

ODISHA ACT 3 OF 1941  
THE ODISHA HINDU RELIGIOUS ENDOWMENTS (AMENDMENT) ACT, 1941

(7<sup>th</sup> February 1941)

AN ACT TO AMEND THE ODISHA HINDU  
RELIGIOUS ENDOWMENTS ACT, 1939.

Preamble.

**W**HEREAS it is expedient to amend the Orissa Hindu Religious Endowments Act, 1939, in the manner hereinafter appearing ; Orissa Act  
IV of 1939.

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, hereby enacts as follows :—

Short title.

**1.** This Act may be called the Orissa Hindu Religious Endowments (Amendment) Act, 1941.

Amendment of section 31 of Orissa Act IV of 1939.

**2.** In section 31 of the Orissa Hindu Religious Endowments Act, 1939 (hereinafter referred to as the said Act), for sub-section (4) the following sub-section shall be substituted, namely :— Orissa Act  
IV of 1939.

“(4) the trustee or any person having interest may, within six months of the date of the order passed by the commissioner under sub-section (3), institute in the Court a suit to modify or set aside the same ;

if such a suit is instituted, the Court shall give at the expense of the plaintiff notice of the institution of the suit to all persons having interest, either by personal

service, or where from the number of persons or any other cause such service is not reasonably practicable by public advertisement, as the Court may in each case direct ;

subject to the result of such a suit, the order of the commissioner shall be final ;”

Amendment of  
section 51 of Orissa  
Act IV of 1939.

3. In sub-section (1) of section 51 of the said Act, the words “by a revenue officer of a gazetted rank appointed by the Provincial Government in this behalf” shall be omitted.

Amendment of  
section 52 of Orissa  
Act IV of 1939.

4. In section 52 of the said Act, for sub-section (3), the following sub-sections shall be substituted, namely:—

“(3) The power to make rules given by this section is subject to the condition of the rules being made after previous publication.

(4) All rules made under this section shall be published in the Gazette, and shall, unless some later date is appointed, come into force on the date of such publication.

(5) All rules made under this section shall be laid as soon as possible after they are made before the Orissa Legislative Assembly for a total period of 14 days, which may be comprised in one session or in two or more sessions, and shall be subject to such modifications as the Assembly may make during the said period.”

Amendments to  
form part of Orissa  
Act IV of 1939 from  
its commencement.

5. The said Act shall be read and construed as if the amendments hereby enacted had formed part of the said Act from its commencement.