

ORISSA ORDINANCE No. IV OF 1954

THE ORISSA TENANTS PROTECTION
(AMENDMENT) ORDINANCE, 1954

[Promulgated by the Governor in the Fifth Year of the
Republic of India]

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AN

ORDINANCE

TO PROTECT CERTAIN TENANTS UNDER THE ORISSA
TENANTS PROTECTION ACT, 1948.

WHEREAS the Legislature of the State of Orisa is not
in session ;

AND WHEREAS the Governor of Orissa is satisfied
that it is expedient further to clarify the extent of protection
given to the classes of tenants under the provisions of the
Orissa Tenants Protection Act, 1948 and that the circum-
stances exist which render it necessary for him to take
immediate action in the manner hereinafter appearing ;

Orissa
Act III of
1948.

AND WHEREAS the instructions from the President
have been received to promulgate such an Ordinance ;

NOW, THEREFORE, in exercise of the powers
conferred by clause (1) of Article 213 of the Constitution,
the Governor of Orissa is pleased to make and promulgate
the following ordinance :—

1. (1) This Ordinance may be called the Orissa Tenants
Protection (Amendment) Ordinance, 1954.

(2) It shall come into force at once.

2. In section 3 of the Orissa Tenants Protection Act, 1948 (hereinafter referred to as the said Act),—

Orissa
Act III of
1948.

(i) the Illustration after sub-section (2) shall be
omitted ;

(ii) after sub-section (2) the following new sub-section
shall be inserted, and shall be deemed always to have been
inserted :—

“ (3) Except as otherwise expressly provided under
this Act nothing contained in any other law for the time
being in force or in item (3) of clause (g) of section 2 shall

Short title
and
commence-
ment.

Amendment
of section 3,
Orissa
Act III of
1948.

have the effect of depriving a tenant on and after the said date, of his rights and privileges conferred under this section so long as he continues to remain in cultivation of the land, irrespective of the fact whether the raiyat in relation to such land has remained the same or not :

Provided that in the absence of an agreement express or implied with any raiyat the rent payable to him shall be the same as was payable to the last preceding raiyat ; but no agreement shall have any effect whatsoever save to the extent it is consistent with the provisions of this Act ”.

Insertion of
a new
section after
section 12,
Orissa
Act III of
1948.

3. After section 12 of the said Act, the following new section shall be inserted and shall be deemed always to have been inserted, namely :—

Decree,
order or
notice not
to have
effect.

“12-A. No decree or order of any Court or authority and no notice of ejection shall have force or effect save to the extent to which it is consistent with the provisions of this Act”.

The 19th December 1954 **P. S. KUMARASWAMY RAJA**
Governor of Orissa