

The Orissa



Gazette

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LAW DEPARTMENT

NOTIFICATION

The 3rd November, 1998

No. 16737/Legis.—The following Act of the Orissa Legislative Assembly having been assented to by the Governor on the 23rd October, 1998 is hereby published for general information.

ORISSA ACT 15 OF 1998

THE ORISSA PUBLIC DEMANDS RECOVERY (AMENDMENT) ACT, 1998

AN ACT FURTHER TO AMEND THE ORISSA PUBLIC DEMANDS RECOVERY
ACT, 1962.

Enacted by the Legislature of the State of Orissa in the Forty-ninth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Orissa Public Demands Recovery (Amendment) Act, 1998.

Amendment of section 60.

2. In section 60 of the Orissa Public Demands Recovery Act, 1962 (hereinafter referred to as the principal Act), to sub-section (3), the following proviso shall be added, namely :—

Orissa Act 1 of 1963.

“Provided that the appellate authority shall not direct stay of execution in any case, unless—

(a) the certificate-debtor has paid at least fifty per centum of the total amount due under the certificate to the Certificate Officer, whether or not under protest made in writing at the time of payment, and produces a certificate from the Certificate Officer showing such payment to have been made; or

(b) after considering the evidence adduced, he has *prima facie* reasons to believe on the plea of the certificate-debtor that the public demand said to be due from him under the certificate has, in fact, been paid.”

Amendment of Schedule I.

3. In Schedule I to the principal Act, in clause (o) of the Explanation to item (xi), the words and commas “to small Industries, artisans, weavers and self-employed persons in a specified locality of the State” shall be omitted.

By order of the Governor
G. C. MOHANTY
Secretary to Government