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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 17th September 1945*

No. 2684-C.—The following notification of the Government of India is republished for general information.

By order of the Governor

R. A. E. WILLIAMS

Chief Secretary to Government

DEFENCE DEPARTMENT

New Delhi, 18th August 1945

No. 5-DC(14)/1/43—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 the said Rules—

1. In rule 76-B, after sub-rule (4) the following sub-rule shall be inserted, namely :—

“(5) If in the opinion of the Government making an order under sub-rule (2), any building has been erected, re-erected, constructed or altered in contravention thereof, that Government may by a further order in writing require the owner of the building to remove the unauthorised structure within such period as may be specified in the order, and if the order is not complied with, the owner shall be punishable with fine extending to one hundred rupees for every day during which the contravention continues.”

2. In rule 130-B, for the words and figures “rule 56-A or rule 81”, the words and figures “rule 56-A or rule 76-B or rule 81” shall be substituted.

E. CONRAN-SMITH

*Secy. to the Govt. of India**The 18th September 1945*

No. 2699-C.—The following notification of the Government of India is republished for general information.

By order of the Governor

R. A. E. WILLIAMS

Chief Secretary to Government

HOME DEPARTMENT

New Delhi, 27th August 1945

No. 33/19/43-Poll(I)—In exercise of the powers conferred by rule 41 of the Defence of India Rules, the Central Government is pleased to cancel the notification of the Government of India in the Home Department No. 33/19/43-Poll(I), dated the 3rd September 1943, regarding precensorship of matter relating to India written or spoken by Mr. Louis Fischer, the American journalist and author.

F. G. CRACKNELL

*Dy. Secy. to the Govt. of India*COMMERCE AND LABOUR DEPARTMENT
NOTIFICATION*The 11th September 1945*

No. 4406-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

J. E. MAHER

Secretary to Government

SALT

No. 1—In exercise of the powers conferred by sub-section (1) read with clause (xvii) of sub-section (2) of section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), the Central Government is pleased to make the following rule, namely :—

RULE

Salt removed from Saltpetre refineries in the Punjab, the United Provinces, Bihar, Orissa, Delhi or Ajmer-Merwara

is hereby exempted from the duty imposed on salt by section 3 of the Central Excises and Salt Act, 1944 (1 of 1944) read with section 2 of the Indian Finance Act, 1945 :—

(a) in the case of Sitta (i.e., impure salt unfit for human consumption), to the extent of one rupee and eight annas per standard maund ;

(b) in the case of salt other than Sitta, to the extent of one rupee and one anna per standard maund.

W. A. ROSE

*Under-Secretary to the Govt. of India*LAW DEPARTMENT
NOTIFICATION*The 14th September 1945*

No. 4405-L.R.—The following Ordinances, promulgated by the Governor-General, are hereby republished for general information.

By order of the Governor

J. E. MAHER

*Secretary to Government**New Delhi, 31st August 1945*

ORDINANCE No. XXIX of 1945

AN

ORDINANCE

to terminate the War Risks (Factories) Scheme

WHEREAS an emergency has arisen which makes it necessary to make provision for the immediate termination of the War Risks (Factories) Scheme ;

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935 (26 Geo. 5, c. 2), the Governor-General is pleased to make and promulgate the following Ordinance :—

1. **Short title and commencement**—(1) This Ordinance may be called the War Risks (Factories) Insurance (Termination) Ordinance, 1945.

(2) It shall come into force at midnight between the 31st day of August and the 1st day of September 1945.

2. **Repeal of certain provisions of Ordinances XII of 1942 and XXV of 1943**—Sections 3, 5, 6, 16 and 17 of the War Risks (Factories) Insurance Ordinance, 1942, and section 3 of the War Risks (Inland Vessels) Insurance Ordinance, 1943, are hereby repealed.

3. **Termination of policies of insurance**—All policies of insurance issued under the provisions of the War Risks (Factories) Insurance Ordinance, 1942 (XII of 1942), and the War Risks (Factories) Scheme or under those provisions construed with the provisions of the War Risks (Inland Vessels) Insurance Ordinance, 1943 (XXV of 1943) shall, notwithstanding anything contained in any other law or in the said policies of insurance, be determined on the commencement of this Ordinance and cease thereafter to have effect.

JOHN COLVILLE

*Viceroy and Acting Governor-General**New Delhi, 1st September 1945*

ORDINANCE No. XXXI of 1945

AN

ORDINANCE

further to amend the Defence of India Act, 1939

WHEREAS an emergency has arisen which makes it necessary further to amend the Defence of India Act, 1939 (XXXV of 1939), for the purposes hereinafter appearing ;

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in

the Ninth Schedule to the Government of India Act, 1935 (26 Geo. 5, c. 2), the Governor-General is pleased to make and promulgate the following Ordinance:—

1. Short title and commencement—(1) This Ordinance may be called the Defence of India (Second Amendment) Ordinance, 1945.

(2) It shall come into force at once.

2. Amendment of section 6, Act XXXV of 1939—For clause (6) of section 6 of the Defence of India Act, 1939, the following shall be substituted, namely:—

(6) The Motor Vehicles Act, 1939 (IV of 1939) (in this clause referred to as the said Act) shall have effect subject to the following provisions, namely:—

(a) Notwithstanding anything to the contrary in section 58 or section 62 of the said Act, the Provincial Transport Authority or a Regional Transport Authority, acting in accordance with such directions as the Provincial Transport Authority may think fit to issue, may grant a permit or a temporary permit under Chapter IV of the said Act to be effective for any specified period not exceeding five years in the case of a permit or one year in the case of a temporary permit.

(b) Without prejudice to the provisions of section 60 of the said Act, the Provincial Transport Authority may, if for reasons to be recorded in writing it is of opinion that the public interest so requires, direct by order passed not later than the 28th day of February 1946, that any permit under Chapter IV of the said Act shall, on a specified date not earlier than six months after the date of the passing of the order, cease to be effective without renewal.

(c) The Provincial Government may—

(i) by general or special order in writing exempt from all or any of the provisions of Chapter IV of the said Act any transport vehicle used or required for use in connection with any work or purpose declared by the Provincial Government in the order to be a work or purpose connected with the defence of British India or the prosecution of war;

(ii) by the same or a like order authorise any authority to issue temporary permits and give directions, not inconsistent with the other provisions of the said Chapter, in respect of any such transport vehicles.

(d) If the Provincial Government by general or special order in writing so directs, the provisions of sub-section (2) of section 58 of the said Act shall have effect in relation to any controlled motor vehicle or class of controlled motor vehicles specified in the order as if the words "not being in any case less than six months" were omitted.

Explanation—In sub-clause (d) "controlled motor vehicle" means a motor vehicle to which the provisions of the Civil Motor Transport Vehicles Control Order, 1944, or of any other substantially similar Order for the time being in force, apply.

JOHN COLVILLE

Viceroy and Acting Governor-General

PRESS NOTE

The 25th August 1945

The Textile Commissioner to the Government of India has issued a notification in the *Gazette of India*, dated the 25th August 1945 by which all importers of cloth from outside India are directed to submit by registered post a statement containing information regarding the description and quantity of cloth included in the consignment and the landed cost of each of the items mentioned therein. The statement is to be furnished to the Controller having jurisdiction over the port of entry so as to reach him within two weeks of the receipt of a certificate from the Controller about the landed cost in relation to the cloth referred to in the statement. A copy of the statement should also be forwarded to the Textile Commissioner to the Government of India, Cyc-2 Section, Shahibag House, Wittet Road, Ballard Estate, Bombay. The notification further lays down that the importers cannot sell cloth except to such person as the Textile Commissioner or the Controller may specify provided however that if within 28 days from the date on which the statement is received by the Controller, the dealer does not receive any instructions as to the disposal of the consignment either from the Textile Commissioner or from the Controller, he may dispose of the cloth.

For purposes of this Order, the 'Controller' means the principal officer appointed by the Provincial Government to

be in charge of Textile Control and their designations and addresses for the four main ports are given below:—

Bombay—Provincial Textile Controller, Kalachowki Parel, Bombay.
Calcutta—Director of Textiles, 21, Chittaranjan Avenue, Calcutta.
Madras—Provincial Textile Commissioner, Record Office, Egmore, Madras.
Karachi—Director of Civil Supplies and Chief Controller of Prices, Sind, Bombay Life Assurance Building, Karachi.

PRESS NOTE

The 27th August 1945

By a notification published in the *Gazette of India* of 18th August 1945, the Central Government have amended the Cotton Cloth and Yarn (Control) Order, 1945, by incorporating in it two clauses which reproduce the substance of two existing notifications. One of these clauses imposes restrictions on composite mills and on powerloom factories as to the number of looms which they can work, and the quantity of yarn which they can purchase. The composite mills which sold yarn in the past are required to continue to sell in every quarter a quantity of yarn, not less than one-fourth of the quantity sold by them in the year 1944. The purely spinning mills are prohibited from installing any looms in the undertaking without the permission of the Textile Commissioner. By the other clause, mills are required to pack bales of cloth with a standard content of not less than 1,450 yards and not more than 1,550 yards, unless otherwise permitted by the Textile Commissioner.

2. This Press Note is being issued by the Central Government in pursuance of sub-rule (1) of rule 119 of the Defence of India Rules.

PRESS NOTE

The 21st August 1945

With a view to ensuring that cotton mills and handloom weavers obtain loom pickers at regulated prices, the Textile Commissioner to the Government of India has, by a notification in the *Gazette of India* published on the 26th June 1945, fixed the prices at which these loom pickers may be sold. The notification directs that no person shall sell or offer for sale ordinary loom pickers at a price exceeding 20 per cent above the landed cost in the case of pickers imported from outside India and 33½ per cent above the production cost in all other cases. It is further laid down that the price in no case shall exceed the rate of Rs. 210 per gross.

The foregoing Press Note is issued by the Central Government with reference to sub-rule (1) of rule 119 of the Defence of India Rules.

PRESS NOTE

Bombay, 22nd August 1945

By a notification in the *Gazette of India*, dated the 11th August 1945 the Textile Commissioner to the Government of India has amended his notification of 31st December 1943 which fixes the prices for cloth and yarn and also specifies the processing charges. The amendment fixes the charges for bleaching, dyeing, finishing and other processing of cloth and yarn by all processors other than manufacturers, and comes into force from the 1st of September 1945.

Another notification of the Textile Commissioner published in the *Gazette of India* of the same date provides the maximum printing charges which a person may charge for printing of cloth.

All those interested can obtain the Schedule of Charges from the Manager of Publications, Civil Lines, Delhi.

PRESS NOTE

The 1st September 1945

By a notification dated the 11th August 1945, the Central Government have promulgated the Foreign Cotton Control Order, 1945 which consolidates and re-enacts the provisions of the Order of the same name issued in 1944. This new Order requires every person carrying on any undertaking involving the import, purchase, sale or consumption of any foreign cotton, to submit to the Textile Commissioner, Bombay, by the 15th of every month a return in a specified form and prohibits the sale or disposal, or the purchase or acquisition of any foreign cotton mentioned in the Schedule to the said Order except in accordance with a licence or directions given by the Textile Commissioner. The Order empowers the Textile Commissioner to require any person to sell to any other person specified quantities of foreign cotton of the description mentioned in the

Schedule. It also empowers him to direct any person who has communicated his requirements to the Deputy Chief Controller of Imports, Bombay, to purchase from any other person any quantities of foreign cotton of the description mentioned in the Schedule not exceeding the requirements communicated.

The Foreign Cotton Control Order of 1944 is repealed, though anything done under it is to be deemed to have been done under the corresponding provision of the new Order.

This Press Note is being issued in pursuance of sub-rule (1) of rule 119 of the Defence of India Rules.

PRESS NOTE

The 22nd August 1945

The Central Government have, by a notification published in the *Gazette of India*, dated the 11th August 1945, promulgated the Textile Industry (Control of Production) Order, 1945. This Order is a verbatim reproduction of the Order promulgated in May 1945 which has now been repealed. All orders and notifications issued under the old Order should be deemed to have been issued under the new Order. Among other things the Order restricts the production of yarn by a manufacturer to certain specified counts and provides that no manufacturer shall utilise less than 90 per cent of his entire weaving energy per month for the production of utility cloth such as dhoties, saris, longcloth, shirtings, drills, twills, sheetings, etc. The use of folded yarn in the production of cloth is restricted under the Order, while the production of any cloth with a border exceeding 2" in width is totally prohibited. The varieties to be manufactured by a producer are also restricted. Besides, every manufacturer is required to submit to the Textile Commissioner returns in such form and at such times as he may specify.

The above Press Note is being issued by the Central Government in pursuance of sub-rule (1) of rule 119 of the Defence of India Rules.

PRESS NOTE

The 22nd August 1945

The Starch Control Order, 1943, has been repealed and substituted by the Starch Control Order, 1945, promulgated by the Central Government and published in the *Gazette of India*, dated the 4th August 1945. The Order provides that no person shall manufacture starch from potatoes or from any foodgrain other than Tapioca except under and in accordance with the terms of a licence granted by the Starch Controller. It further provides that no person can buy or sell starch except under a general permit or a special licence issued or granted by the Starch Controller.

2. The Textile Commissioner to the Government of India has been authorised in this behalf to perform all the functions of the Starch Controller, and all applications for licences should be addressed to him at his office at Shahibag House, Ballard Estate, Bombay.

3. The above Press Note is being issued by the Central Government in pursuance of sub-rule (1) of rule 119 of the Defence of India Rules.

PRESS NOTE

The 27th August 1945

The Central Government, by a notification in the *Gazette of India*, dated the 4th August 1945, have promulgated the Textile Industry (Miscellaneous) Control Order, 1945 which is a verbatim reproduction of a similar Order promulgated in 1943, now repealed. The Order provides that all orders and notifications issued under the Textile Industry (Miscellaneous) Control Order, 1943 shall be deemed to have been issued under the corresponding issues of the new Order. It applies to cotton cord clothing, cord cloth-

ing sundries, waste and wadding cords, healds and reeds, shuttles for use in looms, bobbins, ring-travellers, etc. The Order prohibits sale or purchase of any of the above articles without a special licence granted by the Textile Commissioner. The Order authorises the Textile Commissioner to issue direction to any person possessing the above articles in regard to the sale or disposal otherwise of any article and to submit stock returns with details required by him.

The above Press Note is being issued by the Central Government in pursuance of sub-rule (1) of rule 119 of the Defence of India Rules.

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PRESS NOTE

The 27th August 1945

The Central Government, by a notification in the *Gazette of India*, dated the 4th August 1945, have amended the Cotton Textiles (Dyes and Chemicals) Control Order, 1945 which provides that anything done under any of the provisions of the Cotton Textiles (Dyes and Chemicals) Control Order, 1944 shall be deemed to have been done under the corresponding provision of the 1945 Order.

The above Press Note is being issued by the Central Government in pursuance of sub-rule (1) of rule 119 of the Defence of India Rules.

PRESS NOTE
SHOPPING GUIDE

The Shopping Guide published by the General Traders' Association, Canning Street, Calcutta and the second edition of which is now on the market, has become altogether out of date so far as the price schedules under the Hoarding and Profiteering Prevention Ordinance are concerned. The schedule 'A' prices have undergone extensive changes. The schedule 'B' prices as also tentative profit margins fixed by the Deputy Controller-General have also been superseded. The other control orders and notifications printed in the book have also undergone several modifications. Government wish to reiterate what has been stated in the preface to the book written by the Controller-General of Civil Supplies that the book is merely a 'guide' and is not an official publication and has no statutory authority. It cannot therefore be pleaded in support of any act done or any price charged by a dealer, if that is not permissible under the rules and notifications issued from time to time by the Central Government. Government wish to make it clear that any one who relies on this publication as final authority for anything done or any price charged does so at his own risk.