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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 3rd November 1943

No. 3562-C.—The following order by the Government of India is republished for general information.

By order of the Governor
J. BOWSTEAD

Chief Secretary to Government

WAR DEPARTMENT

The 16th October 1943

No. 1444—In exercise of the powers conferred by sub-clause (ii) of clause (b) of sub-rule (1) of rule 45 of the Defence of India Rules, the Central Government is pleased to direct that no person shall, except under the authority of a written permit granted by the Central Government or on its behalf by the Director of Public Relations make any photograph, sketch, plan model or other representation of the whole or any part of any ship, submarine, aircraft, tank or similar engine, arms and ammunition, torpedo or mine intended or adapted for use in war or of any other article, material, or device, whether actual or proposed, intended for such use.

The 8th November 1943

No. 3622-C.—The following notification by the Government of India is republished for general information.

By order of the Governor
J. BOWSTEAD

Chief Secretary to Government

DEPARTMENT OF INDUSTRIES AND CIVIL SUPPLIES

INDUSTRIES CONTROL

New Delhi, 10th July 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 the following further amendment shall be made in Newspaper Control Order, 1942, namely:—

In clause 10B of the said Order, for the words "published therein before the date of this notification", the words and figures, "regularly published therein during the month preceding the 18th February, 1943" shall be substituted.

H. M. PATEL
Deputy Secretary

COMMERCE AND LABOUR DEPARTMENT NOTIFICATIONS

The 3rd November 1943

No. 24368-Com.(C).—The following notifications of the Government of India in the Finance Department (Central Revenues) are republished for general information.

By order of the Governor
J. E. MAHER

Secretary to Government

CENTRAL EXCISES

Simla, 18th September 1943

No. 24—In exercise of the powers conferred by section 5 of the Motor Spirit (Duties) Act, 1917 (II of 1917) and by that section as made applicable to the levy and collection of an excise duty on kerosene by section 5 of the Indian Finance Act, 1922 (XII of 1922), the Central Government is pleased to direct that with effect from 1st December 1943 the following further amendments shall be made in—

(A) the Motor Spirit (Duties) Order, 1917, and the Kerosene (Duties) Order, 1922, namely:—

(1) in the said Orders—

(a) in sub-clause (1) of clause 4,—

(i) the word "and" at the end of paragraph (b), and

(ii) paragraph (c)—

shall be omitted:

(b) clauses 5 and 11 shall be omitted;

(c) in sub-clause (1) of clause 10, for the words and figure "and shall be filed by him with the Collector at the time of filing the return prescribed by clause 4" the words "who shall on production thereof to the Collector be granted a refund of the excise duty paid on the goods" shall be substituted:

(2) in the Schedule to the said Orders—

(a) in Form A, Columns 3 and 4 shall be omitted;

(b) Form B shall be omitted;

(c) in Form D, for the words and figures "deduct the amount stated in column 2, from the statement of Motor Spirit/Kerosene produced during the month of 19" the words and figure "a refund of the duty paid in respect of the quantity stated in column 2" shall be substituted:

(B) the Northern India Motor Spirit (Duties) Order, 1938, and the Northern India Kerosene (Duties) Order, 1938, namely:—

(1) in the said Orders—

(a) in sub-clause (1) of clause 4—

(i) the word "and" at the end of paragraph (c), and

(ii) paragraph (d)

shall be omitted;

(b) clauses 5 and 13 shall be omitted;

(c) in sub-clause (1) of clause 12, for the words and figure "and shall be filed by him with the Assistant Collector at the time of filing the return prescribed by clause 4" the words "who shall on production thereof to the Assistant Collector be granted a refund of the excise duty paid on the goods" shall be substituted:

(2) In the Schedule to the said Orders—

(a) in Form B, columns 3 and 4 shall be omitted;

(b) Form C shall be omitted;

(c) in Form E, for the words and figures "deduct the amount stated in column 2, from the statement of Motor Spirit/Kerosene produced during the month of 19" the words and figure "a refund of the duty paid in respect of the quantity stated in column 2" shall be substituted.

(C) the Motor Spirit and Kerosene Export (Nepal) Rules, 1939—

(1) In the said Rules—

(a) in rule 3, the words and figure "or that the issue of motor spirit or kerosene has been entered in column 4 of Form A" shall be omitted.

(b) in rule 8, for the last two sentences, the following shall be substituted, namely:—

"If, the documents are in order the Assistant Collector shall allow a refund of the duty paid on the goods".

(2) In the Schedule to the said Rules.

(a) in column 6 of Form I, the words "or reference to Form B on which duty is assessed" shall be omitted.

(D) the Motor Spirit and Kerosene Export (Afghanistan) Rules, 1940—

(1) In the said Rules—

(a) in rule 3, the words and figure, "or that the issue of motor spirit or kerosene has been entered in column 4 of Form "A" shall be omitted.

(b) in rule 7, the words "and pay duty as usual if not already paid" shall be omitted.

(c) in rule 11, for the last two sentences the following shall be substituted, namely:—

"If the documents are in order the Assistant Collector shall allow a refund of the duty paid on the goods".

(2) In the Schedule to the said Rules—

(a) In column 7 of Form I, the words "or reference to Form B on which duty is assessed" shall be omitted.

No. 25—In exercise of the powers conferred by sections 10 and 11 of the Sugar (Excise Duty) Act, 1934 (XIV of 1934), the Central Government is pleased to direct that with effect from 1st December 1943 the following further amendment shall be made in—

(A) in the Sugar (Excise Duty) Order, 1934, namely:—

(1) in the said Order—

(a) clauses 6 and 11A shall be omitted;

(b) in clause 9,—

(i) for the words "become payable under the Act" the words "been paid" shall be substituted;

(ii) the words "or has become payable" and the second sentence shall be omitted;

(c) in clause 9A, the second sentence shall be omitted;

(2) in the forms appended to the said Order—

(a) in Form B the words "Orders of Collector" and entry below them shall be omitted;

(b) in Part II of Form C the words "or payable" and "or become payable" shall be omitted;

(B) the Bombay Sugar (Excise Duty) Supplementary Order, 1938, namely:—

(1) In the said Order—

(a) in clause 4, after entry (e), the following entry shall be inserted, namely:—

"(f) Number and date of treasury chalan under which duty was paid"

(2) In the schedule to the said order—

In form S. E. 4, the columns with the headings "Demand made by the Collector", "Amount recovered", "Number and date of chalan" and "Amount of arrears, if any" shall be omitted;

(C) in the Northern India Sugar (Excise Duty) Order, 1938, namely:—

(1) in the said Order—

(a) clauses 6 and 18 shall be omitted;

(b) clause 14—

(i) for the words "become payable under the Act" the words "been paid" shall be substituted;

(ii) the words "or has become payable" and the second sentence shall be omitted;

(c) in clause 15 the second sentence shall be omitted;

(2) in the Forms appended to the said Order—

(a) in Form B the words "Orders of Assistant Collector" and the entry below them shall be omitted;

(b) in Part II of Form J the words "or payable" and "or become payable" shall be omitted;

(D) in the Sugar Export (Afghanistan) Rules, 1939, namely:—

(a) in rule 3, the word "and" at the end of clause (a) shall be omitted, and after clause (b) the following clause shall be inserted, namely:—

"(c) pay the duty leviable on the goods."

(b) for the last sentence of rule 4 the following shall be substituted, namely:—

"The factory owner shall forward the original invoice to the Frontier Customs Officer concerned."

(c) in Rule 5, for the words and figure "under rule 4" the words and figure "under rule 3" shall be substituted.

(d) for rule 8 the following rule shall be substituted, namely "8. The Assistant Collector shall compare the original copy of the invoice produced by the owner with the duplicate copy received from the Frontier Customs Officer, and if they are found to be in order, allow a refund of the duty paid on the goods"

(E) in the Sugar Export (Confectionery) Rules, 1941, namely:—

(1) (a) in rule 9, the words "or has become payable" and "or payable" shall be omitted.

(b) in rule 16, the last sentence shall be omitted.

(2) In the schedule appended to the said rule—

in the form confectionery Draw back 3, the words "or payable" shall be omitted.

(F) in the Sugar Export (Iran) Rules, 1942, namely:—

(a) in rule 3 the word "and" at the end of clause (a) shall be omitted, and after clause (b), the following clause shall be inserted, namely:—

"(c) pay the duty leviable on the goods"

(b) the last sentence of rule 4 shall be omitted;

(c) for rule 7, the following rule shall be substituted, namely:—

"7. The Assistant Collector shall examine the original invoice so produced by the owner, and if he is satisfied

that it is in order, allow a refund of the duty paid on the goods."

No. 26—In exercise of the powers conferred by sections 17 and 18 of the Matches (Excise Duty) Act, 1934 (XVI of 1934), the Central Government is pleased to direct that with effect from 1st December 1943, the following further amendments shall be made in—

(A) the Matches (Excise Duty) Order, 1934, namely:—

(1) clauses 9 and 31 shall be omitted;

(2) in sub-clause (1) of clause 46 of the said order the words "unless generally or specially so authorised by the Collector" shall be omitted;

(3) in Form B appended to the said Order, the words "Orders of Collector" and the entry below them shall be omitted;

(B) the Northern India Matches (Excise Duty) Order, 1938, namely:—

(1) clause 33 shall be omitted;

(2) in sub-clause (1) of clause 50 of the said Order the words "unless generally or specially so authorised by the Assistant Collector" shall be omitted;

(C) the Northern India Matches (Excise Duty) Supplementary Order, 1938, namely:—

(a) in clause 29 the words "In the case of exports by land" shall be omitted;

(b) in clause 31 the words "by land" and the second paragraph shall be omitted;

(D) in the Bombay Matches (Excise Duty) Supplementary Order, 1938, namely:—

(a) in clause 30—

(i) after the words "bonded warehouse" the words "shall pay the duty leviable thereon and" shall be inserted;

(ii) after entry (8), the following entry shall be inserted, namely:—

"(9) Number and date of the treasury chalan."

(b) in clause 31, for the last sentence, the following shall be substituted, namely:—

"The duty paid shall then be refunded."

(E) the Madras Matches (Excise Duty) Supplementary Order, 1939, namely:—

(a) in sub-clause (1) of clause 31, after the word "banderolled" the words "or unbanderolled" shall be inserted;

(b) in sub-clause (4) of clause 32, the words "if and" shall be omitted.

No. 27—In exercise of the powers conferred by sections 6, 7 and 9 of the Iron and Steel Duties Act, 1934 (XXXI of 1934), the Central Government is pleased to direct that with effect from the 1st December 1943, the following further amendments shall be made in the Steel Ingots (Excise Duty) Order, 1934, and the Northern India Steel Ingots (Excise Duty) Order, 1938, namely:—

(1) in the said orders—

(a) in sub-clause (1) of clause 4—

(i) the word "and" at the end of paragraph (c), and

(ii) paragraph (d)—

shall be omitted;

(b) clause 5 shall be omitted.

(2) in the Schedule appended to the said orders, Form C shall be omitted.

No. 28—In exercise of the powers conferred by sections 6 and 8 of the Tyres (Excise Duty) Act, 1941 (X of 1941), the Central Government is pleased to direct that with effect from 1st December 1943, the following further amendments shall be made in—

(A) the Tyres (Excise Duty) Order, 1941, namely:—

(1) in the said order—

(a) in sub-clause (1) of clause 3—

(i) the word "and" at the end of paragraph (c), and—

(ii) paragraph (d)

shall be omitted;

(b) in sub-clause (1) of clause 5, (i) the word "and" at the end of paragraph (i) shall be omitted, and after paragraph (ii) the following paragraph shall be inserted, namely:—

"(iii) State the number and date of the treasury chalan under which the duty leviable on the goods was paid"

(c) clauses 6, 11 and 16 shall be omitted;

(d) in sub-clause (1) of clause 15, for the last sentence, the following shall be substituted, namely:—

"The said certificate shall be made over to the owner of the manufactory who shall on production thereof to the

Assistant Collector be granted a refund of the excise duty paid on the goods."

- (e) in clause 17, the *Note* shall be omitted;
(2) in the Schedule appended to the said order—

(a) in Form B—

(i) for the words and figures "clause 3 and 15" the word and figure "clause 3" shall be substituted;

(ii) columns 4 and 5 shall be omitted, and columns 6 and 7 renumbered as 4 and 5 respectively;

(b) Forms D and E shall be omitted;

(c) in column 7 of Form F, the words "deduction or" shall be omitted, and for the figures "16" the figures "15" shall be substituted;

(d) in Form G—

(i) the words and figures "to deduct the quantity stated in column 2 from the statement of tyres issued during the month of.....19....." and the line below them shall be omitted—

(ii) in column 6, the words "deduction or" shall be omitted, and for the figures "16" the figures "15" shall be substituted;

(B) the Tyres Export (Afghanistan and Nepal) Rules, 1941, namely:—

(1) in the said Rules—

(a) in sub-rule (1) of rule 3, the words "or has become payable thereon" shall be omitted;

(b) in rule 8, for the last two sentences, the following shall be substituted, namely:—

"If the documents are in order, the Assistant Collector shall allow a refund of the duty paid on the goods".

(2) in the Forms appended to the said Rules—

(a) in Form I—

(i) in column 6 the words "or is leviable" shall be omitted;

(ii) in column 7 the words "or payable" shall be omitted.

No. 29—In exercise of the powers conferred by sections 6 and 8 of the Vegetable Product (Excise Duty) Act, 1943 (XI of 1943), the Central Government is pleased to direct that with effect from 1st December 1943, the following further amendments shall be made in the Vegetable Product (Excise Duty) Rules, 1943, namely:—

(1) in the said Rules—

(a) rules 5 and 21 shall be omitted;

(b) in rule 9, the words "and assessment to duty" in the heading, the second sentence of sub-rule (1) and sub-rule (2) shall be omitted;

(c) for the third sentence of sub-rule (1) of rule 20, the following shall be substituted, namely:—

"The said Form duly certified shall be made over to the owner of the factory who shall on production thereof to the Assistant Collector be granted a refund of the duty paid on the goods."

(2) in the Forms appended to the said Rules—

(a) in Form H—

(i) for the heading, the following shall be substituted, namely:—

"Register of issues from.....factory during the month of.....19....."

(ii) columns 5 and 6 shall be omitted, and columns 7, 8 and 9 renumbered as 5, 6 and 7 respectively;

(iii) the two entries commencing "Date on which....." shall be omitted;

(b) Forms I and L, shall be omitted—

(c) in form K—

(1) for the heading of column 9, the following shall be substituted, namely:—

"Amount of duty of which refund is claimed under rule 20."

No. 30—In exercise of the powers conferred by sections 14 and 15 of the Mechanical Lighters (Excise Duty) Act, 1934 (XXIII of 1934), the Central Government is pleased to direct that with effect from 1st December 1943, the following further amendments shall be made in—

(A) in the Mechanical Lighters (Excise Duty) Order, 1943, namely—

(1) in the said Order—

(a) clause 9 shall be omitted;

(b) in clause 13, the last sentence shall be omitted;

(c) in clause 21, the proviso shall be omitted.

(2) In the forms appended to the said order—

in form B, (i) column 4 shall be omitted and existing columns (5) and (6) renumbered as (4) and (5) respectively;

(ii) the words "Orders of Collector" and the entry below them shall be omitted.

(B) in the Northern India Mechanical Lighters (Excise Duty) Order, 1938, namely:—

(1) in the said Order—

(a) clause 9 shall be omitted.

(b) in clause 13, the last sentence, shall be omitted.

(c) in clause 22, the proviso shall be omitted.

(2) in the forms appended to the said Order—in form B, (i) column 4 shall be omitted, and existing columns 5 and 6 renumbered as 4 and 5 respectively; and (ii) the words "Orders of Assistant Collector" and the entry below them shall be omitted.

No. 31—In exercise of the powers conferred by sub-clause (1) of clause 8 of the Motor Spirit (Duties) Order, 1917, sub-clause (1) of clause 8 of the Kerosene (Duties) Order, 1922, clause 10 of the Sugar (Excise Duty) Order, 1934, clause 14 of the Matches (Excise Duty) Order, 1934, sub-clause (1) of clause 13 of the Tyres (Excise Duty) Order, 1941, sub-clause (1) of rule 18 of the Vegetable Product (Excise Duty) Rules, 1943, the Central Government is pleased to direct that with effect from 1st November 1943, the following notifications of the Government of India shall be cancelled, namely:—

1. Commerce and Industries Department, No. 1461-M. D. dated the 14th March 1917.

2. Industries Department, No. M.-899-2, dated the 1st March 1922.

3. Finance Department (Central Revenues), No. 2-Central Excise, dated the 3rd May 1934.

4. Finance Department (Central Revenues) No. 5-Central Excises, dated the 3rd May 1934.

5. Finance Department (Central Revenues), No. 15-Central Excises, dated the 1st April 1941.

6. Finance Department (Central Revenues), No. 3-Central Excises, dated the 1st April 1943.

No. 32—In exercise of the powers conferred by sections 6 and 8 of the Tyres (Excise Duty) Act, 1941 (X of 1941) and section 6 and 8 of the Vegetable Product (Excise Duty) Act, 1943 (XI of 1943), the Central Government is pleased to make with effect from 1st November 1943, the following rule, namely:—

Any person who exports from British India to any place outside India Tyres or Vegetable Product on which duty has been paid under the relevant Act, shall, on production to the Assistant Collector of satisfactory evidence that the goods have been so exported and that the duty has been paid in respect thereof receive a refund of that duty.

Note—"Assistant Collector" means Assistant Collector as defined in the Tyres (Excise Duty) Order, 1941, or the Vegetable Product (Excise Duty) Rules, 1943, as the case may be.

No. 33—In exercise of the powers conferred by—

(1) section 5 of the Motor Spirit (Duties) Act, 1917 (II of 1917);

(2) section 5 of the Motor Spirit (Duties) Act, 1917 (II of 1917), as made applicable to the levy and collection of an excise duty on Kerosene, by section 5 of the Indian Finance Act, 1922 (XII of 1922);

(3) section 11 of the Sugar (Excise Duty) Act, 1934 (XIV of 1934);

(4) section 15 of the Mechanical Lighters (Excise Duty) Act, 1934 (XXIII of 1934);

(5) section 9 of the Iron and Steel Duties Act, 1934 (XXXI of 1934);

(6) section 8 of the Tyres (Excise Duty) Act, 1941 (X of 1941); and

(7) section 8 of the Vegetable Product (Excise Duty) Act, 1943 (XI of 1943).

the Central Government is pleased to make the following rule in substitution for, or modification of, the existing rules in regard to the payment of excise duty:—

"On and after the 1st November 1943, no goods which have become liable to a duty of excise imposed by any of the foregoing Acts shall be removed from any place within the factory or any premises appurtenant thereto, which may be specified by the Collector in this behalf, whether for consumption, export or manufacture of any commodity in or outside the factory, until the excise duty leviable thereon has been paid at such place and

in such manner as the Collector may require, and except on presentation of an application in the Form appended hereto and on obtaining the permission of the supervising officer on the Form:

Provided that the Collector may, if he thinks fit, instead of requiring payment of duty in respect of each separate consignment of goods removed from the place

specified in this behalf, keep with any person manufacturing such goods an account-current of the duties payable thereon. Such account shall be settled at intervals not exceeding one month, and the account-holder shall periodically make deposits therein sufficient in the opinion of the Collector to cover the duty due on the goods intended to be removed from the factory."

COURT FEE STAMP

..... Central Excises Serial No..... of 19.....

APPLICATION FOR CLEARANCE ASSESSMENT MEMORANDUM AND NOTICE OF DEMAND
(In triplicate)

Name and address of factory.....

Serial No.	Number and description of packages	Marks and number of packages	Weight or Quantity	Description of goods	Value	Duty		Remarks
						Rate	Amount	
Assessment Memorandum and Notice of demand (to be entered in words and figures).					Treasury certificate or other record of payment		Declaration	
1. Total number of packages.....					Clearance allowed.....		I/We solemnly declare the above particulars to be true and correctly stated.	
2. Quantity of goods on which duty is assessed.....					Signature.....		I/We apply for leave to clear the above goods.	
3. Rate of duty.....				 of Central Excises.		Date.....	
4. Total duty demanded.....					Date.....		Signature of Applicant.....	
Signature.....							Station.....	
..... of Central Excises.								
Date.....								

H. GREENFIELD
Joint Secy. to the Govt. of India

The 8th November 1943

No. 24312-Com.(C).—The following notification of 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

GENERAL EXCISE

Simla, 25th September 1943

No. 34—In exercise of the powers conferred by section 7 of the Matches (Excise Duty) Act, 1934 (XVI of 1934) the Central Government is pleased to prohibit absolutely the bringing of matches into British India from the territory of the Idar State in the Western India States Agency with effect from the 1st October 1943.

K. G. JACOB
Deputy Secretary

REVENUE DEPARTMENT
NOTIFICATION

The 3rd November 1943

No. 24421-R.(C).—The following notification, issued by the Government of India, Department of Indians Overseas, as amended by their Notification No. 149/43-O.S., dated the 20th October 1943, is republished for general information.

By order of the Governor
P. C. DAS
Secretary to Government

New Delhi, 7th September 1943

No. 149/43-O.S.—In exercise of the powers conferred by Rule 24-A of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

THE ASIATIC BRITISH EVACUEES (CENSUS) ORDER, 1943

1. (1) This Order may be called the Asiatic British Evacuees (Census) Order, 1943.

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

2. In this Order—

(1) "Asiatic British subject" means any subject of His Majesty, not being a European British subject;

(1-A) "European British subject" means any subject of His Majesty of European descent in the male line, born, naturalised or domiciled in the United Kingdom or in any Dominion as defined in the Statute of Westminster, 1931, or, in any colony except Ceylon.

(2) "evacuee" means any Asiatic British subject who has arrived in India since the 8th December 1941, having left any territory to the east of India in consequence of military operations;

(3) "tahsil" includes a taluk, circle or other corresponding division of a district for purposes of revenue administration, and "Tahsildar" shall be construed accordingly.

3. Every evacuee who is the head of his family in India or has no family in India shall proceed in person between the hours of 10 A.M. and 5 P.M. on any working day in the month of November 1943, to the office of the tahsildar of the tahsil in which he is for the time being resident, and furnish to the census enumerator appointed in this behalf full and true answers to the questions set out in the questionnaire annexed to this order in respect of himself and of all other evacuees who are dependent on him:

Provided that (i) where such evacuee is a female or is prevented by serious illness or other disability from proceeding to the office of the tahsildar in person she or he may depute any other responsible member of her or his family for the purpose, and (ii) where such evacuee is an orphan child, the person who for the time being has the custody of the child shall similarly proceed to the office of the tahsildar and answer the questions on behalf of the child.

THE QUESTIONNAIRE
(See clause 3)

For head of family		For members of evacuee's families	
1. Name.....	1. Name.....	1. Name.....	1. Name.....
2. Sex.....	2. Sex.....	2. Sex.....	2. Sex.....
3. Age.....	3. Age.....	3. Age.....	3. Age.....
4. State whether an Indian, Anglo-Indian, Burman, Anglo-Burman or a British subject of any other Asiatic country?	4. State whether he is an Indian, Anglo-Indian, Burman, Anglo-Burman or British subject belonging to any other Asiatic country?	4. State whether he is an Indian, Anglo-Indian, Burman, Anglo-Burman or British subject belonging to any other Asiatic country?	4. State whether he is an Indian, Anglo-Indian, Burman, Anglo-Burman or British subject belonging to any other Asiatic country?
5. Married, Unmarried, Widowed or divorced.....	5. Married, Unmarried, Widowed or divorced.....	5. Married, Unmarried, Widowed or divorced.....	5. Married, Unmarried, Widowed or divorced.....
6. District and Province of birth.....	6. District and Province of birth.....	6. District and Province of birth.....	6. District and Province of birth.....
7. Where did you live in Burma/Malaya, etc.?	7. Where did he live in Burma/Malaya, etc.?	7. Where did he live in Burma/Malaya, etc.?	7. Where did he live in Burma/Malaya, etc.?
8. When did you leave Burma/Malaya, etc.?	8. When did he leave Burma/Malaya, etc.?	8. When did he leave Burma/Malaya, etc.?	8. When did he leave Burma/Malaya, etc.?
9. Which route did you come by?	9. Which route did he come by?	9. Which route did he come by?	9. Which route did he come by?
10. When did you arrive in India?	10. When did he arrive in India?	10. When did he arrive in India?	10. When did he arrive in India?

For head of family	For members of evacuee's families	
11. (If not born in Burma/Malaya, etc.) when did you first go to Burma/Malaya, etc.....	11. (If not born in Burma/Malaya, etc.) when did he first go to Burma/Malaya, etc.,.....	17. Narendra Mohan Das Gupta, Station Master, Panchbibi Railway Station, B. and A. Railway .. Section 161, I. P. C.
12. What was your means of livelihood in Burma/Malaya, etc.	12. Means of livelihood, if any, in Burma/Malaya, etc.	18. Lt. D. Moore, Station Master Burdwan, E. I. Railway .. Section 161, I. P. C.
13. Are you at present in a fit state of health to pursue the means of livelihood which you were following in Burma/Malaya, etc.?	13. Is he at present in a fit state of health to pursue the means of livelihood which he was following in Burma/Malaya, etc.?	19. D. R. Bose, S. D. O., M. E. S. Khulna .. Section 161, I. P. C.
14. District and Province where resident now.....	14. If dependent, what was the means of livelihood in Burma/Malaya, etc., of the person on whom he was dependent?	20. Fakhruddin, Manager, Messrs. E. H. Taher and Co. Ltd., 86, Civil Street, Calcutta .. Sections 420/511, I. P. C.
15. Do you own any property in Burma/Malaya etc.? If so is it house, or land or moveables?	15. District and province where resident now.	21. V. Kanniah Naidu, Assistant Goods Clerk, M. and S. M. Railway, Katpadi, North Arcot District .. Section 161, I. P. C.
16. What is your present means of livelihood?	16. Present means of livelihood, if any.....	22. K. S. Chatterji, Assistant Station Master, Bagra Railway Station, G. I. P. Railway .. Section 161, I. P. C.
17. Is your present means of livelihood permanent or casual?	17. Is his means of livelihood permanent or casual?	23. Shiva Bhai Naran Das Gajjar, Ticket Collector, Wadiad, B. B. and C. I. Railway .. Section 161, I. P. C.
18. How many evacuees are dependent on you?	18. If dependent, what is the means of livelihood of the person on whom he is now dependent?	24. Nautamal Venishanker, Station Master, Koth Gangad Station, Ahmedabad District, B., B. and C. I. Railway .. Section 161, I. P. C.
19. Are you literate? If so, in which language or languages are you literate?	19. Is he literate? If so, in what language or languages?	25. (1) Sheroo, son of Khudadad, Irani, East Street, Poona Cantonment.
20. How far have you read? Give any examination passed.....	20. Has he passed any examination? How far has he read?	(2) Mrs. Shirin Rashid, widow of Rashid Khudadad, Irani, East Street, Poona Cantonment.
21. Have you received any monetary assistance from Government? If so, how many times and how much each time?	21. Has he received any separate monetary assistance from Government? If so, how many times and how much each time?	(3) M. K. Irani, son of Khudadad Irani, East Street, Poona Cantonment.
	22. Does he possess any separate property in Burma/Malaya, etc. If so, is it house or land or movables?	(4) Naunitrai, son of Amthalal, Bania, Sachapir Street, Poona Cantonment.

[8-6-26-11-1943]

LAW DEPARTMENT NOTIFICATIONS

The 10th November 1943

No. 25107.L.(C).—The following Ordinance, promulgated by the Governor-General, is published for general information.

By order of the Governor
J. E. MAHER
Secretary to Government

New Delhi, 2nd November, 1943

ORDINANCE No. XL of 1943

AN ORDINANCE

further to amend the Criminal Law Amendment Ordinance, 1943

WHEREAS an emergency has arisen which renders it necessary to correct certain errors and to make certain additions in the First Schedule to the Criminal Law Amendment Ordinance, 1943 (XXIX of 1943);

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 Criminal Law Amendment (Second Amending) Ordinance, 1943.

(2) It shall come into force at once.

2. *Amendment of the First Schedule, Ordinance No. XXIX of 1943*—In the First Schedule to the Criminal Law Amendment Ordinance, 1943 (XXIX of 1943)—

(a) in Part I,—

(i) in entry No. 10, for the names "E. A. Greuter" and "S. Mitter", respectively, the names "E. A. Greuter" and "N. Mitter" shall be substituted and shall be deemed always to have been substituted;

(ii) the following entries shall be added after entry No. 14, namely:—

"15. Lt. A. E. Wilkins, Hony. A. T. S., Station Superintendent, Sealdah, B. and A. Railway .. Section 161, I. P. C.

16. Nanda Lal Chakrabarty, Station Master, Bamandanga, B and A. Railway .. Section 161, I. P. C.

21. V. Kanniah Naidu, Assistant Goods Clerk, M. and S. M. Railway, Katpadi, North Arcot District ..	Section 161, I. P. C.
22. K. S. Chatterji, Assistant Station Master, Bagra Railway Station, G. I. P. Railway ..	Section 161, I. P. C.
23. Shiva Bhai Naran Das Gajjar, Ticket Collector, Wadiad, B. B. and C. I. Railway ..	Section 161, I. P. C.
24. Nautamal Venishanker, Station Master, Koth Gangad Station, Ahmedabad District, B., B. and C. I. Railway ..	Section 161, I. P. C.
25. (1) Sheroo, son of Khudadad, Irani, East Street, Poona Cantonment.	(1) Section 420, I. P. C.
(2) Mrs. Shirin Rashid, widow of Rashid Khudadad, Irani, East Street, Poona Cantonment.	(2) Sections 420/109, I. P. C.
(3) M. K. Irani, son of Khudadad Irani, East Street, Poona Cantonment.	(3) Sections 420/120, B. I. P. C.
(4) Naunitrai, son of Amthalal, Bania, Sachapir Street, Poona Cantonment.	
(5) Mohon Lal, son of Prem Chand, Vohra, Sachapir Street, Poona Cantonment.	
(6) Bhogi Lal, son of Kadhar Lal, Gandhi, Sachapir Street, Poona Cantonment.	
(7) Mansukh Rai, son of Chuni Lal Shah, Jain, Sachapir Street, Poona Cantonment.	
(8) Major Hill Murray, Officer-in-charge, Supply Depot, Poona Cantonment.	
(b) in Part II, the following entries shall be added after entry No. 20, namely:—	
"21. Kampta Parshad, Clerk, R. I. Section, O. I. D., Delhi Fort ..	Section 161, I. P. C.
22. Nihal Chand, Goods Clerk, Doraha Railway Station, N. W. Railway ..	Section 161, I. P. C.
23. Harbans Singh, Ticket Collector and in charge of Reservation, Delhi Main Station ..	Section 161, I. P. C.
24. Kesho Ram, Station Master, Doraha Railway Station, N.-W. Railway ..	Section 161, I. P. C.
25. Abdul Hakim Sheikh, Partner of Messrs. A. R. Kalla and Sons, Meerut Cantonment ..	(1) Sections 161/116, I. P. C. (2) Sections 161/116, read with section 511, I. P. C.
26. (1) Sat Narain, employee of Messrs. Panna Lal Durga Pershad, Generalganj, Cawnpore.	Sections 161/116, I. P. C.
(2) Kali Singh, employee of Messrs. Panna Lal Durga Pershad, Generalganj, Cawnpore.	
27. Shaukat Ali, Relieving Coaching Clerk, N.-W. Railway, Quetta ..	Section 161, I. P. C.
28. (1) Masud Ahmed Akhtar of Messrs. Saeed Anis and Company, Amritsar.	(1) Section 406, I. P. C.
(2) Hadi Hussain, employee of Messrs. Saeed Anis and Company, Amritsar.	(2) Sections 406/109, I. P. C.
29. Mool Chand, Supervisor, Ordnance Clothing Factory, Lahore ..	Section 161, I. P. C.

WAVELI

Viceroy and Governor-General

The 8th November 1943

No. 24868—II-J.42/42-J.(C).—The following notifications, issued by the Government of India, Home Department, are republished for general information.

By order of the Governor
J. E. MAHER

Secretary to Government

New Delhi, 6th October 1943

No. 51/1/40-Poll.(E).—In exercise of the powers conferred by section 36, of the European Vagrancy Act, 1874 (IX of 1874), and in supersession of the notification of the Government of India, in the Home Department, No. 4828, dated the 20th October 1870, the Central Government is pleased to make the following rules for the guidance of officers in the enforcement of the said Act :—

EUROPEAN VAGRANCY RULES, 1943

PRELIMINARY

1. *Title*—These rules may be called the European Vagrancy (Central) Rules, 1943.

2. *Definition*—(1) In these Rules—

(a) "the Act" means the European Vagrancy Act, 1874 ;

(b) "embarkation officer" means an officer appointed under clause (b) of section 17 ;

(c) "section" means a section of the Act.

(2) Words and expressions used in these rules and defined in the Act shall have the same meaning as is assigned to them in the Act.

PART I

3. *Application*—The rules in this Part shall apply to persons of European extraction in British India, and to British subjects of European extraction in any Indian State.

4. *Interpretation of section 16 of the Act*—For the purpose of section 16, a "reasonable time" shall not ordinarily exceed two months, and shall in no case exceed six months, from the date of admission to the workhouse.

5. *Appointment of reporting authorities*—The Central Government may appoint officers (hereinafter referred to in these Rules as "reporting authorities") to exercise the functions imposed by this Part upon a reporting authority.

6. (1) The reporting authority shall report to the Central Government in any case where he recommends the removal from British India of any vagrant or other person of European extraction who has expressed himself willing to enter into an agreement under section 17 for such removal ;

Provided that no such report shall be made in the case of a person born in India, who has never been out of India, unless the reporting authority is satisfied that such person is likely to gain a livelihood in a place outside India.

(2) Such report shall contain a descriptive roll (together with photograph) of, and full particulars concerning, the person to be removed, and shall recommend the port of destination to be specified in the agreement.

7. On receipt of a report under rule 6, the Central Government may, if it accepts the recommendation made therein, instruct the reporting authority accordingly and specify the port of destination referred to in clause (c) of section 17 and the port of embarkation.

8. The reporting authority shall thereupon require the person to be removed to enter into the agreement to be prepared and signed in triplicate and shall forthwith forward one copy to the Central Government and another to the embarkation officer at the port of embarkation, retaining the third copy for his record. The embarkation officer shall thereupon make arrangements for securing without delay suitable accommodation on a vessel bound for the specified port of destination, and when he has done so, shall inform the Central Government and the reporting authority accordingly.

9. The reporting authority shall be responsible for obtaining a passport valid for the purposes of the journey for the person to be removed.

10. On receipt of information under rule 8 that suitable accommodation has been obtained, the reporting authority shall forward the person to be removed in charge of a police officer to the embarkation officer at the port of embarkation, and thereafter, until his embarkation, such person shall remain in the charge of the embarkation officer.

11. From the date on which he signs the agreement under section 17 until his embarkation, the person to be removed, if a vagrant, shall be entitled to a subsistence allowance of eight annas a day, which shall not ordinarily

be made over to him, but shall be kept and disbursed on his account by the officer in whose charge he is for the time being.

12. All charges incurred under these rules in respect of the removal of a vagrant or other person of European extraction shall be paid by the Central Government.

PART II

13. *Application*—The rules in this Part shall apply to persons of European extraction in the Chief Commissioners' Provinces, and to British subjects of European extraction in any Indian State.

14. The subsistence allowance granted to a vagrant under section 8 shall be disbursed in the manner provided in rule 11.

15. No certificate shall be given under section 9 unless there are good grounds for believing that the person applying for it is *bona fide* in search of employment, has a fair chance of obtaining it and is of quiet and orderly behaviour.

New Delhi, 6th October 1943

No. 51/1/40-II-Poll.(E).—In exercise of the powers conferred by sub-section (1) of section 124 of the Government of India Act, 1935, and in supersession of the notification of the Government of India in the Home Department, No. 51/12/36-Political, dated the 29th March 1938, in so far as it relates to the entrustment of functions under the European Vagrancy Act, 1874 (IX of 1874), the Central Government is pleased, with effect from the 1st November 1943, to entrust to Provincial Governments, with their consent, the following functions of the Central Government, namely :—

(a) under the European Vagrancy Act, 1874—

(i) the function of causing removal or granting release under section 16,

(ii) the function of appointing officers under clause (b) of section 17,

(iii) the functions under sections 27 and 34, and

(b) the functions under rules 5 to 8 of the European Vagrancy (Central) Rules, 1943 :

Provided that the functions so entrusted shall be exercisable also by the Central Government should it see fit so to do in any case :

Provided also that a report shall be made to the Central Government in every case in which the Provincial Government exercises the function of removal from British India under section 15 of the Act.

New Delhi, 6th October 1943

No. 51/1/40-I-Poll.(E).—In exercise of the powers conferred by sub-section (3) of section 175 of the Government of India Act, 1935, the Governor-General in Council is pleased to declare that agreements under section 17 of the European Vagrancy Act, 1874 (IX of 1874), shall be executed on his behalf by reporting authorities appointed under rule 5 of the European Vagrancy (Central) Rules, 1943, on receiving instructions in each case under rule 7 of the said Rules.

H. J. FRAMPTON

Joint Secy. to the Govt. of India

DEPARTMENT OF SUPPLY AND TRANSPORT NOTIFICATION

The 9th November 1943

No. 9257-S.T.—The following notification, issued by the Government of India in the Department of Industries and Civil Supplies, is hereby republished for general information.

By order of the Governor

C. S. JHA

Secretary to Government

New Delhi, 2nd October 1943

No. 71-Tex.(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 amendments shall be made in the Cotton Movements Control Order, 1942, namely :—

In clause 3 (b) (iii) of the said Order after the word "Secretary", the words "or Deputy Secretary" shall be inserted.

H. M. PATEL

Deputy Secy. to the Govt. of India

GOVERNMENT OF INDIA
DEPARTMENT OF INDUSTRIES AND CIVIL
SUPPLIES

PRESS NOTE

New Delhi, 25th October 1943

In the Press Note issued on the 7th of October it was announced that stocks of cloth and yarn manufactured prior to the 1st of August had been found amounting to 2,700 million yards and 215 million lbs. respectively. These stocks were greatly in excess of the highest estimate framed by anyone qualified to speak on the subject. After careful consideration the Government of India have come to the conclusion that not only no useful purpose will be served by insisting upon so large a quantity of cloth representing 8 months mill production being disposed of finally by retail sale in the three months, August to the 31st of October 1943, but that is doing so harm may be caused to the interests of the consumer. The reasons which existed before and which induced people so inclined to hoard cloth and yarn no longer obtain. Effective steps have been taken to increase the production of cloth, the prices of cloth have been definitely brought under control,

and their movement will tend to be downwards and not upwards. The production and distribution of large quantities of Standard Cloth have already had a salutary effect on the general price levels of cloth, keeping these well below the ceilings fixed by Government; its continued production is calculated to have the further effect of increasing substantially the total output of cloth. Finally experience has shown that people tend to prefer cloth which is stamped in accordance with the instructions of the Textile Commissioner to unstamped cloth. In other words, there is every reason now for one holding stocks of unstamped cloth to seek to dispose of it as early as possible. The main object of clause 14 of the Cotton Cloth and Yarn (Control) Order has thus already been served, and any further rigid insistence on the provision that all cloth and yarn manufactured before the 1st of August shall be finally disposed of by retail sale not later than the 31st of October can only result in hardship and possible disappearance of unstamped stocks underground without any countervailing advantage. Government have, therefore, decided to amend the Control Order so as to make obligatory the final disposal by retail sale of unstamped goods, i.e., cloth and yarn manufactured before 1st of August, by the 31st of December 1943.

GOVERNMENT OF INDIA
DEPARTMENT OF INDUSTRIES AND CIVIL
SUPPLIES

PRESS NOTE

Bombay, 21st October 1943

Representations having been received by the Government of India that clauses 13 (2) and (3) of the Cotton Cloth and Yarn (Control) Order, 1943, imposed undue

hardships to dealers in cloth and yarn whose place of business was located in the same place as that of the manufacture of the cloth and yarn, the Government have now amended clause 13 (2) and (3) of the Order, so as to permit bales of cloth and yarn to be kept unopened for three months irrespective of the place where they are kept.

M. K. VELLODI
Textile Commissioner