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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 25th March 1943

No. 930-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 DEPARTMENT

New Delhi, 27th February 1943

No. 5-D.C.-(11)/43—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 with effect from the 15th March 1943, the following further amendments shall be made in the Defence of India Rules, namely:—

In rule 81 of the said Rules,—

(i) in sub-rule (2), clause (ba) shall be omitted, and in clause (bb), for the words “in any area of residential accommodation” the words “of any accommodation or class of accommodation, whether residential or non-residential”, shall be substituted;

(ii) after sub-rule (2), the following sub-rule shall be inserted, namely:—

“(2A) Any orders made, and any action taken, under or in relation to clause (ba) of sub-rule (2) before the 15th March 1943 shall be deemed to have been taken under or in relation to clause (bb) of that sub-rule as amended with effect from that date.”

New Delhi, 6th March 1943

No. 1655-Or/42—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 the said Rules,—

(1) in sub-rule (1) of rule 78 the words “the clearing of any site on which substantial damage has occurred by reason of war operations” shall be omitted;

(2) after Rule 78A the following rule shall be inserted, namely:—

“78B. Salvage from premises damaged by war operations—(1) The Central Government or the Provincial Government may by general or special order provide—

(a) for the clearing of any premises in which substantial damage has occurred by reason of war operations;

(b) for the protection of any articles or things left upon such premises as aforesaid;

(c) for the removal, storage or disposal of any such articles or things as aforesaid, including the disinfection or destruction of articles or things which may be a source of danger to public health or safety.

(2) Any articles or things removed from any premises in accordance with an order under sub-rule (1) shall, subject to any provisions of the order authorising destruction or disposal, be held on behalf of the person for the time being entitled thereto until they are delivered to him.

(3) Where any articles or things are disposed of whether by sale at the premises or otherwise, in accordance with an order under sub-rule (1) the net proceeds, if any, of such sale or disposal shall be held on behalf of the person for the time being entitled thereto until they are delivered to him.

(4) If any person contravenes the provisions of any order made under sub-rule (1) he shall be punishable with imprisonment for a term which may extend to six months or with fine or with both.

C. MacI. G. OGILVIE

Secretary to the Govt. of India

DEPARTMENT OF COMMERCE

INDUSTRIAL CONTROL

New Delhi, 27th February 1943

No. 104-I. C. (5)/42—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 with effect from the date of this notification the following further amendments shall be made in the Newspaper Control Order, 1942, namely:—

(1) For sub-clause (2) of clause 5 the following shall be substituted:—

“(2) On or after the 1st March 1943, no person shall print, make or publish on the same day more than one edition of any daily newspaper for circulation in the same locality except with the permission of the Central

Government previously obtained and when so permitted every such edition shall be deemed to be a separate issue for the purposes of this clause".

(2) In the existing clause 9 for the word "publish" the words "print, make or publish" shall be substituted.

(3) For the existing clause 11 the following shall be substituted:—

"No person shall return or offer or attempt to return any unsold copies of any newspaper, or accept or offer to accept or attempt to obtain any payment or repayment or allowance from any person by reason of any copies of any newspaper being unsold :

Provided that this prohibition shall not apply to—

- (a) the sale or disposal of any unsold copies of any newspaper as wastepaper or as packing or wrapping paper ; or
- (b) the return of any copies which could not be sold owing to enemy action".

(4) After clause 11, the following further clause shall be added :—

" 12. (1) With effect from the 1st April 1943, no person shall charge for any advertisement in any newspaper less than one and a half times the rates in force in respect of that newspaper on the 20th February 1943.

(2) No person shall on or after the 1st April 1943 print, make or publish any newspaper of a type specified in the first column of Schedule IV appended to this Order, in which the percentage of space used or assigned for advertising matter (including any loose advertising matter which may be inserted therein) exceeds the percentage specified opposite that description in the second column of that Schedule of the total space used or assigned for matter of any sort in the aggregate of the number of consecutive issues so specified in the third column of that Schedule".

(5) For the existing Schedules I, II and III the following shall be substituted :—

" SCHEDULE I

Quota of pages for one week in the case of daily newspapers

(See Clause 5)

Price in annas	Quota of pages for one week				
	Class A	Class B	Class C	Class D	Class E
Less than $\frac{1}{2}$ .. .. .	..	..	..	12	20
Not less than $\frac{1}{2}$ but less than 1 .. .. .	..	12	14	20	42
Not less than 1 but less than $1\frac{1}{2}$	14	20	28	42	84
Not less than $1\frac{1}{2}$ but less than 2	20	30	42	62	126
Not less than 2 but less than 3	28	42	56	84	168
Not less than 3	42	62	84	126	252

SCHEDULE II

Quota of pages for two weeks in the case of tri-weekly and bi-weekly newspapers

(See Clause 6)

Price in annas	Quota of pages for two weeks									
	Tri-weekly					Bi-weekly				
	Class A	Class B	Class C	Class D	Class E	Class A	Class B	Class C	Class D	Class E
Less than $\frac{1}{2}$	18	..	..	..	..	12
Not less than $\frac{1}{2}$ but less than 1	12	18	36	..	..	8	12	24
Not less than 1 but less than $1\frac{1}{2}$	12	18	24	36	72	8	12	16	24
Not less than $1\frac{1}{2}$ but less than 2	18	26	36	54	108	12	18	24	36
Not less than 2	24	36	48	72	144	16	24	32	48

SCHEDULE III

Quota of pages for four weeks in the case of weekly and fortnightly newspapers

(See Clause 7)

Price in annas	Quota of pages for four weeks									
	Weekly					Fortnightly				
	Class A	Class B	Class C	Class D	Class E	Class A	Class B	Class C	Class D	Class E
Less than ½ .. .. .	..	..	..	8	12	..	..	..	4	6
Not less than ½ but less than 1 ..	..	..	8	12	24	..	..	4	6	12
Not less than 1 but less than 1½ ..	8	12	16	24	48	4	6	8	12	24
Not less than 1½ but less than 2 ..	12	18	24	36	72	6	8	12	18	36
Not less than 2 but less than 2½ ..	16	24	32	48	96	8	12	16	24	48
Not less than 2½ but less than 3 ..	20	30	40	60	120	10	14	20	30	60
Not less than 3 but less than 3½ ..	24	36	48	72	144	12	18	24	36	72
Not less than 3½ but less than 4 ..	28	42	56	84	168	14	20	28	42	84
Not less than 4 but less than 4½ ..	32	48	64	96	192	16	24	32	48	96
Not less than 4½ but less than 5 ..	36	54	72	108	216	18	26	36	54	108
Not less than 5 but less than 5½ ..	40	60	80	120	240	20	30	40	60	120
Not less than 5½ but less than 6 ..	44	66	88	132	264	22	32	44	66	132
Not less than 6	48	72	96	144	288	24	36	48	72	144

(6) After Schedules I, II and III the following new Schedule shall be added :—

" SCHEDULE IV

Column I	Column II	Column III
Type of newspaper	Maximum percentage of total space to be reserved or assigned for advertisement matter	Number of consecutive issues for which such percentage is to be assigned
Daily newspaper	50%	14
Weekly, Bi-weekly or Tri-weekly newspaper.	55%	24
Fortnightly newspaper ..	55%	12 "

S. N RAY

Joint Secy. to the Govt. of India

The 27th March 1943

No. 952-C.—The following notification by the Government of Sind is republished for general information.

By order of the Governor
J. BOWSTEAD
Chief Secretary to Government

HOME DEPARTMENT (SPECIAL)
Karachi, 13th February 1943

ORDER

No. S.-17/14(3)-H.(S)/43—Whereas in the opinion of the Provincial Government, the vernacular document entitled *Munhinji-Ishwari Masti* published by Srijat Lalchand Arya and printed at the Hindvasi Press, Sukkur, contains a prejudicial report:

Now, therefore, in exercise of the powers conferred by sub-rule (1), of rule 40 of the Defence of India Rules, the Government of Sind hereby prohibits

further publication, sale or distribution of the said document and declares to be forfeited to His Majesty all copies wherever found of the said document.

By order of the Governor of Sind

J. M. SLADEN
Chief Secretary to Government

The 29th March 1943

No. 968-C.—The following notification by the Government of Bengal is republished for general information.

By order of the Governor

J. BOWSTEAD
Chief Secretary to Government

HOME DEPARTMENT

The 22nd March 1943

No. 306-Pr.—Whereas in the opinion of the Governor the pamphlet in English entitled *Some Facts*

about *Midnapore Tragedy* published by M. N. Mitter, General Secretary, Bengal Provincial Hindu Mahasabha, 211, Bowbazar Street, Calcutta, and printed at the New Sharada Press, 21, Atabagan Street, Calcutta, contains prejudicial reports of the nature described in sub-rule (7) of rule 34 of the Defence of India Rules read with clauses (e), (f) and (k) of sub-rule (6) of that rule:

Now, therefore, in exercise of the power conferred by clauses (d) and (e) of sub-rule (1) of rule 40 of the said rules, the Governor hereby prohibits further publication sale or distribution of the said document and declares to be forfeited to His Majesty all copies, wherever found, of the said pamphlet and all other documents containing copies, reprints and translation of, or extracts from the said pamphlet.

By order of the Governor

A. E. PORTER

Addl. Secy. to the Govt. of Bengal

The 29th March 1943

No. 970-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 DEPARTMENT

New Delhi, 13th March 1943

No. 1302-OR/42—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 sub-rule (1) of rule 19-A of the said Rules—

(1) in clause (b) the word "knowingly" shall be omitted;

(2) after the proviso, the following further proviso shall be inserted, namely:—

"Provided further that in any proceedings which, by virtue of clause (b) are taken against any person in respect of the killing or wounding of any such pigeon, it shall be a defence for the defendant to prove that he acted under the reasonable belief that the pigeon was not a racing or homing pigeon, and that (in a case where he subsequently took possession of the pigeon) he forthwith caused the pigeon, together with any article attached thereto which he had reasonable cause to believe to be a means of identifying the pigeon or communicating information, to be delivered to a police officer".

C. MACI. G. OGILVIE

Secretary to the Govt. of India

New Delhi, 13th March 1943

No. 5-DC (13)/43—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 sub-rule (7) of rule 16 of the said Rules, for the words "any order made under this rule" the words "any of the provisions of this rule or of any order made thereunder" shall be substituted.

L. J. D. WAKELY

Dy. Secretary to the Govt. of India

The 31st March 1943

No. 989-C.—The following notification by the Government of India in the Home Department is republished for general information.

By order of the Governor

J. BOWSTEAD

Chief Secretary to Government

New Delhi, 20th March 1943

No. 174/24/42-Police(Camp)-I.—In exercise of the powers conferred by sub-section (1) of section 124 of

the Government of India Act, 1935, the Governor-General in Council is pleased to entrust to the Provincial Governments, with their consent, the functions of the Central Government under section 4 of the Armed Forces (Special Powers) Ordinance, 1942 (No. XLI of 1942), as applied to any police force or portion of a police force under section 2 of the Armed Forces (Special Powers) Extension Ordinance, 1942 (No. LXVI of 1942).

VISHNU SAHAY

Deputy Secy. to the Govt. of India

FINANCE DEPARTMENT

NOTIFICATION

The 29th March 1943

No. 5708-F.(C).—The following notifications, issued by the Government of India in the Finance Department, are republished for general information.

By order of the Governor

B. MUKERJI

Deputy Secretary to Government

New Delhi, 23rd January 1943

No. F.2(48)(i)-F./42—In exercise of the powers conferred by sub-section (1) of section 21, read with section 7, of the Indian Coinage Act, 1906 (III of 1906), and in supersession of the notification of the Government of India in the Finance Department, No. F.2(127)(i)-F./41, dated the 24th January 1942, the Central Government is pleased to make the following rule, namely:—

The standard weight of the two-anna, one-anna, half-anna and quarter-anna (or pice) pieces coined under the provisions of section 6 of the Indian Coinage Act, 1906, shall, with effect from the 23rd January 1943, be ninety, sixty, forty-five and thirty grains Troy, respectively.

Provided that in the making of the said coins a remedy not exceeding one-fortieth of the standard weight shall be allowed.

New Delhi, 23rd January 1943

No. F.2(48)(ii)-F./42—In exercise of the powers conferred by clause (a) of sub-section (1) of section 10 of the Indian Coinage Act, 1906 (III of 1906), the Central Government is pleased to direct that the following amendment shall be made in the notification of the Government of India in the Finance Department No. F.2(127)(ii)-F./41, dated the 24th January 1942, namely:—

In the said notification, items (e) and (f) shall be omitted.

New Delhi, 23rd January 1943

No. F.2(48)(iii)-F./42—In exercise of the powers conferred by clause (b) of sub-section (1) of section 10 of the Indian Coinage Act, 1906 (III of 1906), the Central Government is pleased to direct that the following amendments shall be made in the notification of the Government of India in the Finance Department, No. F.2(127)(iii)-F./41, dated the 24th January 1942, namely:—

In the said notification—

(i) the word "and" occurring at the end of clause (ii) shall be omitted;

(ii) after clause (iii), the following clause shall be inserted, namely:—

"(iv) the pice or quarter-anna piece shall be round in shape, with a diameter of .841 inch, having a circular hole in the centre measuring .376 inch, bearing on the obverse a vine leaf wreath and on the reverse the Imperial Crown, the word 'India', the denomination in English, Hindi and Urdu and the year of issue."

New Delhi, 23rd January 1943

No. F.2(48)(iv)-F./42—In exercise of the powers conferred by section 6 of the Indian Coinage Act, 1906 (111 of 1906), the Central Government is pleased to direct that the following further amendment shall be made in the notification of the Government of India in the Finance Department, No. F.2(127)(iv)-F./41, dated the 24th January 1942, namely:—

In the said notification, for clause (3), the following clause shall be substituted, namely:—

“(3) a pice or quarter-anna of bronze composed of ninety-seven per cent copper, two and one-half per cent zinc and one-half per cent tin.”

A. C. TURNER
Joint Secy. to the Govt. of India

New Delhi, 14th January 1943

No. 229-PT./43—The Governor General in Council is pleased to direct that the following further amendments shall be made in the Post Office 10-Year Defence Savings Certificate Rules, namely:—

In the said Rules—

1. in rule 2, to the *exception* under sub-rule (5), the following clauses shall be added, namely:—

“(e) scheduled banks, provided the holding on behalf of each client, whether adult person, minor, incorporated body or other association does not exceed Rs. 5,000;

(f) any private individual if he holds Defence Savings Certificates in the name of one or more minors, the amount in each minor's case not exceeding Rs. 5,000”;

2. in rule 3 for the words “relative or guardian” the words “person or a scheduled bank” shall be substituted.

M. K. SEN GUPTA
Financial Adviser, Communications

COMMERCE AND LABOUR DEPARTMENT.

NOTIFICATION

The 29th March 1943

No. 5706—IIC-37/41-Com.(C).—The following notification, issued by the Government of India, Department of Commerce is republished for general information.

By order of the Governor
W. W. DALZIEL
Secretary to Government

INDUSTRIAL CONTROL

New Delhi, 17th March 1943

No. 104-I.C. (5)/42—In exercise of the powers conferred by sub-rule (2) of rule 51 of the Defence of India Rules, the Central Government is pleased to direct that the following further amendment shall be made in the Newsprint Control Order, 1941, namely:—

After the existing clause 3-A the following new clause shall be inserted:—

“3-B. Freezing of future imports and acquisitions.

With effect from the 17th March 1943 every proprietor of a newspaper who imports or otherwise acquires newsprint except as provided by clause 3-A, shall within three days of such import or acquisition send an intimation in writing to the Chief Controller of Imports and shall not consume, sell or otherwise dispose of any newsprint so imported or acquired without the previous permission in writing from the said Chief Controller of Imports.

S. N. RAY
Joint Secy. to the Govt. of India