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PART V.

Acts of the Indian Legislature assented to by the Governor General.

GOVERNMENT OF INDIA. LEGISLATIVE DEPARTMENT.

The following Act which was made by the Governor General under the provisions of section 67B of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, and has received the assent of His Majesty signified on His Majesty's behalf by an Order in Council is hereby published for general information :—

An Act further to amend the Indian Tariff Act, 1934, for certain purposes.

WHEREAS it is expedient further to amend the Indian Tariff Act, 1934, for the purposes hereinafter appearing ;

XXXII of
1934.

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Indian Tariff (Third Amendment) Act, 1939.

2. In section 4 of the Indian Tariff Act, 1934, sub-section (2) shall be renumbered as sub-section (3) and after sub-section (1) the following sub-section shall be inserted, namely :—
Amendment of section 4 of Act XXXII of 1934.

“(2) For the purpose of giving effect to the provisions of Article 10 of the Trade Agreement between His Majesty's Government in the United Kingdom and the Government of India, signed in London on the 20th day of March, 1939, the Central Government may, by notification in the official Gazette, vary from time to time such of the rates of duty set out in Items Nos. 48 (3) and 48 (9) of the First Schedule as are applicable to cotton fabrics of British manufacture.”

Amendment of First Schedule to Act XXXII of 1934.

3. In the First Schedule to the Indian Tariff Act, 1934,—

(1) for Item No. 3 (2) the following Item shall be substituted, namely:—

"3(2)	FISH, salted, dry ...	Revenue	15 per cent. <i>ad valorem.</i>	...	...	...
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(2) in Items Nos. 4 (1), 9 (6), 15 (2), 15 (4), 16 (1), 18, 21, 28 (14), 30 (7), 31, 31 (3), 33, 36 (2), 37 (1), 38, 39 (1), 40 (2), 41, 42, 47 (4), 50 (5), 50 (6), 56, 56 (1), 58 (1), 58 (2), 59, 59 (2), 59 (4), 59 (5), 63 (28), 63 (29), 65, 66, 67, 68, 70, 71, 71 (2), 71 (3), 72 (6), 73 (5), 83 and 85—

(a) in the third column, for the words "Preferential revenue", wherever they occur, the word "Revenue" shall be substituted;

(b) in the fourth column, for the figure "30", wherever it occurs, the figure "25" shall be substituted;

(c) all entries in the fifth and sixth columns shall be omitted;

(3) in Items Nos. 9 (1), 15 (6), 20 (1), 20 (2) and 31 (1) the entry in the fifth column shall be omitted;

(4) for Item No. 9 (3) the following Item shall be substituted, namely:—

"9(3)	The following SPICES, whether ground or unground, namely:— Cardamoms, cassia, cinnamon, cloves, nutmegs and pepper.	Preferential revenue.	45 per cent. <i>ad valorem.</i>	...	37½ per cent. <i>ad valorem.</i>	...
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(5) in Item No. 11 (3), for the entry in the second column the entry "SAGO, TAPIOCA and TAPIOCA FLOUR" shall be substituted;

(6) in Item No. 17 (2), in paragraph (c) of Item No. 22 (5) and in Items Nos. 49 (2), 51, 59 (6), 60 (2), 61 (7), 61 (9), 81, 84 and 85 (1)—

(a) in the third column, for the words "Preferential revenue" the word "Revenue" shall be substituted;

(b) the entry in the fifth column shall be omitted;

(7) Items Nos. 22 (1), 54 (1) and 79 (1) shall be omitted;

(8) in Item No. 22 (2), in the second column, for the words "PORTER, CIDER and other FERMENTED LIQUORS except ale and beer—" the words "ALE, BEER, PORTER, CIDER and other FERMENTED LIQUORS—" shall be substituted;

(9) for Item No. 25 (5) the following Item shall be substituted, namely:—

"25(5)	PORTLAND CEMENT excluding white Portland cement.	Revenue	Rs. 13-12 per ton.	...	...	...
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(10) in Item No. 27 (8)—

(a) in the third column, for the words "Preferential revenue" the word "Revenue" shall be substituted;

(b) in the fourth column, for the words "six pies" the words "one pie" shall be substituted;

(c) the entry in the fifth column shall be omitted;

(11) for Item No. 28 (4) the following Item shall be substituted, namely:—

"28(4)	SODA ASH including calcined natural soda and manufactured sesquicarbates.	Preferential revenue.	25 per cent. <i>ad valorem.</i>	...	15 per cent. <i>ad valorem.</i>	...
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(12) for Item No. 28 (7) the following Item shall be substituted, namely:—

"28(7)	The following CHEMICALS, namely, cadmium sulphide, cobalt oxide, liquid gold for glass-making, selenium and uranium oxide.	Revenue	25 per cent. <i>ad valorem.</i>	...	...	...
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(13) in Item No. 28 (8), for the entry in the second column the following entry shall be substituted, namely:—

“The following CHEMICALS, DRUGS AND MEDICINES, namely, acetic, carbolic, citric, hydrochloric, nitric, oxalic, sulphuric, tartaric and other acids, anhydrous ammonia, naphthalene, potassium bichromate, potassium chlorate, potassium cyanide and other potassium compounds, bicarbonate of soda, borax, sodium bichromate, sodium cyanide, sodium silicate, arsenic, calcium carbide, glycerine, lead, magnesium and zinc compounds not otherwise specified, aloes, asafoetida, cocaine, sarsaparilla and storax.”;

(14) for Item No. 29 the following Item shall be substituted, namely:—

“29	CINEMATOGGRAPH FILMS, not exposed	Revenue	...	20 per cent. <i>ad valorem.</i>	...	...	...
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(15) in Items Nos. 32 (1), 47 (3), 48 (2), 48 (6), 51 (1), 52, 53 and 55—

(a) in the third column, for the words “Preferential revenue” the word “Revenue” shall be substituted;

(b) in the fourth column, for the figure “35” the figure “25” shall be substituted;

(c) all entries in the fifth and sixth columns shall be omitted;

(16) in Items Nos. 47 (6), 48 (1), 48 (5), 48 (7), 48 (10), 49 (5), 51 (2) and 51 (3), in the last column, for the figure “1939”, wherever it occurs, the figure “1942” shall be substituted;

(17) for Item No. 48 (3) the following Item shall be substituted, namely:—

“48(3)	COTTON FABRICS not otherwise specified, containing more than 90 per cent. of cotton—						
	(a) Grey piecegoods (excluding bordered grey chadars, dhuties, saris and scarves)—						
	(i) of British manufacture	Protective	...	15 per cent. <i>ad valorem</i> or 2½ annas per lb., whichever is higher.	...	...	March 31st, 1942.
	(ii) not of British manufacture.	Protective	...	50 per cent. <i>ad valorem</i> or 5½ annas per lb., whichever is higher.	...	...	March 31st, 1942.
	(b) Printed piecegoods and printed fabrics—						
	(i) of British manufacture	Protective	...	17½ per cent. <i>ad valorem.</i>	...	...	March 31st, 1942.
	(ii) not of British manufacture.	Protective	...	50 per cent. <i>ad valorem.</i>	...	...	March 31st, 1942.
	(c) Cotton piecegoods and fabrics not otherwise specified—						
	(i) of British manufacture	Protective	...	15 per cent. <i>ad valorem.</i>	...	...	March 31st, 1942.
	(ii) not of British manufacture.	Protective	...	50 per cent. <i>ad valorem.</i>	...	...	March 31st, 1942.”;

(18) for Item No. 48 (9) the following Item shall be substituted, namely:—

“48(9)	The following COTTON FABRICS, namely, Sateens including italians of Sateen weave, velvets and velveteens and embroidered all-overs—						
	(a) Printed fabrics—						
	(i) of British manufacture	Protective	...	17½ per cent. <i>ad valorem.</i>	...	...	March 31st, 1942.
	(ii) not of British manufacture.	Protective	...	35 per cent. <i>ad valorem.</i>	...	...	March 31st, 1942.
	(b) Other fabrics—						
	(i) of British manufacture	Protective	...	15 per cent. <i>ad valorem.</i>	...	...	March 31st, 1942.
	(ii) not of British manufacture.	Protective	...	35 per cent. <i>ad valorem.</i>	...	...	March 31st, 1942.”;

(19) in Item No. 54, in the second column, the words "not otherwise specified" shall be omitted;

(20) in Items Nos. 63 (1), 63 (4), 63 (5), 63 (7), 63 (8), 63 (11), 63 (13), 63 (16), 63 (18), 63 (22), 63 (23) and 63 (26)—

(a) in the third column, for the words "Preferential revenue" the word "Revenue" shall be substituted;

(b) in the fourth column, for the figure "20" the figure and fraction "15 $\frac{1}{8}$ " shall be substituted;

(c) the entry in the fifth column shall be omitted;

(21) after Item No. 72 (9) the following Item shall be inserted, namely:—

"72(10)	SEWING and KNITTING MACHINES (and parts thereof) to be worked by manual labour or which require for their operation less than one-quarter of one brake-horse-power.	Preferential revenue.	30 per cent. <i>ad valorem</i> .	20 per cent. <i>ad valorem</i> .	...	...";
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(22) in Item No. 73 (2), to the entry in the second column the words "also accumulators, batteries and electro-medical apparatus" shall be added;

(23) in Item No. 75 (2)—

(a) in the third column, for the word "Revenue" the words "Preferential revenue" shall be substituted;

(b) in the fifth column, the words and figure "30 per cent. *ad valorem*" shall be inserted;

(24) for Item No. 75 (4) the following Items shall be substituted, namely:—

"75(4)	CARRIAGES AND CARTS which are not mechanically propelled, not otherwise specified, and parts and accessories thereof; excluding rubber tyres and tubes.	Revenue	...	25 per cent. <i>ad valorem</i> .	...	...	...
75(5)	CYCLES (other than motor cycles) imported entire or in sections, and parts and accessories thereof; excluding rubber tyres and tubes.	Preferential revenue.	...	30 per cent. <i>ad valorem</i> .	20 per cent. <i>ad valorem</i> .	...	...";

(25) in Item No. 77, in the second column, the words "scientific, philosophical and surgical" shall be omitted;

(26) in Item No. 77 (2), in the second column, after the word "OPTICAL" the words "SCIENTIFIC, PHILOSOPHICAL and SURGICAL" shall be inserted;

(27) after Item No. 77 (2) the following Item shall be inserted, namely:—

"77(3)	ARTIFICIAL TEETH	...	Preferential revenue.	25 per cent. <i>ad valorem</i> .	...	15 per cent. <i>ad valorem</i> .	...";
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(28) in Item No. 79—

(a) in the second column, for the words "not otherwise specified" the words "and records for talking machines" shall be substituted;

(b) in the third column, for the words "Preferential revenue" the word "Revenue" shall be substituted;

(c) the entry in the fifth column shall be omitted;

(29) in Item No. 80 (1)—

(a) in the third column, for the words "Preferential revenue" the word "Revenue" shall be substituted;

(b) for the entry in the fourth column the following entry shall be substituted, namely:—

"Rs. 18-12 each or 37 $\frac{1}{2}$ per cent. *ad valorem*, whichever is higher, plus 12 $\frac{1}{2}$ per cent. *ad valorem*.";

(c) the entry in the fifth column shall be omitted.

G. H. SPENCE,
Secy. to the Govt. of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act which was made by the Governor-General under the provisions of section 67B of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, and has received the assent of His Majesty signified on His Majesty's behalf by an Order in Council is hereby published for general information:—

An Act to provide for the discipline of members of the Indian Naval Reserve Forces raised in British India on behalf of his Majesty.

WHEREAS it is expedient to provide for the discipline of members of the Indian Naval Reserve Forces raised in British India on behalf of His Majesty, and in furtherance of that purpose to amend the First Schedule to the Indian Navy (Discipline) Act, 1934;

It is hereby enacted as follows:—

1. (1) This Act may be called the Indian Naval Reserve Forces (Discipline) Act, 1939.

(2) It extends to the whole of British India, and applies to members of the Indian Naval Reserve Forces wherever they may be.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint in this behalf.

2. The Indian Naval Reserve Forces shall consist of the Royal Indian Fleet Reserve, the Royal Indian Naval Reserve, the Royal Indian Naval Volunteer Reserve and the Royal Indian Naval Communications Reserve.

3. The Central Government may make rules for the government, discipline and regulation of the Indian Naval Reserve Forces.

4. Every member of the Indian Naval Reserve Forces, while undergoing training on board any vessel or otherwise, in pursuance of rules made under section 3. or when called into actual service in the Royal Indian Navy, on board any vessel or otherwise, in

pursuance of the said rules, shall be subject to the Naval Discipline Act as set out in the First Schedule to the Indian Navy (Discipline) Act, 1934, in the same manner as a person in or belonging to the Indian Navy and shall continue to be so subject until duly released from such training or service, as the case may be.

5. (1) If any member of the Indian Naval Reserve Forces, when required, in pursuance of rules made under section 3, to attend on board any vessel or at any place for the purpose of undergoing training, fails without reasonable excuse to attend in accordance with such requirement, he shall be punishable with fine which may extend to two hundred rupees.

(2) If any member of the Indian Naval Reserve Forces, when called into actual service in the Royal Indian Navy and required by such call to join any vessel or attend at any place, fails without reasonable excuse to comply with such requirement at or within such time as the Central Government may, by order, direct, he shall be liable to be apprehended and punished in the same manner as a person in or belonging to the Indian Navy deserting or improperly absenting himself from duty, except that the punishment shall not exceed imprisonment which may extend to two years.

6. Where any member of the Indian Naval Reserve Forces is required, in pursuance of rules made under section 3, to attend on board any vessel or at any place for the purpose of undergoing training, or is called into actual service in the Royal Indian Navy, a certificate purporting to be signed by an officer appointed in this behalf under the said rules and stating that the said member failed to attend in accordance with such requirement or call shall, without proof of the signature or appointment of such officer, be evidence of the matter stated therein.

7. No Court inferior to that of a Presidency Magistrate or Magistrate of the first class shall try an offence punishable under sub-section (1) of section 5.

8. In the Naval Discipline Act as set out in the First Schedule to the Indian Navy (Discipline) Act, 1934,—

(a) in section 86, for the words commencing "a person holding"

and ending "in the Indian Navy" the following shall be substituted, namely :—

"an officer holding any such position in the Indian Naval Reserve Forces during and in respect of the time when he is subject to the provisions of this Act";

(b) in section 87, for the words commencing "the Indian Naval Volunteer Reserve" and ending "he is liable" the following shall be substituted, namely :—

"the Indian Naval Reserve Forces to the extent specified in section 4 of the Indian Naval Reserve Forces (Discipline) Act, 1939".

G. H. SPENCE,

Secy. to the Govt. of India.