sub-section (2) of Section 1 the words "the territories subject to its administration" shall be substituted.
54.	The Indian Registration Act, 1908 (XVI of 1908)	Omit Sub-sections (2) and (3) of Section 1.
55.	The Whipping Act, 1909 (IV of 1909)	
56.	The Anand Marriage Act, 1909 (VII of 1909)	
57.	The Indian Electricity Act, 1910 (IX of 1910)	
57A. [ [Inserted vide Orissa Gazette Extraordinary No. 112/30.7.1949]	The Criminal Tribes Act, 1911 (III of 1911)]	
58.	The Prevention of Seditious Meeting Act 1911 (X of 1911)	
59.	The Indian Lunacy Act, 1912 (IV of 1912)	Chapter IV of the Act consisting of Sections 37-61 shall not apply.
60.	The Wild Birds and Animals Protection Act, 1912 (VIII of 1912)	
61.	The Official Trustees Act, 1913 (II of 1913)	(a) Omit Sub-sections (2) and (3) of Section 1

		(b) In Section 4-
		(1) for Sub-section(1) substitute "(1) the Provincial Government shall appointan official trustee for the Mayurbhanj State".
		(2) In Sub-section(2) omit Clause (d).
62.	The Mussalman Wakf Validatic Act, 1913 (VI of 1913)	
63.	The Destructive Insects and Posts Act, 1914 (II of 1914)	
63A. [ [Inserted vide Orissa Gazette Extraordinary No. 112/30.6.1949.]	The Local Authorities Loans Act, 1914 (IX of 1914)]	
64.	The Hindus Disposition of Property Act, 1916 (XV of 1916)	Omit Sub-section (2) of Section 1
65.	Cinematograph Act, 1918 (II of 1918)	
66.	The Provincial Insolvency Act, 1920 (V of 1920)	
67.	The Identification of Prisoners Act, 1920 (XXXIII of 1920)	
68.	The Indian Elections Offences and Enquiries Act, 1920 (XXXIXof 1920)	
69.	The Police (Incitement to Disaffection) Act, 1922 (XXII of1922)	
70.	The Indian Boilers Act, 1923 (V of 1923)	
71.	The Workmen's Compensation Act, 1923 (XXIII of 1923)	Omit Sub-sections (2) and (3) of Section 1.
72.	The Legal Practitioners (Women) Act, 1923 (XXII of 1923)	
73.	The Mussalman Wakf Act, 1923 (XLII of 1923)	
74.	The Indian Soldiers (Litigation) Act, 1925 (IV of 1925)	Omit Sub-sections (2) and (3) of Section 1.
75.	The Indian Succession Act, 1925 (XXXIX of 1925)	
76.	The Contempt of Courts Act, 1926 (XII of 1926)	Omit Sub-sections (2) and (3) of Section 1

77.	The Indian Trade Unions Act. 1926 (XVI of 1926)	(a) Omit Sub-sections (2) and (3) of Section 1.  (b) References to "appropriate Government" shall be read as references to the Provincial Government".
78.	The Legal Practitioners (Fees) Act, 1926 (XXI of 1926)	Omit Sub-sections (2) and (3) of Section 1.
79.	The Indian Forest Act, 1927 (XVI of 1927)	Ditto
80.	The Hindu Inheritance (Removal of Liabilities) Act, 1928 (XII of 1928)	
81.	The Hindu Law of Inheritance (Amendment) Act, 1929 (II of 1929)	
82.	The Child Marriage Restraint Act, 1929 (XIX of 1929)	Omit Sub-sections (2) and (3) of Section 1
83.	The Transfer of Property (Amendment) Supplementary Act, 1929 (XXI of 1929)	Omit Sub-section (2) of Section 1
84.	The Indian Sales of Goods Act, 1930 (III of 1930)	Omit Sub-sections (2) and (3) of Section 1.
85.	The Hindu Gains of Learning Act, 1930 (XXX of 1930)	
86.	The Mussalman Wakf Validating Act, 1930 (XXXII of 1930)	
87.	The Indian Press (Emergency Powers) Act, 1931 (XXXIII of 1931)	
88.	The Criminal Law Amendment Act, 1932 (XXIII of 1932)	Omit Sub-sections (2) and (3) of Section 1.
89.	The Indian Partnership Act, 1932 (IX of 1932)	
90.	The Factories Act, 1934 (XXV of 1934)	Omit Sub-sections (2) and (3) of Section 1.
91.	The Payment of Wages Act, 1936 (IX of 1936)	Omit Sub-sections (2) and (3) of Section 1.
92.	The Hindu Women's Right to Property Act, 1937 (XVIII of 1937)	As amended by Orissa Act V of 1944 in its application to the Province of Orissa.
93.	The Arya Marriage Validating Act, 1937 (XIX of 1937)	
94.	The Muslim Personal Law Shariat Application Act, 1937 (XXVI of 1937)	Section 6 shall be omitted.



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| 95.  | The Criminal Law Amendment Act, 1938 (XX of 1938)  | Omit Sub-sections (2) and (3) of Section 1.   |
| 96.  | Employment of Children Act, 1938 (XX of 1938)  |   |
| 97.  | The Dissolution of Muslim Marriage Act, 1939 (VIII Of 1939)  |   |
| 98.  | The Commercial Documents Evidence Act, 1939 (XXX of 1939)  |   |
| 99.  | The Arbitration Act, 1940 (X of 1940)  | Omit Sub-sections (2) and (3) of Section 1.   |
| 100. | The Weekly Holidays Act, 1942 (XVIII of 1942)  | (a) Omit Sub-sections (2) and (3) of Section 1.<br>(b) in Section 11 for the word "Province" the words "Mayurbhanj State" shall be substituted. |
| 101. | The Industrial Statistics Act, 1942 (XIX of 1942)  | Omit Sub-sections (2) and (3) of Section 1.   |
| 102. | The Hindu Married Women's Rights to Separate Residence and Maintenance Act, 1946 (XIX of 1946)   |   |
| 103. | The Industrial Employment (Standing Orders) Act, 1946 (XX of 1946)   |   |
| 104. | The Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946)<br>(b) [***] [Omitted vide Orissa Gazette Extraordinary No. 59/27.4.1949.]<br>(b) Section 5 shall be omitted.<br>(c) For Section 17, the following section shall be substituted, namely :<br>[17. Savings- Any order made or deemed to be made under any law in force in Mayurbhanj State on the 31st December, 1948 and relating to matter covered by this Act shall continue in force so far as is consistent with this Act until repeated, modified or altered by a competent authority under this Act. All appointments made, licences or permits granted and directions issued | (a) Sub-section (3) of Section 3 shall be omitted.  |

- under any such order and in force on the 31st December, 1948, shall likewise continue in force and be deemed to be granted or issued in pursuance of this Act until modified, cancelled or altered by a competent authority under this Act.] [Substituted vide Orissa Gazette Extraordinary No. 59/27.4.1949.]
105. The Hindu Marriage Disabilities Removal Act, 1946 (XXVII of 1946).
106. The Industrial Disputes Act, 1947 (XIV of 1947). Omit Sub-sections (2) and (3) of Section 1.
107. The Minimum Wages Act, 1948 (XI of 1948).
108. The Employees, State Insurance Act, 1948 (XXXIV of 1948).  
[The Criminal Law (Removal of Racial Discrimination) Act, 1949 (XVII of 1949).] [Added vide Orissa Gazette Part 3/3.3.1949.]  
[Rehabilitation Finance Administration Act, 1948 (XII of 1948).] [Inserted vide Orissa Gazette Part 3/10.6.1949.]
109. The Displaced Persons (Legal Proceedings) of 1949 (XXV of 1949). For Sub-section (3) of Section 1 of the Act, the following sub-section shall be substituted, namely :  
(3) [ It shall come into force at once.]  
[The Code of Criminal Procedure (Second Amendment) Act, 1949 (XV of 1949)] [Inserted vide Orissa Gazette Part 3/27.9.1949.] [Inserted vide Orissa Gazette Part 3/17.6.1949.]  
[The Hindu Marriage Validity Act, 1949 (XXI of 1949).] [Inserted vide Orissa Gazette Part 3/5.8.1949.]  
[The Industrial Disputes (Banking and Insurance Companies) Ordinance, 1949 (Ordinance No. VI of 1949).] [Inserted vide Orissa Gazette Part 3/5.8.1949.] (a) Omit Sub-section (2) of Section 1.  
(b) For the words "Provincial Government" wherever they occur, the words "Magistrate of

Mayurbhanj district" shall be substituted.

PROVINCIAL  
ACTS (BENGAL)

The Bengal Embankment Act, 1855  
(Bengal Act XXXIV of 1855).

For the word "Collector" wherever it occurs, the words "District Magistrate" shall be substituted.

The Bengal Public Gambling Act, 1867  
(Act 11 of 1867).

The Births and Deaths Registration Act, 1873 (Bengal Act IV of 1873).

The Bengal Vaccination Act, 1880  
(Bengal Act V of 1880).

The Bengal Embankment Act, 1832  
(Bengal Act II of 1832).

(a) For the word 'Collector' wherever it occurs, the words "District Magistrate" shall be substituted.

(b) Sections 4, 5, 6, 25, 26, 34 and 76 shall apply.

[The Bengal Ferries Act, 1885 (Bengal Act 1 of 1885).] [Inserted vide Orissa Gazette Extraordinary No. 112/30.7.1946.]

PROVINCIAL  
ACTS (BIHAR  
AND ORISSA)

The Bihar and Orissa Public Demands Recovery Act, 1914 (Bihar and Orissa Act IV of 1914).

(a) Clauses (2) and (3) of Section 1 shall be omitted.

(b) Section 2 shall be omitted.

(c) In Section 3-

(i) for the words "Secretary of State for India in Council" in Clause (2), the following words shall be substituted, namely:

"Governor-General" or the "Governor, as the case may be"

(iii) for the word "Commissioner" in Clause (3) the following shall be substituted, namely:

"Administrator, Mayurbhanj State".

(d) In Sub-section (1) of Section 5 the provisoshail be omitted.

(e) In Section 18 (1)—

(i) the words 'inCouncil' in Sub-section (p) shall be Omitted-

(ii) Clauses (k)and (o) shall be omitted-

(f) Sub-sections (3), (4) and (5) of Section 26shall be omitted, for the words "the Board of Revenue" in Sub-section (1)-of Section 48, the following words shall besubstituted, namely :

"The RevenueCommissioner, Orissa."

(h) for the word

"Commissioner"wherever it occurs in Section 60, the following words shall besubstituted, namely "Administrator, Mayurbhanj State".

(i) for Section 62, the following shall besubstituted, namely

"62. TheCollector may revise any order passed by a Certificate Officer,Assistant Collector, Deputy Collector under this Act, and theRevenue Commissioner may revise any such order Passed by theCollector under this Act."

(j) Section 69 shall be omitted

(k) for the words "the Bihar and OrissaGazette" wherever they occur, the following shall besubstituted, namely "The Orissa Gazette"

(l) for the word " Province" and 'the "Province of Bihar and Orissa" wherever theyoccur, the following shall be substituted, namely :

"The Mayurbhanj State"

(m) In Section 1-

(i) Clauses (1) andomitted.

(ii) Sub-clause(iii) of the Clause (4) shall be omitted.

(iii) Clauses (10),(11), (12) and (14) shall be omitted.

(n) In Section 11 -

(i) Sub-clauses(3), (4) and (5) of Clause 25 shall be omitted.

(ii) Sub-clause (3)of Clause 26 shall be omitted.

(iii) The provisoto Clause 27 shall be omitted.

(iv) Clauses (38),(39), (40), (41) and (43) shall be omitted.

The Bihar and Orissa Excise Act, 1915 (Bihar and Orissa ActII of 1915).

(a) Omit Sub-sections (2) and (3) of Section 1.

(b) 'Board' means the "RevenueCommissioner, Orissa".

(c) reference to the "Collector"shall be construed as references to the "DistrictMagistrate".

(d) in Clauses (a) and (g) of Sub-section (2)of Section 7 the words "the Commissioner of a Division"shall be omitted-

(e) in Sub-section (3) of Section 8, the words"or the commissioner of a Division" shall be omittedand the word "of" shall be inserted after the word"Collector".

(f) for the words Province" and "theProvince of Bihar and Orissa" wherever they occur the words"the Mayurbhanj State", shall be substituted.

(g) In Sub-Section (2) of Section 34, the wordsbeginning with "to the Commissioner of the Division"and ending with recommendations (if any)" shall be omitted.

(h) In Section 35 the proviso shall be omitted.

(i) Sections 97 and 98 shall be omitted.

The Bihar and Orissa State Aid to Industries Act, 1923 (Bihar and Orissa Act I of 1923).

The Bihar and Orissa Mussalman Wakf Amendment Act, 1926 (Bihar and Orissa Act I of 1926).

The Bihar and Orissa Co-operative Societies Act, 1935 (Bihar and Orissa Act VI of 1935).

The Bihar and Orissa Motor Vehicles Taxation Act, 1930 (Bihar and Orissa Act II of 1930), as amended in its application to the Province of Orissa.

2. In Sub-section (2) of Section I for the words "Province of Bihar and Orissa including the Santal Paraganas" the words "the Mayurbhanj State" shall be substituted.

3. Section 3 and 1st Schedule shall be omitted.

4. Sub-section (2) of Section 5-A shall be omitted.

5. For Sub-section (1) of Section 5 the following shall be substituted.

(1) [As from the first day of January, 1950 and after that date there shall be paid on every motor vehicle tax at the rate specified in the Second Schedule to this Act; [Inserted vide Orissa Gazette Extraordinary No. 56/14.4.1949.] Provided that for the period commencing with the 1st day of May, 1949 and ending with the 31st December, 1949, the tax shall be paid as hereinbefore specified deducting the sum already paid before the 1st day of May, 1949, under any law for the time being in force in respect of such period and in such properties as may be fixed by the Taxing Officer: Provided

(a) Omit Sub-sections (2) and (3) of Section 1, as amended by Orissa Act V of 1943 and Orissa Act XXII of 1947.

As amended by Orissa Act 11 of 1942.

1. For the words "Bihar and Orissa" wherever they occur, the words "the Mayurbhanj State" shall be substituted.

further that all other taxes or fees in force under any existing law or custom having the force of law in the Mayurbhanj State shall cease to have effect from the 1st day of May, 1949.]

6. For Section 13-A the following section shall be substituted, namely :

[13-A. Notwithstanding anything contained in this Act, a tax paid in respect of any motor vehicle in the Province of Orissa or in the Orissa States as defined in Sub-clause (a) of Clause 2 of the Administration of Orissa States Order, 1948 under the Law relating to taxation of motor vehicles for the time being in force in States, shall be valid throughout the Mayurbhanj State and shall be deemed, so far as may have been paid under this Act."]  
[Inserted vide Orissa Gazette Extraordinary No. 112/30.7.1949.]

[The Bihar and Orissa Municipal Act, 1922 (Bihar and Orissa Act VII of 1922).] [Inserted vide Orissa Gazette Extraordinary No. 112/30.7.1949.]

"(2) It extends to the whole of the Mayurbhanj State".

2. Sub-section (4) of Section 1 shall be omitted.

3. For the words "the Province of Bihar and Orissa" wherever they occur, the words "the Mayurbhanj State" shall be substituted.

1. For Sub-section (2) of Section 1, the following Sub-section shall be substituted, namely :

## ORISSA

Orissa Medical Regulation, 1936  
(Orissa Regulation II of 1936).

The Orissa General Clauses Act, 1937  
(Orissa Act of 1937).

The Orissa Nurses and Midwives  
Registration Act, 1938 (Orissa Act X of  
1938).

The Orissa Food Adulteration Act,  
1938 (Orissa Act X of 1938).

The Orissa Hindu Religious  
Endowments Act, 1939 (Orissa Act IV  
of 1939). Omit Clause (b) of Section 2.

Cinematograph Rules, 1939.

The Utkal Universities Act, 1943  
(Orissa Act XIII of 1943).

The Hindu Women's Right to Property  
(Extension to Agricultural Land in  
Orissa) Act (Act V of 1944).

The Orissa Entertainment Tax Act,  
1946 (Orissa Act VI of 1946). (a) for the words "Province of  
Orissa" wherever they occur, the words  
Mayurbhanj State" shall be substituted.

(b) Sections 2 and 3 shall be omitted.

The Orissa Motor Spirit Taxation  
Sales Act, 1946 (Orissa Act IX of 1946). For the words 'Province of Orissa' or  
'Orissa' or 'Province' wherever they  
occur, the words "Mayurbhanj States"  
shall be substituted.

The Orissa Essential Articles Control  
Requisitioning Temporary Powders)  
Act, 1947 (Orissa) (a) Omit Sub-sections (1) and (3) of  
Section 1

(b) For Section 18, the following shall  
be substituted, namely:

18. Saving-Any order made or deemed  
to be made under any law in force in  
the Mayurbhanj State on the 31st  
December, 1948 and relating to  
matters covered by the Act shall  
continue in force so far as consistent  
with this Act until repealed, modified  
or altered by a competent  
authority under this Act. All  
appointments made, licences or  
permits granted and directions issued  
under any such order and in force on  
the 31st December, 1948, shall  
likewise continue in force and deemed  
to be granted or issued in pursuance



or this Act until modified, cancelled or altered by a competent authority under this Act".

The Orissa Agricultural Income-tax Act, 1947 (Orissa Act XXIV of 1947).

(a) For the words "The Province of Orissa" and "the Province" wherever they occur the words 'Mayurbhanj State' shall be substituted.

(b) Sub-section (p) of Section 2 shall be omitted.

(c) After the words and figures "The Angul, Laws Regulation, 1936" occurring in Clause (d) of Section 6 and in Clause (c) of Sub-section (2) of Section 7, the words "or under any State Law or custom having the force of law for the time being in force" shall be inserted.

(d) After the words "any Orissa Act" occurring in Clause (e) of Sub-section (2) of Section 7, the following words shall be inserted :  
"or State Law for the time being in force".

(a) For Clause (b) of Sub-section (1) of Section 15, the following shall be inserted, namely

"(b) Nothing in this Sub-section shall be deemed to entitle an assessee who is assessed to income-tax under any Income-tax Law for the time being in force in the Mayurbhanj State to claim a deduction in respect of any sum paid by him as mentioned in Clause (a) if such sum was exempted under any of the provisions of the said Law"

The Orissa Sales Tax Act, 1947 (Orissa Act XIV 1947).

For the words "Province of Orissa" or "Orissa" wherever they occur, the words "Mayurbhanj State" shall be substituted.

The Orissa Maintenance of Public Order Act, 1948 (Orissa Act IV of 1948).

(a) Omit Sub-sections (2) and (3) of Section 1.

(b) For the words "Province of Orissa" the words "Mayurbhanj State" shall be substituted.

[The Orissa Maintenance of Public Order (Amendment) Act, 1949 (Orissa Act VI of 1949).] [Inserted vide Orissa Gazette Part 3/10.6.1949.]

The Orissa Temple Entry Authorisation Act, 1948 (Orissa Act XI of 1948).

For Sub-section (3), the following Sub-section shall be substituted

"(3) Section 1 shall come into force at once and the remaining sections shall come into force in such areas and on such date or dates as the Provincial Government may by notification appoint".

[The Utkal University (Amendment) Act, 1949 (Orissa Act III of 1949).] [Inserted vide Orissa Gazette Part 3/10.6.1949.]

[The Orissa Local Authorities Census Expenses Contribution Act, 1949 (Orissa Act IV of 1949).] [Inserted vide Orissa Gazette Part 3/10.6.1949.]

[The Land Acquisition (Orissa Amendment) Act, 1948 (Orissa Act XIX of 1948).] [Added vide Orissa Gazette Part 3/17.6.1949.]

[The Orissa Development of Industries, Irrigation Agriculture, Capital Construction and Resettlement of Displaced Persons (Land Acquisition Act, 1948 (Orissa Act XVIII of 1948).] [Added vide Orissa Gazette Part 3/1.7.1949.]

[The Orissa Removal of Civil Disabilities Act, 1946 (Orissa Act XI of 1946).] [Added vide Orissa Gazette Part 3/17.5.1949.]

[Orissa Mohammedan Marriages and Divorce Registration Act, 1949 (Orissa Act VII of 1949).] [Added vide Orissa

Gazette Part 3/29.7.1949.]

(i) [ The Orissa Local Fund Audit Act, 1948 (Orissa Act V of 1948).] [Added vide Orissa Gazette Extraordinary No. 112/30.7.1949.]

(ii) [ The Orissa Gram Panchayat Act, 1948 (Orissa Act XV of 1948).] [Added vide Orissa Gazette Extraordinary No. 112/30.7.1949.]

(a) For the words "Province of Orissa" wherever they occur, the words "Mayurbhanj State" shall be substituted :

(b) In Sub-section (2) of Section 2, after the words "Union Board" wherever they occur, the words "or any other local authority" shall be substituted.

(c) In Clause (c) of Sub-section (1) of Section 40, after the words ,or Panchayat" the words "of any other local authority" shall be substituted.

(d) For Section 115, the following sections shall be substituted, namely :

"115. The Provincial Government may make bye-laws for a Panchayat within the Mayurbhanj State consistent with the Act and the Rules made thereunder for the purpose of promoting or maintaining the health, safety and convenience of persons residing within the local area of a Gram Panchayat and not for furtherance of administration of Gram Panchayat under this Act.

(e) In Section 116, for the words "District Board" and "the Chairman, District Board" wherever they occur, the words "Provincial Government" shall be substituted.

[The Orissa Preservation of Private Forests Act VIII of 1947).] [Added vide Orissa Gazette Extraordinary No. 112/30.7.1949.]

For the existing Section 3, the Act, 1947 (Orissa) following section shall be substituted, namely :

"3. It shall come into force in such areas and from such date as the

Provincial Government may  
by notification from time to time so  
direct"

[The Orissa Compulsory Labour Act  
1948 (Orissa Act X of 1948).] [Added  
vide Orissa Gazette Extraordinary No.  
112/30.7.1949.]

"It shall come into force on such date  
as the Provincial Government by  
notification direct".

[The Bihar and Orissa Excise (Orissa  
Amendment) Act, 1947 (Orissa Act  
XXI of 1947).] [Added vide Orissa  
Gazette Extraordinary No.  
112/30.7.1949.]

[The Orissa Court of Wards Act, 1947  
(Orissa Act XXVI of 1947).] [Added  
vide Orissa Gazette Extraordinary No.  
112/30.7.1949.]

[The Bengal Embankment (Orissa  
Amendment) Act, 1947 (Orissa Act X  
of 1947).] [Added vide Orissa Gazette  
Extraordinary No. 112/30.7.1949.]

[The Orissa Land Encroachment Act,  
1947 (Orissa Act XXXIII of 1947).]  
[Added vide Orissa Gazette  
Extraordinary No. 112/30.7.1949.]

"Land acquired under the provisions  
of the Land Acquisition Act, 1894 or  
acquired otherwise for the purposes of  
Government or any local authority or  
a Railway Company while such land  
remains the property of  
Government, local authority Railway  
Company, as the case may be".

Clause (c) shall be read as follows:

"Land belonging to or recorded  
as belonging to Government or any  
local authority which is used for any  
public purpose, as a road, canal,  
irrigation tank, drinking water,  
reservoir or embankment, or which is

For Sub-section (3) of Section 1, the  
following Sub-section shall be  
substituted, namely :

Section 2-For Clause (a), the  
following clause shall be substituted,  
namely :

required for repair, maintenance of such road, canal, irrigation tank, drinking water, reservoir or embankment while such land continues to be so used or required".

Clause (d) shall be amended as follows :

"Communal lands used or recorded as Gochar, Rakhit, Smasan, Sarbasadharan and forest in the record-of-rights prepared under any law for the time being in force in the State".

Section 3-In the proviso to Section 3, the words "Orissa Tenancy Act, 1913" shall be substituted by the words "Tenancy Law in the State".

Section 9-The words "or under any law or procedure in force in the state for recovery of public demands" shall be added after the words "The Bihar and Orissa Public Demands Recovery Act, 1914".

Section 10-The words "or Administrator, Mayurbhanj State" shall be added after the words "Revenue commissioner" in the section.