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PART IV.

Regulations, Orders, Notifications and Rules, of the Government of India, of the Government of Bihar, and of the High Court. Papers extracted from the *Gazette of India* and Provincial Gazettes. Orders of Commandants of Volunteers Corps.

HOME DEPARTMENT.

NOTIFICATIONS.

The 18th September 1940.

No. 7162-C.—The following notifications by the Government of India are republished for general information.

By order of the Governor,

J. BOWSTEAD,

Chief Secretary to Government.

DEFENCE CO-ORDINATION DEPARTMENT.

Simla, the 31st August 1940.

No. 527-O.R/40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments

shall be made in the Defence of India Rules, namely :—

In rule 26 of the said Rules—

- (1) in sub-rule (5), after the words "under such conditions", the words "as to maintenance, discipline and the punishment of offences and breaches of discipline" shall be inserted, and
- (2) the following sub-rule shall be inserted after sub-rule (5), namely :—

"(5A) Where the power to determine the place of detention is exercisable by the Provincial Government, the power of the Provincial Government shall include power to determine a place of detention outside the province :

Provided that—

- (a) no such place shall be determined save with the previous consent of the Provincial Government of the province

in which the place is situate, or, where the place is situate in a Chief Commissioner's province, of the Central Government;

- (b) the power to determine the conditions of detention shall be exercised by the Provincial Government of the province in which the place is situate, or, where the place is situate in a Chief Commissioner's province by the Central Government."

No. 588.O.R./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After clause (a) of sub-rule (1) of rule 52 of the said Rules, the following clause shall be inserted, namely :—

"(aa) for the screening of any lighting apparatus, whether for the time being alight or not, carried on, or attached to, any specified class of vehicles ;".

No. 494.O.R./40.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

In rule 90 of the said Rules—

- (a) for sub-rule (1), the following sub-rule shall be substituted, namely :—

"(1) In this rule—

(i) the expression "coin" means coin which is legal tender under the Indian Coinage Act, 1906 ; and

(ii) the expression "note" means a Reserve Bank of India note, a currency note of the Government of India, or a Government of India one-rupee note issued under the Currency Ordinance, 1940."

- (b) in sub-rule (2)—

(1) in clause (a), for the words "Reserve Bank of India note or currency note of the Government of India", the word "note" shall be substituted ;

(2) in clauses (b) and (c), the word "such" shall be omitted.

A. LEC. WILLIAMS,
Secy. to the Govt. of India.

The 18th September 1940.

No. 7163-C.—The following notifications by the Government of India are republished for general information.

By order of the Governor,

J. BOWSTEAD,

Chief Secretary to Government.

DEPARTMENT OF COMMERCE.

TREATIES (WAR).

The 27th August 1940.

No. 42(19)-Tr. (W.)/40.—In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules and in partial supersession of the notification of the Government of India in the Department of Commerce, No. 42(19)-Tr. (W.)/40, dated the 4th July 1940, the Central Government is pleased to order that all property, movable and immovable, belonging to, or held by, or managed on behalf of, the enemy firm of New India Embroidery Mills, Limited, Chbeharta, Amritsar, which was vested in the Custodian of Enemy Property for British India by clause (a) of the said notification, shall cease to vest in the said Custodian, and shall re-vest in the said firm.

The 29th August 1940.

No. 42(45)-Tr. (W.)/40.—In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to order that all property in British India, movable and immovable, belonging to or held by or managed on behalf of, the enemy firm of Messrs. Stuparich Brothers, McLeod Road, Karachi, shall vest in the Custodian of Enemy Property for British India.

H. C. PRIOR,

Addl. Secy. to the Govt. of India.

The 24th September 1940.

No. 7271-C.—The following notifications by the Government of India are republished for general information.

By order of the Governor,

J. BOWSTEAD,

Chief Secretary to Government.

HOME DEPARTMENT.

POLITICAL (E.).

The 3rd September 1940.

No. 67/6/40.—In exercise of the powers conferred by sub-section (1) and clause (e)

of sub-section (2) of section 3 of the Foreigners Act, 1940 (II of 1940), the Central Government is pleased to make the following Order, namely:—

The Foreigners (Purandhar Parole Centre) Order, 1940.

1. (1) This Order may be called the Foreigners (Purandhar Parole Centre) Order, 1940.

(2) It applies to any foreigner in respect of whom there is in force an order made under clause (c) of sub-section (2) of section 3 of the Foreigners Act, 1940 (II of 1940), requiring him to reside in the parole centre at Purandhar (Poona District of the Province of Bombay).

2. In this Order,—

(i) “limits of the parole centre” mean the limits demarcated by the boundary posts of the derelict cantonment of Purandhar;

(ii) “Superintendent” means the officer appointed by the Central Government to be the Superintendent of the parole centre.

3. No foreigner to whom this Order applies:—

(i) shall leave the limits of the parole centre except under and in accordance with the conditions of a pass issued in that behalf by the Superintendent;

(ii) shall visit any such place within the limits of the parole centre as may be declared by the Superintendent to be out of bounds, except under and in accordance with the conditions of a pass issued in that behalf by the Superintendent;

(iii) shall absent himself without the previous permission of the Superintendent from the daily roll-call held by him;

(iv) shall entertain in his service any servant who has not been approved by the Superintendent, or the approval in respect of whom has subsequently been withdrawn by the Superintendent;

(v) shall bring, or have brought, into the parole centre any newspaper other than an English newspaper published in India or in England.

4. The following restrictions shall apply to the correspondence of all

foreigners to whom this order applies:—

(i) No foreigner shall send more than three letters a week, of which not more than one may be in a language other than English. No letter shall exceed 200 words in length. When typed, letters should have double spacing.

(ii) The words “Service of Prisoners of war” shall be written at the top left hand corner of each envelope.

(iii) Envelopes shall be left open, and all letters shall be handed over to the Superintendent or placed in a box specially provided for that purpose. No foreigner shall post a letter in any public letter box or hand a communication to a third person for conveyance to its destination.

(iv) Every foreigner detained in the parole centre will be permitted to send three letters each week free of postage.

(v) No foreigner will be permitted to send telegrams ex-India. Telegrams to addresses in India may be sent with the permission of the Superintendent who should, in all cases, paraphrase them before issue. No foreigner shall hand in a telegram direct to a telegraph office or hand such a communication to a third person for the purpose of despatching it to its destination.

5. The Superintendent may from time to time issue such general or special instructions as he thinks fit for the purpose of maintaining discipline at the parole centre, and all such instructions shall be complied with by the foreigners concerned.

6. If a foreigner fails to comply with any instructions issued under clause 5, or with any other provision of this Order, or conducts himself in a manner prejudicial to the maintenance of discipline at the parole centre, the Superintendent may, without prejudice to any other action that may be taken against him for such failure or conduct,

(i) withdraw the privilege of getting newspapers;

(ii) withdraw the privilege of writing and receiving letters;

(iii) order the foreigner to be confined to his quarters.

C. J. W. LILLIE,

Deputy Secy. to the Govt. of India.

DEPARTMENT OF COMMERCE.

TREATIES (WAR).

The 5th September 1940.

No. 48 (2)-Tr. (W.)/40.—In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to direct that the following further amendments shall be made in the Enemy Property (Custody and Registration) Order, 1939, namely:—

In the said Order—

I. In paragraph 3, for the words “enemy subject or enemy firm” wherever they occur the word “enemy” shall be substituted.

II. For paragraph 8, the following paragraph shall be substituted, namely:—

“8. (1) Every bank carrying on business in British India which has any balances or deposits standing to the credit of an enemy shall, within two months of the vesting of his property, communicate to the Custodian in Form A full particulars of such balances or deposits, and may, within two months of such communication, communicate to the Custodian in Form AA full particulars of the debts, if any, owing to it by that enemy.

NOTE.—Claims submitted later will not be considered unless there are exceptional and valid reasons for the delay.

(2) Every company incorporated in British India, and every company which though not incorporated in British India has a share transfer or share registration office in British India, shall, within two months of the vesting of the property of an enemy holding securities of the company, communicate to the Custodian in Form B full particulars of all securities of the company held by such enemy.

(3) Every firm carrying on business in British India, one or more partners of which are enemies, shall, within two months of the vesting of their property and thereafter at such intervals as may be prescribed by the Custodian, communicate to the Custodian in Form C full particulars as to any share of profits and interest due to such enemies.

(4) Every person residing or carrying on business in British India by whom any money would, if a state of war had not existed, have been payable or paid to or for the benefit of an enemy by way of dividend, interest or share of profits shall, within two months of the vesting of his property, or if such money becomes payable after that period, within one month after it becomes payable, communicate to the Custodian in Form D full particulars of such money.

(5) Every person, other than a bank, residing or carrying on business in British

India who owes any debts to an enemy shall, within two months of the vesting of his property, communicate to the Custodian in Form E full particulars of such debts.

(6) Every person residing or carrying on business in British India who has in his possession or control any property belonging to, or held by or managed on behalf of an enemy subject detained in an internment camp in British India, and not covered by the preceding sub-paragraphs shall, within two months of the vesting of the property, or if the property comes into his possession or control after the expiry of that period, within one month of his so coming into possession or control, communicate to the Custodian full particulars of such property in Form F, in the case of property held in safe custody, and in Form G, in the case of property held otherwise.

(7) Where a return of enemy property has been made in any quarter to the Custodian in Form F or Form G, particulars of any income derived from such property during that and each subsequent quarter shall be communicated to the Custodian in Form H within one month of the expiry of the quarter; and if in any quarter no income has been derived, the fact shall be reported to the Custodian in the same form within the said period.

(8) Where a return of any enemy property has been made to the Custodian in Form F any change in respect of any lien on the property claimed by any person making the return shall be reported to the Custodian in the same form within one month after the change has occurred or has been effected.

(9) Notwithstanding the provisions contained in the preceding sub-paragraphs, the Custodian may, if he thinks fit,—

(a) exempt any person or class of persons from making the returns mentioned therein, and

(b) extend in any particular case or class of cases the time limit laid down for the submission of such returns.”

The 3rd September 1940.

No. 73 (30)-Tr. (W.)/39.—In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to order that the shares held in the Bata Shoe Company, Limited, Calcutta, by, and the debt due from the said Company to, Leader A. G., Aronstrasse, St. Moritz, Switzerland, being a body of persons declared by the Central Government under clause (d) of rule 97 of the said Rules to be an enemy, shall vest in the Custodian of Enemy Property for British India.

H. C. PRIOR,

Addl. Secy. to the Govt. of India.

FINANCE DEPARTMENT.

NOTIFICATION.

The 24th September 1940.

No. 9464-F.—The following notification, issued by the Government of India in the Finance Department, is republished for general information.

By order of the Governor,

J. BOWSTEAD,

Chief Secretary to Government.

Simla, the 15th August 1940.

No. F. 23 (1)-R. II/40.—The following is published for general information:—

“I, LEOPOLD CHARLES MAURICE STENNETT AMERY, one of His Majesty's Principal Secretaries of State, in exercise of the powers conferred upon me by section 247 of the Government of India Act, 1925, hereby make, with the concurrence of my Advisers, the following amendments in the Indian Civil Service Provident Fund Rules:—

(1) The following shall be inserted as Rule 15A of the said Rules:—

“A subscriber may withdraw from the amount standing to his credit in the Fund any sum, which shall be a complete number of rupees, required to provide supplementary pensions for his wife, sons and daughters under Rules 26A and 26B of the Indian Civil Service Family Pension Fund Rules.”

(2) At the beginning of Rule 17 of the said Rules, the following shall be inserted:—

“Except as provided in Rule 15A.”

Given under my hand this 19th day of June 1940.

L. S. AMERY,

One of His Majesty's Principal Secretaries of State.”

R. L. GUPTA,

Deputy Secy. to the Govt. of India.

COMMERCE AND LABOUR DEPARTMENT.

NOTIFICATIONS.

The 18th September 1940.

No. 6373—HE-18/40-Com.—The following notification, issued by the Government of India, Department of Labour, is republished for general information.

By order of the Governor,

W. W. DALZIEL,

Secretary to Government.

Simla, the 3rd September 1940.

No. L-3038.—In exercise of the power conferred by sub-section (3) of section 5 of

the Tea District Emigrant Labour Act, 1932 (XXII of 1932), the Central Government is pleased to fix four rupees as the rate of the Emigrant Labour Cess to be levied in respect of the entry into Assam of each assisted emigrant for the year commencing on 1st October 1940 and ending on 30th September 1941.

M. S. A. HYDARI,

Secretary to the Government of India.

The 25th September 1940.

No. 6498—1B-2/40-Com.—The following notification, issued by the Central Boilers Board, is republished for general information.

By order of the Governor,

W. W. DALZIEL,

Secretary to Government.

Simla, the 2nd September 1940.

No. A-907/159(1).—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (V of 1923), the Central Boilers Board directs that the following further amendment shall be made in the Indian Boiler Regulations, 1924, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

In regulation 159 of the said Regulations, for the entry “For Boiler Rating exceeding 1,100 100”, the following entries shall be substituted, namely:—

“For Boiler Rating exceeding 1,100	
but not exceeding 2,000	... 100
For Boiler Rating exceeding 2,000	
but not exceeding 4,000	... 120
For Boiler Rating exceeding 4,000	
but not exceeding 6,000	... 140
For Boiler Rating exceeding 6,000	
but not exceeding 8,000	... 160
For Boiler Rating exceeding 8,000	
but not exceeding 10,000	... 180
For Boiler Rating exceeding	
10,000	... 200”.

P. M. MENON,

Secretary, Central Boilers Board.

OFFICE OF THE COMMISSIONER OF INCOME-TAX, BIHAR AND ORISSA.

NOTIFICATION.

EXCESS PROFITS TAX ESTABLISHMENTS.

The 14th September 1940.

No. A-202/3.—In pursuance of sub-section (5) of section 5 of the Indian

Income-tax Act, XI of 1922, and in view of the notification No. 32-CA., dated the 14th September 1940, of the Central Board of Revenue, I hereby create, with effect from 15th September 1940, a Special Circle and the Income-tax Officer in charge of that Circle shall perform all functions of Excess Profits Tax Officer cum Income-tax Officer, in respect of all persons and classes of persons and all incomes and classes of

income liable to Excess Profits Tax of the area as specified below :—

Name of Circle.	Headquarters.	Jurisdictional area of the Circle.
Special Excess Profits tax cum Income-tax Circle.	Patna	... The Provinces of Bihar and Orissa.

F. R. MERCHANT,

Commissioner.