

ORISSA REGULATION No. 1 OF 1947
THE AGENCY RULES (ORISSA AMENDMENT)
REGULATION, 1947

[Received the assent of the Governor-General on the 24th May
 1947, first published in the Orissa Gazette, dated
 the 6th June 1947]

A

REGULATION

FURTHER TO AMEND THE AGENCY RULES, 1924

WHEREAS it is expedient further to amend the Agency Rules, 1924, made under section 6 of the Scheduled Districts Act, 1874, by the Government of Madras, for the purpose hereinafter appearing, in their application to the Agency tracts of the Ganjam and Koraput districts which are partially-excluded areas of the Province of Orissa; XIV of 1874

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 92 of the Government of India Act, 1935, the Governor of Orissa is pleased to make the following Regulation for the said partially-excluded areas:—

Short title
and com-
mencement.

1. (1) This Regulation may be called the Agency Rules (Orissa Amendment) Regulation, 1947.

(2) It shall come into force at once.

Substitution
of new rule
for rule 2,
Agency
Rules, 1924.

2. For rule 2 of the Agency Rules made under section 6 of the Scheduled Districts Act, 1874, by the Government of Madras and published in the Government Order No. 1116-R., dated the 23rd July 1924 of the said Government, the following rules shall be substituted, namely:— XIV of 1874

“Rule 2. (1) Court-fees shall be paid and the valuation of a suit or appeal shall be made according to the provisions of the Court-Fees Act, 1870, as amended by the Orissa Court-Fees (Amendment) Act, 1939 and by any other subsequent Orissa Amendment Act for the time being in force and of the Suits Valuation Act, 1887. VII of 1870
Orissa Act
V of 1939.
VII of 1887

Explanation I—In respect of any plant or memorandum of appeal to which Article 3A of Schedule I to the Court-Fees Act, 1870, amended as aforesaid applies, court-fees shall be chargeable at the rates of fees specified for the purpose of the respective pecuniary jurisdiction in the said Article.

Explanation II—In respect of any plaint or memorandum of appeal to which Article 17A of Schedule II to the said Act as so amended applies, court-fees shall be chargeable at the rates of fees specified for the purpose of the respective pecuniary jurisdictions in the said Article.

(2) The court may admit without payment of institution fees, any suit or appeal other than a suit or appeal brought to recover compensation for loss of caste, libel, slander, abusive language or insult, if satisfied that the plaintiff or appellant is not able to pay:

Provided that if such a plaintiff or appellant was allowed to sue or appeal as a pauper in the court from whose decree the appeal is preferred no further enquiry in respect of his pauperism shall be necessary unless the appellate court sees cause to direct such enquiry.

(3) When such a pauper succeeds in the suit or appeal instituted by him the court may direct the recovery of the amount of court-fees or such portion thereof as the court may deem fit".

Citation of
the Agency
Rules, 1924.

3. To facilitate the citation of the Agency Rules, 1924, made under section 6 of the Scheduled Districts Act, 1874, by XIV of 1874 the Government of Madras, the same shall be hereafter cited for all purposes by the short title "The Orissa Agency Rules".