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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 NOTIFICATION

*The 22nd December 1945*

**No. 3525-C.**—The following notification by 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, 15th December 1945*

**No. 5-DC(39)/45**—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, rule 19-A shall be omitted.

S. R. KAIWAR

*Dy. Secy. to the Govt. of India*

#### COMMERCE AND LABOUR DEPARTMENT NOTIFICATION

*The 24th December 1945*

**No. 6593-Com.**—The following declaration, issued by the Government of India, Department of Labour, is republished for general information.

By order of the Governor

R. L. NARASIMHAM

*Secretary to Government*

*Simla, 8th December 1945*

**No. L-W.S. 13 (12)**—In pursuance of clause (ff) of section 2 of the War Injuries (Compensation Insurance) Act, 1943 (No. XXIII of 1943) as inserted by the War Injuries (Compensation Insurance) Amendment Ordinance, 1945, the Central Government is pleased to declare that for the purposes of the said Act, the present hostilities shall be deemed to have terminated on the 31st August 1945.

J. G. HOWLETT

*Under-Secretary to the Govt. of India*

#### LAW DEPARTMENT NOTIFICATION

*The 21st December 1945*

**No. 6526-L.R.**—The following Ordinance, promulgated by the Governor-General, is hereby republished for general information.

By order of the Governor

R. L. NARASIMHAM

*Secretary to Government*

*New Delhi, 11th December 1945*
**ORDINANCE No. XLV 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 (Fourth Amendment) Ordinance, 1945.

(2) It shall come into force at once.

**2. Amendment of section 19, Act XXXV of 1939.**—In sub-section (1) of section 19 of the Defence of India Act, 1939 (hereinafter referred to as the said Act),—

(a) after the word "Where" where it occurs for the first time, the words, figures and letter "under section 19A or" shall be inserted;

(b) to clause (e) the following proviso shall be added, namely:—

"Provided that where any property requisitioned under any rule made under this Act is subsequently acquired under section 19A or any such rule, the arbitrator in any proceedings in connection with such acquisition shall, for the purposes of the provisions of the said section 23, take into consideration the market value of the property at the date of its requisition as aforesaid and not at the date of its subsequent acquisition."

**3. Insertion of new sections 19A and 19B in Act XXXV of 1939.**—After section 19 of the said Act the following sections shall be inserted, namely:—

"19A. *Power to acquire requisitioned property*—

(1) Without prejudice to any power to acquire property conferred by any rule made under this Act, any immovable property which has been requisitioned under any rule so made may, in the manner provided by any such rules for the acquisition of property, be acquired in the circumstances and by the Government hereinafter specified namely,—

(a) where any works have, during the period of requisition, been constructed on, in or over the property wholly or partly at the expense of any Government, by that Government if it decides that the value of, or the right to use, such works shall, by means of the acquisition of the property, be preserved or secured for the purposes of any Government, or

(b) where the cost to any Government of restoring the property to its condition at the time of its requisition as aforesaid would, in the determination of that Government be excessive having regard to the value of the property at that time, by that Government;—

and at the beginning of the day on which notice of such acquisition is served or published under the aforesaid rules the immovable property shall vest in the acquiring Government free from any mortgage, pledge, lien or similar encumbrance, and the period of the requisition thereof shall end.

(2) Any decision or determination of a Government under sub-section (1) shall be final, and shall not be called in question in any Court

(3) For the purposes of this section "works" includes buildings, structures and improvements of the property, of every description.

**19B. Release from requisition.**—(1) Where any property requisitioned under any rule made under this Act is to be released from such requisition, the Government by which or under whose authority the property was requisitioned or any person generally or specially authorised by it in this behalf may, after such enquiry, if any, as it or he may in any case consider it necessary to make or cause to be made, specify by order in writing the person to whom possession of the property shall be given.

(2) The delivery of possession of the property to the person specified in an order under sub-section (1) shall be a full discharge of the Government from all liabilities in respect of the property, but shall not prejudice any rights in respect of the property which any other person may be entitled by due process of law to enforce against the person to whom possession of the property is given."

**4. Declaration as to application to pending proceedings**—For the avoidance of doubts it is hereby declared that the provisions of section 19 of the said Act as amended by clause (b) of section 2 of this Ordinance shall apply to proceedings before an arbitrator under the said section 19 pending on the date of the commencement of this Ordinance, but such amendment shall not affect any case in which the arbitrator has before the said date made his award under that section, or operate to revive or reopen any case in which, before the said date—

(i) compensation has been paid and accepted without protest formally recorded in writing, or

(ii) the amount of compensation payable has been fixed by agreement, whether or not at the said date such amount has been paid.

WAVELL

Viceroy and Governor-General

## DEPARTMENT OF SUPPLY AND TRANSPORT NOTIFICATIONS

The 17th December 1945

**No. 30939-S.T.**—The following Press Note, issued by the Government of India, Department of Industries and Civil Supplies, New Delhi, is hereby republished for general information.

By order of the Governor  
C. S. JHA  
Secretary to Government

### PAPER CEILING PRICES REDUCED

NEW CONTROL ORDER IN FORCE FROM 1ST JANUARY

New Delhi, 28th November 1945

The Government of India in the Department of Industries and Civil Supplies have, by a notification published in the *Gazette of India, Extraordinary*, dated the 28th November 1945, issued a revised Order entitled the Paper Price Control Order, 1945. In this Order all the provisions of the Paper Price Control Order, 1944, as amended from time to time, have been reproduced and a reduction has been made in the ceiling prices fixed for all varieties of paper and board enumerated in the First Schedule generally by 1½ pies per lb. over the rates which have been in force previously, except in the case of kraft paper where the price has been reduced by 7 pies per lb.; and of duplex, triplex, ticket and grey boards where there has been a larger reduction. The revised Order which will come into force on January 1, 1946 provides that all orders issued under the old Order will be deemed to have been issued under the new Order.

Like the old Order, the revised Order provides that paper mills or other persons manufacturing paper whose manufacturing capacity is not less than 10 tons per month shall not sell any scheduled variety of paper except at f.o.r. destination price, the destination being any of the places specified in Schedule II to the Order. Mills' f.o.r. destination prices per lb. for main varieties are shown below:—

*Printing and writing paper*—White as. 7 pies 10½; Unbleached as. 7 pies 7½; and Badami as. 7 pies 3½.

*Wrapping paper*—Brown as. 7 pies 1½; and Kraft as. 7 pies 5.

*Boards*—Cardboard, pulpboard, manilla board, pasteboard as. 7 pies 10½; duplex and triplex boards as. 8 pies 6; ticket boards as. 8 pies 5; and grey boards as. 6.

### WHOLESALE AND RETAIL TRANSACTIONS DEFINED

Uniform wholesale and retail prices exist for sale throughout India. Wholesale prices allow 10 per cent and retail prices 25 per cent above mills' f.o.r. destination prices. Ream, reel and roll lots in the case of paper and gross lots or lots of 100 sheets in the case of boards, are considered wholesale transactions, while transactions in smaller quantities are considered retail transactions. In smaller towns where mills' f.o.r. destination prices will not apply, dealers are permitted to charge for wholesale and retail transactions 3 pies per lb. In addition to the price based on the percentages stated above to cover transportation and other incidental charges in securing paper from the main centres of trade. Dealers are required to display conspicuously in their shops a list of permitted prices and to show it on demand to purchasers.

The 25th December 1945

**No. 31787-S.T.**—The following notifications, issued by the Government of India in the Department of Industries and Civil Supplies, are republished for general information.

By order of the Governor  
C. S. JHA  
Secretary to Government

Bombay, 22nd November 1945

**No. 1/2(124)/45-CG(CS)**—In exercise of the powers conferred on me by section 11 of the Hoarding and Profiteering Prevention Ordinance, 1943 (Ordinance XXXV of 1943), I hereby direct that every dealer to whom the notification of the Government of India No. 1/2(85)/45-CG(CS), dated the 25th August 1945, applies shall mark with the sale price thereof every garment of the description referred to in the said notification and exposed by him for sale, and cloth exposed for being made into such garment to order; and further direct that—

(1) the price shall be written legibly in English or in the local language of the district;

(2) the price shall be marked on each such readymade garment and on each variety of cloth stocked for being made up into such garment;

(3) the price of the material and the making charges shall be shown separately.

S. R. KOTHAWALA  
Contrl.-Genl. of Civil Supplies

New Delhi, 1st December 1945

**No. 90-M(54)/44**—In pursuance of clause 13 of the Brass and Copper (Control) Order, 1945, the Central Government is pleased to authorise the following officers for the purpose of the said clause:—

- The Controller-General of Civil Supplies
- The Additional Controller-General of Civil Supplies
- All Deputy Controllers-General of Civil Supplies
- All Assistant Controllers-General of Civil Supplies
- All Inspectors of Civil Supplies
- The Director of Civil Supplies, Ajmer-Merwara
- The Director of Food Supplies, Baluchistan
- The Assistant Director of Civil Supplies (General) Delhi.
- The Officer-in-Charge, Investigation Bureau, Delhi
- Deputy Superintendent of Police (Enforcement), N.-W. F. P., Peshawar.
- Deputy Commissioners at Peshawar, Kohat, Mardan, Bannu, Dera Ismail Khan and Hazara.
- The Director and Additional Director of Civil Supplies, Sind.
- The Enforcement Officer, Sind
- All Collectors and District Magistrates in Sind
- All Mukthiarkars in Sind
- The Commissioner of Civil Supplies and Deputy Commissioners of Civil Supplies, Madras
- All Collectors, Commercial Tax Officers, Deputy Commercial Tax Officers and Assistant Commercial Tax Officers in Madras
- The Controller of Supplies, Deputy Controller of Supplies and Assistant Controller of Supplies in Orissa
- The Special Officer, Supply and Transport Department Supervisor of Supplies, Headquarters, Orissa.
- The Supervisor of Supplies, Orissa
- All District Magistrates, Civil Supplies Officers, Sub-divisional Magistrates and Assistant Civil Supplies Officers in Orissa.
- The Additional Director of Civil Supplies (Enforcement) Bombay.
- All District Magistrates (including the Additional District Magistrate, Godhra) in Bombay.
- The Assistant Commissioner, Coorg
- The Commissioner of Excise, Assam
- All Superintendents and Inspectors of Excise in Assam
- The Director of Civil Supplies, all Assistant Directors of Civil Supplies, all District Magistrates, all additional District Magistrates, all Civil Supplies Officers, all Assistant Civil Supplies Officers, and Inspectors of Civil Supplies in the Punjab.
- The Officer on Special Duty in the Civil Supplies Department, Punjab.
- The Commissioner of Police, Calcutta and all District Magistrates in Bengal.
- All officers of and above the rank of an Inspector of Police of the Enforcement Branch under the administrative control of the Commissioner of Police, Calcutta, or of the Inspector-General of Police, Bengal.

J. D. KAPADIA  
Dy. Secy. to the Govt. of India

*New Delhi, 1st December 1945*

No. 198(154)AP(A)/45—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 Consumer Goods (Control of Distribution) Order, 1945, namely:—

In the Schedule annexed to the said Order—

(a) the following entries shall be omitted, namely:—

“3. Slate pencils”, “5. Boot and metal polishes”, “6. Steel Pens”, “7. Fountain Pens and parts of fountain pens”, “14. Enamelled ironware”, “16. Incandescent mantles”, “17. Zip fasteners”, “18. Razor and razor blades”, “19. Cutlery”, “21. Typewriter ribbons”, “22. Wireless receiving sets and parts of wireless receiving sets and wireless bulbs”, “24. Photographic negatives and printing papers”, “25. Clocks, timepieces and watches and parts thereof”, “26. Cartridges”, “27. Crockery”, “28. Spectacle frames, lenses and other optical goods”, “29. Sanitary fittings”, “30. Sports goods”, “31. Grindery”, “32. Camphor in all forms”, “33. Thermos and thermos flasks”.

(b) for the words “lead pencils” against item 2, the words “lead, copying and coloured pencils” and for the words “kerosene oil lamps” against item 15, the words “kerosene hurricane lanterns” shall be substituted.

2. The Central Government is pleased to direct further with reference to sub-rule (1) of rule 119 of the Defence of

India Rules that notice of the above order shall be given by the publication of the same in the *Gazette of India* and by the issue of a press-note explaining its provisions.

*New Delhi, 1st December 1945*

No. 198(166)AP(A)/45—In pursuance of sub-clause (a) of clause 2 of the Consumer Goods (Control of Distribution) Order, 1945, the Central Government is pleased to authorise, the officers specified in column 1 of the Schedule hereto annexed, to exercise all the powers of the Controller General in respect of the articles specified in the corresponding entry in column 2 thereof.

SCHEDULE

1	2
Designation of Officer	Articles
Director, Silk Directorate ..	(i) Silk yarn and thread (ii) Artificial silk yarn and thread (iii) Pure and artificial silk fabrics
Director, Liaison Directorate ..	(i) Hard knitting wool (ii) Woollen fabrics (iii) Woollen and worsted weaving and machine knitting yarns.

R. A. MAHAMADI  
Deputy Secy. to the Govt. of India

**PRESS NOTE****ANTI-PROFITEERING ORDINANCE****SALE PRICE OF READYMADE GARMENTS TO BE MARKED**

The Controller General of Civil Supplies has, by a notification, published in the *Gazette of India* today, directed every dealer who sells readymade garments or makes and sells garments to order, to mark with the sale price each readymade garment exposed by him for sale, showing separately the price of the material and the making charges, and also mark with the sale price each variety of cloth exposed for being made into such garment to order. The prices should be written legibly in English or in the local language of the district.

**PRESS NOTE****CEILING PRICES FOR HARD COTTON WASTE**

The Government of India has, by a notification published in the *Gazette of India*, dated the 12th December 1945, amended its previous notification, dated the 1st December 1945, so that the maximum prices of certain varieties of Hard Cotton Waste notified in the latter apply in relation to all sales in India as well as to exports.

**PRESS NOTE**

By a notification published in the *Gazette of India* dated the 8th December 1945, the Textile Commissioner, the Government of India has permitted dealers in bobbins (in addition to dealers in Cotton Healds and Reeds) purchase bobbins of all types manufactured in India from any producer of or dealer in such articles and to sell them to any other dealers or to any industrial user or to a person specially authorised for the purpose.

**PRESS NOTE****ANTI-PROFITEERING ORDINANCE****CIGARETTE PRICES REVISED**

The Central Government have, by a Notification published in the *Gazette of India*, dated the 24th November 1944, revised maximum prices chargeable by a producer or dealer in respect of various brands of cigarettes manufactured by Messrs. National Tobacco Co. of India, Ltd.

The notification also reproduces in one comprehensive list the current prices of all other brands of cigarette which have been fixed by notifications from time to time.