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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

COMMERCE AND LABOUR DEPARTMENT NOTIFICATION

The 23rd February 1944

No. 772—IJ-14/44-Com.—The following notification, issued by the Government of India, Department of Labour, is republished for general information.

By order of the Governor
J. E. MAHER

Secretary to Government

New Delhi, 11th February 1944

No. L.W.I.S.-815—In exercise of the powers conferred by sub-section (1) of section 2 of the War Injuries (Compensation Insurance) Act, 1943 (XXIII of 1943), the Central Government is pleased to make the following amendment to the War Injuries Compensation Insurance Rules, 1943, namely:—

"In clause (a) of rule 6 of the said Rules, for the word and figures '9th February 1944', the word and figures '23rd February 1944' shall be substituted."

D. S. JOSHI

Dy. Secy. to the Govt. of India

LAW DEPARTMENT NOTIFICATION

The 17th February 1944

No. 709-L.—The following resolution, issued by the Government of India in the Legislative Department, is republished for general information.

By order of the Governor
W. W. DALZIEL

Secretary to Government

New Delhi, 20th January 1944

No. F. 208/1/43-C. & G. (Judl.)—The Hindu Law Committee was appointed on the 25th January 1941 to advise Government on the best method of dealing with the anomalies and uncertainties resulting from the Hindu Women's Rights to Property Act, 1937, as amended by Act XI of 1938. In paragraph 15 of their Report the Committee expressed themselves in favour of a codification of the Hindu Law by stages beginning with the law of succession and the law of marriage. The Government of India accepted this view and in pursuance thereof the Committee furnished Government in March 1942 with two draft Bills, the first dealing with the law of intestate succession and the second with the law of marriage. Thereafter the Committee ceased to function.

2. On the 30th May 1942 the two Bills prepared by the Committee were published in the *Gazette of India* under rule 18 of the Indian Legislative Rules and thereafter were circulated by executive order for the purpose of eliciting opinion. The Intestate Succession Bill was in due

course referred to a Joint Committee of both chambers of the Indian Legislature and a motion for the circulation of the Bill, as reported by the Joint Committee, for the purpose of eliciting opinion thereon was adopted by the Legislative Assembly on the 17th November 1943. The Marriage Bill was introduced in the Assembly on the 2nd March 1943.

3. The Intestate Succession and Marriage Bills both contain provisions fixing the 1st January 1946 as the date on which they shall come into force. This date of commencement was proposed with a view *inter alia* to give the Central Legislature sufficient time to codify other branches on Hindu Law so that there may be an entire Hindu Code in operation from the 1st January 1946. Referring to this provision in which they propose no change the Joint Committee in their Report on the Intestate Succession Bill express the opinion that "steps should be taken to re-suscitate the Hindu Law Committee and to encourage the formulation and enactment of the remaining parts of the projected Code in the interval which is to elapse before the present Bill when passed comes into force" and they reinforce this expression of opinion with the remark that "it may well be found that the present Bill will require, before it is allowed to come into operation, readjustment and amendment in the light of decisions taken in connection with other branches of the Hindu Law". A Resolution embodying a similar recommendation was adopted in the Council of State on the 5th August 1943. The Central Government have accepted this recommendation and have decided to revive the Hindu Law Committee.

4. The Committee will be composed as follows:—

Chairman

The Honourable Mr. Justice B. N. Rau, Kt., C.I.E., Judge, Calcutta High Court.

Members

1. Dr. Dwarka Nath Mitter, M.A., D.L., formerly a Judge of the Calcutta High Court.

2. Mr. J. R. Gharpure, B.A., LL.B., Principal, Law College, Poona.

3. Mr. T. R. Venkatarama Sastri, C.I.E., Advocate, Madras.

Mr. K. V. Rajagopalan of the Madras Provincial Service will act as Secretary to the Committee.

The headquarters of the Committee will be at Simla and it will meet towards the end of January 1944.

ORDER—Ordered that the above resolution be published in the *Gazette of India* for general information and that copies be communicated to all Provincial Governments and Chief Commissioners for information.

G. H. SPENCE

Secretary to the Govt. of India

DEPARTMENT OF SUPPLY AND TRANSPORT NOTIFICATION

The 23rd February 1944

No. 2909-S.T.—The following notifications, issued by the Government of India in the Department of Commerce, are hereby republished for general information.

By order of the Governor
C. S. JHA

Secretary to Government

New Delhi, 29th January 1944

No. P. & S. C. 75 (A) 4/43.—In exercise of the powers conferred by clause 5 of the Oilseeds (Forward Contracts Prohibition) Order, 1943, the Central Government is pleased to exclude the following class of contracts from the provisions of the said Order, namely:—

Forward contracts for copra of specific qualities or types and for specific delivery, at a specified price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties.

New Delhi, 29th January 1944

No. P. & S. C. 75 (A) 3/43.—In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that the following further amendment shall be made in the Oilseeds (Forward Contracts Prohibition) Order, 1943, namely:—

To the Schedule annexed to the said Order after item 7, the following entry shall be added, namely:—

" 8. Copra .. 2nd February, 1944 "

New Delhi, 29th January 1944

No. P. & S. C. 75 (A) 5/43.—In exercise of the powers conferred by clause 5 of the Oilseeds (Forward Contracts Prohibition) Order, 1943, the Central Government is pleased to exclude from the provisions of the said Order all contracts for the delivery at some future date of oilseeds to Government or any authorised officer of Government.

New Delhi, 29th January 1944

No. P. & S. C. 10 (A)/44.—In exercise of the powers conferred by clause 5 of the Spices (Forward Contracts Prohibition) Order, 1944, the Central Government is pleased to exclude the following classes of contracts from the provisions of the said Order, namely:—

1. Forward contracts for specific qualities or types of any article to which the said Order applies, and for specific delivery at a specified price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties.

2. All contracts for the delivery at some future date of any article to which the said Order applies to Government or any authorised officer of Government.

New Delhi, 29th January 1944

No. P. & S. C. 10/44.—Whereas it appears to the Central Government to be expedient, for securing the efficient prosecution of the war and for maintaining supplies essential to the life of the community, to prohibit certain transactions in spices:

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the

Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Spices (Forward Contracts Prohibition) Order, 1944.

(2) It extends to the whole of British India.

(3) It shall come into force at once.

2. In this Order,—

(i) "article to which this Order applies" means any of the spices specified in the first column of the Schedule to this Order;

(ii) "contract" means a contract made, or to be performed in whole or in part, in British India relating to the sale or purchase of any article to which this Order applies;

(iii) "forward contract" means a contract for the delivery at some future date of any article to which this Order applies;

(iv) "specified date" in relation to any article to which this Order applies means the date specified against that article in the second column of the Schedule to this Order.

3. No person shall, after the specified date for any article to which this Order applies, enter into any forward contract in that article.

4. Notwithstanding any custom, usage or practice of the trade, or the terms of any contract or any regulation of an Association relating to any contract,—

(1) every forward contract in any article to which this Order applies outstanding at the close of business on the specified date shall be deemed to be closed out at such rate as the Central Government may by notification in the Official Gazette fix in this behalf, and different rates may be fixed for different classes of contracts;

(2) all differences arising out of any contract so deemed to be closed out shall be payable on the basis of the rate fixed as aforesaid and the seller shall not be bound to give, and the buyer shall not be bound to take, delivery;

(3) payment of all differences legally due from a member of an Association to another member of such Association in respect of any forward contract closed out under this clause shall be made to the Clearing House of the Association and for the purposes of calculating such differences the rate fixed by the Central Government under sub-clause (1) shall be deemed to be the settlement rate fixed by the Association under its bye-laws or other regulations which shall, for the relevant purpose, continue to have effect subject to the provisions of this Order.

5. The Central Government may, by notification in the Official Gazette, exclude any contract or class of contracts from the provisions of this Order.

THE SCHEDULE

(See Clause 2)

Articles to which this Order applies	Specified date
1. Betelnuts	2nd February 1944
2. Cardamoms	
3. Chillies	
4. Cinnamon	
5. Cloves	
6. Ginger	
7. Papper	
8. Turmeric	
9. Nutmegs	

Y. N. SUKTHANKAR
Joint Secretary