



# The Orissa Gazette

PUBLISHED BY AUTHORITY.

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*Separate paging is given to this Part, in order that it may be filed as a separate compilation*

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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, REVENUE AND FINANCE DEPARTMENTS.

#### NOTIFICATION.

*The 9th February 1937.*

**No. 575—ELA-3/37-R.**—The following notification, issued by the Government of India in the Legislative Department, is republished for general information.

P. T. MANSFIELD,

*Chief Secretary to Government.*

*New Delhi, 1st February 1937.*

✓ No. 354/36-P.—Whereas by the Government of India (Constitution of Orissa) Order, 1936, His Majesty has been pleased to direct that the provisions of section 71 of the

Government of India Act [except sub-section (4) thereof], hereinafter called “the said section”, shall apply to the whole of Orissa;

And whereas the Local Government of Orissa has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

And whereas the Governor General in Council has taken the said draft and reasons into consideration and has approved the draft and the same has received the assent of the Governor General on the 1st day of February 1937;

In pursuance of the direction contained in sub-section (2) of the said section, the said Regulation is published in the *Gazette of India* and will be published in the *Orissa Gazette*.

J  
Regulation no. VII of 1937.

A

REGULATION

TO

AMEND THE MADRAS ESTATES LAND (AMENDMENT) ACT, 1934,  
IN ITS APPLICATION TO ORISSA.

WHEREAS it is expedient to amend the Madras Estates Land (Amendment) Act, 1934, in its application to Orissa for the purpose hereinafter appearing; It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Regulation may be called the Madras Estates Land (Orissa Amendment) Regulation, 1937.

(2) It shall come into force at once.

Amendment of section 127, Madras Act VIII of 1934.

2. (1) In sub-section (2) of section 127 of the Madras Estates Land (Amendment) Act, 1934, for the expression "1st day of May 1936", in both the places where it occurs, the expression "1st day of October 1937" shall be substituted, and shall be deemed always to have been substituted.

J. D. ANDERSON,

*Offg. Secy. to Govt. of India.*

I assent to this Regulation.

LINLITHGOW,

*Viceroy and Governor General.*

*The 1st February 1937.*

An authentic copy.

J. D. ANDERSON,

*Offg. Secy to Govt. of India, Legislative Department.*

**EDUCATION HEALTH AND LOCAL SELF-GOVERNMENT DEPARTMENT.**

NOTIFICATIONS.

*The 8th February 1937.*

**No. 732—Ex-28/37-L. S.-G.**—The following notification of the Government of India in the Legislative Department is republished for general information.

*New Delhi, 1st February 1937.*

**No. 36/37-P.**—Whereas by the Government of India (Constitution of Orissa) Order, 1936, His Majesty has been pleased to direct that the provisions of section 71 of the Government of India Act [except sub-section

(4) thereof], hereinafter called "the said section", shall apply to the whole of Orissa;

And whereas the Local Government of Orissa has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same;

And whereas the Governor General in Council has taken into consideration and has approved the draft and the same has received the assent of the Governor General on the 1st day of February 1937;

In pursuance of the direction contained in sub-section (2) of the said section, the said regulation is published in the *Gazette of India* and will be published in the *Orissa Gazette*.

✓ Regulation no. VI of 1937.

A

## REGULATION

FURTHER TO AMEND THE ORISSA LAWS REGULATION, 1936.

WHEREAS it is expedient further to amend the Orissa Laws Regulation, 1936, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Regulation may be called the Orissa Laws (Amendment) Regulation, 1937.

(2) It shall come into force at once.

Amendment of section 1, Regulation 1 of 1936.

2. In sub-section (2) of section 1 of the Orissa Laws Regulation, 1936 (hereinafter referred to as the said Regulation), for the words and figures "Sections 3, 7 and 13" the words, figures and letter "Sections 3, 3 A, 7 and 13" shall be substituted.

Insertion of new section 3-A in Regulation 1 of 1936.

3. After section 3 of the said Regulation the following section shall be inserted, namely:—

Cesser of the Madras Abkari Act, 1886, and extension of the Bihar and Orissa Excise Act, 1915.

"3A. (1) The Madras Abkari Act, 1886, shall cease to have effect and the Bihar and Orissa Excise Act, 1915, shall take effect in the areas transferred to Orissa from the Presidency of Madras.

Madras Act I of 1886.  
B. & O. Act II of 1915.

(2) All appointments, rules and orders made, powers and duties conferred or imposed and all other things done under the Madras Abkari Act, 1886, shall be deemed, so far as may be, to have been respectively made, conferred, imposed or done under the Bihar and Orissa Excise Act, 1915."

Madras Act I of 1886.  
B. & O. Act II of 1915.

J. D. ANDERSON,

Offg. Secy. to Govt. of India.

I assent to this Regulation.

LINLITHGOW,

Viceroy and Governor General.

The 1st February 1937.

An authentic copy.

J. D. ANDERSON,

Offg. Secy. to Govt. of India, Legislative Department.

By order of the Governor,

M. HAMID,

Secretary to Government.

*The 10th February 1937.*

**No. 763-L. S.-G.**—The following notification, issued by the Government of India in the Department of Finance (Central Revenues), is republished for general information.

By order of the Governor,  
M. HAMID,  
*Secretary to Government.*

**DANGEROUS DRUGS.**

*New Delhi, 30th January 1937.*

No. 2.—In pursuance of sub-clause (i) of clauses (j) and (l) of section 2 of the Dangerous Drugs Act, 1930 (II of 1930), the Governor General in Council is pleased to direct that the following amendment shall be made in the Schedule appended to the notification of the Government of India in the Finance Department (Central Revenues), no. 7-Dangerous Drugs, dated the 2nd June 1934, namely:—

In the said Schedule, for the entry relating to Bihar and Orissa, the following entries shall be substituted, namely:—

" Bihar... ..	1. Bonai	2. Gangpur.
	3. Kharsawan	4. Seraikella.
Orissa ... ..	1. Athgarh	2. Athmallik.
	2. Bamra	4. Baramba.
	5. Bastar	6. Baud.
	7. Daspalla	8. Dhenkanal.
	9. Gangpur	10. Hindol.
	11. Kalahandi	12. Keonjhar.
	13. Khandpara	14. Mayurbhanja.
	15. Narsinghpur	16. Nayagarh.
	17. Nilgiri	18. Patna (Bolangiri).
	19. Rairakhol	20. Raigarh.
	21. Ranpur	22. Sarangarh.
	23. Sonpur	24. Talcher.
	25. Tigiria."	

W. W. NIND,  
*Joint Secy. to Govt. of India.*

**LAW AND COMMERCE  
DEPARTMENT.**

**NOTIFICATIONS.**

*The 8th February 1937.*

**No. 927—III-C-5/37-Com.**—The following notification, issued by the Government of India, Department of Commerce, is re-published for general information.

By order of the Governor,  
C. G. NAIR,  
*Secretary to Government.*

(TREATIES—I. E. R.)

*New Delhi, 16th January 1937.*

No. 208 (2)-Tr. (I. E. R.)—(A.)—In pursuance of sub-section (2) of section 1 of the Indian Tea Control (Amendment) Act, 1936 (XVII of 1936), the Governor General in Council is pleased to appoint the 16th January 1937, as the date on which the said Act shall come into force.

H. DOW,  
*Offg. Secy. to Govt. of India.*

*The 8th February 1937.*

**No. 928-Com.**—The following notification, issued by the Government of India in the Department of Commerce, is republished for general information.

By order of the Governor,  
C. G. NAIR,

*Secretary to Government.*

TREATIES (I. E. R.),

*New Delhi, 16th January 1937.*

**No. 208 (2)-Tr. (I. E. R.)—(D.)**—In exercise of the powers conferred by section 10-B of the Indian Tea Control Act, 1933 (XXIV of 1933), the Governor General in Council is pleased to make the following rules, namely:—

**RULES.**

1. In these rules—

“Act” means the Indian Tea Control Act, 1933 (XXIV of 1933);

2. The Authority shall maintain office for the transaction of its business and may open offices in other localities should necessity arise.

3. A record shall be maintained of all business transacted by the Authority.

4. The Authority shall submit to the Governor General in Council as soon as may be possible after the last day of each month abstract statements in Forms A and B, set out in the Schedule annexed hereto.

5. (1) The Authority shall, in the month of February in each year, prepare an estimate of its income and expenditure for the year commencing on the first day of April next ensuing.

(2) A copy of such estimate shall be submitted for approval to the Governor General in Council.

6. (1) The accounts of the Authority shall relate to the financial year and shall be made up for each financial year and forwarded to the Governor General in Council as soon as possible after its close.

(2) The receipts shall include all sums received by the Authority during the

financial year to which the accounts relate and shall be shown under the following heads:—

- (a) Sums received under section 21 of the Act;
- (b) Interest accrued on investments;
- (c) Miscellaneous.

The opening balance shall be shown at the head of the account on the receipt side.

(3) The expenditure shall be shown under the following heads:—

- (a) Office rent;
- (b) Establishment;
- (c) Travelling expenses;
- (d) Fees paid for inspection, reports, etc.;
- (e) Payments to the International Committee;
- (f) Miscellaneous.

The closing balance of the year shall be shown at the foot of the expenditure side.

7. (1) The current account of the Authority shall be kept in the Imperial Bank of India, and all monies at the disposal of the Authority with the exception of petty cash and of monies placed in fixed deposit or invested in accordance with the provisions hereinafter contained, shall be paid into that account.

(2) Any funds not required for current expenditure may be placed in fixed deposit with any bank approved in this behalf by the Governor General in Council or invested in the name of the Authority in any security in which trust property may lawfully be invested under the Indian Trusts Act, 1882.

(3) Payments by the Authority shall be made in cash or by cheque drawn against the current account of the Authority.

(4) Such cheques and all orders for making deposits or investments, or for the withdrawal of the same, or for the disposal in any other manner of the funds of the Authority, except in pursuance of the provisions of subsection (2) of section 9 of the Act, shall be signed by the Authority.

**SCHEDULE.**

(Rule 4.)

**FORM A.**

**RETURN OF EXPORT LICENCES ISSUED BY THE AUTHORITY.**

Total of quotas allotted.	Total of licences issued to the end of the previous month.	Licences issued during the month.	Total of licences issued.

## FORM B.

## RETURN OF SHIPMENTS.

Burma overseas export allotment for the year.	Total of shipments up to the end of the previous month.	Shipments during the month.	Total of shipments.

H. DOW,

*Offg. Secy. to Govt. of India.**The 8th February 1937.*

**No. 929-Com.**—The following notification, issued by the Government of India in the Finance Department (Central Revenues), is republished for general information.

By order of the Governor,  
C. G. NAIR,  
*Secretary to Government.*

CUSTOMS.

*New Delhi, 16th January 1937.*

No. 2.—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing into British India of—

- (1) any copy of the book by A. M. Sahay entitled "In India", printed by the Kinoshita Printing Company, 37 Ebie Nishiyodogawa-Ku, Osaka, Japan, and published by the Indian National Congress Committee of Japan, or
- (2) any translation, reprint or other document containing substantial reproductions of the matter contained in the said book.

W. W. NIND,  
*Joint Secy. to Govt. of India.*

*The 8th February 1937.*

**No. 954—II-C-14/37-Com.**—The following notification, issued by the Government of India in the Department of Commerce, is republished for general information.

By order of the Governor,  
C. G. NAIR,  
*Secretary to Government.*

TREATIES—COMPANY LAW.

*New Delhi, 16th January 1937.*

No. 24 (24)-Tr. (C. L.).—In exercise of the powers conferred by section 151 of the Indian Companies Act, 1913 (VII of 1913), the Governor General in Council is pleased to direct that

*The 8th February 1937.*

**No. 953—II-C-14/37-Com.**—The following notification, issued by the Government of India in the Department of Commerce, is republished for general information.

By order of the Governor,  
C. G. NAIR,  
*Secretary to Government.*

TREATIES—COMPANY LAW.

*New Delhi, 16th January 1937.*

No. 24 (25)-Tr. (C. L.).—In pursuance of sub-sections (2) and (3) of section 151 of the Indian Companies Act, 1913 (VII of 1913), the Governor General in Council is pleased to direct that in Form F in the Third Schedule to the said Act, the following alterations shall be made with effect from the 17th January 1937, namely:—

(1) In the column headed "CAPITAL AND LIABILITIES", to the sub-head "PROVISION FOR BAD AND DOUBTFUL DEBTS", the words and brackets "(IN THE CASE OF COMPANIES OTHER THAN BANKS)" shall be added.

(2) In the column headed "PROPERTY AND ASSETS", to the sub-head "BOOK DEBITS", the words and brackets "(OTHER THAN BAD AND DOUBTFUL DEBTS OF A BANK FOR WHICH PROVISION HAS BEEN MADE TO THE SATISFACTION OF THE AUDITORS)" shall be added.

H. DOW,  
*Offg. Secy. to Govt. of India.*

the following further amendments shall be made in the Indian Companies Rules, 1914, namely :—

1. In rule 6 of the said Rules, after clause (4) the following clause shall be inserted, namely :—

“(5) For registration under section 109A of the Act of the particulars of the charge together with a certified copy of the instrument, if any, by which the charge was created or is evidenced—

Where the amount involved does not exceed Rs. 2,000	...	5
Where it exceeds Rs. 2,000	...	10

2. In rule 7 of the said Rules and in the marginal note relating thereto before the word and figures “section 277” the words, figures and letter “section 109A or” shall be inserted.

3. In rule 8 of the said Rules and in the marginal note relating thereto after the word and figures “section 277” the words, figures and letter “or section 277B” shall be inserted.

4. After rule 9 of the said Rules, the following rule shall be inserted, namely :—

“9A. The notice which is required by section 153B of the Act to be given by the transferee company in Form XXVIII in the Schedule shall be given to the dissenting shareholder either personally or by sending it by registered post to him to his address registered in the books of the transferor company or (if he has no address within British India so registered) to the address, if any, within British India supplied by him to the transferor company for the giving of notice to him”

5. In the Schedule to the said Rules—

(1) In Forms II and III after the words “This section shall not apply to a private company” the words “or a company which was a private company before becoming a public company” shall be inserted.

- (2) In Form IX—

(i) After clause (d) the following clause shall be inserted, namely :—

“(c) A mortgage or charge, not being a pledge on any movable property of the company except stock-in-trade; or”

(ii) Clause (e) shall be re-lettered as clause (f);

(iii) for the brackets, words and letters “[Strike out the sub-heads (a), (b), (c), (d) or (e) which do not apply]” the following shall be substituted, namely :—

“[Strike out the sub-heads (a), (b), (c), (d), (e) or (f) which do not apply.]”

(3) In Form XII for the brackets, words and figures “(See sections 112 and 121)” the following shall be substituted, namely :—

“(See sections 109, 112 and 121)”.

- (4) In Form XXIII—

(a) after the words “a copy of that balance sheet” the following shall be inserted namely :—

“and if the balance sheet does not contain all the information provided for in the form marked H in the Third Schedule, such supplementary statements as shall furnish such information”;

(b) the proviso shall be omitted;

(c) after the words “as circumstances admit” the following shall be added, namely :—

“(3) The profit and loss account shall include particulars showing the total of the amount paid whether as fees, percentages or otherwise to the managing agent, if any, and the directors respectively as remuneration for their services and, where a special resolution passed by the members of the company so requires, to the manager, and the total of the amount written off for depreciation. If any director of the company is by virtue of the nominations, whether direct or indirect, of the company, a director of any other company, any remuneration or other emoluments received by him for his own use, whether as a director of, or otherwise in connection with the management of, that other company, shall be shown in a note at the foot of the account or in a statement attached thereto.”

(5) In Form XXIV—

(i) In paragraph 7—

(a) after the words and brackets '(if any)' where they first occur, the following shall be inserted, namely :—

“ Managing Agent and ” ;

(b) in the third table for the word “ Managers ” the following shall be substituted, namely :—

“ *Managing Agent and Managers* ”.

(ii) After paragraph 8, the following paragraphs shall be inserted, namely :—

“ 9. The extent to which underwriting contracts if any, have been carried out.

10. The arrears, if any, due on calls from directors, managing agents and managers.

11. The particulars of any commission or brokerage paid or to be paid in connection with the issue or sale of shares to any director, managing agent or manager or if the managing agent is a firm, to any partner thereof, or, if the managing agent is a private company, to any director thereof. ”

(iii) After the form of certificate by two directors the following form of certificate shall be inserted, namely :—

“ I hereby certify this report.

*Chairman of the Directors.* ”

(iv) In the form of certificate by the Auditors the words “ or capital account ” shall be deleted.

(v) The foot note shall be deleted.

(6) For Form XXVI the following Forms shall be substituted, namely :—

FORM XXVI.

PARTICULARS OF DIRECTORS, AUDITORS, MANAGERS AND MANAGING AGENTS AND OF ANY CHANGES THEREIN.

*The Indian Companies Act, 1913.*

(See section 87 )

Filing fee.—Rs. 3.

Name of Company

Presented by

Particulars of the Directors, Auditors, Managers and Managing Agents of Company, and of any changes therein.

The present Christian Name or Names and Surname. (a) (d).	Any former Christian Name or Names or Surname.	Nationality.	Nationality of origin (if other than the present nationality).	Usual Residential Address.	Other Business occupation or Directorships if any. If none state so. (b).	Changes. (c).

(Signature)

[State whether Director, Manager or Managing Agent(s).]

Dated the                      day of                      19                      .

- (a) In the case of a Corporation its corporate name and registered or principal office should be shown.
- (b) In the case of an individual who has no business occupation but holds any other directorship or directorships, particulars of that directorship or some of those directorships must be entered.
- (c) A complete list of the Directors, Auditors, Managers and Managing Agents shown as existing in the last particulars delivered should always be given. A note of the changes since the last list should be made in this column, e.g., by placing against a new director's name the words “ in place of——— ” and by writing against any former director's name the words “ dead, ” “ resigned, ” or as the case may be.
- (d) In the case of a firm the full name, address and nationality of each partner, and the date on which each became a partner.



## FORM XXVII.

PARTICULARS OF A MORTGAGE OR CHARGE SUBJECT TO WHICH PROPERTY HAS BEEN ACQUIRED ON OR AFTER THE 15TH JANUARY 1937.

*The Indian Companies Act, 1913.*

(See section 109A.)

Name of Company

Presented by

Particulars of a Mortgage or Charge subject to which property has been acquired on or after the 15th January 1937, by \_\_\_\_\_ a company registered in British India.

(1)	(2)	(3)	(4)	(5)
Date and description of the instrument creating or evidencing the Mortgage or Charge (a).	Date of the acquisition of the property.	Amount owing on security of the Mortgage or Charge.	Short particulars of the property Mortgaged or Charge.	Names, addresses and Descriptions of the Mortgagees or Persons entitled to the Charge.

(Signature)

(Designation of position in relation to the Company.)

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 .

(a) A description of the Instrument, e.g., "Trust Deed," "Mortgage," "Debenture," etc., as the case may be, should be given.

A copy of the Instrument, certified as prescribed in rule 7 of the Indian Companies Rules, 1914, must be delivered with these particulars.

## FORM XXVIII.

NOTICE TO DISSIDENTING SHAREHOLDERS.

*The Indian Companies Act, 1913.*

(See section 153B.)

re (a) \_\_\_\_\_ Limited,

Notice by (b) \_\_\_\_\_ Limited.

To (c) \_\_\_\_\_

Whereas on the \_\_\_\_\_ day of \_\_\_\_\_, 19 (b) made an offer to all the holders of (d) \_\_\_\_\_ shares in (a) (state shortly the nature of the offer) and whereas up to the \_\_\_\_\_ day of \_\_\_\_\_, 19, being a date within four months of the date of the making thereof such offer was approved by the holders of not less than three-fourths in value of the (d) \_\_\_\_\_ shares in the said Company. Now therefore the said (b) \_\_\_\_\_ in pursuance of the provisions of section 153B of the Indian Companies Act, 1913, hereby gives you notice that if the said (b) \_\_\_\_\_ desires to acquire the (d) \_\_\_\_\_ shares in the said (a) \_\_\_\_\_ held by you.

And further take notice that unless upon an application made to the Court by you the said (c) \_\_\_\_\_ on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19, being one month from the date of this notice the Court thinks fit to order otherwise, the said (b) \_\_\_\_\_ will be entitled and bound to acquire the (d) \_\_\_\_\_ shares held by you in the said (a) \_\_\_\_\_ on the terms of the above mentioned offer approved by the approving (d) \_\_\_\_\_ shareholders in the said Company.

(Signature)

for (b)

(State whether Director or Manager or Secretary.)

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

(a) Name of transferor Company.

(b) Name of transferee Company.

(c) Name and address of dissenting shareholder.

(d) If the offer is limited to a certain class or classes of shareholders insert particulars of the shares.

H. DOW,  
Offg. Secy. to the Govt. of India.

*The 8th February 1937.*

**No. 956—II-C-13/37-Com.**—The following notification, issued by the Government of India in the Finance Department, Central Revenues, is republished for general information.

By order of the Governor,  
C. G. NAIR,  
*Secretary to Government.*

CENTRAL EXCISES.

*New Delhi, 23rd January 1937.*

No. 3.—In exercise of the powers conferred by section 15 of the Mechanical Lighters (Excise Duty) Act, 1934 (XXIII of 1934), the Governor General in Council is pleased to direct that the following further amendment shall be made in the Mechanical Lighters (Excise Duty) Order, 1934, namely:—

In clause 9 of the said Order, after the words "mechanical lighters" the brackets and words "(other than mechanical lighters of the type known as 'Self-lighting Cigarettes' in boxes bearing a banderol)" shall be inserted.

W. W. NIND,  
*Joint Secy. to Govt. of India.*

*The 8th February 1937.*

**No. 958—II-C-13/37-Com.**—The following notification, issued by the Government of India in the Finance Department (Central Revenues), is republished for general information.

By order of the Governor,  
C. G. NAIR,  
*Secretary to Government.*

CENTRAL EXCISES.

*New Delhi, 23rd January 1937.*

No. 2.—In exercise of the powers conferred by clause 14 of the Mechanical Lighters (Excise Duty) Order, 1934, the Governor General in Council is pleased to exempt mechanical lighters of the type known as 'Self-lighting cigarettes', in boxes containing not more than 10 cigarettes each and bearing at the time of issue from the manufactory a banderol of the nature and affixed in the manner hereinafter provided, from so much of the duty leviable thereon under section 3 of the Mechanical Lighters (Excise Duty) Act, 1934 (XXIII of 1934), as is in excess of five annas per gross of boxes.

2. The banderols to be affixed to boxes of 'Self-lighting cigarettes' shall be banderols manufactured in and issued from the Government Security Press, Nasik.

3. Every banderol shall be so affixed to the box that—

- (a) the words and figures on the banderol specifying the maximum number of 'self-lighting cigarettes' covered by the banderol are legible;
- (b) the box cannot be opened without tearing the banderol; and
- (c) the ends of the banderol are covered by the manufactory's label.

W. W. NIND,

*Joint Secy. to Govt. of India,*

*The 8th February 1937.*

**No. 960—II-C-6/37 Com.**—The following notification, issued by the Government of India in the Department of Commerce, is republished for general information.

By order of the Governor,  
C. G. NAIR,  
*Secretary to Government.*

TREATIES (I. E. R.).

*New Delhi, 26th December 1936.*

No. 318 (1)-Tr. (I. E. R.)-(B.).—In pursuance of clause (a) of sub-section (1) of section 22 of the Indian Rubber Control Act, 1934 (XXVIII of 1934), read with section 22 of the General Clauses Act, 1897 (X of 1897), the Governor General in Council is pleased to direct that with effect from the 1st January 1937, the rate of licence fee for every export licence issued by the Burma Rubber Licensing Committee shall be four annas per hundred pounds of rubber covered by such licence.

H. DOW,  
*Offg. Secy. to Govt. of India.*

*The 10th February 1937.*

**No. 986-Com.**—The following notification of the Government of India in the Department of Industries and Labour is republished for general information.

By order of the Governor,  
C. G. NAIR,  
*Secretary to Government.*

*New Delhi, 21st January 1937.*

No. M.-862.—The following draft of a further amendment to the India Explosives Rules, 1914, which it is proposed to make in exercise of the powers conferred by section 5 of the Indian Explosives Act, 1884 (IV of 1884), is published as required by section 18 of the said Act for the information of all persons likely to be affected thereby and

notice is hereby given that the said draft will be taken into consideration on or after the 22nd March 1937.

Any objection or suggestion which may be received in respect of the draft before the date specified will be considered by the Governor General in Council.

DRAFT AMENDMENT.

After rule 98A of the said Rules the following rule shall be inserted, namely:—

“98B. *Saving as to conveyance by unberthed passenger ships.*—Nothing in rule 90 shall apply to the conveyance in a properly constructed magazine on an unberthed passenger ship to which Part IV of the Indian Merchant Shipping Act, 1923, applies, being a home-trade ship as defined in sub-section (3) of section 2 of the said Act or plying to ports in the Persian Gulf of any authorised explosive certified or permitted in accordance with clause (a), (b) or (c) of rule 21:—

Provided that—

- (a) no explosive shall be so conveyed unless the transporter satisfies the certifying officer referred to in section 157 of the Indian Merchant

Shipping Act, 1923, that no other means of conveying the explosives are available;

- (b) the magazine shall comply in all respects with the specifications for magazines in ships laid down by the Board of Trade and shall be approved by the Surveyors of the Mercantile Marine Department;
- (c) the explosives shall be packed and marked as laid down in these rules and stowed in such manner as the Chief Inspector of Explosives may prescribe by general or special orders in this behalf;
- (d) detonators shall not be carried in the same magazine as other explosives; and
- (e) the hold containing the magazine shall not contain any other hazardous or inflammable goods at any time during which the magazine is in use for the carriage of explosives.”

A. G. CLOW,

Secretary to Government.