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ECONOMIC RESOURCES BOARD



STATUTORY AND OTHER NOTICES

ISSUED BY

THE GOVERNMENT OF INDIA

AND

THE RESERVE BANK OF INDIA

REGARDING MATTERS RELATING TO
THE TRADE AND COMMERCE OF BRITISH
INDIA

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REGARDING MATTERS RELATING TO
THE TRADE AND COMMERCE OF BRITISH
INDIA

From the 1st of September to 30th November 1939.

(1) This publication is intended to facilitate reference to the Statutory Notifications and other Notices issued by the Government of India and the Reserve Bank of India in matters relating to the Trade and Commerce of British India.

(2) Extracts from the Defence of India Act (No. XXXV) 1939, and the Rules framed thereunder which deal with the Trade and Commerce of the country have been reproduced at the beginning. The rest of the publication is divided into the following parts:—

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CUSTOMS, IMPORTS AND EXPORTS.

PART II.

FINANCE.

PART III.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY
PROPERTY.

PART IV.

DEPARTMENTS OF SUPPLY, THE WAR SUPPLY BOARD, ETC.

PART V.

THE CONTROL OF PRICES.

PART VI.

THE CONTROL OF TEA, RUBBER, ETC.

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**EXTRACTS FROM
THE DEFENCE OF INDIA ACT (NO. XXXV),
1939
AND
THE RULES FRAMED THEREUNDER
REGARDING MATTERS RELATING TO
THE TRADE AND COMMERCE OF BRITISH
INDIA.**

DEFENCE OF INDIA ACT (No. XXXV) OF 1939.

THE DEFENCE OF INDIA ACT AND RULES THEREUNDER.

The following are the provisions contained in the Defence of India Act (No. XXXV) and of the Rules framed thereunder which deal with matters relating to the Trade and Commerce of British India:

DEFENCE OF INDIA ACT (No. XXXV) OF 1939.

ACT No. XXXV OF 1939.

An Act to provide for special measures to ensure, the public safety and interest and the defence of British India and for the trial of certain offences.

WHEREAS an emergency has arisen which renders it necessary to provide for special measures to ensure the public safety and interest and the defence of British India and for the trial of certain offences;

AND WHEREAS the Governor General in his discretion has declared by Proclamation under sub-section (1) of section 102 of the Government of India Act, 1935 (26 Geo. 5, c. 2), that a grave emergency exists whereby the security of India is threatened by war;

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. Short title, extent, commencement and duration.—(1) This Act may be called the Defence of India Act, 1939.

(2) It extends to the whole of British India, and it applies also—

- (a) to British subjects and servants of the Crown in any part of India;
- (b) to British subjects who are domiciled in any part of India wherever they may be;
- (c) in respect of the regulation and discipline of any naval, military or air force raised in British India, to members of, and persons attached to, employed with, or following, that force, wherever they may be; and
- (d) to, and to persons on, ships and aircraft registered in British India wherever they may be.

(3) This section shall come into force at once, and the remaining provisions of this Act shall come into force in such areas and on such date or dates as the Central Government may, by notification in the official Gazette, appoint.

(4) It shall be in force during the continuance of the present war and for a period of six months thereafter.

CHAPTER II.

EMERGENCY POWERS.

2. Powers to make rules.—(1) The Central Government may, by notification in the official Gazette, make such rules as appear to it to be necessary or expedient for securing the defence of British India, the public

safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies and services essential to the life of the community.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the rules may provide for, or may empower any authority to make orders providing for, all or any of the following matters, namely:—

- (ix) ensuring the safety of ports, dockyards, lighthouses, lightships, aerodromes, railways, telegraphs, post offices, signalling apparatus and all other means of communication, sources of water-supply, works for the supply of water, gas or electricity and any other place or thing the protection of which is necessary for the defence of British India;
- (x) the apprehension and detention in custody of any person reasonably suspected of being of hostile origin or of having acted, acting or being about to act, in a manner prejudicial to the public safety or interest or to the defence of British India, the prohibition of such person from entering or residing or remaining in any area, and the compelling of such person to reside and remain in any area, or to do, or abstain from doing, anything;
- (xi) restricting the charter of foreign vessels;
- (xii) regulating the structure and equipment of vessels used or likely to be used by the Central Government, for the purpose of ensuring the safety thereof and of persons therein;
- (xiii) regulating work in dockyards and shipyards in respect of the construction and repairs of vessels;
- (xiv) prohibiting or regulating the sailings of vessels from ports, traffic at aerodromes and the movement of aircraft, and traffic on railways, tramways and roads, and reserving, and requiring to be adapted, for the use of the Central Government, all or any accommodation in vessels, aircraft, railways, tramways or road vehicles or the carriage of persons, animals or goods;
- (xv) impressment of vessels, aircraft, vehicles and animals for transport;
- (xvi) prohibiting or regulating the use of postal, telegraph or telephonic services, including the taking possession of such services and the delaying, seizing, intercepting or interrupting of postal articles or telegraphic or telephonic messages;
- (xvii) regulating the delivery otherwise than by postal or telegraphic service of postal articles and telegrams;
- (xviii) the control of any trade or industry for the purpose of regulating or increasing the supply of, and the obtaining of information with regard to, anything which can be used in connection with the conduct of war;
- (xix) ensuring the ownership and control of mines by British subjects;
- (xx) controlling the use or disposal of, or dealings in, coin, bullion, securities or foreign exchange;

- (xxiv) the requisitioning of any property, moveable or immoveable, including the taking possession thereof and the issue of any orders in respect thereof;
- (xxv) prohibiting or regulating the possession, use or disposal of—
- (a) explosives, inflammable substances, arms and ammunitions of war,
 - (b) vessels,
 - (c) wireless telegraphic apparatus,
 - (d) aircraft, and
 - (e) photographic and signalling apparatus and any means of recording information;
- (xxxvi) applying the provisions of the Sea Customs Act, 1878 (VIII of 1878), and in particular section 19 thereof, to the prohibition or restriction of the import or export of goods to a particular person or a particular class of persons;

DEFENCE OF INDIA RULES.

EXTRACTS FROM THE DEFENCE OF INDIA RULES.

PART XI.

SHIPPING AND AIRCRAFT.

60. General control of navigation.—(1) The Provincial Government as respects inland waters, and the Central Government as respects waters other than inland waters, may by order make provision for regulating the places in or to which vessels may be or go, and the movements, navigation, pilotage, anchorage, mooring, berthing and lighting of vessels, in such waters.

(2) If in the case of any vessel any order made under sub-rule (1) is contravened, the master of the vessel shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

61. Control of buoys, lights, etc.—(1) No person shall, except under permission granted by the Central Government, discontinue, alter or remove, or make any variation in the mode of exhibiting or operating, any light, buoy, beacon or other apparatus used for the purpose of aiding the navigation of shipping or aircraft.

(2) The Central Government may make orders for prohibiting or restricting the exhibition or operation of, or requiring the removal, alteration or concealment of, or the making of any variation in the mode of exhibiting or operating, any such light, buoy, beacon or other apparatus as aforesaid.

(3) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to five years, and shall also be liable to fine.

62. Measures for safety of Indian vessels.—(1) The Central Government may by order make provision—

- (a) for securing that any vessel registered in British India shall not, except under permission granted by the Central Government, proceed to sea from any port (whether within or outside British India) unless such requirements in respect of the alteration of the structure or external appearance of the vessel and in respect of the equipping of the vessel with any particular apparatus, contrivance, appliance or defensive equipment, as may be contained in the order have been complied with;
- (b) for securing the proper maintenance and efficient use of any apparatus, contrivance, appliance or defensive equipment with which any such vessel is equipped in pursuance of the order;
- (c) for any incidental or supplementary matters for which it appears to the Central Government to be necessary for the purposes of the order to provide.

(2) An order under sub-rule (1) may be made so as to apply either to a particular vessel or to vessels of a particular class, and so as to apply to any such vessel or vessels either wherever it or they may be or while in such waters, or engaged on such voyages, as may be specified.

(3) If any vessel proceeds or attempts to proceed to sea in contravention of an order made under this rule, the master of the vessel and the owner or other person having the management thereof shall each be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

63. Employment in Indian vessels.—(1) The Central Government may, as respects any class of vessels registered in British India, by order make provision—

- (a) for securing that, subject to any exemptions for which provision may be made by the order, any such class of persons as may be specified in the order shall not be employed on board vessels to which the order applies;
- (b) for prohibiting the employment of any persons or class of persons on board such vessels unless they are holders of certificates of identity issued in such form and manner as may be specified and for determining the circumstances in which certificates of identity may be granted and revoked.

(2) An order under sub-rule (1) may be made so as to restrict the employment of persons either in any capacity or in such capacity as may be specified and so as to restrict the employment of persons on such vessels as aforesaid either wherever they may be or while in such waters, or engaged in such trades or on such voyages, as may be specified.

(3) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

64. Employment abroad of Agents for Indian vessels.—(1) The Central Government, with a view to preventing the employment abroad, in connexion with the management of vessels registered in British India, of

enemy aliens or persons connected with the enemy, may by order direct that, as from such date as may be specified, the owner, manager or charterer of any vessel registered in British India, being a person resident in British India, or a corporation incorporated under the law of British India, shall not employ in any foreign country or territory, in connexion with the management of the vessel, any person other than a person approved for the purpose by the Central Government; and an order under this rule may be made so as to apply either generally to employment in all foreign countries or territories or to employment in such foreign countries or territories, or such class of foreign countries or territories, as may be specified in the order.

(2) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

65. Control of trade by sea.—(1) Without prejudice to any order made under sub-rule (1) of rule 61, the Central Government, with a view to securing that vessels registered in British India are used in such manner only as the Central Government considers expedient in the interests of the defence of British India and the efficient prosecution of the war, or for the maintenance of supplies and services essential to the life of the community, may by order provide that any such vessel registered in British India as may be specified in the order shall not proceed to sea from any port (whether within or outside British India) except under the authority of a licence granted by such authority or person as may be specified in the order; and any such order may contain provisions whereby a licence under the order may be granted subject to such limitations and conditions as the authority or person granting the licence thinks fit to impose with respect to—

- (a) the trades in which the vessel may be engaged and the voyages which may be undertaken by the vessel;
- (b) the class of cargoes or passengers which may be carried in the vessel;
- (c) the hiring of the vessel and the terms upon which cargoes or passengers may be carried in the vessel;

and may also contain provisions for requiring any vessel in respect of which such a licence is in force to comply with any directions given on behalf of the Central Government as to the ports to which and the routes by which the vessel is to proceed for any particular purposes.

(2) Any provisions of an order made under sub-rule (1) may be framed so as to apply to any such vessels either wherever they may be or while in such waters, or engaged in such trades or on such voyages, as may be specified.

(3) Without prejudice to any of the provisions of sub-rules (1) and (2), the Central Government, with a view to regulating the use of vessels in the coasting trade, may by order provide that no vessel shall proceed to sea from any port in British India on a voyage to any other such port

except under the authority of a licence granted by such authority or person as may be specified in the order.

(4) Without prejudice to any order made under sub-rule (1) of rule 60 or to any other provision of these Rules, the Central Government may make such orders with respect to any particular vessel—

(a) for securing that goods or passengers shall not be put off or taken on board the vessel in British India elsewhere than at a prescribed port,

(b) for determining the class of goods or passengers that may be put off or taken on board the vessel at a port in British India,

as the Central Government considers necessary or expedient in the interests of the defence of British India and the efficient prosecution of the war, or for maintaining supplies and services essential to the life of the community.

(5) If any vessel proceeds or attempts to proceed to sea in contravention of an order made under this rule, or if otherwise there is any contravention of such an order in the case of a vessel, the master of the vessel and the owner or other person having the management thereof shall each be deemed to have contravened such order and shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

66. Requisitioning of vessels.—(1) The Central Government may by order in writing requisition any vessel registered in British India or anything on board such vessel wherever such vessel may be; and may make such further orders as appear to the Central Government to be necessary or expedient in connexion with the requisitioning.

(2) Where the Central Government has requisitioned any vessel under sub-rule (1), the Central Government may use or deal with the vessel for such purpose and in such manner as may appear to it to be expedient, and may hold, or sell, or otherwise dispose of the vessel as though the Central Government were the owner thereof.

(3) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

67. Power to restrict the transfer of vessels.—(1) No person shall transfer or acquire any interest in any vessel registered in British India without the previous consent in writing of the Central Government.

(2) Notwithstanding anything contained in Section 53 of the Merchant Shipping Act, 1894 (57 & 58 Vict., c. 60), an application made (whether before or after the commencement of the Ordinance) for the transfer of the registry of a ship registered in British India from one port to another, shall not be granted except with the approval of the Central Government.

(3) If any person contravenes any of the provisions of sub-rule (1), he shall be punishable with imprisonment for a term which may extend to seven years and shall also be liable to fine.

63. Power to take up accommodation in certain vessels.— (1) The Central Government may by order in writing require the owner, or the person having the management, or the master, of any vessel registered in British India—

- (a) to place at the disposal of Government the whole or any part of the space or accommodation available on such vessel, and to employ such space or accommodation for the carriage of any persons, animals or things to any place specified in the order, and
- (b) to undertake or permit to be undertaken such structural additions or alterations on board such vessel as may be necessary to fit it for the safe carriage of any persons, animals or things.

(2) Whenever in pursuance of clause (a) of sub-rule (1) any space or accommodation in any vessel is placed at the disposal of the Central Government, the owner of such vessel shall be paid therefor at such rates as the Central Government may by order made in this behalf determine.

(3) Whenever in pursuance of clause (b) of sub-rule (1) the Central Government requires any structural additions or alterations to be undertaken on board any vessel, the owner of such vessel shall be paid the actual cost of such additions or alterations.

(4) Where, in respect of any vessel, there subsists between a British subject resident in India or a corporation incorporated under the law of British India and any other person a charter-party or other contract under which the first-mentioned person is entitled to possession of it, or has the right to have any articles carried in it or to use any space or accommodation in it, the Central Government may serve on the first-mentioned person, in any manner appearing to the Central Government to be convenient, a notice stating that on such date as may be specified in the notice his rights and liabilities under the contract will be transferred to the Central Government; and in that event the contract shall, as regards any rights exercisable, or liabilities incurred on or after the said date, have effect, subject to the provisions of sub-rule (1), as if the Central Government were a party to the contract instead of the person on whom the notice was served, and as if for any reference in the contract to that person there were substituted a reference to the Central Government.

(5) The Central Government may at any time cancel a notice served under the provisions of sub-rule (4) in respect of a contract, and thereupon the provisions of the said sub-rule shall, unless and until a further notice is served thereunder in respect of that contract, cease to operate in relation to the contract as regards any rights exercisable, or liabilities incurred, on or after the date on which the cancellation takes effect.

(6) If any order made under sub-rule (1) is contravened, the master of the vessel and the owner or other person having the management thereof shall each be deemed to have contravened such order and shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

69. Stopping of vessels.—(1) Any person authorised in this behalf by the Central Government may, if it appears to that person to be necessary in the interests of the defence of British India so to do, order, with respect to any particular vessel at a port or place in British India, that the vessel shall not leave the port or place until permitted to do so by such authority or person as may be prescribed in the order.

(2) Subject to the provisions of sub-rule (3), if any vessel leaves or attempts to leave any port or place in contravention of any such order as aforesaid, the master of the vessel shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

(3) Any order made under the provisions of this rule shall cease to have effect ninety-six hours after the time at which it is made, unless in the meantime it has been confirmed by the Central Government.

70. Power to restrict the transfer of aircraft.—(1) No person shall without the previous consent in writing of the Central Government transfer or acquire any interest in any aircraft, or in any part of an aircraft, which is registered under the Indian Aircraft Act, 1934 (XXII of 1934), or which, having been previously registered under the said Act, is not for the time being registered either in India or elsewhere.

(2) If any person contravenes any of the provisions of sub-rule (1), he shall be punishable with imprisonment for a term which may extend to seven years and shall also be liable to fine.

71. Enforcement of provisions of the Indian Aircraft Act and Rules.—The pilot of any aircraft flying in contravention of any provision of, or of any rule made under, the Indian Aircraft Act, 1934 (XXII of 1934), shall, on being warned in the manner prescribed by the rules made under that Act, immediately land, and if such pilot fails to comply with such warning as aforesaid, any commissioned officer of His Majesty's forces may take or cause to be taken such action as may be necessary to terminate the flight.

72. Requisitioning of aircraft.—(1) The Central Government, subject to the provisions of sub-rule (2), may by order in writing requisition—

- (a) any aircraft in British India and anything on board or forming part of any aircraft in British India;
- (b) any aircraft registered under the Indian Aircraft Act, 1934 (XXII of 1934), or anything on board or forming part of such an aircraft wherever such aircraft may be;
- (c) any machinery, plant, material or thing used for the operation, manufacture, repair or maintenance of aircraft;

and may give such further orders as appear to the Central Government to be necessary or expedient in connection with the requisitioning.

(2) Nothing in sub-rule (1) shall authorise the requisitioning of any aircraft registered in the United Kingdom, or any Dominion within the meaning of the Statute of Westminster, 1931, or of anything on board or forming part of such aircraft.

(3) Where the Central Government has requisitioned any aircraft under sub-rule (1), the Central Government may use or deal with the aircraft for such purpose and in such manner as may appear to it to be expedient, and may hold, or sell, or otherwise dispose of the aircraft as though the Central Government were the owner thereof.

(4) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

73. Power to take up accommodation in aircraft.—(1) The Central Government may, by order in writing, require the owner or the person having the management or the pilot of any aircraft registered under the Indian Aircraft Act, 1934 (XXII of 1934)—

(a) to place at the disposal of Government the whole or any part of the space or accommodation available in or on such aircraft and to employ such space or accommodation for the carriage of any persons, animals or things to any place specified in the order; and

(b) to undertake or permit to be undertaken such structural additions or alterations to such an aircraft as may be necessary to fit it for the safe carriage of any persons, animals or things.

(2) Whenever in pursuance of clause (a) of sub-rule (1) any space or accommodation in any aircraft is placed at the disposal of the Central Government, the owner of such aircraft shall be paid therefor at such rates as the Central Government may by order made in this behalf determine.

(3) Whenever in pursuance of clause (b) of sub-rule (1) the Central Government requires any structural additions or alterations to be undertaken on board any aircraft, the owner of such aircraft shall be paid the actual cost of such additions or alterations.

(4) Where in respect of any aircraft there subsists between a British subject resident in India or a corporation incorporated under the law of British India and any other person a contract under which the first-mentioned person is entitled to possession of it, or has the right to have any articles carried in it or to use any space or accommodation in it, the Central Government may serve on the first-mentioned person, in any manner appearing to the Central Government to be convenient, a notice stating that on such date as may be specified in the notice his rights and liabilities under the contract will be transferred to the Central Government; and in that event the contract shall, as regards any rights exercisable, or liabilities incurred on or after the said date, have effect, subject to the provisions of sub-rule (1), as if the Central Government were a party to the contract instead of the person on whom the notice was served, and as if for any reference in the contract to that person there were substituted a reference to the Central Government.

(5) The Central Government may at any time cancel a notice served under sub-rule (4) in respect of a contract, and thereupon the said sub-

rule shall, unless and until a further notice is served thereunder in respect of that contract, cease to operate in relation to the contract as regards any rights exercisable, or liabilities incurred, on or after the date on which the cancellation takes effect.

(6) If any order made under sub-rule (1) is contravened, the pilot of the aircraft and the owner or other person having the management thereof shall each be deemed to have contravened such order and shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

74. Stopping of aircraft.—(1) Any person authorised in this behalf by the Central Government may, if it appears to that person to be necessary in the interests of the defence of British India so to do, order, with respect to any particular aircraft at any place in British India, that the aircraft shall not leave the place until permitted to do so by such authority or person as may be prescribed in the order.

(2) Subject to the provisions of sub-rule (3), if any aircraft leaves or attempts to leave any place in contravention of any such order as aforesaid, the pilot of the aircraft shall be punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine.

(3) Any order made under this rule shall cease to have effect ninety-six hours after the time at which it is made, unless in the meantime it has been confirmed by the Central Government.

75. Control of navigation of seaplanes.—(1) The Central Government may, by order, make provision as to the places in British India in or to which seaplanes may be or go, and generally for regulating the movements, navigation, pilotage, anchorage, mooring, berthing and lighting of seaplanes on the surface of the water.

(2) For the purposes of this rule seaplanes taking off from, or alighting on, the water shall be deemed to be on the surface of the water while they are in contact therewith.

(3) If in the case of any seaplane an order made under the provisions of sub-rule (1) is contravened, the pilot of the seaplane shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

PART XII.

ESSENTIAL SUPPLIES AND WORK.

76. Powers relating to buildings and premises.—(1) The Central Government or the Provincial Government may by order in writing requisition any building, part of a building, or other premises, together with any fixtures, fittings, furniture or other things therein, and may make such further order as appear to that Government to be necessary or expedient in connection with the requisitioning:

Provided that no premises or things used for the purpose of religious worship shall be requisitioned under this rule.

(2) Where the Central Government or the Provincial Government has requisitioned any premises or thing under sub-rule (1), that Government may dispose of and use such premises or thing in such manner as it may consider necessary or expedient.

(3) If any person contravenes any order made in pursuance of this rule, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

77. Power to exempt buildings from the operation of building laws.—Nothing contained in any law for the time being in force, or in any rule made under any such law, to regulate the erection, re-erection, construction, alteration or maintenance of buildings, shall apply to any building the use of which by or on behalf of Government is certified by the Central Government to be necessary or expedient for the successful prosecution of the war and the defence of British India.

78. Power to do work on land.—(1) For the purposes of this rule, the doing of work on land shall include the demolition or rendering useless of anything placed in, on or over the land, the removal from the land of anything so demolished or rendered useless and the maintenance of any work or thing in, on or over the land.

(2) Any member of His Majesty's forces acting in the course of his duty as such, and any other person authorised by the Central Government in that behalf, may, if in the opinion of such member or person it is necessary or expedient so to do for securing the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies and services essential to the life of the community, do any work on any land, or place anything in, on or over any land.

(3) If in the opinion of the Central Government it is necessary or expedient so to do for securing the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies and services essential to the life of the community, the Central Government may by order provide for prohibiting or restricting the doing on any particular land of any such work as may be specified in the order.

(4) No person shall, except with permission granted by or on behalf of the Central Government, remove, alter or tamper with any work done, or thing placed, in, on or over any land in pursuance of this rule.

(5) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to six months, and shall also be liable to fine.

79. Requisitioning of land.—(1) If in the opinion of the Central Government it is necessary or expedient so to do for securing the defence of British India, the public safety, the maintenance of public order or the efficient prosecution of war, or for maintaining supplies and services essential to the life of the community, the Central Government may by order in writing requisition any land and may make such further orders as appear to the Central Government to be necessary or expedient in connection with the requisitioning:

Provided that no land used for religious purposes shall be requisitioned under this rule.

(2) Where any land has been requisitioned by the Central Government under sub-rule (1), the Central Government may dispose of and use such land in such manner as it thinks fit.

(3) The owner or occupier of any land shall, if ordered by the Central Government so to do, furnish such information in his possession relating to the land (being information which may reasonably be demanded of him in connection with the execution of this rule) as may be specified in the order.

(4) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to two years, and shall also be liable to fine.

30. Use of land for purposes of His Majesty's forces.—(1) Without prejudice to any other of these Rules, the Central Government may by order authorise, subject to any restrictions or conditions imposed by the order, the use of any specified land for naval, military or air force purposes, during such period as may be specified; and any such order may, so far as appears to the Central Government to be necessary or expedient for the purposes of the order, provide—

- (a) for entitling person using any land in pursuance of the order to do such acts in relation to that land as may be specified;
- (b) for prohibiting or restricting the exercise of rights of way over that land, and of other rights relating thereto which are enjoyed by any person, whether by virtue of an interest in land or otherwise.

(2) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to six months, and shall also be liable to fine.

31. General control of industry, etc.—(1) In this rule the expression "undertaking" means any undertaking by way of any trade or business.

(2) The Central Government, so far as appears to it to be necessary or expedient for securing the defence of British India or the efficient prosecution of the war, or for maintaining supplies and services essential to the life of the community, may by order provide—

- (a) for regulating or prohibiting the production, treatment, keeping, storage, movement, transport, distribution, disposal, acquisition, use or consumption of articles or things of any description whatsoever;
- (b) for controlling the prices at which articles or things of any description whatsoever may be sold;
- (bb) inserted by Notification B. 52 of the 28th September 1939*
- (c) for regulating the carrying on of any undertaking engaged in work appearing to the Central Government essential to any of the abovementioned purposes, and, in particular, for securing the prior fulfilment of contracts entered into with Government, and for controlling the charges which may be made by the undertakers in respect of the doing of any

* For clause (bb) see Serial Number 63.

work by them and for regulating or prohibiting the engagement in the undertaking of any workman or any class or classes of workmen;

- (d) for requiring persons carrying on any undertaking to keep such books, accounts and records relating to the undertaking as may be specified in the order;
- (e) for requiring persons carrying on, or employed in connexion with, any undertaking to produce to such authority as may be specified in the order any books, accounts or other documents relating to the undertaking; and for requiring such persons to furnish to such authority as may be specified in the order, such estimates, returns or other information relating to the undertaking as may be specified in the order or demanded thereunder;
- (f) for any incidental and supplementary matters for which the Central Government thinks it expedient for the purposes of the order to provide, including, in particular, the entering and inspection of premises to which the order relates with a view to securing compliance with the order;

and an order under this rule may prohibit the doing of anything regulated by the order except under, and in accordance with the conditions of, a licence granted by such authority as may be specified in the order, and may be made so as to apply either to persons or undertakings generally or to any particular person or undertaking or class of persons or undertakings, and either to the whole or to any part of any undertaking, and so as to have effect either generally or in any particular area.

(3) The Central Government, if it appears to it to be necessary so to do in the interests of the defence of British India or the efficient prosecution of the war, or for maintaining supplies and services essential to the life of the community, may carry on the whole or any part of any existing undertaking, or authorise a person to carry on the whole or any part of the undertaking, in accordance with any instructions of the Central Government; and while by virtue of this sub-rule the Central Government or a person so authorised is carrying on the whole or any part of an undertaking,—

- (a) the said Government or person shall be deemed to be acting as the agent of the persons ordinarily carrying on the undertaking, except that such persons shall not have any right to control the carrying on of the undertaking or part of the undertaking; and
- (b) such persons shall not be bound, or, as the case may be, shall not in respect of such matters as may be specified by order of the Central Government, be bound, by any obligation or limitation imposed on them by or by virtue of any Act or other instrument determining their functions.

(4) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

82. Restriction on transfer of mines.—(1) No owner of a mine shall, without the previous sanction of the Central Government, transfer the mine or any interest therein to any person other than a British subject, or to a foreign-controlled company.

(2) If—

- (a) any person to whom a transfer of any mine has been made in contravention of this rule; or
- (b) any agent entrusted with the charge, control or management of a mine by or on behalf of any person to whom a transfer of a mine has been made in contravention of this rule, and having reason to believe that this rule has been so contravened,

works such mine or removes any produce or output thereof, he shall be deemed to have contravened this rule.

(3) In this rule—

- (a) "British subject" means a person who is a natural-born British subject within the meaning of the British Nationality and Status of Aliens Act, 1914, (4 and 5 Geo. V, c. 17) and includes a subject of an Indian State;
- (b) "foreign-controlled company" includes any company, firm or association or body of individuals whether incorporated or not—
 - (i) which is not established in and subject to the laws of some part of His Majesty's dominions or of some British Protectorate, and has not its principal place of business therein; or
 - (ii) in which the majority of the directors or of the partners, or of the persons occupying the position of directors or partners, by whatever name called, are not British subjects; or
 - (iii) in which the majority of the voting powers or the predominant interest is in the hands of persons who are not British subjects or of persons who exercise their voting power or hold their interest directly or indirectly on behalf of persons who are not British subjects; or
 - (iv) of which the control is by any other means whatever in the hands of persons who are not British subjects; or
 - (v) of which the managing body is a company, or the majority of the managing body are appointed by a company, of the nature described in any of the above sub-clauses;
- (c) "mine" includes a quarry and any mineral deposit or land known or believed to contain a mineral deposit of commercial value;
- (d) "owner" includes a lessee, any person having a transferable interest and any agent of an owner or a lessee or of any person having such interest.

(4) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

83. Requisitioning of moveable property.—(1) Where, in the opinion of the Central Government, any product, article or thing can be used in connexion with the prosecution of the war, the Central Government may, by order in writing, requisition such product, article or thing, and may make such further orders as appear to the Central Government to be necessary or expedient in connection with the requisitioning.

(2) Whenever in pursuance of sub-rule (1) the Central Government requisitions any product, article or thing, the owner of such product, article or thing shall be paid such price therefor as the Central Government may determine.

(3) Where the Central Government has requisitioned any product, article or thing under sub-rule (1), the Central Government may dispose of and use such product, article or thing in such manner as seems to the Central Government necessary or expedient.

(4) If any person contravenes any order made in pursuance of this rule, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

84. Power to prohibit or restrict the import and export of goods.—
(1) In this rule—

(a) "import" means bringing into British India by sea, land or air;

(b) "export" means taking out of British India by sea, land or air.

(2) The Central Government may by notified order prohibit or restrict the import or export of all goods or goods of any specified description, from or to any specified person or class of persons.

(3) Where, by an order issued under sub-rule (2), the import or export of any goods is prohibited or restricted, such goods shall be deemed to be goods of which the import or export has been prohibited or restricted under section 19 of the Sea Customs Act, 1878, (VIII of 1878) and all the provisions of that Act shall have effect accordingly.

PART XIII.

TRANSPORT.

85. Control of lines of communication for defence purposes.—(1) The Central Government may, with a view to facilitating any operations of His Majesty's forces or the movement of persons or supplies in connexion with such operations, by general or special order—

(a) require any railway administration to give special facilities for the transport of such forces, persons or supplies as aforesaid;

(b) prohibit or restrict the use of any railway, port or aerodrome for such period as may be specified in the order.

(2) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

85-A. See Notification No. 2900-R/39 of the 27th November 1939. Serial No. 53.

86. Control of traffic at ports and aerodromes.—(1) * Without prejudice to any order made under sub-rule (1) of rule 60 or to the provisions of any other of these Rules, the Central Government may by order make provision—

- (a) for prohibiting, restricting or otherwise controlling the shipping or unshipping of persons, animals or goods or any specified class of persons, animals or goods at any port;
- (b) for prohibiting, restricting or otherwise controlling the embarking on or putting on board aircraft, or the disembarking or unloading from aircraft, of persons, animals or goods, or any specified class of persons, animals or goods, at any aerodrome;
- (c) generally for regulating, facilitating, or expediting any form of traffic at or in any port or aerodrome.

(2) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

87. Congestion of traffic at ports and aerodromes and on railways.—

(1) The appropriate authority may, for the purpose of preventing or avoiding any undue congestion at any port or aerodrome or on any railway premises, cause to be removed therefrom, and kept at such places as that authority thinks proper, any goods which are not removed with reasonable despatch by or on behalf of the consignee.

(2) The cost of the removal and custody of any goods under sub-rule (1) shall be recoverable from the consignee as an arrear of land revenue by the appropriate authority, which for the purposes of such recovery shall be deemed to be a public officer within the meaning of section 5 of the Revenue Recovery Act, 1890 (I of 1890).

(3) For the purposes of this rule, the expression "appropriate authority" means—

- (a) in respect of a port, the port authority of the port, or any person authorised by that authority in this behalf;
- (b) in respect of an aerodrome, the Director of Civil Aviation;
- (c) in respect of any railway premises, the officer authorised in this behalf by the railway administration concerned.

88. Handling and conveyance of ammunition, etc.—(1) The Central Government may by notification declare that nothing in any restriction imposed by or under any law for the time being in force shall apply—

- (a) loading, unloading, handling, storage or conveyance, in any port, airport or railway station, of ammunition, explosives or inflammable substances in the service of His Majesty or under instructions given on behalf of His Majesty, or
- (b) to the conveyance of ammunition, explosives or inflammable substances in any vessel, aircraft or railway train for purposes of defence.

(2) When a declaration has been made under sub-rule (1), the Central Government may by order make such provision as appears to it to be

*Also see notification No. 287-O.R./39 of the 25th November 1939, Serial No. 53.

required in the interests of safety for regulating the loading, unloading, handling, storage, and conveyance of ammunition, explosives and inflammable substances to which the declaration applies.

(3) In this rule the expression "port" includes an inland steamer station and ferry station.

89. Control of road transports.—(1) In this rule—

- (a) "vehicle" means any vehicle used, or capable of being used, for the purpose of road transport, whether propelled by mechanical power or otherwise, and whether used for drawing other vehicles or otherwise, and includes a tramcar and a trolley-vehicle;
- (b) "animal" means any animal used, or capable of being used, for the transport of persons or goods.

(2) Without prejudice to any other provision of these Rules, the Central Government or the Provincial Government may by order—

- (a) regulate, restrict or give directions with respect to, the use of any animal or vehicle for the purpose of road transport, or the sale or purchase of any animal or vehicle;
- (b) require any person owning, or having in his possession or under his control, any animal or vehicle to make to any person specified in this behalf a return giving such particulars as may be specified in the order with regard to such animal or vehicle and require such return to be verified in such manner as may be specified in the order;
- (c) require any person owning, or having in his possession or under his control, any animal or vehicle to give notice in such manner as may be specified in the order before disposing thereof or allowing it to pass out of his possession or control;
- (d) require any person owning, or having in his possession or under his control, any animal or vehicle to comply with any directions given by any person specified in, or duly authorised in pursuance of, the order; and such directions may require the person owning, or having in his possession or under his control, any animal or vehicle to use such animal or vehicle for the conveyance of such persons or goods at such time and by such routes as may be set forth in the directions;
- (e) prescribe the conditions subject to which, and the rates at which, any animal or vehicle may be hired for the purpose of road transport and persons or goods may be carried by road, and the conditions subject to which goods so carried or to be carried may be discharged or loaded;
- (f) provide for prohibiting or restricting the carriage of persons or goods of any class by road, and for prescribing the radius or distance within which persons or goods of any class may be carried by road;
- (g) provide for the giving of directions with respect to the carriage of persons or goods on any particular vehicle, or by any particular route, or to any particular clearing-house or depôt;

(h) provide for the regulation of the priority in which persons and goods are to be carried by road and vehicles are to be used for the purpose of road transport:

(i) make such other provisions in relation to road transport as appear to that Government to be necessary or expedient for the regulation of traffic on highways.

(3) If any person contravenes any order made in pursuance of this rule he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

PART XIV.

FINANCIAL PROVISIONS.

90. Prohibitions regarding coin and notes.—(1) In this rule, the expression "coin" means coin which is legal tender under the Indian Coinage Act, 1906 (III of 1906).

(2) No person shall—

(a) buy or sell, or offer to buy or sell, for an amount other than its face value, any coin or Reserve Bank of India note or currency note of the Government of India; or

(b) accept or offer to accept, in payment of a debt or otherwise, any such coin or note for an amount other than its face value.

(3) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

91.* Restriction on purchases of foreign exchange.—(1) For the purposes of this rule and of rule 92, the expression "foreign exchange" means—

(a) any currency other than currency which is legal tender in British India or Burma.

(b) any bill or promissory note, payable otherwise than in rupees, and

(c) any credit or balance otherwise than in rupees.

(2) No person resident in British India shall, acquire any foreign exchange, or transfer rupees, gold coin or bullion, or securities with a view, directly or indirectly, to the acquisition of any foreign exchange.

(3) No person shall buy or borrow from, or sell or lend to, any person not authorised by the Central Government in this behalf, any foreign exchange, gold coin or bullion.

(4) The provisions of this rule shall not restrict the doing of anything, within the scope of his authority, by a person authorised by or on behalf of the Central Government to deal in foreign exchange, and shall not restrict the doing of anything which is authorised by or on behalf of the Central Government to be necessary for the purposes—

(a) of meeting the reasonable requirements of a trade or business carried on in India, or

*For amendments to this rule, sub-rules (3) and (4), See Notification No. 123-S.R.B. of the 4th September 1939, Serial No. 13.

(b) of performing a contract made before the 3rd September 1939, or

(c) of defraying reasonable travelling or other personal expenses.

(5) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term, which may extend to five years, and shall also be liable to fine.

92. Acquisition by the Central Government of foreign exchange.—

(1) On the issue of a notification by the Central Government in this behalf, every person who owns any such foreign exchange as may be specified in that notification shall offer it, or cause it to be offered, for sale to the Reserve Bank of India on behalf of the Central Government at such price as the Central Government may from time to time fix:

Provided that—

(a) any person may be exempted from the operation of this rule by order of the Central Government, and

(b) any person, who satisfies the Reserve Bank of India that he requires the foreign exchange in question for any of the purposes specified in sub-rule (4) of rule 91 shall be exempt from the operation of this rule.

(2) If any person contravenes the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

93. Restriction on purchases and export of securities.—(1) For the purposes of this rule and rule 94—

(i) the expression "securities" includes shares, stock, bonds, debentures and debenture stock but does not include bills of exchange, and

(ii) the expression "export", in relation to securities, includes the transfer thereof from a register in India to a register outside India or Burma.

(2) No person shall, except with the permission of the Central Government or in the performance of a contract made before the 3rd September 1939 acquire any securities from a person not resident in India or Burma.

(3) No person shall, except with the permission of the Central Government, export securities to any place outside India or Burma.

(4) If any person contravenes the provisions of this rule, he shall be punishable with imprisonment for a term, which may extend to five years, and shall also be liable to fine.

94. Acquisition by the Central Government of foreign securities.—

(1) For the purposes of this rule—

(i) "foreign security" means a security issued in any country other than India or Burma;

(ii) "owner", in relation to any security, includes any person who has power to sell or transfer a security, or who has the custody thereof, or who receives, whether on his own behalf or on behalf of any other person, dividends or interest thereon, or who has any interest therein.

(2) The Central Government may, by notified order, direct the owners of any foreign securities specified in the notification to make a return to the Reserve Bank of India, within such period and giving such particulars as to those securities, as may be specified in the order.

(3) The Central Government may, if it is of the opinion that it is expedient so to do for the purpose of strengthening its financial position, by order transfer to itself any such foreign securities as aforesaid specified in the order at a price so specified being a price which, in the opinion of the Central Government, is not less than the market value of the securities on the date of the order.

(4) On the making of an order under sub-rule (3)—

(a) the securities to which the order relates shall forthwith vest in the Central Government free from any mortgage, pledge or charge, and the Central Government may deal with them in such manner as it thinks fit;

(b) the owner of any of the securities to which the order relates and any person who is responsible for keeping any registers or books in which any of those securities are registered or inscribed, or who is otherwise concerned with the registration or inscription of any of those securities, shall do all such things as are necessary, or as the Central Government or the Reserve Bank of India, on behalf of the Central Government, may order to be done, for the purpose of securing that the securities and any documents of title relating thereto are delivered to the Central Government and, in the case of registered and inscribed securities, that the securities are registered or inscribed in the name of the Central Government.

(5) A certificate signed by any person authorised in this behalf by the Central Government that any specified securities are securities transferred to the Central Government under this rule, shall be treated by all persons concerned as conclusive evidence that the securities have been so transferred.

(6) The provisions of this rule shall not apply to any security in respect of which the Central Government is satisfied that at all times since the 3rd September 1939, all persons interested in the security, other than persons interested therein merely as trustees or merely by virtue of any mortgage, pledge or charge, but including any persons beneficially interested therein under the trust, were not resident in British India.

(7) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

95. Banks to satisfy themselves that provisions are not contravened.—Before making any payment or transfer of funds at the request of any person, a bank shall require any declarations and information which may be reasonably necessary to satisfy it that the payment or transfer will not involve, and is not with a view to, the contravention of any of the provisions of these Rules by that or any other person.

96. Compensation.—(1) Whenever in pursuance of any of rules 49, 66, 72, 76, 78, 79, 80 and 81, any property is removed, destroyed, rendered useless, used or requisitioned by, or otherwise placed at the

disposal or under the control of, the Central Government or a Provincial Government, the owner of such property shall be paid such compensation for any loss he may have sustained as a result of such removal, destruction rendering useless, use, requisitioning, disposal or control, as may be fixed in accordance with the provisions of this rule.

(2) The Central Government or the Provincial Government, as the case may be, shall by general or special order specify the authority or person through which or whom any claim for compensation under the preceding sub-rules shall be submitted and the authority or person by which or whom any such claim shall be adjudged and awarded.

(3) The Central Government or the Provincial Government, as the case may be, may further by general or special order prescribe the conditions to which the authority or person responsible for adjudging or awarding claims for compensation shall have regard when determining the amount of compensation payable, and may give such supplementary orders as to the assessment and payment of compensation as may appear to it to be necessary or expedient.

PART XV.

CONTROL OF TRADING WITH ENEMY

97. Definition.—For the purposes of this Part the expression “enemy” means—

- (a) any State, or Sovereign of a State, at war with His Majesty, or
- (b) any individual resident in enemy territory, or
- (c) any body of persons constituted or incorporated in, or under the laws of, a State at war with His Majesty, or
- (d) any other person or body of persons declared by the Central Government to be an enemy, or
- (e) any body of persons (whether corporate or unincorporate) carrying on business in any place, if and so long as the body is controlled by a person who, under this rule, is an enemy.

98. Prohibition of trading with the enemy.—(1) For the purposes of this Part a person shall be deemed to have traded with the enemy if he has had any commercial, financial or other intercourse or dealings with, or for the benefit of, an enemy, and, in particular, but without prejudice to the generality of the foregoing provision, if he has—

- (i) supplied any goods to or for the benefit of an enemy, or obtained any goods from an enemy, or traded in, or carried, any goods consigned to or from an enemy or destined for or coming from enemy territory, or
- (ii) paid or transmitted any money, negotiable instrument or security for money, to or for the benefit of an enemy or to a place in enemy territory, or
- (iii) performed any obligation to, or discharged any obligation of, an enemy, whether the obligation was undertaken before or after the commencement of the Ordinance:

Provided that a person shall not be deemed to have traded with the enemy by reason only that he has—

- (a) done any thing under an authority given generally or specially by, or by any person authorised in that behalf by, the Central Government, or
- (b) received payment from an enemy of a sum of money due in respect of a transaction under which all obligations on the part of the person receiving payment had been performed before the commencement of the Ordinance.

(2) Any reference in this rule to an enemy shall be construed as including a reference to a person acting on behalf of an enemy.

(3) Any person who trades with the enemy shall be punishable with imprisonment for a term which may extend to seven years and shall also be liable to fine.

99. **Control of rights etc., in respect of trading with the enemy.**—No transaction which constitutes an offence of trading with the enemy shall, except to such extent as the Central Government may by general or special order regulate, be effective so as to confer any rights or remedies on the parties to such transaction or on any persons claiming under them.

100. **Appointment of controllers and inspectors.**—For the purpose of securing compliance with the provisions of this Part, the Central Government may appoint controllers and inspectors.

101. ***Supervision of suspected business.**—(1) If it appears to the Central Government expedient that any business should be subject to supervision in order to secure compliance with the provisions of this Part, the Central Government may authorise a controller or inspector to supervise such business, and may, by order, regulate all matters incidental to such supervision.

(2) If any person contravenes any order lawfully given by a controller or inspector that person shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

102. **Penalty for concealment, destruction, etc., of books or documents.**—If any person with intent to evade the provisions of this Part conceals, destroys, mutilates, or defaces any book or other document, that person shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

PART XVI.

CONTROL OF ENEMY FIRMS.

103. **Definition.**—In this Part—

(1) **"Enemy subject".**—"Enemy subject" means—

- (a) any individual who possesses the nationality of a state at war with His Majesty, or having possessed such nationality at any time has lost it without acquiring another nationality, or

* For amendments see Notification No. 239- O. R./39 of the 29th September 1939. Serial No. 25.

- (b) any body of persons constituted or incorporated in or under the laws of such State;
- (2) "*Enemy firm*".—"*Enemy firm*" means—
- (a) any enemy subject who is, or at any time subsequent to the 2nd September 1939, was carrying on any business in British India, or
- (b) any firm, whether constituted in British India or not, of which any member or officer is, or at any time subsequent to the 2nd September 1939, was an enemy subject, and which is, or at any time subsequent to the 2nd September 1939, was carrying on business in British India, or
- (c) any company, whether incorporated in British India or not, of which any officer is, or at any time subsequent to the 2nd September 1939, was an enemy subject, and which is, or at any time subsequent to the 2nd September 1939, was carrying on business in British India, or
- (d) any person or body of persons, whether incorporated, or not, who or which in the opinion of the Central Government is, or at any time subsequent to the 2nd September 1939, was carrying on business in British India—
- (i) under the control whether direct or indirect of any enemy subject, or
- (ii) wholly or mainly for the benefit of enemy subjects generally or any class of enemy subjects or any individual enemy subject;
- (3) "*Enemy currency*".—"*Enemy currency*" means any such notes or coins as circulate as currency in any enemy territory or any such other notes or coins as are for the time being declared by an order of the Central Government to be enemy currency;
- (4) "*Enemy property*".—"*Enemy property*" means any property for the time being belonging to or held or managed on behalf of an enemy subject or an enemy firm;
- (5) "*Securities*".—"*Securities*" includes shares, stock, bonds, debentures and debenture stock, but does not include bills of exchange.

104. Prohibition of trade with enemy firms.—(1) No person shall, directly or indirectly—

- (a) advance money to, or enter into any contract with, an enemy firm; or
- (b) pay any sum of money to, or for the benefit of, an enemy firm; or
- (c) give any security for the payment of any debt or any other sum of money for the benefit of an enemy firm; or
- (d) act on behalf of an enemy firm in drawing, accepting, paying, presenting for acceptance or payment, negotiating or otherwise dealing with, any negotiable instrument; or
- (e) accept, pay, or otherwise deal with, any negotiable instrument which is held by, or on behalf of, an enemy firm; or

- (f) enter into any new transaction, or complete any transaction already entered into, with an enemy firm in respect of any stocks, shares or other securities; or
- (g) make or enter into any new policy or contract of insurance (including re-insurance) or accept or give effect to any insurance of any risk arising under a policy or contract of insurance (including re-insurance) made or entered into with, or for the benefit of, an enemy firm; or
- (h) supply to, or for the use or benefit of, or obtain from, an enemy firm, any goods, wares or merchandise, or trade in or carry any goods, wares or merchandise destined for an enemy firm; or
- (i) purchase enemy currency; or
- (j) enter into any other commercial or financial obligations or contract with, or for the benefit of, an enemy firm.

(2) In any proceeding arising out of a contravention of clause (f) of sub-rule (1) it shall be a defence for the accused to prove that at the date of the contravention he had no reasonable ground for believing that the negotiable instrument was held by or on behalf of an enemy firm.

(3) Nothing in this rule shall be deemed to prohibit anything expressly permitted by or under the authority of His Majesty or the Central Government.

(4) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to seven years and shall also be liable to fine.

105. Power to appoint Controllers, etc. of Enemy Firms.—The Central Government may, either generally or for any particular area, appoint one or more Controller, Deputy Controllers and Inspectors, of Enemy Firms, for securing compliance with the provisions of this Part, and may, by general or special order, provide for the distribution and allocation of the work to be performed by them under these Rules.

106. Powers of Controllers, etc. of Enemy Firms.—If a Controller, Deputy Controller or Inspector, of Enemy Firms has reasonable cause to believe that an offence punishable under rule 104 has been, or is likely to be, committed, he may—

- (a) inspect or cause to be inspected any books or documents belonging to, or under the control of, any person,
- (b) order any person to give such information in his possession with respect to any business carried on by that or any other person as the Controller, Deputy Controller or Inspector, as the case may be, may demand,

and for the purposes aforesaid, may

- (i) enter on any premises used for the purposes of the business,
- (ii) summon any person, examine him on oath, reduce his answers to writing and require him to sign the writing,
- (iii) if any person so summoned fails to appear at the time appointed, cause him to be apprehended by a police officer and brought before him for examination.

107. Supervision of suspected business.—If it appears to the Central Government that it is expedient for securing compliance with the provisions of this Part that any business should be subject to supervision, the Central Government may by order in writing authorise any Controller, Deputy Controller, or Inspector, of Enemy Firms to supervise the business, and the Controller, Deputy Controller or Inspector shall thereupon have in relation to that business all the powers mentioned in rule 106 and such other powers as may from time to time be conferred on him by the Central Government.

108. Penalty for failure to comply with orders of Controller, etc.—If any person contravenes any order lawfully given by any Controller, Deputy Controller, or Inspector, of Enemy Firms, that person shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

109. Penalty for concealment, destruction, etc., of books or documents.—If any person with intent to evade the provisions of this Part conceals, destroys, mutilates or defaces any book or other document which a Controller, Deputy Controller, or Inspector, of Enemy Firms is empowered under rule 106 or rule 107 to inspect, that person shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

110. Contracts with enemy firms.—Where it appears to the Central Government that a contract entered into with an enemy firm, whether before or after the commencement of the Ordinance, is injurious to the public interest, or was entered into with a view to evade the provisions of this Part, the Central Government may by order cancel or determine such contract either unconditionally or upon such conditions as it thinks fit.

111. Transfer of property to or by enemy firms.—(1) Where it appears to the Central Government that a transfer of property moveable or immovable, made to, or by, an enemy firm, whether before or after the commencement of the Ordinance, is injurious to the public interest or was made with a view to evade the provisions of this Part, the Central Government may, by order, declare such transfer, and any subsequent transfer or sub-transfer of the same property or part thereof, to be void, either in whole or in part, or may impose such conditions on the transferee as it thinks fit.

(2) On the making of an order under sub-rule (1) declaring any transfer, subsequent transfer or sub-transfer of any property to be void, that property shall, with effect from the date of the order, be deemed to be re-vested in the original transferor.

112. Transfer and allotment of securities to or by enemy firms.—(1) If any securities are transferred by, or allotted or transferred to, an enemy firm, then, except with the sanction of the Central Government, the transferee or allottee shall not by virtue of the transfer or allotment have any rights or remedies in respect of the securities; and no body corporate by which the securities were issued, or are managed, shall take cognisance of, or otherwise act upon, any such transfer except under the written authority of the Central Government.

(2) No share warrants, stock certificates or bonds shall be issued, payable to bearer, in respect of securities registered or inscribed in the name of an enemy firm or of a person acting on behalf, or for the benefit, of an enemy firm.

(3) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

113. Transfer of negotiable Instruments and actionable Claims by enemy firms.—(1) No transfer of a negotiable instrument or an actionable claim by or on behalf of an enemy firm nor any subsequent transfer thereof shall, except with the sanction of the Central Government, be effective so as to confer any rights or remedies in respect of the negotiable instrument or, as the case may be, the actionable claim.

(2) If any person by payment or otherwise purports to discharge any liability from which he is relieved by sub-rule (1), knowing the facts by virtue of which he is so relieved, he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine:

Provided that in any proceedings in pursuance of this sub-rule it shall be a defence for the accused to prove that at the time when he purported to discharge the liability in question he had reasonable grounds for believing that the liability was enforceable against him by order of a competent court, not being a court in India or in a State at war with His Majesty, and would be enforced against him by such an order.

(3) Where a claim in respect of a negotiable instrument or an actionable claim is made against any person who has reasonable cause to believe that, if he satisfied the claim, he would thereby be committing an offence punishable under sub-rule (2), that person may pay into a competent civil court any sum which but for the provisions of sub-rule (1) would be due in respect of the claim and thereupon the payment shall for all purposes be a good discharge to that person.

113-A. Inserted by Notification No. 288-O.R./39 of the 25th November 1939*.

114. †Collection of debts of enemy firms and custody of property.—

(1) With a view to preventing the payment of moneys to an enemy firm, and preserving enemy property in contemplation of arrangements to be made at the conclusion of peace, the Central Government may appoint one or more custodians of enemy property, and may by order—

- (a) require the payment to the prescribed custodian of money which would but for these rules be payable to or for the benefit of an enemy firm or which would but for the provisions of rule 110 and rule 113 be payable to any other person;
- (b) vest, or provide for and regulate the vesting, in the prescribed custodian such enemy property as may be prescribed;
- (c) vest in the prescribed custodian the right to transfer such other enemy property as may be prescribed, being enemy property

*See Serial Number 39.

†For amendments of this Section see Notification No. 241-O.R./39 of the 3rd October 1939. Serial Number 27.

Also see No. 73 (8)-Tr. (W)/39 of the 25th Nov. 1939. Serial No. 40.

- which has not been, and is not required by the order to be, vested in the custodian;
- (d) confer and impose on the custodians and on any other person such rights, powers, duties and liabilities as may be prescribed as respects—
- (i) property which has been, or is required to be, vested in a custodian by or under the order,
 - (ii) property of which the right of transfer has been, or is required to be, so vested,
 - (iii) any other enemy property which has not been, and is not required to be, so vested,
 - (iv) money which has been, or is by the order required to be, paid to a custodian;
- (e) require the payment of the prescribed fees to the custodians in respect of such matters as may be prescribed and regulate the collection of and accounting for such fees;
- (f) require any person to furnish to the custodian such returns, accounts and other information and to produce such documents, as the custodian considers necessary for the discharge of his functions under the order;

and any such order may contain such incidental and supplementary provisions as appear to the Central Government to be necessary or expedient for the purposes of the order.

(2) Where any order with respect to any money or property is addressed to any person by a custodian and accompanied by a certificate of the custodian that the money or property is money or property to which an order under sub-rule (1) applies, the certificate shall be evidence of the facts stated therein, and if that person complies with the order of the custodian, he shall not be liable to any suit or other legal proceeding by reason only of such compliance.

(3) Where, in pursuance of an order made under sub-rule (1)—

- (a) any money is paid to a custodian, or
- (b) any property, or the right to transfer any property, is vested in a custodian, or
- (c) an order is given to any person by a custodian in relation to any property which appears to the custodian to be property to which the order under sub-rule (1) applies,

neither the payment, vesting nor order of the custodian, nor any proceedings in consequence thereof, shall be invalidated or affected by reason only that at a material time—

- (i) some person who was or might have been interested in the money or property, and who was an enemy firm, had died or had ceased to be an enemy firm, or
 - (ii) some person who was so interested, and who was believed by the custodian to be an enemy firm, was not an enemy firm.
- (4) If any person pays any debt or deals with any property to which any order under sub-rule (1) applies otherwise than in accordance with

the provisions of the order, he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine; and the payment or dealing shall be void.

(5) If any person without reasonable cause fails to produce or furnish in accordance with the requirements of an order under sub-rule (1) any document or information which he is required under the order to produce or furnish, he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

PART XVII.

MISCELLANEOUS PROVISIONS.

115. Derelict articles.—(1) If any person finds any article as to which he has reasonable cause to believe that it has been lost or abandoned, and that, prior to its loss or abandonment, it was used or intended to be used for the purposes of any armed force or was in the possession of a person who was serving with an armed force, the person so finding the article—

- (a) shall report the nature and situation thereof, or, if the article is a document, cause it to be delivered, to some member of His Majesty's forces on duty in the neighbourhood or to the officer in charge of a police station in the neighbourhood; or if the article is found outside British India, shall take such steps as are practicable to secure that the nature and situation thereof are reported, or, if the article is a document, that it is delivered as soon as may be, to some person in His Majesty's service, and
- (b) shall not, save as aforesaid, remove or tamper with the article except with the permission of the Central Government.

(2) The Central Government may by notified order direct that the obligations and restrictions imposed by sub-rule (1) shall not apply in relation to any such description of articles as may be specified therein or as may be specified by a prescribed authority or person.

(3) If any person contravenes any of the provisions of sub-rule (1), he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

116. Power to obtain information.—(1) Without prejudice to any special provisions contained in these Rules, the Central Government or the Provincial Government may by order require any person to furnish or produce to any specified authority or person any such information or article in his possession as may be specified in the order, being information or an article which that Government considers it necessary or expedient in the interests of the defence of British India, the efficient prosecution of the war or the public safety or interest to obtain or examine.

(2) If any person fails to furnish or produce any information or article in compliance with an order made under sub-rule (1), he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

117. False statements.—If any person—

- (i) when required by or under any of these Rules to make any statement or furnish any information, makes any statement or furnishes any information which he knows or has reasonable cause to believe to be false, or not true, in any material particular, or
- (ii) makes any such statement as aforesaid in any account, declaration, estimate, return or other document which he is required by or under any of these Rules to furnish,

he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

118. Prohibition against disclosing information.—(1) No person who obtains any information by virtue of these Rules shall, otherwise than in connection with the execution of the provisions of these Rules or of any order made in pursuance thereof, disclose that information to any other person except with permission granted by or on behalf of Government.

(2) If any person contravenes the provisions of sub-rule (1), he shall be punishable with imprisonment for a term which may extend to two years and shall also be liable to fine.

119. Publication, affixation and defacement of notices.—(1) Save as otherwise expressly provided in these Rules, every authority, officer or person who makes any order in pursuance of any of these Rules shall publish notice of such order in such manner as may, in the opinion of such authority, officer or person, be best adapted for informing persons whom the order concerns.

(2) Any police officer and any other person acting on behalf of Government may affix to, or cause to be displayed on, any premises, vehicle or vessel, any notice issued by lawful authority for any purpose connected with the administration of these Rules and may for the purpose of exercising the power conferred by this rule enter at any time upon any vehicle or land or board any vessel.

(3) If any person, without lawful authority, removes, alters, defaces, obliterates or in any way tampers with any notice affixed or displayed in pursuance of these Rules, he shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

120. Obstructing lawful authorities.—If any person voluntarily obstructs, or offers any resistance to, or impedes or otherwise interferes with,—

- (a) any member of His Majesty's forces acting in the course of his duty as such, or
- (b) any authority, officer or person exercising any powers, or performing any duties, conferred or imposed upon it or him by or in pursuance of these Rules, or otherwise discharging any lawful functions in connexion with the defence of British India and the efficient prosecution of the war, or
- (c) any person who is carrying out the orders of any such authority, officer or person as aforesaid or who is otherwise acting in accordance with his duty in pursuance of these Rules,

he shall be punishable with imprisonment for a term which may extend to two years and shall also be liable to fine.

PART XVIII.

SUPPLEMENTARY AND PROCEDURAL.

121. Attempts, etc., to contravene the Rules.—Any person who attempts to contravene, or abets, or attempts to abet, or does any act preparatory to, a contravention of, any of the provisions of these Rules shall be deemed to have contravened that provision.

122. Offences by corporations.—If the person contravening any of the provisions of these Rules, is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention.

123. Assisting offenders.—Any person who, knowing or having reasonable cause to believe that any other person has contravened any of the provisions of these Rules, gives that other person any assistance with intent thereby to prevent, hinder or otherwise interfere with his arrest, trial or punishment for the said contravention, shall be deemed to have abetted that contravention.

124. Power to issue search-warrants.—(1) If a District Magistrate, Sub-divisional Magistrate, Presidency Magistrate or Magistrate of the first class has reason to believe that a contravention of any of these Rules or an offence prejudicial to the efficient prosecution of war, to the defence of British India or to the public safety, has been, is being or is about to be committed in any place, he may by warrant authorise any police officer above the rank of constable—

(a) to enter and search the place in the manner specified in the warrant, and

(b) to seize anything found in or on such place which the police officer has reason to believe is being used or is intended to be used for the purposes of, or in connection with, any such contravention or offence as aforesaid; and

the provisions of the Code of Criminal Procedure, 1898 (V of 1898), shall, so far as they may be applicable, apply to any such search or seizure, as they apply to any search or seizure made under the authority of a warrant issued under section 98 of that Code.

(2) Any magistrate before whom anything seized under sub-rule (1) is conveyed shall forthwith report the fact of such seizure to the Provincial Government and, pending the receipt of its orders, may detain in custody anything so seized or take such other order for its safe custody as he may think proper.

(3) Anything seized under sub-rule (1) shall be disposed of in such manner as the Provincial Government may direct.

125. Powers to search vessels in tidal or territorial waters.—(1) Any officer of His Majesty's forces engaged in the defence of the coast or any person authorised in this behalf by such officer may stop and search any vessel found within tidal waters or the territorial waters adjacent to British India and seize anything in such vessel which he has reason to believe has been, is being, or is about to be, used for any purpose prejudicial to the defence of British India or to the efficient prosecution of war.

(2) Any officer or person who makes or causes to be made any seizure in pursuance of the provisions of sub-rule (1) shall forthwith report the fact of such seizure to the Central Government and, pending the receipt of the orders of the Central Government, may detain in custody anything so seized or take such other order for its safe custody as he may think proper.

(3) Anything seized in pursuance of the provisions of sub-rule (1) shall be disposed of in such manner as the Central Government may direct.

(4) Nothing in this rule shall apply to any visit, search, detention or capture made in the exercise of any right under international law, or affect any law relating to Prize or Prize Courts.

126. Further powers of search.—(1) The Central Government or the Provincial Government may by general or special order empower any person to—

- (a) stop and search any vessel found in inland waterways;
- (b) search any place, and seize anything, which he has reason to believe has been, is being or is about to be, used for any purpose prejudicial to the defence of British India—or to the public safety or interest.

(2) Any person empowered under sub-rule (1) shall forthwith report to the Provincial Government in detail any seizure made by him and, pending the receipt of its orders, may detain in custody anything so seized or take such other order for its safe custody as he may think proper.

(3) Anything seized by a person empowered under sub-rule (1) shall be disposed of in such manner as the Provincial Government may direct.

(4) A person empowered by the Central Government or the Provincial Government under sub-rule (1) may authorise any other person to exercise like powers to his own in the whole or any part of the area in respect of which that Government has empowered him.

127. Entry and inspection of land.—Any member of His Majesty's forces acting in the course of his duty as such, and any person authorised by the Central Government to act under this rule,—

- (a) may enter on any land for the purpose of exercising any of the powers conferred in relation to that land by any of these Rules;
- (b) may enter and inspect any land for the purpose of determining whether, and, if so, in what manner, any of those powers are to be exercised in relation to that land;
- (c) may, for any purpose connected with the defence of British India, the public safety, the efficient prosecution of war, or the maintenance of supplies and services essential to the life of the community, pass (with or without animals or vehicles) over any land.

128. General power to arrest without warrant.—Any police officer may arrest without warrant any person who is reasonably suspected of having committed, of committing or of being about to commit a contravention of any of rules 12, 27, 49, 52, 53, 57, 119 and 120.

129. Further powers of arrest and detention.—(1) Any police officer not below the rank of head constable, or any other officer of Government empowered in this behalf by general or special order of the Central Government, may arrest without warrant any person whom he reasonably suspects of having acted, of acting, or of being about to act.—

- (a) with intent to assist any State at war with His Majesty, or in a manner prejudicial to the public safety or to the efficient prosecution of war;
- (b) in any area in which the Provincial Government has, by notification, declared that this clause shall become operative, in a manner calculated to promote, or to assist the promotion of, rebellion against the authority of Government;
- (c) in any prohibited place, protected place, protected area or any such place or area as is referred to in clause (c) of sub-rule (1) of rule 9 in a manner prejudicial—
 - (i) to the safety of any such place or area or of any industry, machinery or building in any such place or area;
 - (ii) to the output or effective control of any such industry or machinery.

(2) Any officer who makes an arrest in pursuance of sub-rule (1) shall forthwith report the fact of such arrest to the Provincial Government, and, pending the receipt of the orders of the Provincial Government, may, subject to the provisions of sub-rule (3), by order in writing, commit any person so arrested to such custody as the Provincial Government may by general or special order specify:

Provided—

- (i) that no person shall be detained in custody under this sub-rule for a period exceeding fifteen days without the order of the Provincial Government; and
- (ii) that no person shall be detained in custody under this sub-rule for a period exceeding two months.

(3) If any person arrested under clause (c) of sub-rule (1) is prepared to furnish security, the officer who has arrested him may, instead of committing him to custody, release him on his executing a bond with or without sureties that he will not, pending the receipt of the orders of the Provincial Government, enter, reside or remain in the areas in respect of which he became liable to arrest.

(4) On receipt of any report made under the provisions of sub-rule (2) the Provincial Government may, in addition to making such order, subject to the second proviso to sub-rule (2), as may appear to be necessary for the temporary custody of any person arrested under this rule, make, in exercise of any power conferred upon it by any law for the time being in force, such final order as to his detention, release, residence or any other matter concerning him as may appear to the said Government in the circumstances of the case to be reasonable or necessary.

(5) Subject to the condition that nothing in this sub-rule shall be deemed to extend the limits of detention prescribed in the first and second provisos to sub-rule (2), the Provincial Government may direct that any person arrested under clause (a) or clause (b) of sub-rule (1) shall be

removed to any other province of which the Provincial Government (hereinafter described as the second Government) has given its consent in this behalf, and thereupon such person shall be removed and the second Government shall take in respect of such person such action as may be lawful in like manner as if such person had been arrested within its province.

(6) When security has been taken in pursuance of the provisions of sub-rule (3), the bond shall be deemed to be a bond taken under the Code of Criminal Procedure, 1898 (V of 1898), by the Chief Presidency Magistrate or District Magistrate having jurisdiction in the area in respect of which the said security has been taken and the provisions of section 514 of the said Code shall apply accordingly.

130. Cognizance of contraventions of the Rules, etc.—(1) No Court or Tribunal shall take cognizance of any alleged contravention of these Rules, except on a report in writing of the facts constituting such contravention, made by a public servant.

(2) Proceedings in respect of a contravention of the provisions of these Rules alleged to have been committed by any person may be taken before the appropriate Court having jurisdiction in the place where that person is for the time being.

(3) Notwithstanding anything contained in Schedule II to the Code of Criminal Procedure, 1898 (V of 1898), a contravention of rule 35 shall be triable by a Court of Session, a Presidency Magistrate or a Magistrate of the first class.

131. Special sanction for certain prosecutions.—No proceedings for a contravention of clause (c) of sub-rule (1) of rule 38 in respect of a prejudicial report the publication of which is, or which is an incitement to the commission of, a prejudicial act of the nature described in clause (k) of sub-rule (6) of rule 34 shall be taken in respect of any document circulated by, or under the authority of, a candidate for election to a Chamber of the Central or of a Provincial Legislature, save with the written sanction of the Central Government or of the Provincial Government, as the case may be.

132. Power to give effect to rules, orders, etc.—(1) Any authority, officer or person who is empowered by or in pursuance of any of these Rules to make any order, or to exercise any other power may, in addition to any other action prescribed by or under these Rules, take, or cause to be taken, such steps and use, or cause to be used, such force as may, in the opinion of such authority, officer or person, be reasonably necessary for securing compliance with, or for preventing or rectifying any contravention of, such order, or for the effective exercise of such power.

(2) Where in respect of any of the provisions of these Rules there is no authority, officer or person empowered to take action under sub-rule (1), the Central or the Provincial Government may take, or cause to be taken, such steps and use, or cause to be used, such force as may in the opinion of that Government be reasonably necessary for securing compliance with, or preventing or rectifying any breach of, such provision.

(3) For the avoidance of doubt it is hereby declared that the power to take steps under sub-rule (1) or under sub-rule (2) includes the power to enter upon any land or other property whatsoever.

PART I
CUSTOMS, IMPORTS & EXPORTS.

Serial No. 1.

No. 51 of the 26th August 1939.

CUSTOMS, IMPORTS AND EXPORTS.

PROHIBITION OF EXPORT OF CERTAIN INSTRUMENTS AND CHEMICALS WITHOUT PERMISSION.

Notification No. 51 of the 26th of August, 1939, issued by the Government of India in the Finance Department (Central Revenues):—

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to prohibit the taking by sea out of British India, without the permission of the Customs Collector, to any destination outside India or Burma, of any articles mentioned in Part I of the Schedule to this notification and of any articles mentioned in Part II of the Schedule which are not of Indian produce or manufacture.

SCHEDULE.

PART I.

- (1) Arms, ammunition and explosives.
- (2) Optical instruments.
- (3) Surgical and veterinary instruments, apparatus and appliances (including electro-medical apparatus).
- (4) Unexposed photographic plates, films and papers (excluding cinema films).
- (5) Flax, raw.
- (6) Camphor.
- (7) Sulphur.
- (8) Bleaching powder and chlorine.
- (9) Mercury and its compounds.
- (10) Sulphuric Acid.
- (11) Sodium Carbonate (including soda ash).
- (12) Sodium bicarbonate.
- (13) Caustic Soda.
- (14) Potassium Carbonate.
- (15) Caustic Potash.
- (16) Tetra-ethyl Lead.

PART II.

- (1) Canned and bottled provisions.
- (2) Drugs, medicines and sera.
- (3) Ammonia and ammonium compounds.

Serial No. 2.

No. 53 dated 4th Sept. 1939.

CUSTOMS, IMPORTS AND EXPORTS.

PROHIBITION ON BRINGING IN OR TAKING OUT OF GOLD BULLION, GOLD COINS, ETC.

Notification No. 53 of the 4th September 1939, issued by the Government of India in the Finance Department (Central Revenues):—

In exercise of the powers conferred by Section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to prohibit the bringing or taking, by sea or land into British India from any place other than Burma, or out of British India to any place other than Burma, gold coin, gold bullion or gold ingots, whether refined or unrefined, except on the authority of a licence granted in this behalf by the Reserve Bank of India.

Serial No. 3.

No. 55 dated 8th September 1939.

CUSTOMS, IMPORTS AND EXPORTS.

PROHIBITION OF EXPORTS OF CERTAIN ARTICLES TO ENEMY TERRITORY.

Notification No. 55 of the 8th September 1939, issued by the Government of India in the Finance Department (Central Revenues):—

In exercise of the powers conferred by sub-rule (2) of rule 84 of the Defence of India Rules, the Central Government is pleased to prohibit the taking out of British India by sea, land or air of any articles specified in the Schedule hereto annexed, which are consigned or destined, whether directly or indirectly, for any person in enemy territory as defined in clause (2) of rule 2 of the said Rules.

SCHEDULE.

(a) All kinds of arms, ammunition, explosives, chemicals or appliances suitable for use in chemical warfare, and machines for their manufacture or repair; component parts thereof; articles necessary or convenient for the production or use of such materials or ingredients.

(b) Fuel of all kinds; all contrivances for, or means of, transportation on land, in the water or air, and machines used in their manufacture or repair; component parts thereof; instruments, articles, or animals necessary or convenient for their use; materials or ingredients used in their manufacture; articles necessary or convenient for the production or use of such materials or ingredients.

(c) All means of communication, tools, implements, instruments equipment, maps, pictures, papers and other articles, machines, or documents necessary or convenient for carrying on hostile operations: articles necessary or convenient for their manufacture or use.

(d) Coin, bullion, currency, evidences of debt; also metal, materials, dies, plates, machinery, or other articles necessary or convenient for their manufacture.

(e) All kinds of food, food-stuffs, feed forage, and clothing, and articles and materials used in their production.

Serial No. 4.

No. 56 of the 8th September 1939.

CUSTOMS, IMPORTS AND EXPORTS.

PROHIBITION OF EXPORTS OF RAW WOOL.

Notification No. 56 of the 8th September 1939, issued by the Government of India in the Finance Department (Central Revenues):—

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to prohibit the taking by sea or by land out of British India, except under licence granted by the Customs-Collector, of wool, raw.

Serial No. 5.

No. 58 of the 11th September 1939.

CUSTOMS, IMPORTS AND EXPORTS.

PROHIBITION OF EXPORT OF CERTAIN ARTICLES BY SEA WITHOUT THE PERMISSION OF THE COLLECTOR OF CUSTOMS.

Notification No. 58 of the 11th September 1939, issued by the Government of India in the Finance Department (Central Revenues):—

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to prohibit the taking by sea out of British India, without the permission of the Customs Collector, to any destination outside India or Burma, of any articles mentioned in the Schedule hereto annexed.

SCHEDULE.

- Abrasives, manufactured, including grinding wheels.
- Acetate of Lime.
- Aeroplanes and parts thereof.
- Aluminium and manufactures thereof, alumina, aluminium alloys and manufactures.
- Aluminium oxide.
- Antimony.
- Bakelite powder.
- Steel boiler plates of acid quality
- Electrical wires and cables.
- Chemicals, photographic.
- Copper and copper ore.
- Copper wire, drawn.
- Crucibles, graphite.
- Dyes and dyeing substances.
- Electric insulating material.

Flax, twist and yarn, and all manufactures (including canvas, piece-goods and sewing thread).

Galvanised sheets (including corrugated sheets).

Glycerine.

Hemp and hemp manufactures.

Iridium, osmiridium, iridosmine and concentrates containing iridium.

Lead sheets, lead pipes and tubes.

Magnesium and magnesium alloys.

Molybdenum, ferro-molybdenum and molybdenum ores and compounds.

Motor vehicles and parts thereof.

Netting, mosquito.

Nickel, nickel ore and matte and nickel alloys in their various forms (including nickel oxide).

Packing, hydraulic.

Pumping machinery.

Iron or steel pipes and tubes and fittings thereof.

Iron and copper pyrites.

Platinum, crude and refined, platinum alloys and compounds.

Radium, radium ores and concentrates and radium compounds.

Tin.

Tinplates and tinned sheets.

Toluol and toluene.

Tungsten, ferro tungsten and tungsten ores,

Vanadium, ferro vanadium and vanadium ores.

Walnut timber.

Iron and steel wire, plain, barbed and stranded.

Wire rope.

Wireless transmission and receiving sets and parts thereof.

Zinc, and zinc manufactures, spelter and concentrates.

Serial No. 6.

No. 26-W.-(5)/39 of the 25th September 1939.

CUSTOMS, IMPORTS AND EXPORTS.

PROHIBITION OF EXPORT OF CERTAIN ARTICLES.

Notification No. 26-W. (5)/39 of the 25th September 1939, issued by the Government of India in the Department of Commerce* :—

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of the notifications of the Government of India in the Finance Department (Central Revenues), No. 51, dated the 26th August 1939, No. 56, dated the 8th September 1939, and No. 58, dated the 11th September 1939, the Central Government is pleased to prohibit the taking by sea or by land out of British

* This Notification is replaced by Notification No. 65-C. W.-(20)/39 of the 25th November 1939.

India to any place outside India or Burma of any goods of the description specified in the Schedule hereto annexed, except the following, namely:—

(a) any goods consigned to or destined for any country contiguous to the land frontier of India and intended for use or consumption therein;

(b) any goods of the description specified in Part E of the Schedule and consigned to or destined for any part of the British Empire including Mandated Territories;

(c) any goods of the description specified in Part C of the Schedule and covered by an export licence issued by the Central Government in the Department of Supply;

(d) any goods of the description specified in Part D or Part E of the Schedule and covered by an export licence issued by the Chief Customs-Officer or Collector of Land Customs;

(e) any goods constituting the stores or equipment of an outgoing vessel or conveyance, or the *bona fide* personal effects of the crew of, or of the passengers in, such vessel or conveyance;

(f) any goods transhipped at a port in British India after having been manifested for such transshipment at the time of despatch from a port outside British India;

(g) any goods of the description specified in Part B of the Schedule and being the produce or manufacture of India or Burma; and

(h) any goods exported under the special orders of the Central Government.

SCHEDULE.

PART A.

(No Licences).

- (1) Arms, ammunition and explosives.
- (2) Chemicals and chemical preparations, the following:—
 - (i) Acid, sulphuric,
 - (ii) Bleaching powder and chlorine,
 - (iii) Sodium bicarbonate,
 - (iv) Sodium carbonate (including soda ash),
 - (v) Caustic soda,
 - (vi) Potassium carbonate,
 - (vii) Caustic potash,
 - (viii) Sulphur,
 - (ix) Tetra-ethyl lead.
- (3) Camphor.
- (4) Instruments, apparatus and appliances, the following:—
 - (i) Optical,
 - (ii) Surgical and veterinary (including electromedical),
 - (iii) Photographic plates, films and papers, unexposed (excluding cinema films).

- (5) Quicksilver (mercury) and its compounds.
- (6) Flax, raw.

PART B.

(No Licences.)

- (1) Ammonia and ammonium compounds.
- (2) Drugs, medicines and sera.
- (3) Provisions, canned and bottled.

PART C.

(Licences issued by the Central Government in the Department of Supply.)

- (1) Chemicals and chemical preparations, the following:
 - (i) Aluminium oxide,
 - (ii) Calcium acetate (acetate of lime),
 - (iii) Glycerine,
 - (iv) Photographic chemicals, all sorts,
 - (v) Toluol, toluene.
- (2) Dyes and dyeing substances, including turmeric.
- (3) Graphite crucibles.
- (4) Instruments, apparatus and appliances, the following:—
 - (i) Electric wires and cables,
 - (ii) Electrical insulating material, all sorts,
 - (iii) Wireless transmission and receiving sets and parts thereof.
- (5) Machinery, pumping.
- (6) Metals and ores, the following:—
 - (i) Alumina; aluminium and aluminium alloys and manufactures thereof,
 - (ii) Antimony,
 - (iii) Copper ore; copper pyrites; copper, old and unwrought; copper wire, drawn (also see Notification No. 26-W. (5) of the 31st October 1939.)
 - (iii-A) See Notification No. 26-W. (5)/39 of the 31st October 1939.*
 - (iv) Iridium, osmiridium, iridosmine and concentrates containing iridium.
 - (v) Iron pyrites,
 - (vi) Iron or steel:—
 - (a) Sheets and plates, galvanised (corrugated and plain),
 - (b) Sheets and plates, tinned,
 - (c) Plates, boiler, of acid quality steel,
 - (d) Tubes, pipes and fittings, cast or wrought,
 - (e) Wire rope (black and galvanised),
 - (f) Wire, plain, barbed and stranded.

* See page 52.

- (vii) Lead sheets; lead pipes and tubes (Also see Notification No. 26-W. (5) of the 31st October 1939),
 - (viii) Magnesium and magnesium alloys.
 - (ix) Molybdenum; ferro-molybdenum; molybdenum ores and compounds,
 - (x) Nickel; nickel ore and matte; nickel alloys in their various forms (including nickel oxide),
 - (xi) Platinum, crude and refined; platinum alloys and compounds.
 - (xii) Radium; radium ores and concentrates; radium compounds,
 - (xiii) Tin, unwrought and wrought,
 - (xiv) Tungsten (wolfram); ferro-tungsten; tungsten ores,
 - (xv) Vanadium; ferro vanadium; vanadium ores,
 - (xv-A) See Notification No. 26-W. (5) of the 31st October 1939,
 - (xvi) Zinc or spelter, unwrought and wrought; zinc concentrates. (Also see Notification No. 26-W. (5) of the 31st October 1939.)
- (7) Textiles, the following:—
- (i) Cotton mosquito netting,
 - (ii) Flax manufactures,
 - (iii) Hemp, raw (See amending Notification No. 26-W. (5) of 16th October 1939),
 - (iv) Hemp, manufacturers (See amending Notification No. 26-W. (5) of 16th October 1939),
- (8) Vehicles, the following:—
- (i) Aircraft and parts of aircraft,
 - (ii) Motorcars; motor cycles; motor omnibuses, vans and lorries,
- (9) Wood and timber, walnut.
- (10) Miscellaneous:—
- (i) Abrasives, manufactured, including grinding wheels,
 - (ii) Bakelite and other synthetic moulding powders,
 - (iii) Packing, hydraulic.

PART D.

(Licences issued by the Chief Customs Officer or Collector of Land Customs.)

Wool, raw. (See amending Order No. 26-W. (5) of 16th October 1939.)

PART E.

(Licences issued by the Chief Customs Officer or Collector of Land Customs.)

- (1) Candles of all kinds.
- (2) Myrobalans; other tanning substances.
- (3) Hides and skins, raw, all sorts.
- (4) Hides and skins, tanned or dressed, all sorts.

- (5) Metals, the following:—
- (i) Chrome ore,
 - (ii) Ferro-alloys,
 - (iii) Iron ore; pig iron,
 - (iv) Iron or steel—
 - (a) Angles, bars, beams, channels, pillars, girders and bridge work,
 - (b) Hoops and strips,
 - (c) Old, for re-manufacture,
 - (d) Sheets and plates, not specified in Part C.
 - (v) Steel ingots, blooms, billets and slabs.
 - (vi) Manganese ore; manganese.
- (6) Mica.
- (7) Oils, vegetable, the following:—
- (i) Castor oil,
 - (ii) Coconut oil.
- (8) Oils, mineral, all sorts, (including crude oil, kerosene, fuel oils, lubricating oils, petrol, benzine and benzol).
- (9) Oilcakes, all sorts.
- (10) Paraffin wax.
- (11) Rubber, raw.
- (12) Seeds: oilseeds, non-essential, all sorts.
- (13) Tallow and stearine.
- (14) Textiles, the following:—
- (i) Cotton, raw and waste,
 - (ii) Cotton manufactures, all sorts not specified in Part C. (Also see amending Notification No. 26-W (5) of 16th October 1939.)
 - (iii) Jute, raw,
 - (iv) Jute, manufactures,
 - (iv-A) (See amending Notification No. 26-W. (5) of 16th October 1939).†
 - (v) Wool, manufactures.

Serial No. 7.

No. 26-W. (5)/39 of the 16th October, 1939.

CUSTOMS, IMPORTS AND EXPORTS.

NOTIFICATION AMENDING PREVIOUS NOTIFICATION REGARDING PROHIBITION OF EXPORTS OF CERTAIN ARTICLES.

Notification No. 26-W. (5)/39 of the 16th of October, 1939, issued by the Government of India in the Department of Commerce* :—

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to direct

* See earlier Notification No. 26-W. (5)/39 of 25th September 1939, Serial No. 6;

† See page 51.

that the following amendments shall be made in the notification of the Government of India in the Department of Commerce No. 26-W. (5)/39, dated the 25th September 1939, namely:—

In the Schedule to the said notification:—

(1) In Part C, under item (7) the entries "(iii) Hemp, raw" and "(iv) Hemp manufactures" shall be omitted.

(2) For the entry in Part D the following entries shall be substituted, namely:—

"(1) Wool, raw.

(2) Manila rope".

(3) In part E, under item (14)—

(a) After entry (ii), the following entries shall be inserted, namely;—

"(ii-A) Hemp, raw.

(ii-B) Hemp, manufactures, other than Manila rope".

(b) After entry (iv), the following entry shall be inserted, namely:—

(iv-A) Silk, raw: cocoons, waste products (including duppion) and handreeled.

Serial No. 8.

No. 62 of the 28th October 1939.

CUSTOMS, IMPORTS AND EXPORTS.

PROHIBITION OF IMPORT INTO BRITISH INDIA OF SILVER BULLION, SHEETS AND PLATES.

Notification No. 62 of the 28th October 1939, issued by the Government of India in the Finance Department (Central Revenues):—

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to prohibit the bringing by sea or land into British India from any place other than Burma, except on the authority of a licence granted in this behalf by the Reserve Bank of India, silver bullion and silver sheets and plates which have undergone no process of manufacture subsequent to rolling.

Serial No. 9.

No. 26-W. (5)/39 of 31st October 1939.

CUSTOMS, IMPORTS AND EXPORTS.

NOTIFICATION AMENDING PREVIOUS NOTIFICATION No. 26-W. (5)/39, DATED THE 25TH SEPTEMBER 1939.

Notification No. 26-W. (5)/39 of the 31st of October 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to direct that the following further amendments shall be made in the notification

of the Government of India in the Department of Commerce, No. 26-W. (5)/39, dated the 25th September 1939, namely:—

“In item (6) of Part C of the Schedule annexed to the said notification—

(a) in entry (iii), after the word “drawn”, the words “and copper scrap” shall be inserted;

(b) after entry (iii), the following entry shall be inserted, namely:—

“(iii-A) Gunmetal, gunmetal scrap and gunmetal borings”;

(c) in entry (vii), after the word “tubes”, the words “and lead scrap” shall be inserted;

(d) after entry (xv), the following entry shall be inserted, namely:—

“(xv-A) Whitemetal, whitemetal scrap, whitemetal scrap borings and whitemetal ashes and dross”; and

(e) in entry (xvi), after the word “concentrates”, the words “and zinc scrap” shall be inserted.”

Serial No. 10.

No. 65-C. W. (20)/39 of the 25th November 1939.

CUSTOMS, IMPORTS AND EXPORTS.

PROHIBITION OF EXPORT OF CERTAIN ARTICLES TO ANY PLACE OUTSIDE INDIA OR BURMA.

Notification No. 65-C. W.-(20)/39, dated the 25th November 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), and in supersession of the notification of the Government of India in the Department of Commerce No. 26-W. (5)/39, dated the 25th September 1939, the Central Government is pleased to prohibit the taking by sea or by land out of British India to any place outside India or Burma of any goods of the description specified in the Schedule hereto annexed, except the following, namely:—

- (a) any goods consigned to or destined for the French or Portuguese possessions in India and intended for use or consumption therein;
- (b) any goods consigned by land to any other country contiguous to the land frontier of India and intended for use or consumption therein;
- (c) any goods of the description specified in Part E of the Schedule and consigned to or destined for any part of the British Empire including Mandated Territories;
- (d) any goods of the description specified in Part C of the Schedule and covered by an export licence issued by the Central Government in the Department of Supply;
- (e) any goods of the description specified in Part B, D or E of the Schedule and covered by an export licence issued by or under the orders of the Chief Customs-Officer or Collector of Land Customs;

- (f) any goods constituting the stores or equipment of an outgoing vessel or conveyance, or the *bona fide* personal effects of the crew of, or of the passengers in, such vessel or conveyance;
- (g) any goods transhipped at a port in British India after having been manifested for such transhipment at the time of despatch from a port outside British India;
- (h) any goods exported under the orders of Military, Naval or Air Force Authorities for Military, Naval or Air Force requirements; and
- (i) any goods exported under the special orders of the Central Government.

SCHEDULE.

PART A.

(No Licences.)

- (1) Arms, ammunition and explosives (including fulminate of mercury).
- (2) Bleaching powder and chlorine.
- (3) Sodium and potassium bichromates.
- (4) Chrome Alum.
- (5) Tetra-ethyl lead.
- (6) Flax, raw.
- (7) Telescopes and Binoculars.
- (8) Surveying instruments and appliances.
- (9) Optical glass.

PART B.

(Licences issued by the Chief Customs-Officer or Collector of Land Customs.)

- (1) Chemicals and chemical preparations, the following:—
 - (i) Acid Acetic.
 - (ii) Acid, sulphuric.
 - (iii) Ammonia and ammonium compounds.
 - (iv) Caustic potash.
 - (v) Caustic soda.
 - (vi) Copper sulphate.
 - (vii) Potassium carbonate.
 - (viii) Potassium chlorate.
 - (ix) Sodium bicarbonate.
 - (x) Sodium carbonate, including soda ash.
 - (xi) Sulphur.
- (2) Drugs and medicines, including camphor.
- (3) Optical instruments (other than telescopes, binoculars and surveying instruments).

- (4) Photographic papers, plates and films (excluding those used in X-ray photography and excluding cinema films).
- (5) Provisions, canned and bottled.
- (6) Surgical and veterinary instruments.
- (7) Chemical manures.

PART C.

(Licences issued by the Central Government in the Department of Supply.)

- (1) Chemicals and chemical preparations, the following:—
 - (i) Acid Acetic.
 - (ii) Aluminium oxide.
 - (iii) Calcium acetate (acetate of lime).
 - (iv) Glycerine.
 - (v) Lead acetate.
 - (vi) Photographic chemicals, all sorts.
 - (vii) Sodium hydrosulphite.
 - (viii) Sodium nitrite.
 - (ix) Toluol (toluene).
- (2) Synthetic dyestuffs, including materials used in any dyeing process.
- (3) Graphite crucibles.
- (4) Instruments, apparatus and appliances, the following:—
 - (i) Electric wires and cables.
 - (ii) Electrical insulating materials, all sorts.
 - (iii) Wireless transmission and receiving sets and parts thereof
- (5) Machinery and machine tools of all descriptions, and parts thereof.
- (6) Metals and ores, the following:—
 - (i) Alumina; aluminium and aluminium alloys and manufactures thereof.
 - (ii) Antimony.
 - (iii) Copper ore; copper pyrites; copper, old and unwrought; copper wire, drawn and copper scrap.
 - (iv) Ferro-silicon; ferro-phosphorous; ferro-chrome; ferro-titanium.
 - (v) Gun metal, gun metal scrap and gun metal borings.
 - (vi) Iridium, osmiridium, iridosmine and concentrates containing iridium.
 - (vii) Iron pyrites.
 - (viii) Iron or steel:—
 - (a) Sheets and plates, galvanised (corrugated and plain).
 - (b) Sheets and plates, tinned.
 - (c) Plates, boiler, of acid quality steel.
 - (d) Tubes, pipes and fittings, cast or wrought.
 - (e) Wire rope (black and galvanised).
 - (f) Wire, plain, barbed and stranded.
 - (g) Wood Screws.
 - (h) Wire nails.
 - (i) High speed tool steel.

- (ix) Lead sheets, lead pipes and tubes and lead scrap.
 - (x) Magnesium and magnesium alloys.
 - (xi) Mercury (quicksilver) and its compounds.
 - (xii) Molybdenum; ferro-molybdenum; molybdenum ores and compounds.
 - (xiii) Nickel; nickel ore and matte, nickel alloys in their various forms (including nickel oxide).
 - (xiv) Phosphorous and phosphor alloys.
 - (xv) Platinum, crude and refined; platinum alloys and compounds.
 - (xvi) Radium; radium ores and concentrates; radium compounds.
 - (xvii) Tin, unwrought and wrought.
 - (xviii) Tungsten; ferro-tungsten.
 - (xix) Vanadium; ferro vanadium; vanadium ores.
 - (xx) White metal, white metal scrap, white metal scrap borings and white metal ash and dross.
 - (xxi) Zinc or spelter, unwrought and wrought, zinc concentrates and zinc scrap.
- (7) Photographic plates and films used in X-Ray photography.
 - (8) Textiles, the following:—
 - (i) Cotton mosquito netting.
 - (ii) Flax manufactures.
 - (9) Vehicles, the following:—
 - (i) Air-craft and parts of air-craft.
 - (ii) Motor cars, motor cycles and motor omnibuses, vans and lorries; and parts thereof.
 - (10) Wood and timber, Walnut.
 - (11) Miscellaneous—
 - (i) Abrasives, manufactured, including grinding wheels.
 - (ii) Bakelite and other synthetic moulding powders.
 - (iii) Packing, hydraulic.
 - (iv) Sera.

PART D.

(Licences issued by the Chief Customs-Officer or Collector of Land Customs.)

- (1) Manila rope.
- (2) Wool raw.

PART E.

(Licences issued by the Chief Customs-Officer or Collector of Land Customs.)

- (1) Candles of all kinds.
- (2) Myrobalans; other tanning substances.

- (3) Hides and skins; raw, all sorts.
- (4) Hides and skins, tanned or dressed, all sorts.
- (5) Metals and metallic ores, the following:—

- (i) Aluminium ore (Bauxite).
- (ii) Chrome ore.
- (iii) Iron ore.
- (iv) Manganese ore and manganese.
- (v) Tungsten ore (Wolfram).
- (vi) Monazite sand.
- (vii) Pig iron.
- (viii) Iron or steel:—
 - (a) All rolled steel sections.
 - (b) Hoops and strips.
 - (c) Rivets, bolts and nuts.
 - (d) Sheets and plates not specified in Part C.
 - (e) Scrap for re-manufacture.
 - (f) Steel ingots, blooms, billets and slabs.
 - (g) Castings.

(6) Mica.

(7) Oils, vegetable, the following:—

- (i) Castor oil.
- (ii) Coconut oil.

(8) Oils, mineral, all sorts (including crude oil, kerosene fuel oils, lubricating oils and greases, petrol, benzine and benzol).

- (9) Oilcakes, all sorts.
- (10) Paraffin wax.
- (11) Rubber, raw.
- (12) Rubber tyres and tubes.
- (13) Seeds, oilseeds, non-essential, all sorts.
- (14) Tallow and stearine.

(15) Textiles, the following:—

- (i) Cotton, raw and waste.
- (ii) Cotton manufactures, all sorts, not specified in Part C.
- (iii) Hemp, raw.
- (iv) Hemp manufactures other than manila rope.
- (v) Jute, raw.
- (vi) Jute, manufactures.
- (vii) Mesta-fibre.
- (viii) Silk, raw, cocoons, waste products (including Duppon) and handreeled.
- (ix) Wool manufactures.

Serial No. 10A.

No. 65-C. W. (20)/39 of the 28th November 1939.

CUSTOMS, IMPORTS AND EXPORTS.

NOTIFICATION TO AMEND CERTAIN ENTRIES IN PREVIOUS NOTIFICATION.

Notification No. 65-C. W. (20)/39 of the 28th November 1939, issued by the Government of India in the Department of Commerce amending previous Notification (Serial No. 10).

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to direct that the following amendment shall be made in the notification of the Government of India in the Department of Commerce No. 65-C. W. (20)/39, dated the 25th November 1939, namely:—

In item (5) of Part E of the Schedule annexed to the said notification, for the entry "(vi) Monazite sand", the following entry shall be substituted, namely:—

"(vi) Ilmenite, Moonazite and Zircon."

Serial No. 11.

No. 287-O. R./39 of the 25th November 1939.

CUSTOMS, IMPORTS AND EXPORTS.

THE BOMBAY PORT TRUST ACT.

Notification No. 287-O. R./39, dated the 25th November 1939, issued by the Government of India in the Defence Co-ordination Department.

In exercise of the powers conferred by sub-rule (1) of Rule 88 of the Defence of India Rules, the Central Government is pleased to declare that nothing in bye-law 104 of the Bombay Port Trust Docks Bye-Laws made under section 73 of the Bombay Port Trust Act, 1879 (Bombay Act VI of 1879), shall apply to the loading, unloading, handling, storage or conveyance in the Port of Bombay, of ammunition, explosives or inflammable substances in the service of His Majesty or under instructions given on behalf of His Majesty.

PART II.
FINANCE.

Serial No. 12.

No. 18 of the 4th October 1939.

CONTROL OF EXCHANGE.

CREATION OF THE EXCHANGE CONTROL DEPARTMENT, OF THE RESERVE BANKS OF INDIA.

Notification No. 18, dated Bombay, the 4th October 1939, issued by the Central Office of the Reserve Bank of India.

No. 18.—The functions delegated to the Reserve Bank of India by the Central Government under Part XIV of the Defence of India Rules regarding the control of transactions in foreign exchange, the purchase and export of foreign securities, and by Government of India Notification No. Customs-53, dated the 4th September 1939, regarding the import and export of gold will be directed from a newly-organized department of the Bank to be known as the Exchange Control Department. This department will be under the direct supervision of the Governor, and full signing powers in connection with the functions delegated to the Reserve Bank as abovementioned will be exercised by the following officers, *vis.*—

Mr. H. D. Cayley, Deputy Controller;

Mr. M. M. Bhargava, Assistant Controller;

Mr. T. K. Ramasubramaniam, Assistant Controller.

The above is the central organization which will be situated in the Central Office of the Bank at Bombay.

In addition full signing powers will be exercised by Mr. R. M. Koppikar, who will sign as Assistant Controller (Bombay), and by the Managers of the Bank's offices at Calcutta, Madras, Delhi and Karachi who are appointed *ex-officio* Assistant Controllers.

Serial No. 13.

No. 123-S. R. B. of the 4th September 1939.

THE CONTROL OF FINANCES.

AMENDMENTS TO THE DEFENCE OF INDIA ORDINANCE.

Notification No. 123-S. R. B., dated the 4th September 1939, issued by the Government of India in the Finance Department.

In exercise of the powers conferred by section 2 of the Defence of India Ordinance, 1939, the Central Government is pleased to direct that the following amendments shall be made in the Defence of India Rules, namely:—

1. In rule 91 of the said Rules,—

(a) in sub-rule (3) for the words "Central Government" the words "Reserve Bank of India" shall be substituted;

(b) in sub-rule (4) for the words "by or on behalf of the Central Government," at both places where those words occur, the words "by the Reserve Bank of India" shall be substituted.

2. In rule 93 of the said Rules, for the words "Central Government," wherever they occur, the words "Reserve Bank of India" shall be substituted.

Serial No. 14.

No. W. B.-42 of the 4th September 1939.

FINANCE.

REMITTANCE OF FUNDS THROUGH POST OFFICES.

Notification No. W. B.-42, dated the 4th September 1939, issued by the Government of India in the Department of Communications.

No. W. B.-42.—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Post Office Rules, 1933, namely:—

In the said Rules—

(1) for sub-rules (1) and (2) of rule 146, the following sub-rules shall be substituted, namely:—

“(1) The amount for which a single foreign rupee money order may be issued, or the total amount for which a single remitter may obtain such money orders in one day, shall not exceed Rs. 600 or such smaller sum as may in the case of remittances to any particular country or countries be specially notified by the Director-General. In the event of foreign rupee money orders exceeding the prescribed limit in the aggregate being accepted by any post office or offices in British India from a single remitter in one day, only such money order or money orders as do not exceed that limit shall be advised to destination and the value of the remaining money order or money orders shall be repaid to the remitter who shall not, however, be granted a refund of the commission paid by him in respect of such money orders. No foreign rupee money order shall include any fraction of an anna.

(2) The amount for which a single foreign sterling money order may be issued shall be limited to £40 or such smaller sum as may in the case of remittances to any particular country or countries be specially notified by the Director-General. The total amount for which a single remitter may obtain such money orders in one day for countries other than Great Britain and Northern Ireland shall not exceed the prescribed limit. In the event of foreign sterling money orders exceeding the prescribed limit in the aggregate being accepted by any post office or offices in British India from a single remitter in one day for countries other than Great Britain and Northern Ireland only such money order or money orders as do not exceed that limit shall be advised to destination and the value of the remaining money order or money orders as actually paid in Indian currency at the time of issue shall be repaid to the remitter who shall not, however, be granted a refund of the commission paid by him in respect of such money orders. No foreign sterling money order shall include any fraction of a penny.”

(2) after rule 146, the following rule shall be inserted, namely:—
 “146A. The remitter of a foreign money order shall declare the purpose of making the remittance in such form as may be prescribed by the Director-General.”

(3) for rule 161, the following rule shall be substituted, namely:—
 “161. *Maximum amounts.*—The limit of value and other conditions laid down in rules 146 and 146A shall apply to telegraphic foreign money orders, except that a telegraphic foreign rupee money order shall not include any sum less than a rupee.”

Serial No. 15.

FINANCE.

PROHIBITION ON THE IMPORTS OF GOLD AND SILVER INTO BRITISH INDIA.

The following Notifications prohibiting imports of Gold and Silver into British India by sea (which have already been given in Part I) are reproduced here for reference.

No. 53 of the 4th September, 1939.

GOLD.

In exercise of the powers conferred by Section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to prohibit the bringing or taking by sea or land into British India from any place other than Burma or out of British India to any place other than Burma, gold coin, gold bullion or gold ingots, whether refined or unrefined, except on the authority of a licence granted in this behalf by the Reserve Bank of India.

No. 62 of the 28th September, 1939.

SILVER.

In exercise of the powers conferred by Section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government is pleased to prohibit the bringing by sea or land into British India from any place other than Burma, except on the authority of a licence granted in this behalf by the Reserve Bank of India, silver Bullion and silver sheets and plates which have undergone no process of manufacture subsequent to rolling.

Serial No. 16.

Memorandum by the Reserve Bank of the 4th September 1939.

FINANCE.

RULES REGARDING THE SALE AND PURCHASE OF FOREIGN EXCHANGE.

The following is the Explanatory Memorandum for the public issued by the Reserve Bank of India on the 4th September, 1939.

Purchases and Sales of sterling are not restricted but “Forward” facilities will be obtainable only for genuine trade purposes.

Purchases of other foreign currencies by the public are subject to strict control but such foreign exchange will be obtainable for genuine trade purposes, for petty personal remittances and for travelling as indicated below:—

All dealings in Foreign Currencies (including sterling) must be made *through* authorised dealers in Foreign Exchange. The public should continue to deal direct with their usual bankers.

Persons resident in India wishing.

- (1) to purchase or sell sterling should apply to their bankers in the usual way;
- (2) to *sell* foreign currencies other than sterling should apply to their bankers in the usual way;
- (3) to *purchase* foreign currencies other than sterling should make application to their bankers on the appropriate form as follows:—

	Use Form.*
(a) for paying for imports	A1
(b) for travelling abroad	A2
(c) for other genuine trade purposes	A3
(d) for petty private remittances (up to a limit of the equivalent of Rs. 2,000)	A4
(e) for remittance of savings and other purposes not specified above	A5

Notes.—(1) Applications in Forms A1, A2, A3 and A4 will normally be granted on compliance with the formalities indicated in the Forms. Applications in Form A5 will, in all cases, be referred by the authorised dealer to the Reserve Bank of India for sanction. Large transfers of a capital nature will not normally be permitted.

(2) Post Offices will continue to transact a limited business in money orders for transmission abroad on conditions ascertainable from such offices†.

(3) When sterling is purchased with the object of remitting the proceeds later into some other currency the purchaser should obtain a certificate in Form A6 from an authorised dealer for surrender to the Exchange control authorities in the United Kingdom. The supply of Foreign Exchange against sterling is, however, entirely a matter for the United Kingdom authorities, and the certificate in Form A6 does not confer any right to obtain Foreign Exchange in the United Kingdom.

GOLD.

Purchases and Sales of Gold in British India may continue to be made freely. Imports and Exports of Gold may only be made under licence obtained by an authorised dealer in Gold.

Persons desiring to import or export gold must apply to the nearest Banking Office of the Reserve Bank of India (Bombay, Calcutta, Delhi

*Not reproduced here.

†See Notification W. B.-42 of the 4th of September 1939, Serial No. 14.

or Madras) for registration as authorised dealers in gold. They will be supplied with a copy of the Memorandum to Authorised dealers in Gold explaining the procedure.

Licences for imports and exports of gold from or to the United Kingdom will be granted freely to authorised dealers in gold.

Licences for import or export of gold from or to other non-hostile countries will be subject to such conditions as may be imposed in each case.

Serial No. 16A.

Notice to Banks by the Reserve Bank of the 4th September, 1939.

FINANCE.

NOTICE TO BANKS ISSUED BY THE RESERVE BANK OF INDIA REGARDING THE RULES OF FOREIGN EXCHANGE.

I. General.—The Reserve Bank of India has been authorised to deal in foreign exchange, to license other dealers and to issue directions to such 'authorised dealers' from time to time.

Rule 91 (3) of the Defence of India Ordinance prohibits persons other than authorised dealers from dealing in foreign exchange, the latter term being defined in Rule 91 (1).

The public should, however, continue to transact exchange business through their usual banker, irrespective of whether he is an authorised dealer or not.

Licences will ordinarily be granted only to those banks which have offices in British India, are included in the Second Schedule to the Reserve Bank of India Act, and have had exchange dealings with the Reserve Bank in the past. The Reserve Bank may, without assigning any reason, refuse to grant, or withdraw, if already granted, the authorisation of any bank to deal in exchange, if in its opinion such bank has acted contrary to these or any further directions which may be communicated from time to time.

II. Purchases and Sales of Sterling by authorised dealers.—Purchases and sales of sterling against rupees may continue to be effected freely by authorised dealers subject to the prohibition of trading with the enemy or with enemy firms and to the keeping of records as intimated to such authorised dealers.

III. Purchases and Sales of foreign currencies other than sterling.—*(a) Purchases by authorised dealers.*—Purchases of foreign currencies other than sterling may be made freely by authorised dealers, subject only to the keeping of records of the transactions as intimated to such authorised dealers. Authorised dealers may be required to furnish from time to time to the Reserve Bank of India particulars of their holdings of these currencies.

(b) *Sales by authorised dealers.*—Sales of foreign currencies other than sterling by authorised dealers will be permitted only to the extent and subject to the conditions outlined below. Applications for exchange must be made on the appropriate form signed by the applicant. Satisfactory evidence must be produced to the authorised dealer in all cases.

(1) *Imports.*—A person desiring to purchase foreign currencies other than sterling for the purpose of payment for goods imported or to be imported into British India shall be required to complete Form A.1 and to submit it to an authorised dealer. Such application shall be supported—

- (i) in the case of goods imported before 3rd September 1939, by a statement signed by the applicant to the effect that the goods were so imported;
- (ii) in the case of goods imported after 3rd September 1939, but prior to the date of application, by a certified copy of the customs entry form (obtained from the Customs at the port of entry);
- (iii) in the case of goods to be imported subsequent to the date of the application, by the exchange control copy of an import licence (obtained from the War Trade Department) on which the applicant has completed the declaration that he will, in due course, produce to the Reserve Bank of India the exchange control copy of the relative customs entry form.

Note.—If the War Trade Department is not in existence at the time of the application the applicant need only file a statement that he will, in due course, produce to the Reserve Bank of India a certified copy of the relative customs entry form.

On compliance with these formalities and provided that the authorised dealer is satisfied as to the *bona fides* of the application, which must be within the reasonable trade requirements of the applicant, he may sell the exchange, reporting the sale to the Reserve Bank of India in Form D. 1.

(2) *Travelling purposes.*—Applicants for foreign currencies other than sterling for the purpose of travelling expenses shall complete Form A. 2, and provided that the authorised dealer is satisfied as to the *bona fides* of the application he may sell the exchange, reporting such transactions daily to the Reserve Bank of India in Form D. 1. Full details of the currency sold (*i.e.*, amount, name of currency, and whether bank notes, letter of credit, etc.) must be entered on the applicant's passport over the signature of the authorised dealer.

(3) *Other trade purposes.*—A person desiring to purchase foreign currencies other than sterling in connection with trade carried on in British India, including payment of insurance premia, freight, ship's disbursements, wages of trade representatives abroad, commission, royalties, copyrights, film rents, salaries, pensions, etc., shall be required to complete an application in Form A. 3 and submit it to an authorised dealer. In all cases the dealer shall require satisfactory documentary or other evidence as to the *bona fides* of the application, and when he is so satisfied, may sell the exchange required, reporting the sale to the Reserve Bank of India in Form D. 1.

(4) *Petty Private Remittances.*—Persons desiring to make remittances in foreign currencies other than sterling for payments to dependents, insurance premia (excluding payments in respect of single premia policy)

and other petty payments of a non-capital nature, up to a limit of the equivalent of Rs. 2,000, shall make an application in Form A. 4, and the authorised dealer may sell the exchange required without further enquiry provided that he has no reason to doubt its *bona fides*. These transactions will be reported daily to the Reserve Bank of India in Form D. 1.

N.B.—Authorised dealers should take precautions to see that the limit of the equivalent of Rs. 2,000 mentioned herein is not circumvented by several applications for exchange for the same or similar purposes being made on successive days or at frequent intervals.

(5) *Remittances for Capital purposes, etc.*—Under this heading are included remittances for single-premium insurance policies; purchases of securities, shares, debentures, etc., denominated in or conferring optional payment in foreign currencies; landed property abroad; remittances for private purposes beyond the limit mentioned in category (4) above; or any purchases of foreign currency not falling within categories (1)—(4) above. Exchange for these purposes will be sold only if the permission of the Reserve Bank of India has first been obtained. The Reserve Bank has authority to give permission in approved cases, but large transfers of a capital nature will not normally be granted. Persons desiring exchange for any of the purposes mentioned in this paragraph should complete Form A. 5 and submit it to an authorised dealer who will state his recommendations thereon and forward the application to the nearest office of the Banking Department of the Reserve Bank of India (Bombay, Calcutta, Delhi or Madras). In cases where the application is approved, the form will be returned to the authorised dealer marked accordingly over the signature of an officer of the Reserve Bank of India; in other cases the form will be stamped 'APPLICATION REFUSED' and returned to the dealer. Totals of sales against applications granted will be included in Form D. 1.

IV. Transactions via sterling into other currencies.—It is understood that a strict control of all transactions in foreign currencies is in operation in the United Kingdom. Special arrangements have, however, been made for certain Empire currencies, including the Indian rupee, with the object of maintaining the rupee-sterling exchange as free from restriction as possible. In cases where it has been the practice in the past to make remittances *via* sterling into other currencies and it is desired to continue to follow the same procedure, it will be necessary for the London agent or correspondent of the remitter to make all the necessary arrangements to comply with the requirements of the London control. So far as authorised dealers are concerned, they may sell sterling exchange freely as indicated in Part II above, but if the applicant for exchange desires to remit the proceeds subsequently in some other currency he may complete Form A. 6 and produce to the authorised dealer satisfactory documentary evidence to enable the dealer to certify the correctness of the statement of the applicant as regards the purpose for which the exchange is required. After certification, the form may be returned to the applicant or forwarded to the London correspondent of the authorised dealer as may be arranged. It must be realised, however, that the question of whether exchange is provided or not is solely one for the London control, and the completion and submission to them of an application for exchange supported by a certificate in Form A. 6 does not confer on the applicant any right to have his application admitted.

V. Miscellaneous.—(1) *Brokers.*—There is no objection to the employment of brokers, but in all cases their principals must comply with the requirements of the Control. The only exception to this rule is transactions between two authorised dealers which require only to be recorded or reported to the Reserve Bank of India, as the case may be.

(2) *Forward facilities.*—Authorised dealers may grant forward facilities to their customers for *bona fide* commercial transactions only. Such facilities will not be recognised and parties making them do so subject to the risk that the terms may be at variance with the rules in force at the time of execution.

(3) *Banks which are not authorised dealers.*—Desiring to maintain their existing relations with correspondents abroad for transactions in foreign currencies, including sterling, shall apply to the Reserve Bank of India for permission.

(4) *Rupee transfers to foreign accounts.*—No rupee transfer shall be made from a British India source to a foreign account unless it is accompanied by Form A 7 duly completed by the person desiring the transfer. Rupee transfers between two foreign accounts or from a foreign to a domestic account may be made freely.

(5) *Collection of foreign exchange for Indian nationals.*—No banker or authorised dealer shall facilitate the opening of an account in a foreign currency other than sterling with its agent or correspondent abroad on behalf of any resident in India without having first obtained the permission of the Reserve Bank of India.

N.B.—The object of this rule is to prevent the acquisition of foreign exchange other than sterling as the result of exports of goods, etc. In cases where it has been the practice in the past of an authorised dealer to collect bills of exchange, cheques, etc., in foreign currencies, for customers, crediting the proceeds in such foreign currencies to the customers' accounts, this procedure may, however, continue to be followed.

Dated 4th September 1939.

Bankers are requested to bring the exchange control regulations to the notice of their customers. They should report to the Reserve Bank of India any doubtful cases.

All the above directions are subject to the provisions of Defence of India Ordinance as to trading with the enemy and enemy firms.

PART III.

**TRADING WITH THE ENEMY
&
THE CONTROL OF ENEMY PROPERTY**

Serial No. 17.

No. 125-S. R. B. of 4th September 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

APPOINTMENT OF CONTROLLER OF ENEMY FIRMS.

Notification No. 125-S. R. B., dated the 4th September, 1939 issued by the Government of India in the Finance Department.

Mr. B. C. A. Cook, I.C.S., is appointed Controller of Enemy Firms, with effect from the 4th of September, 1939.

Serial No. 18.

No. 126-S. R. B. of the 4th September 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

APPOINTMENT OF THE AGENTS OF THE IMPERIAL BANK OF INDIA AS INSPECTORS OF ENEMY FIRMS.

Notification No. 126-S. R. B., dated the 4th September, 1939, issued by the Government of India in the Finance Department.

In exercise of the powers conferred by rule 105 of the Defence of India Rules, the Central Government is pleased to appoint the Agent of every Branch of the Imperial Bank of India in British India to be an Inspector of Enemy Firms for the revenue district in which the branch is situate.

Serial No. 19.

No. 127-S. R. B. of the 4th September 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

POWERS OF THE CONTROLLER OF ENEMY FIRMS.

Notification No. 127-S. R. B., dated the 4th September, 1939, issued by the Government of India in the Finance Department.

In exercise of the powers conferred by sub-section (4) of section 2 of the Defence of India Ordinance, 1939, the Central Government is pleased to direct that the following powers under the Defence of India Rules may be exercised by the Controller of Enemy Firms, namely:—

- (i) the power, under rule 105, of appointing Deputy Controllers and Inspectors of Enemy Firms, and of providing for the distribution and allocation of the work to be performed by them, and
- (ii) all powers under rules 107, 110 and 111.

Serial No. 20.

Ordinance No. VI of 1939 of the 5th September 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

THE ENEMY SHIPPING ORDINANCE, THE DETENTION OF ENEMY SHIPPING ORDINANCE, 1939.

Text of the Detention of Enemy Shipping Ordinance, 1939, published in a Gazette of India Extraordinary, dated the 5th September, 1939.

ORDINANCE No. VI OF 1939.

**AN
ORDINANCE**

TO

Provide for the detention of enemy ships in ports in British India.

Whereas an emergency has arisen which makes it necessary to provide for the detention of enemy ships in ports in British India;

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, extent and commencement:—

- (1) This Ordinance may be called the Detention of Enemy Shipping Ordinance, 1939.
- (2) It extends to the whole of British India.
- (3) It shall come into force at once.

2. Detention of enemy shipping:—

- (1) No enemy ship shall be allowed to depart from any port in British India.
- (2) All cargo on board any enemy ship detained under this Ordinance, other than goods the exportation of which from British India is prohibited by or under any law for the time being in force, shall be released.
- (3) Every enemy ship detained under this Ordinance shall, together with all cargo thereon the release of which is not required by sub-section (2), be brought before the Prize Court forthwith for adjudication.

LINLITHGOW,
Viceroy and Governor-General.

SIMLA;

The 4th September, 1939.

Serial No. 21.

No. F.-15 (83) Ex. 1/39 of 7th September 1939.

**TRADING WITH THE ENEMY AND CONTROL OF ENEMY
PROPERTY.**

**APPOINTMENT OF DEPUTY CONTROLLER OF ENEMY FIRMS AT CALCUTTA AND
BOMBAY, RESPECTIVELY.**

*Notification [No. F. 15-(83)-Ex.-1/39, dated 7th September, 1939] issued
by the Government of India in the Finance Department.*

Mr. W. R. Tapper has been appointed as Deputy Controller of Enemy Firms, Calcutta, with effect from the 4th September, 1939.

Mr. J. T. Alexander has been appointed as Deputy Controller of Enemy Firms, Bombay, with effect from the 4th September, 1939.

Serial No. 22.

No. F.-15-W./39 of 7th September 1939.

**TRADING WITH THE ENEMY AND CONTROL OF ENEMY
PROPERTY.**

**DEFENCE OF INDIA RULES: MR. B. C. A. COOK, I.C.S., APPOINTED AS
CONTROLLER UNDER RULE 100.**

*Notification (No. F. 15-W./39, dated the 7th September, 1939) issued by
the Government of India in the Department of Commerce.*

In exercise of the powers conferred by rule 100 of the Defence of India Rules, the Central Government is pleased to appoint Mr. B. C. A. Cook, I.C.S., to be a Controller under the said rule.

Serial No. 23.

No. 22-W.-(2)/39 of 20th September 1939.

**TRADING WITH THE ENEMY AND CONTROL OF ENEMY
PROPERTY.**

APPOINTMENT OF A CUSTODIAN OF ENEMY PROPERTY.

*Notification [No. 22-W. (2)/39, dated the 20th September, 1939] issued
by the Government of India in the Department of Commerce.*

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, and in supersession of the Notification of the Government of India in the Department of Commerce, No. F. 15-W./39, dated the 7th September, 1939, the Central Government is pleased to appoint Mr. C. D. Deshmukh, C.I.E., I.C.S., as a Custodian of Enemy Property with effect from the 12th September, 1939.

Serial No. 24.

No. 46-W. (1)/39 of the 28th September 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

NOTIFICATION APPOINTING MESSRS. G. V. PADGAOKAR, A. N. SATTANATHAN, D. F. KEEGAN AND P. D. D'CUNHA, AS INSPECTORS AT BOMBAY, CALCUTTA, MADRAS AND KARACHI, RESPECTIVELY.

Notification No. 46-W.(1)/39 of the 28th of September, 1939, issued by the Government of India in the Department of Commerce.

In exercise of the powers conferred by rule 100 of the Defence of India Rules, the Central Government is pleased to appoint Messrs. G. V. Padgaokar, A. N. Sattanathan, D. F. Keegan and P. D. D'Cunha to be Inspectors under the said rule at Bombay, Calcutta, Madras and Karachi respectively.

Serial No. 25.

No. 239-O. R./39 of the 29th September 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

SUPERVISION OF SUSPECTED BUSINESS.

Notification No. 239-O. R./39, dated the 29th September, 1939, issued by the Government of India in the Defence Co-ordination Department.

In exercise of the powers conferred by section 2 of the Defence of India Ordinance, 1939, the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:—

For rule 101 of the said Rules, the following rule shall be substituted, namely:—

101. *Supervision of suspected business.*—(1) If it appears to the Central Government that the business of any person (hereinafter referred to as the suspected person) should be subject to supervision in order to secure compliance with the provisions of this Part, the Central Government may by order authorise a controller or inspector to supervise such business.

(2) A controller or inspector authorised under sub-rule (1) may—

- (a) inspect or cause to be inspected any books or documents belonging to, or under the control of, the suspected person,
- (b) prohibit or regulate by means of written instructions to the suspected person or his agents or employees any transactions or class of transactions of that person,
- (c) order any person to give such information in his possession with respect to the business of the suspected person as the controller or inspector may require.

and for the purposes aforesaid, may—

- (i) enter and search, or authorise a police officer not below the rank of Sub-Inspector to enter and search, any premises used for the purposes of the business,
- (ii) summon any person, examine him on oath, reduce his answers to writing and require him to sign the writing,
- (iii) if any person so summoned fails to appear at the time appointed, cause him to be apprehended by a police officer and brought before him for examination.

(3) If any person contravenes any order lawfully given by a controller or inspector, that person shall be punishable with imprisonment for a term which may extend to six months and shall also be liable to fine.

Serial No. 26.

No. 241-O. R./39 of the 29th September 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

CONTROL OF INTERNEES' PROPERTY.

Notification No. 241-O. R./39, dated the 29th September, 1939, issued by the Government of India in the Defence Co-ordination Department.

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. This Order may be called the Control of Internees' Property Order, 1939.
2. In this Order—
 - (i) "internee" means an enemy foreigner who has been arrested and detained under the Foreigners Ordinance, 1939;
 - (ii) "custodian" means the custodian of enemy property appointed under rule 114 of the Defence of India Rules.
3. An internee may, with the approval of the custodian, execute any general or special power of attorney for the disposal of his property and conduct of his affairs.
4. Any such power of attorney as aforesaid may be, in favour of the custodian or such other person in British India (hereinafter referred to as the nominee) as the internee chooses to nominate.
5. A nominee, if so authorised by the power of attorney which he holds, may dispose of—
 - (i) any movable property belonging to the internee other than securities or stock in trade;
 - (ii) with the previous approval of the custodian, any securities, stock in trade or immovable property belonging to the internee:

Provided that the nominee shall inform the custodian of any such disposal of property within seven days thereof, giving full particulars, and shall place the proceeds thereof to the credit of the internee in a bank approved by the custodian.

6. Notwithstanding anything contained in rule 104 of the Defence of India Rules, any bank in British India may accept, pay money on, or otherwise deal with, a cheque drawn by, or on behalf of, an internee, if the cheque is countersigned by the Commandant of the internment camp in which the internee is for the time being detained or confined.

Serial No. 27.

No. 241-O. R./39 of the 3rd October 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

AMENDMENTS TO THE DEFENCE OF INDIA RULES.

Notification No. 241-O. R./39, dated the 3rd October, issued by the Government of India in the Defence Co-ordination Department.

In exercise of the powers conferred by section 2 of the Defence of India Ordinance, 1939, the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely:—

In rule 114 of the said Rules,—

In sub-rule (1)—

(a) for the words “one or more custodians of enemy property” the following shall be substituted, namely:—

“a Custodian of Enemy Property for British India and one or more Deputy Custodians and Assistant Custodians of Enemy Property for such local areas as may be prescribed”; and

(b) in clauses (d) and (e) for the word “custodians” the word “custodian” shall be substituted.

After sub-rule (3), the following sub-rule shall be inserted, namely:—

“(3A) In sub-rules (1), (2) and (3), the expression “custodian” includes a Deputy Custodian of Enemy Property and an Assistant Custodian of Enemy Property.”

Serial No. 28.

No. 248-O. R./39 of the 3rd October 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

DECLARATION OF ENEMY FIRMS.

Notification No. 248-O. R./39, dated the 3rd October 1939, issued by the Government of India in the Defence Co-ordination Department.

In exercise of the powers conferred by sub-rule (d) of rule 97 of the Defence of India Rules, the Central Government is pleased to declare

each of the persons or bodies of persons specified in the Schedule hereto annexed to be an enemy for the purposes of Part XV of the said Rules.

Schedule.

Firm.	Address.
A. E. G.	Tehran and branches in the provinces, Iran.
A. E. G. Elektriska A/B.	Glogatan 3, Helsingfors, Finland.
A. E. G. A/S.	Riga, Latvia.
A. E. G. Elektriska A/B.	Head Office; Sveavagen 21-23, Stockholm, Sweden.
A. E. G. Elektrizitaets-Aktiengesellschaft.	Zurich, Switzerland.
A. E. G. Elektricitets-A/S.	Ovre Vollgate 11, Oslo & Bergen, Norway.
A. E. G. Cia Argentina de Electricidad.	B. Irigoyen 330, Buenos Aires, Argentina.
A. E. G. (Cia Sul Americana de Electricidade).	Av. Rio Branco 47, Rio de Janeiro, Brazil.
A. E. G. Bulgarian Electrical Co., Ltd.	Alexander 1, No. 1, Sofia, Bulgaria.
A. E. G. Dansk Elektricitets A/S.	Orstedhus, Vestre Farimagsgade 41, Copenhagen, Denmark.
A. E. G. Lusitana de Electricidade	12, Rua dos Figueiros, Lisbon and 211, Rua Sa da
Abrahamson, Emil, V.	Bandeira, Oporto, Portugal.
Accumulatoren-Fabrik A. G. (Fabrica de Acumuladores S. A., Buenos Aires Branch).	Toldbodgade 10, Copenhagen, Denmark.
Aciers Marathon, S. A.	Cangallo 2629, Buenos Aires, Argentina.
Acos Roehling Bruderus Do Brasil Ltda.	25, Bd. de la Sauveniere, Liège, Belgium.
Agencia Antillana	Travessa Bom Jesus 6-8 Rio de Janeiro, Brazil.
Agfa	Ciudad Trujillo, Dominican Republic.
Agfa Argentina (Dr. Kurt) Oppenheim y Cia.	San Salvador, Salvador.
Agfa Foto A/S.	B. Irigoyen 653, Buenos Aires, Argentina.
Agfa-Foto A/S.	Montergaarden, Gothersgade 49, Copenhagen, Denmark.
Agrex	Fred Olsensgate 1, Oslo, Norway.
Ahlers, H. D.	Bucharest, Roumania.
Ahrens, H. & Co.	16, Rue Marché-au-Lin, Antwerp, Belgium.
Aktiebolaget Robo	Nachf. Gomei Kaisha Yaesu Building, 6 Marumouchi,
Alemana de Agencias, Compania (A. Pance).	2-Chome, Kojimachi-Ku, Tokyo and branches at
Alemana de Vapores Kosmos, Cia Anilin A/S.	Yokohama and Kobe, Japan.
Anilin Kompagniet A/S.	Birger Jarlskatan 25, Stockholm, Sweden.
Anilinas Alemanas S. A.	Guayaquil, Ecuador.
Anilinas Alemanas S. A.	Valparaiso, Chile.
Askania Kabushiki Kaisha	Tordenskjoldsplase 3, Oslo and Bergen, Norway.
Asteroth Rheinschiffahrts A. G. Fried.	Harnegade 39, Copenhagen, Denmark.
Austro-Hellenic Tobacco Co.	Salta 323-25, Buenos Aires, Argentina.
Bancara, Societatea	Sucursal Montevideo, Calle Florida 1450, Montevideo, Uruguay.
"Bavarian-Lloyd" Shipping Co., Ltd.	Sanwa Building 3, Gofukubashi 1-Chome, Nchonbashi-Ku, Tokyo, Japan.
	Maaskade 85, Rotterdam, Holland.
	49, Rue Tsimisky, Salonica, Greece.
	Bucharest, Roumania.
	Aksakoff, 5, Sofia, Bulgaria.

Schedule—contd.

Firm.	Address.
Bavarski Lojd	Karadjordjeva 43, Belgrade, Yugoslavia.
Bayer Company Inc.	Ciudad Trujillo, Dominican Republic.
Bayer and Cia	Calle Piedras 437, Montevideo, Uruguay.
"Bayer-Farma" Co., Ltd.	Balkan Building, Boul. Dondoukoff, 51, Sofia, Bulgaria.
Bayer, La Quimica, S.A.	Cervino 3101, Buenos Aires, Argentina.
Bayer-Meister-Lucius	San Jose, Costa Rica.
Berger, Curt, and Cia., Soc. de Resp. Ltda.	25 de Mayo 386-92, Buenos Aires, Argentina.
Bergverks A/B, Freja	Vasträ Trädgårdsgatan 17, Stockholm, Sweden.
Bohler Keitei Goshi Kaisha	Takara-maschi, 2-Chome, Kyobashi-Ku, Tokyo, Japan.
Boker and Cia	Moreno 437, Buenos Aires, Argentina.
Borgolte, Rud	Bolivia.
Borsig, Rheinmetall, Cia Argentina de Maquinas S. R. Ltda.	25 de Mayo 375, Buenos Aires, Argentina.
Bosch, Robert, A. G.	Zurich and Geneva, Switzerland.
Brasileira de Electricidade Siemens Schuchert S. A. Companhia.	Rua General Camara 78, Rio de Janeiro, Brazil.
Bromberg & Cia, S. A. C.	Moreno 970, Buenos Aires, Argentina.
Bruckmann, L. E. & Co.	Guayaquil and Manta, Ecuador.
Buchner Baucevitch A. G.	5-7, Rue Diocetiriou, Salonica, Greece.
Burmester & Co., Ltd.	49, Rua da Ropoleira, Oporto, Portugal.
Campbell, John, Successor	Salonica, Greece.
Chanage, G. L.	Guayaquil, Ecuador.
Casa Chimica "Merck" Brazil S. A.	Av. Nilo Pecanha 155, Rio de Janeiro, Brazil.
Chimica Bayer Limitada & A. G. F. A.	Rua dom Gerardo 42, Rio de Janeiro and branches throughout Brazil.
Clasing, Luis	Edificio Hotel Plaza, Havana, Cuba.
Clayhills, Thomas & Sons	Tallinn, Estonia.
Comercial C. prn. A. Compania	Monte Cristi, Dominican Republic.
Cominchar S. A.	4, Quai Van Metteren, Liège, Belgium.
Condor, Sindicato Ltda.	Corrientes 300, Buenos Aires, Argentina.
Continental Sociedad, S. A.	Guayaquil, Ecuador.
Coutinho Caro & Co.	Vestre Boulevard 4, Copenhagen, Denmark.
Cudell, Robert	14, Largo do Directorio, Lisbon, and 41, Rua Passos Mansel, Oporto, Portugal.
Cudell & Weltzien Ltd.	117/121 Rua de S. Paulo, Lisbon, Portugal.
Dai Nippon Kali Kabushiki Kaisha	Teikoku Seimei Building, Marienouchi, Tokyo, Japan.
Danigefa A/S.	Ostergade 18, Copenhagen, Denmark.
Dansk Automobil A/S.	Polititorvet 5, Copenhagen, Denmark.
Dasbach, Th.	18, Plaine Falcon, Antwerp, Belgium.
Däumichen, Max	Karlevägen 48, Stockholm, Sweden.
Delacamp, Piper & Company	Tokyo & Kobe, Japan.
Denk Aceros Boehler Soc. Resp. Ltda, Casa.	Belgrano 550, Buenos Aires, Argentina.
Deutsche Griechische Wirtschaft-vereinigung.	3, Rue Gennadiou, Athens, Greece.
Deutsche Luft Hansa Agency	Levski, 1 Sofia, Bulgaria.
Deutz, Cia. Argentina de Moteres Otto Legitimo S. A.	Pueynnedon 602, Buenos Aires, Argentina.
"Dinamika" Co. Ltd.	Moskovska, 7, Sofia, Bulgaria.
Doitsu Seiko Kabushiki Kaisha	Tokyo, Osaka, Japan and at Dairen.
D. D. S. G. (Donau-Dampfschiffahrtsgesellschaft).	Bucharest, Roumania.
Drammens Lampfabrik A/S.	Drammen, Norway.
Duffer, E.	Esmeraldas, Ecuador.
Dunarex S. A. R.	Strada Berzei No. 2, Bucharest and branches at Barila and Constanza, Roumania.

Schedule—contd.

Firm.	Address.
Dyckerhoff & Widmann, S. A.	Av. R. S. Pena 700, Buenos Aires, Argentina.
Dyes, H. O. & Co.	San Jose, Costa Rica.
Elsner, Bernard & Cia.	Bolivia.
Elsner, Juan & Co.	Bolivia.
Fahl, Jurgen W.	Rues Frangon-Dodecaneson, Salonica, Greece.
Fathina S. A.	5, Rue Magalou Alexandrou-Salonica, Greece.
Feckler, O. Y. & Co. A. B.	Heikinkatu 20A, Helsingfors, Finland.
Ferrostaal G.m.b.H.	Santiago, Chile.
Fokkes & Koch	Room 14, Mitsubishi Building 21, 3-Chome, Marie-nouchi Kojunashi-Ku, Tokyo, Japan.
Forceville, J. F.	Rue Etalage 23, Anvers, Belgium.
Frangopoulos Frères	Athens, Greece.
Frege, Kurt	Patras, Greece.
"G. E. O. P. E." Cia General de Obras Publicas, S. A.	B. de Irigoyen 330, Buenos Aires, Argentina.
G. H. H., O. Y., A/B.	Heikinktu, Helsingfors, Finland.
Gadeke, Carl	Turku (Abo), Finland.
German State Railways, Agency of the.	Tzar Osvoboditel, Sofia, Bulgaria.
Gildemeister & Co.	Valpariso and branches at Santiago, Concepcion, and Punta Arenas, Chile.
Gruen & Bilfinger S. R. Ltda.	San Martin 235, Buenos Aires, Argentina.
Hamburg-Amerika Linie	San Salvador, Salvador.
Hamburg S. A. La Plata Line	Florida 439, Buenos Aires, Argentina.
Hansa Line, D. D. G.	Ahwaz, Iran.
Hapag-Lloyd Steamship Lines	San Jose, Costa Rica.
Hapag-Lloyd	Colon, Panama.
Hartkopp & Kruger	Bulevardie 2a, Helsingfors, Finland.
Hasenclever & Cia.	Belgrano 673, Buenos Aires, Argentina.
Haupt, Alfred	Patras, Greece.
Heggenhougen, H.	Trondheim, Norway.
Heidelk, Hans	Panama.
Hellénique D'Ampoules Electriques, Société.	Athens, Greece.
Henkel & Co. A/S.	Axeltora 6, Copenhagen, Denmark.
Hering & Schoenfeld	San Jose, Costa Rica.
Herold, Estabelecimentos Ltda.	7, Rua dos Douradores, Lisbon, and 92, Mure dos Bacalhoeiros, Oporto, Portugal.
Hertel, Carl	Ciudad Trujillo, Dominican Republic.
Hoefflinghaus & Geigar	Rue Vorreau 4, Athens, Greece.
Holmstrom, Axel, A. B.	Ankkuriskatu 5, Helsingfors, Finland.
Husestrom, John	Lithuania.
Illies, C. & Company	Tokyo and branches at Yokohama, Kobe and Osaka, Japan.
Insulana de Transportes Maritimos Ltda., Sociedade.	24, Praca Dugue da Terceira, Lisbon, Portugal.
Ivers & Von Staa	Parklaan 28, Rotterdam, Holland.
Ivers, I.	21, Kipdorp, Antwerp, Belgium.
Jantzen, C. F. Wilhelm	Monrovia, Liberia.
Juganil	Kraljev Trg. 5, Belgrade, Yugoslavia.
Jugoslavensko, A. E. G.	Brankova 30, Belgrade, Yugoslavia.
Jugoslavensko Siemens A. D.	Kralja Aleksandra 8, Belgrade, Yugoslavia.
Kanthauser	28, Sokrates Street, Athens, Greece.
Karlsruher Parfumerie & Toilet-teseifenfabrik, F. Wolff & Son, G.m.b.H.	Basle, Switzerland.
Kivioli, Eesdi	Shaleoil Works, Tallinn, Estonia.
Klockner, Establecimientos S. A. Ind. Arg.	Belgrano 931, Buenos Aires, Argentina.
Knorr, Herbert	San Jose, Costa Rica.

Schedule—contd.

Firm.	Address.
Kobenhavns Kul Og Koks Kompagni.	Islands Brygge 22, Copenhagen, and branches at Naestved, Hjorring and Hirtshals, Denmark.
Koberg & Co.	San Jose, Costa Rica.
Kohpoke & Neumann Inc.	Panama.
Kreacher, M.	Manta, Ecuador.
Kruger, J. H.	Guayaquil, Ecuador.
Krupp (Hellas) S. A.	45, Rue du Stade, Athens, Greece.
"Krupp", Sociedad Metalúrgica Argentina S. A.	Sarmiento 329, Buenos Aires, Argentina.
Krupp's Reederij—En Transportbedrijf. N. V. Fried.	Westplein 2, Rotterdam, Holland.
Kunath, Eric.	Colon, Panama.
Kyllmann, Bauer & Cia	Bolivia.
La Ferretaria Alemana	Sarmiento 1401, Buenos Aires, Argentina.
Lange & Co.	Santiago & Concepcion, Chile.
Leybold Shokwan, K. K. L.	Tokyo & Osaka, Japan.
Liebermann Waechli and Company.	Tokyo, and branches at Yokohama, Osaka, Japan.
Liebes, y Cia (Casa Goldtree)	San Salvador, Salvador.
Lloyd Norte Aleman	25, de Mayo 267, Buenos Aires, Argentina.
Lootz, Tha.	Stavanger, Norway.
Lyra, Edgar & Co.	Riga, Latvia.
M. A. N.	Tehran, Iran.
Maier & Jurgemeyer	Grand Bassa, Branch at River Cess, Monro via, Liberia.
Mannesmann Soc. Tubos, Ltda., S./A.	Belgrano 327, Buenos Aires, Argentina.
Mannesman, Sociedade de Tubos, Ltd.	Rua General Camara 90, Rio de Janeiro, Brazil.
Mannesmann, Soc. Tubos, Ltd.	Santiago, Chile.
Marcus & Harting, Ltda.	50, Rocio, Lisbon, Portugal.
Merck Quimica Argentina S.A.	Alsina, 1671/79, Buenos Aires, Argentina.
Moritz, Paul	Panama.
Motores Deutz Otto Limited, Sociedade.	Rua da Alfandega 116, Rio de Janeiro, Brazil.
"Nedigepha", N.V. Handel Mij.	Keizersgracht 58, Amsterdam, Holland.
Nemacki-Auto-Service	Vejvode Misica 12, Belgrade, Yugoslavia.
Nichaus & Co., Guillermo	San Jose and Limon, Costa Rica.
Nissen Fischer Gebert & Co.	Concepcion and Santiago, Chile.
Cia Fabrica de Panos "Bio Bio" (R. Stohrel).	
Norddeutscher Lloyds	San Salvador, Salvador.
Norddeutscher Lloyds Svenska A/B.	Jakobstorg 1, Stockholm, Sweden.
Norrigefta A/S.	Prinsensgate 2, Oslo, Norway.
Norsk Akkumulator Co. A/S.	Pilestredet 75 c, Oslo, Norway.
Norsk Telefunken, Radio-tieselskap.	Ovre Vollgate, 11, Oslo, Norway.
Nottebohm Trading Co.	San Salvador, Salvador.
Orenstein & Koppel S. A.	San Martin 66, Buenos Aires, Argentina.
Osram-Cia Argentina de Lamparas Electricas S. A.	Luca 2251, Buenos Aires, Argentina.
Osram A/S.	Solvgade 10, Copenhagen, Denmark.
Osram, O. Y. A. B.	Helsingfors, Finland.
Osram A/S.	Pilestredet 75 c, Oslo, Norway.
Overbeck, G.	Cape Palmas, Monrovia. Branch at Grand Cess, Liberia.
Oversjokisk Transit A/S.	Skippergate 27, Oslo, Norway.
Pance, A.	Guayaquil, Ecuador.
Ponte, B.	Bahia de Caraquez, Ecuador.

Schedule—contd.

Firm.	Address.
Putrimas, Alexander	Lithuania.
Radios Telefunken	Santiago, Chile.
Reimers & Co., Fritz	San Jose, Costa Rica.
Reuter, Ingenieur Byra A. . . .	Keskuskatu 1, Helsingfors, Finland.
Rhenania, S. A.	215, Avenue d'Italie, Antwerp, Belgium.
"Riberena del Plata," Cia. Sudamericana de Comercio S. A.	Av. de Mayo 869, Buenos Aires, Argentina.
Rijn-En Zeetransport Maatschappij, N. V.	Pr. Heindrikkade 160, Rotterdam, Holland.
Ringnes, Ellef	Stortingsgate 22, Oslo, Norway.
Ringys, Planas and Nie Didziulis	Lithuania.
Roechling Stahl A. G.	Zurich and Basle, Switzerland.
Rohde & Jorgens S. A., Mattias	2 Quai Ortelius, Antwerp, Belgium.
Ruhr und Saar Kohle A. G.	Basle, Switzerland.
S. A. B. A. T.	4, Quai van Meteren, Antwerp, Belgium.
Saalman & Co.	Guayaquil, Ecuador.
Salevskis, Martin	Lithuania.
Samson, Ernesto	Cristo 16, Havana, Cuba.
Saroge S. A. R.	Bucharest, Roumania.
Scheepvaart & Agentuur Mij ("Seam"), N. V.	Westplein 2, Rotterdam, Holland.
Scheepvaarts Agentuur Maatschappij.	8, Quai Taverniers, Antwerp, Belgium.
Scheffel & Schmidt A/G.	16, Rue Tsimisky, Salonica, Greece.
Schel, G. & Company	Tallinn, Estonia.
Schenker & Co., Bulgarian International Transport Co., Ltd.	Leghe 4, Sofia, Bulgaria.
Schenker & Co.'s Internationale Expeditie, N. V.	W. Buytewechstraat 68, Rotterdam, Holland.
Schenker & Co.	Riga, Latvia.
Schenker & Cie (First Yugoslav Forwarding Company).	Kralja Petra 21, Belgrade, Yugoslavia.
Schering-Kahlbaum A. G.	Panama.
Schering, Quimica S. A.	Peru 722, Buenos Aires, Argentina.
Schluter, Edward	Tehran, Iran.
Schmidt, F. H., Empresa Constructora S. A.	Av. Pte. R. S. Pena 933, Buenos Aires, Argentina.
Schmidt Shoten, Limited	Tokyo & Osaka, Japan.
Schnell, Willy	Tehran, Iran.
Scholler Bleckman Phonix Seiko Goshi Kaisha.	Osaka and Tokyo, Japan.
Schroder, A. B., O. Y. O.	Kerikinkatu 12, Turku (Abo), Finland.
Schunemann	Isfahan, Iran.
Schweitzer & Cia	Bolivia.
Schweizerische Filiale der Langbein Pfanhauser Werke, A. G.	Zurich, Switzerland.
Siegel, Carl, A/S.	Tallinn, Estonia.
Siemens, A/S.	Riga, Latvia.
Siemens-Bauunion, Cia Platense de Construcciones S. A.	Av. de Mayo 869, Buenos Aires, Argentina.
"Siemens" Bulgarian Electrical Co., Ltd.	Tzaritza, Ionna 25, Sofia, Bulgaria.
Siemens Co., Ltd.	Technical Bureau, Dorostol, and Lulin, Sofia, Bulgaria.
Siemens, Companhia de Electricidade.	118, Rua Augusta, Lisbon and 12, Rua das Carmelitas, Oporto, Portugal.
Siemens Elektricitets A/S.	Blegdamvej 124, Copenhagen, Denmark.
Siemens, Elektriska Aktiebolaget	Kungsgatan 36, Stockholm, Sweden.
Siemens, Hellenic S. A.	7-9, Sophocles Street, Athens, Greece.
Siemens Norsk Aktieselskab	Rosenkrantzgate 11, Oslo, and branches at Bergen, Trondheim and Stavanger, Norway.

Schedule—contd.

Firm.	Address.
Siemens Schuckert Ltda.	Valparaiso (and branches at Santiago, Concepcion, Antofagasta), Chile.
Siemens Schuckert Denki Kabushiki Kaisha.	2, Marienouchi, 3-Chome, Kojimachi-Ku, Tokyo and Osaka, Japan.
Siemens-Schuckert, Elektriska A. B.	Mikonkatu 11, Helsingfors, Finland.
Siemens-Schuckert S. A., Cia Platense de Electricidad	Avenida de Mayo, 869, Buenos Aires, Argentina.
Silvana, O. Y., A. B.	Kasarinikatu 44, Helsingfors, Finland.
Skoda-Iran, S. A.	Tehran, Iran
Soya Company	Bucharest, Roumania.
"Soya" for the production and export of Oleaginous Seeds Co., Ltd.	Aksakoff, 5, Sofia, Bulgaria.
Spiegel, Erwin	Tehran, Iran.
Stahlunion Limitada	Rua Candelaria 53, Rio de Janeiro, Brazil, and at Sen, de Queiroj, 76, Sao Paulo.
Stahlunion, A/B.	Kungsgatan 33, Stockholm, Sweden.
Stamer & Co.	Guayaquil, Ecuador.
Standard Transport Maatschappij, N. V.	Pr. Hendrikkade 160, Rotterdam, Holland.
Staudt & Cia Ltda.	Valparaiso, and branches at Santiago, Concepcion, Temuco, Punta Arenas, Chile.
Staudt & Cia	B. Irigoyen 330, Buenos Aires, Argentina.
Staudt y Cia S. A. C.	Calle Paysandu 935, Montevideo, Uruguay
Steinvorth & Hermanos Sucesores, W.	San Jose, Limon, and Puntarenas, Costa Rica.
Steyr Solothurn Waffen A. G.	Zurich, Switzerland.
Stinnes, Hugo, Ltda., S. A. Com. e. Ind.	Sarmiento 329, Buenos Aires, Argentina.
Stoltenhof Werner	Patras, Greece.
Stoltz, Hermann	Avenida Rio Branco 66/74, Rio de Janeiro, Brazil.
Stuve, W. & Co.	4 Rua de S. Francisco, Oporto, Portugal.
Styria Stahl A. G.	Zurich, Switzerland.
Styrian Steel Works, Limited	2 Echizenbori 1-Chome, Kyobashi-Ku, Tokyo, Japan.
Sudamericana de Electricidad A. E. G. Cia.	Santiago, Chile.
Summerapartmenting, Richard	Lithuania.
Tagua, Casa	Manta, Ecuador, Bahia de Caraquez, Ecuador, Esmeraldas, Ecuador.
Telefunken Gesellschaft fuer Drahtlose Telegraphie G.m.b.H. Berlin.	Zurich, Switzerland.
Telefunken Radio S. A.	13, Bucharest Street, Athens, Greece.
Tense, Oscar	Tallinn, Estonia.
Thalheim A/S, Georg	Riga, Latvia.
"Thyssen Lametal", Cia Industrial y Mercantil Thyssen, Ltda.	Belgrano 752, Buenos Aires, Argentina.
Timmermann, B. & Cie.	Valparaiso & Santiago, Chile.
Undeutsch, F. & Co.	Tehran, Iran.
United Agencies Co. S. A.	Panama.
Uslar, Armin Von	Obispo 258, Havana Cuba.
Von Bergen & Cia, J.	Bolivia.
Victoria-Linoleumfabrik A/S.	Sandvika, Nr. Oslo, Norway. Sales Office: Drammensveien 6, Oslo.
Vorwerk & Co.	Valparaiso, and at Santiago, Chile.
Vulcan Company	Veerhaven, Rotterdam, Holland.
Waffenfabrik Solothurn A. G.	Solothurn, Switzerland.

SCHEDULE—concl'd.

Firm.	Address.
Weyss & Freytag, S. A. Empresa Constructora.	Av. L. N. Alem 168, Buenos Aires, Argentina.
Weinberger & Paulmichl	Athens, Greece.
Weisgerber, Erwin	Ciudad Trujillo, Dominican Republic.
West & Co. Ltd.	Monrovia and branches at Sinee, Grand Bassa and Cape Palmas, Cape Mount, Marshall, River Cess, Grand Cess, Sasstown, Liberia.
Westfälische Transport A. G. Wille & Cia Ltda., Theodor	Westerkade 31, Rotterdam, Holland. Av. Rio Branco 79-81, Rio de Janeiro, and branches Brazil.
Wimmer, J. & Cia.	34, Avenida 24 de Julio, Lisbon, and 18, Rua Mon-sinho da Salneira, Oporto, Portugal.
Witkopp, Otto	Lithuania.
Woermann, A. & Co.	Monrovia and branches at Cape Mount, Grand Bassa and Cape Palmas, Liberia.
Wolfinger, Carl	Tabriz, Iran.
Zeiss, Carl	B. Irigoyen 330, Buenos Aires, Argentina.
Zeiss Kabushiki Kaisha, Carl	Tokyo and Osaka, Japan.
Zeiss Svenska A/B.	Kungsgatan 33, Stockholm, Sweden.
Zeller, Mozer & Cia.	Bolivia.
Zieriacks, Becker y Cia.	Bolivia.

Serial No. 29.

No. 42(1)-Tr.-(E. P.)/39 of the 14th October 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

ENEMY PROPERTY (CUSTODY AND REGISTRATION) ORDER.

Notification No. 42(1)-Tr. (E. P.)/39 of the 14th October 1939, issued by the Government of India in the Department of Commerce.

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules the Central Government is pleased to make the following Order, namely:—

1. **Short title.**—This Order may be called the Enemy Property (Custody and Registration) Order, 1939.

2. **Definitions.**—In this Order unless there is something repugnant in the subject or context,

(i) "Custodian" means the Custodian of Enemy Property for British India appointed under rule 114 of the Defence of India Rules and includes any Deputy or Assistant Custodian of Enemy Property authorised by the said Custodian in respect of all or any of the provisions of this Order;

(ii) the expressions "enemy subject", "enemy firm", "enemy property" and "securities" shall have the meanings respectively assigned to them by rule 103 of the Defence of India Rules;

- (iii) "enemy" means an enemy subject or enemy firm;
- (iv) "Form" means a Form appended to this Order;
- (v) "person" includes any company or association or body of individuals whether incorporated or not.

3. Payment to Custodian of money otherwise payable to an enemy.—Any sum payable by way of dividend, interest, share of profits or otherwise, to or for the benefit of an enemy, shall be paid by the person by whom such sum would have been payable if a state of war had not existed, to the Custodian or such person as may be authorised by him in this behalf, and shall be held by such Custodian or other person subject to the provisions of this Order.

4. Powers of Custodian in respect of enemy property vesting in him.—(1) Whenever by order made under sub-rule (1) of rule 114 of the Defence of India Rules, the property of an enemy is vested in the Custodian, the Custodian may take such measures as he considers necessary or expedient for preserving the property.

(2) Without prejudice to the generality of the foregoing provision, the Custodian may, for the said purpose,—

- (i) carry on the business of the enemy,
- (ii) take action for recovering any money due to the enemy,
- (iii) make any contracts, and execute any documents in the name and on behalf of the enemy,
- (iv) incur any expenditure, including the payment of any taxes, duties, cesses and rates to Government or to any local authority, and of any wages, salaries, pensions or provident fund contributions to, or in respect of, any employee of the enemy, and the repayment of any debts due by the enemy to persons other than enemies, and
- (v) transfer by way of sale, mortgage or lease, or otherwise dispose of, any of the property.

5. Exemption from attachment, etc.—All enemy property vesting in the Custodian shall be exempt from attachment, seizure or sale in execution of a civil court decree.

6. Transfers of Securities belonging to an enemy.—(1) Where in exercise of the powers conferred by paragraph 4 of this Order the Custodian proposes to sell any securities issued by a company and belonging to an enemy, the company may, with the consent of the Custodian purchase the securities, notwithstanding anything to the contrary in any law or in any regulations of the company, and any securities so purchased may be re-issued by the company as and when it thinks fit so to do.

(2) Where the Custodian executes a transfer of any securities issued by a company, the company shall, on receipt of the transfer and an order in this behalf from the Custodian, register the securities in the name of the transferee, notwithstanding that the regulations of the company do not permit such registration in the absence of the certificate, script or other evidence of title relating to the securities transferred:

Provided that any such registration shall be without prejudice to any lien or charge in favour of the company and to any other lien or charge of which the Custodian gives express notice to the company.

7. Power of Custodian to summon persons and call for documents.—

(1) A Custodian may by notice in writing, require any person whom he believes to be capable of giving information concerning any enemy property to attend before him at such time and place as may be specified in the notice, and examine any such person concerning the same, reduce his statement to writing and require him to sign it.

(2) A Custodian may, by notice in writing, require any person whom he believes to have in his possession or control any account book, letter-book, invoice receipt or other document of whatever nature relating to any enemy property, to produce the same, or cause the same to be produced, before the Custodian at such time and place as may be specified in the notice, and to submit the same to his examination and to allow copies of any entry therein or any part thereof to be taken by him.

8. Returns relating to enemy property.—(1) Every bank carrying on business in British India which has any balances or deposits standing to the credit of an enemy shall, within two months from the date of this Order, communicate to the Custodian full particulars of such balances or deposits in Form A.

(2) Every company incorporated in British India, and every company which though not incorporated in British India has a share transfer or share registration office in British India, shall, within two months from the date of this Order, communicate to the Custodian in Form B full particulars of all securities of the company which belong to an enemy.

(3) Every firm carrying on Business in British India, one or more partners of which are enemies, shall, within two months from the date of this Order, communicate to the Custodian in Form C full particulars as to any share of profits and interest due to such enemies.

(4) Every person residing or carrying on business in British India by whom any money would, if a state of war had not existed, have been payable or paid to or for the benefit of an enemy by way of dividend, interest or share of profits shall within two months from the date of this Order, or if such money becomes payable after the expiry of that period, within one month after it becomes payable, communicate to the Custodian full particulars of such money in Form D.

(5) Every person other than a bank residing or carrying on business in British India who owes any debts to an enemy shall, within two months from the date of this Order, communicate to the Custodian full particulars of such debts in Form E.

(6) Every person residing or carrying on business in British India who has in his possession or control any enemy property not covered by the preceding sub-paragraphs shall, within two months from the date of this Order, or, if the property comes into his possession or control after the expiry of that period, within one month of his so coming into possession or control, communicate to the Custodian full particulars of such property in Form F, in the case of property held in safe custody, and in Form G, in the case of property held otherwise.

In the case of property of enemy subjects, other than interneees, residing in India the above particulars may be confined to bank balances and deposits, dividends and similar payments, securities and immoveable property belonging to the aforesaid class of enemy subjects.

(7) Where a return of enemy property has been made to the Custodian in Form F or Form G, particulars of any income derived from such property during each quarter after the expiry of two months from the date of this Order shall be communicated to the Custodian in Form H within one month of the expiry of that quarter; and if no income has been so derived since the date of the last return the fact shall be reported to the Custodian in the same form within the said period.

(8) Where a return of any enemy property has been made to the Custodian in Form F any change in respect of any lien on the property claimed by any person making the return shall be reported to the Custodian in the same form within one month after the change has occurred or has been effected.

9. Responsibility for making returns on behalf of companies and firms.—Every director, managing agent, manager and secretary of a company and every partner of a firm, shall be responsible for communicating to the Custodian the particulars prescribed in paragraph 8.

10. Registers of returns.—(1) All returns relating to enemy property submitted to the Custodian in pursuance of paragraph 8 shall be recorded in such registers as may be prescribed by the Custodian.

(2) All such registers shall be open to inspection, subject to the payment of a fee of Rupee one per page or part of a page of any register inspected and to such reasonable restrictions as the Custodian may impose, by any person who, in the opinion of the Custodian, is interested in any particular enemy property as a creditor or otherwise, and any such person may also obtain a copy of the relevant portion from the registers on payment of a fee of Rupee One per page or part of a page.

APPENDIX.

To FORM A. Ref. No. A _____

THE CUSTODIAN OF ENEMY PROPERTY, From _____

_____ (Address) _____

_____ _____

_____ Date _____

Return showing particulars of balances or deposits standing to the credit of an enemy.

N.B.—Where not known, the contents of sealed boxes, packages, etc., deposited need not be ascertained.

Name of enemy.	Address.	Balances.	Cash Deposits.	Description and Estimated value (if known) of deposits other than cash deposits.												
				<table style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;">₹</td> <td style="text-align: center;">₹</td> <td style="text-align: center;">₹</td> </tr> <tr> <td style="text-align: center;">Rs.</td> <td style="text-align: center;">A.</td> <td style="text-align: center;">P.</td> </tr> <tr> <td colspan="3" style="text-align: center;">Total</td> </tr> <tr> <td colspan="3" style="text-align: center;">Rs.</td> </tr> </table>	₹	₹	₹	Rs.	A.	P.	Total			Rs.		
₹	₹	₹														
Rs.	A.	P.														
Total																
Rs.																

FORM B.

To
THE CUSTODIAN OF ENEMY PROPERTY,

Ref. No. B _____
 From _____
 (Address) _____

Date _____

Return showing particulars of all securities of a company belonging to an enemy.

Name of enemy.	Address.	Description of securities.	Value.		
			£.	s.	d.
			Ra.	A.	P.

FORM C.

To
THE CUSTODIAN OF ENEMY PROPERTY,

Ref. No. C _____
 From _____
 (Address) _____

(Date) _____

Return showing particulars as to any share of profits and interest due to an enemy.

Name of enemy.	Address.	Where a company makes the return.		Where a partner makes the return.		
		Description of Shares, Stock, Debentures or Stock held by an enemy.	Nominal value of each holding.	Enemy Capital.	Interest or Share of profits due to an enemy.	Period covered by Interest or Share of profits.
			Ra. a. p.	Ra. a. p.	Ra. a. p.	

FORM D.

To
THE CUSTODIAN OF ENEMY PROPERTY,

Ref. No. D _____
 Form _____

(Address) _____

(Date) _____

Return showing particulars of any money which would have been payable or paid to or for the benefit of enemy by way of dividend, interest or share of profits.

Name of enemy.	Address.	Description.	Value.
			£ s. d.
			Ra. A. P.

FORM E.

To _____

Ref. No. E _____

From _____

THE CUSTODIAN OF ENEMY PROPERTY.

(Address) _____

(Date) _____

Return showing particulars of Debts due to an enemy.

Name of enemy.	Address.	Description of property. (Each item to be stated separately)	
		Nature of Debt.	Amount.
			£ s. d. Rs. A. P.

FORM F.

To _____

Ref. No. F _____

From _____

THE CUSTODIAN OF ENEMY PROPERTY.

(Address) _____

Nature of lien claimed (if any) _____

Return showing particulars of enemy property in possession not already recorded with the Custodian.

N.B.—This form should be used in respect of enemy property held in safe custody.

Full name of person for whom held (surname first.)	Full address of person for whom held.	(Each item to be stated separately.)			
		Immoveable Property.		Moveable Property.	
		Full description of any Landed Property held in respect of which income has been received.	Amount of Income received therefrom.	Full description of any moveable property held in respect of which Income has been received.	Amount of Income received therefrom.
			£ s. d. Rs. a. p.		£ s. d. Rs. a. p.
				Total	£ Rs.

FORM G.

Ref. No. G. _____

From _____

(Address) _____

To
THE CUSTODIAN OF ENEMY PROPERTY,

N.B.—This form should be used in respect of property held otherwise than in safe custody.

Full name of person for whom held (surname first).	Full address of person for whom held.	(Each item to be stated separately.)			
		Immoveable Property.		Moveable Property.	
		Full description of any landed property held in respect of which Income has been received.	Amount of Income received therefrom.	Full description of any moveable property held in respect of which Income has been received.	Amount of Income received therefrom.
			£ s. d.		£ s. d.
			Rs. a. p.		Rs. a. p.
			£		£
			Rs.		Rs.

FORM H.

QUARTERLY RETURN OF INCOME.

To
THE CUSTODIAN OF ENEMY PROPERTY,

Ref. No. H. _____

From _____

(Address) _____

Nature of lien claimed (if any) _____

(Date) _____

Return showing particulars of Income received from property already recorded with the Custodian and held for or on behalf of or in trust for enemies.

N. B.—(1) If no income has been received since date of previous return, the fact should be recorded and the order returned to the Custodian.

(2) The amount of any lien on the income recorded, or on the property from which it is derived, should be notified if this has not already been done.

Full name of person for whom held (surname first).	Full address of person for whom held.	(Each item to be stated separately.)			
		Immoveable Property.		Moveable Property.	
		Full description of any Landed Property held in respect of which Income has been received.	Amount of Income received since date of last return.	Full description of any moveable property held in respect of which Income has been received.	Amount of Income received since date of last return.
			£ s. d.		£ s. d.
			Rs. a. p.		Rs. a. p.
			£		£
			Rs.		Rs.

Serial No. 30.

No. 41 (1)-Tr. (E. P.)/39 of the 14th October 1939.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY PROPERTY.

ALL ENEMY PROPERTY TO VEST IN THE CUSTODIAN OF ENEMY PROPERTY FOR BRITISH INDIA.

Notification No. 41(1)-Tr. (E. P.)/39, dated the 14th of October issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to order that all enemy property in British India, moveable and immovable, belonging to, or held by, or managed on behalf of, any enemy subject who for the time being is not in India do vest in the Custodian of Enemy Property for British India.

Serial No. 31.

No. 248-O. R./1/39 of the 17th October, 1939.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY PROPERTY.

NOTIFICATION AMENDING CERTAIN ENTRIES IN THE SCHEDULE ANNEXED TO THE NOTIFICATION No. 248-O.R./39, DATED THE 3RD OCTOBER 1939.

Notification No. 248-O.R./1/39, of the 17th October, 1939, issued by the Government of India in the Defence Co-ordination Department:—

In exercise of the powers conferred by sub-rule (d) of rule 97 of the Defence of India Rules, the Central Government is pleased to direct that the following entries shall be deleted from the Schedule annexed to its notification No. 248-O.R./39, dated the 3rd October 1939:—

Firm.	Address.
Abrahamson, Emil, V.	Toldbodgade 10, Copenhagen, Denmark.
Liebermann Waelchli and Company	Tokyo, and Branches at Yokohama, Osaka, Japan.
Cia Fabrica de Panoes "Bio Bio" (R. Stohrel)	..
Schmidt, F. H., Empresa Constructora S. A.	Av. Pte. R. S. Pena 933, Buenos Aires, Argentina.

Serial No. 32.

No. 25-W. (15)/39 of the 17th October 1939.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY PROPERTY.

APPOINTMENT OF INSPECTORS OF ENEMY PROPERTIES AT MADRAS AND BOMBAY RESPECTIVELY.

Notification No. 25-W. (15)/39, of the 17th of October, 1939 issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by rule 100 of the Defence of India Rules, the Central Government is pleased to appoint Mr. F. J. Scott and Khan Bahadur P. N. Pesikaka to be Inspectors under the said rule at Madras and Bombay respectively.

Serial No. 33.

No. 25-W. (9)/39 of the 18th October 1939.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY PROPERTY.

ALL PROPERTY BELONGING TO THE ENEMY FIRMS SPECIFIED TO VEST IN THE CUSTODIAN OF ENEMY PROPERTY.

Notification No. 25-W. (9)/39, of the 18th of October, 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to order that all property, moveable and immoveable, belonging to, or held by, or managed on behalf of, the enemy firms specified in the Schedule hereto annexed or any of their branches, shall vest in the Custodian of Enemy Property.

Schedule.

1. Messrs. Stahlwerke Roehling Buderus A. G. (Indian Office), Standard Building, Annexe 51, Bastion Road, Bombay.
2. Siemens (India) Limited, United India Insurance Building, Central Avenue, Calcutta.
3. The Krupp Indian Trading Company, Limited, Thackersey House, Graham Road, Bombay.
4. A. Luebke Limited, 1-B, Old Post Office Street, Calcutta.
5. Messrs. F. H. Schule (India) Limited, 12, Clive Street, Calcutta.
6. Messrs. Skoda (India) Limited, Construction House, Wittet Road, Ballard Estate, Bombay.
7. Bayer Remedies Limited, Commerce House, Ballard Estate, Bombay.

Serial No. 34.

No. 45 (2)-Tr. (E. P.)/39 of the 28th October 1939.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY PROPERTY.

ENEMY PROPERTY.

Notification No. 45(2)-Tr. (E. P.)/39, of the 28th October 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to order that all property, moveable and immoveable, belonging to, or held by, or managed on behalf of, the enemy firm known as the Deutscher Klub Limited (registered office at Bombay) do vest in the Custodian of Enemy Property for British India.

Serial No. 35.

No. 71-(1) Tr. (E. P.)/39 of the 28th October 1939.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY PROPERTY.

APPOINTMENT OF CUSTODIAN OF ENEMY PROPERTY FOR BRITISH INDIA.

Notification No. 71-(1)-Tr. (E. P.)/39, dated the 28th October 1939, has been issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-rule (1) of rule 144 of the Defence of India Rules, and in supersession of its Notification in the Department of Commerce No. 22-W.(2)/39, dated the 20th September, 1939, the Central Government is pleased to appoint Mr. B. C. A. Cook, I.C.S., as the Custodian of Enemy Property for British India, in addition to his other duties, with effect from the 1st November, 1939.

Serial No. 36.

No. 54-O. R./39 of the 30th October 1939.

TRADING WITH THE ENEMY AND CONTROL OF ENEMY PROPERTY.

ADDITIONS AND AMENDMENTS IN THE LIST OF ENEMY FIRMS ALREADY PUBLISHED.

Notification No. 54-O. R./39, dated the 30th October 1939, issued by the Government of India in the Defence Co-ordination Department:—

In exercise of the powers conferred by clause (d) of rule 97 of the Defence of India Rules, the Central Government is pleased to direct that the Schedule annexed to its notification No. 248-O.R./39, dated the 3rd October 1939, shall be varied—

- (a) by inserting the names and addresses specified in Part I of the Schedule hereto annexed,
- (b) by making the amendments specified in Part II of the said Schedule.

SCHEDULE.

PART I.—ADDITIONS.

Firm.	Address.
Alwin, George	Ave. Las Palmeras, "Chalet Latorre," Tetuan, Spanish Morocco.
Barth y Cia Sucesores, Eugenio	Calle 25 de Mayo 731-7, Montevideo, Uruguay.
Bernitt & Cia	Calle Misiones 1472, Montevideo, Uruguay.
Carranza & Bernhardt, S. A.	Tetuan, Spanish Morocco.
Cia General de Construcciones, S. A.	Av. Pto. R. S. Pena 933 Buenos Aires, Argentina.
Continental-Caoutchouc Compagnie A/B.	Torsgatan 41, Stockholm, Sweden.
Cornelsen, Nicolas	Tegucigalpa, Honduras.
Dalmatia Bauxite	Drnis, Mostar, Sinz & Dihac, Yugoslavia.
Doborow, Juan	Tegucigalpa, Honduras.
Einarsson, A., & Funk	Reykjavik, Iceland.
Gerlach & Co., Sucesores	Guatemala City, Guatemala.
Hastedt & Cia, Diestel	Guatemala City, Guatemala.
Hildebrand, Oscar	Miskogvė 18/A, Kaunas, Lithuania.
"Hisma", Ltda.	Tetuan, Spanish Morocco.
Hispano-Marroquide Transportes, Soc., Ltda.	Tetuan, Spanish Morocco.
Jost, Karl	Duonelaicio gve 4, Kaunas Lithuania.
Jugoholding, S. A.	64, Kapetan Michina, Belgrade Yugoslavia.
Kaltwasser y Compania, Hermann	Guatemala City, Guatemala.
Konke, Casa	Ampala Tegucigalpa, Honduras.
La Ribereña del Plata, Cia. Sudamericana de Comercio, S. A.	Calle Piedras, 350, Montevideo, Uruguay.
"La Tecnica"	Tetuan, Spanish Morocco.
Lahusen y Cia, Ltda.	Calle Galicia, 927, Montevideo, Uruguay.
Lehnhoff, J.	Guatemala City, Guatemala.
Lisanski Rudnici A. D.	17, Dositijeva, Belgrade, Yugoslavia.
Nehlsen, H.	Guatemala City, Guatemala.
Paegge Sandau, Fred.	Apartado de Correos 98, Tetuan, Spanish Morocco.
Quincke, S. A., Ernesto	Calle Cerro Largo 851, Montevideo, Uruguay.
Rabe y Cia, Otto	Calle 25 de Mayo 694-700 Montevideo, Uruguay.
Rödelheimer, E.	Kaa-el-Hafa, Tetuan, Spanish Morocco.
Rotermann "Rotermann 'i Tehased" A/S Chr.	Tallinn, Estonia.
Rossner, Casa	Ampala Tegucigalpa, Honduras.
Schultz & Co., Ltda., Wilhelm	Calle Falange de Marruccos, 19, Tetuan, Spanish Morocco.
Siercke, Francisco	Tegucigalpa, Honduras.
Topke & Co.	Guatemala City, Guatemala.
Western, Adolf	Cabeye, Yugoslavia.
Wilmer, H. & O.	Calle O'Donnell, 12, Tetuan, Spanish Morocco.

PART II.—AMENDMENTS.

For "Bancara, Societatea, Bucharest, Roumania" substitute "Societatea Bancara Romana, Str. Lipsicani, 33, Bucharest, Roumania".

For "Comercial C. prn. A. Compania" substitute "Comercial C por A Compania".

For "Liège" in relation to "Cominchar S. A." substitute "Antwerp".

For "Dansk Automobil A/S" substitute "Danadko Automobile A/S".

For "Deutz, Cia. Argentina de Moteres Otto Legitimo S. A., Pueynnedon 602, Buenos Aires, Argentina", substitute "Deutz, Cia. Argentina de Moteres Otto' Legitimo S. A., Pueyrredon 602, Buenos Aires, Argentina."

For "Anvers" in relation to "Forceville, J. F." substitute "Antwerp".

For "Axeltora 6" in relation to "Henkel & Co. A/S" substitute "Axeltory 6".

- For "Husestrom, John" substitute "Hullstroit, John".
- For "Jugoslavensko, A. E. G." substitute "Jugoslovensko, A. E. G."
- For "Jugoslavensko Siemens A. D." substitute "Jugoslovensko Siemens A. D."
- For "Kohpoke & Neumann Inc." substitute "Kohpeke & Neumann Inc."
- For "Norddeutscher Lloyds" substitute "Norddeutscher Lloyd".
- For "Ponte, B." substitute "Ponto, B."
- For "Reuter, Ingenieur Byra A." substitute "Reuter Ingeniorbyra A."
- For "Schel, G., & Company" substitute "Scheel, G. & Company A/S."
- For "Scholler Bleckman Phonix Seiko Goshi Kaisha" substitute "Scholler Bleckmann Phonix Seiko Goshi Kaisha".
- For "Siemens" Bulgarian Electrical Co. Ltd., Tzaritza, Ionna 25, Sofia, Bulgaria" substitute "Siemens Bulgarian Electrical Co., Ltd., Tzaritza, Ioanna 25, Sofia, Bulgaria."
- For "Staudt & Cia, B. Irigoyen 330, Buenos Aires, Argentina" substitute "Staudt & Cia. S. A. C., B. Irigoyen 330, Buenos Aires, Argentina".
- In relation to "Stoltz, Hermann", for "Brazil" substitute "and all branches in Brazil".
- For "Summerapartmenting" substitute "Sommerapartmenting".
- For "Wimmer, J., & Cia., 34, Avenida 24 de Julio, Lisbon, and 18, Rua Monsinho da Salneira, Oporto, Portugal" substitute "Wimmer, J., & Cia, 34, Avenida 24 de Julho, Lisbon, and 18, Rua Monsinho da Silveira, Oporto, Portugal".

Serial No. 37.

No. 72 (1)-Tr. (W.)/39 of the 2nd November 1939.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY PROPERTY.

ALL ENEMY PROPERTY TO VEST IN THE CUSTODIAN OF ENEMY PROPERTY.

Notification No. 72(1)-Tr. (W.)/39, of the 2nd November, 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, and in supersession of the Notification of the Government of India in the Commerce Department, No. 41(1)-Tr. (E. P.)/39, dated the 14th October 1939, the Central Government is pleased to order that all enemy property in British India, moveable or immoveable, belonging to, or held by, or managed on behalf of, any enemy subject either—

- (a) as defined in sub-clause (a) of clause (1) of rule 103 of the said Rules, who is not for the time being in India, or
- (b) as defined in sub-clause (b) of the said clause, where the property is not under the control of an Indian branch of the body of persons for the time being carrying on business in India,

shall vest in the Custodian of Enemy Property for British India.

Serial No. 38.

No. 71 (2)-Tr. (W.)/39 of the 11th November 1939.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY PROPERTY.

APPOINTMENT OF DEPUTY CONTROLLERS AND ASSISTANT CONTROLLERS OF ENEMY PROPERTY.

Notification No. 71(2)-Tr. (W.)/39 of the 11th November 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-rule (1) of rule 114 of the Defence of India Rules, the Central Government is pleased to appoint Mr. W. R. Tapper, Deputy Controller of Enemy Firms, Calcutta, as Deputy Custodian of Enemy Property, Calcutta, and Mr. C. W. Owen, Assistant to the Deputy Controller of Enemy Firms, Bombay, as Assistant Custodian of Enemy Property, Bombay, in addition to their existing duties, with effect from the 18th October 1939.

Serial No. 39.

No. 288-O. R./39 of the 25th November 1939.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY PROPERTY.

AMENDMENTS TO RULE 113 OF THE DEFENCE OF INDIA ORDINANCE RULES.

Notification No. 288-O. R./39, dated the 25th November 1939, issued by the Government of India in the Defence Co-ordination Department:—

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:—

After rule 113 of the said Rules the following rule shall be inserted, namely:—

- * Power to carry on business of enemy firm.
- 113A. (1) Where it appears to the Central Government that the control or management of an enemy firm has been or is likely to be, so affected by the state of war as to prejudice the effective continuance of its trade or business, and that it is in the public interest that the trade or business should continue to be carried on, the Central Government may by order authorise a person to carry on the trade or business in such manner and to such extent as may be prescribed.
- (2) While a person authorised under sub-rule (1) is carrying on the trade or business of an enemy firm,—
- (a) such person shall be deemed to be acting as the agent of the firm;
 - (b) such person shall be entitled to the management of the affairs of the firm to the exclusion of any other person acting or purporting to act on behalf of the firm, and for the purposes of such management shall be entitled to employ such staff or other agency as he thinks fit;

- (c) such person shall not, in respect of such matter relating to the said management as may be specified by order of the Central Government, be bound by any obligation or limitation imposed on him as agent of the firm by or under any law, instrument or contract ;
 - (d) such person shall be entitled to retain out of the assets of the firm all costs, charges and expenses of, or incidental to, the said management, and such remuneration as may be prescribed ; and
 - (e) the firm shall not have the right to control the carrying on of the trade or business.
- (3) No person authorised under sub-rule (1) to carry on the trade or business of an enemy firm shall be personally liable for acts done by him in good faith in the course of management of such trade or business."

Serial No. 40.

No. 73 (8)-Tr. (W.)/39 of 25th November, 1939.

TRADING WITH THE ENEMY AND THE CONTROL OF ENEMY PROPERTY.

NOTIFICATION AMENDING THE CONTROL OF INTERNEES' PROPERTY ORDER, 1939

Notification No. 73(8)-Tr. (W.)/39 of the 25th November, 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-rule (1) of rule-114 of the Defence of India Rules, the Central Government is pleased to direct that the following amendments shall be made in the Control of Internees' Property Order, 1939, namely:—

In the said Order—

- (1) for clause (ii) of paragraph 2, the following clause shall be substituted, namely:—

“(ii) “Custodian” means the Custodian of Enemy Property for British India appointed under rule 114 of the Defence of India Rules and includes any Deputy or Assistant Custodian of Enemy Property authorised by the said Custodian in respect of all or any of the provisions of this Order”.

- (2) after paragraph 5, the following paragraph shall be inserted, namely:—

“5A. No Bank in British India shall allow withdrawals from an account, including a joint account, belonging to an internee except in accordance with the provisions of paragraph 6 of this Order or with such general or special instructions not inconsistent with that paragraph as the Custodian may issue.”

PART IV

DEPARTMENT OF SUPPLY, THE WAR
SUPPLY BOARD, ETC.

Serial No. 40-A.

No. 180/39-Public, dated the 26th August 1939.

THE DEPARTMENT OF SUPPLY.

CREATION OF A DEPARTMENT OF SUPPLY TO DEAL DIRECTLY WITH QUESTIONS CONCERNING SUPPLIES OF ALL KINDS REQUIRED FOR THE PROSECUTION OF WAR.

Resolution (No. 180/39-Public, dated the 26th August, 1939) of the Government of India in the Home Department:—

The Governor General in Council is pleased to announce the creation from the 26th August, 1939, of a Department of Supply, to deal directly with questions concerning supplies of all kinds required for the prosecution of war. The Department will be added to the portfolio of the Honourable Sir Muhammad Zafrullah Khan, K.C.S.I., Law Member of the Governor General's Executive Council, and will be directly administered by a Director General of Supply.

Serial No. 41.

No. 180/39-Public, dated the 26th August 1939.

THE DEPARTMENT OF SUPPLY.

CREATION OF POSTS OF DIRECTOR GENERAL AND DEPUTY DIRECTOR GENERAL OF SUPPLY.

Notification (No. 180/39-Public, dated the 26th August, 1939) issued by the Government of India in the Home Department:—

The Governor General in Council is pleased to sanction the creation of a temporary post of Director General of Supply for a period of six months, in the first instance, and the appointment thereto of Mr. H. Dow, C.S.I., C.I.E., I.C.S. The post will be created with effect from the date Mr. Dow assumes charge of his new duties.

2. The Governor General in Council is also pleased to sanction the creation of a temporary post of Deputy Director General of Supply for a period of six months, in the first instance, and the appointment thereto of Sir James Pitkeathly, K.C.I.E., C.M.G., C.I.E., C.V.O., C.B.E., D.S.O. The post will be created with effect from the date Sir James Pitkeathly takes charge of his new duties.

Serial No. 42.

No. 1/39, dated the 31st August 1939.

THE DEPARTMENT OF SUPPLY.

ESTABLISHMENT OF A WAR SUPPLY BOARD.

Notification (No. 1/39, dated the 31st August, 1939) issued by the Government of India in the Department of Supply:—

The Governor General in Council is pleased to set up, with effect from the date of this notification, a War Supply Board, the functions of which will be to take such steps as may be necessary to ensure that supplies

of all kinds required for the prosecution of war are available with the utmost expedition, and to co-ordinate the activities of all Departments of the Government of India and of commercial firms or organisations to that end. The Director General of Supply and the Deputy Director General of Supply will be respectively President and Vice-President of the Board, which will be composed as follows:—

1. A representative of the Railway Board.
2. A representative of the Master General of the Ordnance Branch.
3. A representative of the Quartermaster General's Branch.
4. A representative of the Finance Department.
5. The Chief Controller, Indian Stores Department.
6. The Director of Contracts.

Serial No. 43.

No. 2/39, dated the 4th September 1939.

THE DEPARTMENT OF SUPPLY.

DATE OF ASSUMPTION OF OFFICE OF THE DIRECTOR GENERAL OF SUPPLY.

Notification (No. 2/39, dated the 4th September, 1939) issued by the Government of India in the Department of Supply:—

With reference to the Home Department notification No. 180/39-Public, dated the 26th August, 1939, Mr. H. Dow, C.S.I., C.I.E., I.C.S., assumed the duties of Director General of Supply, with effect from the 26th of August, 1939.

Serial No. 44.

No. 3/39, dated the 4th September 1939.

THE DEPARTMENT OF SUPPLY.

DATE OF ASSUMPTION OF OFFICE OF THE DEPUTY DIRECTOR GENERAL OF SUPPLY.

Notification (No. 3/39, dated the 4th September, 1939) issued by the Government of India in the Department of Supply:—

With reference to paragraph 2 of Home Department notification No. 180/39-Public, dated the 26th August, 1939, Sir James Pitkeathly, K.C.I.E., C.M.G., C.V.O., C.B.E., D.S.O., assumed the duties of Deputy Director General of Supply, with effect from the 1st of September, 1939.

Serial No. 45.

No. W.-30 (1), dated the 8th September, 1939.

THE WAR TRANSPORT BOARD.

CREATION OF A WAR TRANSPORT BOARD.

Notification [No. W-30(1), dated the 8th September, 1939] issued by the Government of India in the Department of Communications:—

The Governor General in Council is pleased to set up, with effect from the date of this notification, a War Transport Board in the portfolio of

the Member in charge of Communications, the functions of which will be to secure such co-ordination of different forms of transport as may be necessary for the proper prosecution of the War. The Hon'ble Sir Guthrie Russell, K.C.I.E., will be the President of the Board, which will be composed as follows:—

1. A representative of the Railway Board.
2. A representative of Quarter-Master General's Branch.
3. A representative of Flag Officer Commanding, Royal Indian Navy.
4. A representative of Commerce Department.
5. A representative of the Defence Co-ordination Department.

The Secretary of the Board will be Mr. H. Ronson, I.C.S.

The Board shall have the authority to co-opt additional members as and when necessary.

Serial Nos. 46 and 47.

No. 30/39 of the 1st November, 1939.

WAR SUPPLY BOARD.

THE CONSTITUTION OF WAR SUPPLY BOARD.

Notification No. 30/39, of the 1st November, 1939, issued by the Government of India in the Department of Supply:—

In modification of Government of India Gazette Extraordinary Notification No. 1/39* of the 31st August, 1939, His Excellency the Governor General in Council is pleased to direct that the War Supply Board should in future be-constituted as follows:—

President—

The Director General of Supply.

Members—

1. A representative of His Excellency the Defence Member.
2. The Financial Adviser, Military Finance.
3. The Chief Commissioner of Railways.
4. The Secretary, Commerce Department.

*According to Notification No. 1/39 Serial Number 42, the constitution of the War Supply Board was as follows:—

The Director General of Supply and the Deputy Director General of Supply to be President and Vice-President respectively of the Board with the following Members:—

1. A representative of the Railway Board.
2. A representative of the Master General of the Ordnance Branch.
3. A representative of the Quarter-Master General's Branch.
4. A representative of the Finance Department.
5. The Chief Controller, Indian Stores Department.
6. The Director of Contracts.

Serial No. 48.

No. 81-O, R./39 of the 23rd September 1939.

DEFENCE OF INDIA RULES.

VESTING OF AUTHORITY TO EXERCISE CERTAIN POWERS REGARDING TRANSPORT.

Notification No. 81-O, R./39, dated the 23rd September 1939, issued by the Government of India in the Defence Co-ordination Department:—

In pursuance of sub-rule (1) of rule 74 of the Defence of India Rules, the Central Government is pleased to authorise the following persons to exercise the powers conferred by the said sub-rule, namely:—

1. Director of Civil Aviation in India.
2. Deputy Director of Civil Aviation in India.
3. Chief Aerodrome Officer.
4. Chief Inspector of Aircraft.
5. Officers in charge of Aerodromes
6. Any Commissioned Officer of His Majesty's Air Forces in India.
7. District Magistrates.
8. District Superintendents or Superintendents of Police.

Serial No. 49.

No. 9/39 of the 27th/28th September, 1939.

DEPARTMENT OF SUPPLY.

APPOINTMENT OF ADVISER ON STEEL SUPPLIES.

Notification (No. 9/39, dated the 27th/28th September, 1939) issued by the Government of India in the Department of Supply:—

The Governor General in Council is pleased to appoint, with effect from the 20th September, 1939, Mr. J. C. Mahindra of Messrs. Tata Iron and Steel Company as Adviser on Steel Supplies.

Serial No. 50.

No. 10/39, of the 27th/28th September, 1939.

DEPARTMENT OF SUPPLY.

APPOINTMENT OF CONTROLLER OF JUTE PURCHASES.

Notification (No. 10/39, dated the 27th/28th September, 1939) issued by the Government of India in the Department of Supply:—

The Governor General in Council is pleased to appoint, with effect from the 20th September, 1939, Mr. P. S. Macdonald, Chairman, Indian Jute Mills Association, as Controller of Purchases (Jute).

Serial No. 51.

No. 31/39 of the 2nd November 1939.

DEPARTMENT OF SUPPLY.

APPOINTMENT OF A LIAISON OFFICER FOR THE TANNING AND LEATHER INDUSTRIES.

Notification (No. 31/39, dated the 2nd November, 1939) issued by the Government of India in the Department of Supply:—

Mr A C. Inskip, O.B.E., V.D., Chairman, The Tanners Federation of India, is appointed Liaison Officer for the Tanning and Leather Industries, in the Department of Supply, with effect from the 31st October, 1939.

Serial No. 52.

No. 32/39 of the 2nd November 1939.

DEPARTMENT OF SUPPLY.

APPOINTMENT OF A LIAISON OFFICER FOR PETROLEUM PRODUCTS.

Notification (No. 32/39, dated the 2nd November, 1939) issued by the Government of India in the Department of Supply:—

Mr. L. C. Buss of the Burmah Shell Company Limited is appointed Liaison Officer for Petroleum Products in the Department of Supply with effect from the 30th October, 1939.

Serial No. 53.

No. 290-O. R./39 of the 27th November 1939.

TRANSPORT FACILITIES.

NOTIFICATION ADDING RULE 85-A TO THE DEFENCE OF INDIA RULES.

Notification No. 290-O. R./39, of the 27th November 1939, issued by the Government of India in the Defence Co-ordination Department:—

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:—

After rule 85 of the said Rules, the following rule shall be inserted, namely:—

85-A. *Control of carriage of goods by railways.*—The Central Government may, by general or special order, direct any Railway Administration—

- (a) to give special facilities or preference for the transport of specified goods or specified classes of goods, or
- (b) to refuse to carry specified goods or specified classes of goods, either entirely or between specified points;

and notwithstanding anything to the contrary contained in the Indian Railways Act, 1890 (IX of 1890), a Railway Administration shall be bound to comply with any directions given to it under this rule.

PART V

THE CONTROL OF PRICES

Serial No. 54.

No. 20 of the 8th September 1939.

THE CONTROL OF PRICES.

Notification No. 20 of the 8th September 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-section (4) of section 2 of the Defence of India Ordinance, 1939, the Central Government is pleased to direct that the powers conferred on it by sub-rule (2) of rule 81 of the Defence of India Rules to provide for controlling the prices at which articles or things may be sold, shall be exercisable also by any Provincial Government (including a Chief Commissioner) subject to the following conditions:—

- (a) The power shall only be exercised in respect of necessaries such as medical supplies, foodstuffs, salt, kerosene oil and the cheaper qualities of cotton cloth*.
- (b) Imported commodities, other than medical supplies, salt and kerosene oil, shall not be brought within the scope of the orders without the previous sanction of the Central Government.
- (c) The orders shall be applicable to prices at each of the following stages: sale by producer or importer, each stage of wholesale trade and the point of retail sale.
- (d) The orders shall not subject the prices charged at any of the above stages to a minimum lower than 10 per cent. above the ruling price at the same stage on 1st September 1939.

(See below Notification of the 16th September substituting this paragraph. Also see Notification of the 29th September amending conditions laid down in this paragraph.)

Serial No. 55.

No. 20-W. (1)/39 of the 16th September 1939.

THE CONTROL OF PRICES.

CORRIGENDUM.

In the notification of the Government of India in the Department of Commerce, No. 20, dated the 8th September 1939, published in the Gazette of India Extraordinary of the same date in condition (d) for the word "minimum" substitute the word "maximum".

Serial No. 55-A.

No. 20-W. (1)/39 of the 16th September 1939.

Notification No. 20-W.(1)/39, of the 16th September 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-section (4) of section 2 of the Defence of India Ordinance, 1939, the Central Government is pleased

* For cotton cloth see serial No. 56-A.

to direct that the following amendment shall be made in the notification of the Government of India in the Department of Commerce, No. 20, dated the 8th September, 1939, namely:—

“(d) The maximum price fixed for sales at any of the above stages shall not be less than a figure 10 per cent above the ruling price at the same stage on 1st September 1939.”

Serial No. 56.

No. 20-W. (1)/39 of the 29th September 1939.

THE CONTROL OF PRICES.

Notification No. 20-W.(1)/39, dated the 29th September 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-section (4) of section 2 of the Defence of India Ordinance, 1939, 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 Department of Commerce No. 20, dated the 8th September 1939, namely* :—

For condition (d) in the said notification as amended by the notification of the Government of India in the Department of Commerce, No. 20-W.(1)/39, dated the 16th September 1939, the following condition shall be substituted, namely:—

(d) (i) In the case of goods produced in British India:—

The maximum price fixed for sales by the producer shall be so calculated from time to time as to allow for all factors such as a rise in the cost of raw materials or millstores, which may have increased the cost of production and shall in any case not be less than a figure 10 per cent. above the ruling price charged by producers on 1st September 1939;

The maximum price fixed for sales at the whole-sale and retail stages shall not be less than a figure exceeding the ruling price at the same stage on 1st September 1939, by the amount by which the price charged by the producer is allowed by the Provincial Government in whose jurisdiction the producer carries on his business to exceed the ruling price charged by producers on the said date and shall in any case not be less than a figure 10 per cent. above the ruling price at the same stage of distribution on the said date.

(ii) In the case of imported goods:—

The maximum price fixed for sales by the importer shall be so calculated from time to time as not to be less than the sum of (a) the current cost to the importer of similar goods, and (b) the amount by which the importer's selling rate on 1st September 1939 exceeded the cost to importers prevailing on that date, and shall in any case not be less than a figure 10 per cent. above the ruling price charged by importers on that date;

The maximum price fixed for sales at the wholesale and retail stages shall not be less than a figure exceeding the ruling price at the same stage on 1st September 1939 by the amount by which the price charged by the

*See serial Nos. 54, 55, and 55A respectively.

importer is allowed by the Provincial Government in whose jurisdiction the importer carries on his business to exceed the ruling price charged by importers on the said date and shall in any case not be less than a figure 10 per cent. above the ruling price at the same stage of distribution on the said date.

Serial No. 56-A.

No. 501-S. & I.-War (4)/39 of the 18th November 1939.

THE CONTROL OF PRICES.

Notification No. 501-S. & I.-War (4)/39, dated the 18th November 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-section (4) of 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 notification of the Government of India in the Department of Commerce No. 20, dated the 8th September 1939, namely:—

In condition (a) in the said notification, for the words "the cheaper qualities of cotton cloth", the words "cotton cloth, woven from yarn of counts not exceeding 20s. in the warp or the weft" shall be substituted.

PART VI
THE CONTROL OF TEA, RUBBER, ETC.

Serial No. 57.

PRESS NOTE OF THE 27TH SEPTEMBER, 1939.

THE CONTROL OF TEA.

TEA EMERGENCY CONTROL SCHEME: APPOINTMENT OF A TEA CONTROLLER FOR INDIA.

Press *communiqué*, dated the 27th September, 1939, issued by the Government of India in the Department of Commerce:—

The Food Controller in the United Kingdom has decided to purchase from India a certain quantity of his requirements of tea for the civil population and for the War Office in the United Kingdom. The Government of India have considered the proposals made to them and have decided that all tea for export to the United Kingdom should be controlled and purchased on behalf of His Majesty's Government. Further details connected with this tea emergency control scheme will be announced as soon as possible.

For the above purpose they have decided to appoint Mr. Y. N. Sukthankar, I.C.S., Joint-Secretary to the Government of India in the Department of Commerce, as Tea Controller for India.

Serial No. 58.

No. 201 (23)-T. R.-(IER)/38, dated the 3rd October 1939.

THE CONTROL OF TEA.

MR. Y. N. SUKTHANKAR, I.C.S., APPOINTED TO BE AN ADDITIONAL MEMBER OF, AND TO ACT AS CHAIRMAN OF, THE INDIAN TEA LICENSING COMMITTEE.

Notification, No. 201 (23)-T. R. (IER)/38, dated the 3rd October, 1939, issued by the Government of India in the Department of Commerce:—

In exercise of the powers conferred by sub-section (1) of section 7 of the Defence of India Ordinance, 1939, the Central Government is pleased to appoint Mr. Y. N. Sukthankar, I.C.S., to be an additional member of, and to act as Chairman of, the Indian Tea Licensing Committee, with effect from the 3rd October, 1939.

Serial No. 59.

No. 202 (2)-Tr. (IER)/39, dated the 28th October 1939.

THE CONTROL OF TEA.

REVISED INDIAN EXPORT ALLOTMENT OF TEA FOR THE FINANCIAL YEAR 1939-40.

Notification, No. 202 (2)-Tr. (IER)/39, dated the 28th October, 1939, issued by the Government of India in the Department of Commerce:—

In pursuance of section 13 of the Indian Tea Control Act, 1938 (VIII of 1938), and in modification of its Notification* in the Department of

* The following is the text of the Notification, referred to above:—

In pursuance of section 13 of the Indian Tea Control Act, 1938 (VIII of 1938), the Central Government, after consulting the Indian Tea Licensing Committee, is pleased to declare that the Indian export allotment of tea for the financial year 1939-40 shall be 344, 918, 624 pounds avoirdupois, being, ninety per cent of India's standard export figures.

Commerce No. 202 (1)-Tr. (IER)/39, dated the 18th March 1939, the Central Government after consulting the Indian Tea Licensing Committee is pleased to declare that the revised Indian Export allotment of tea for the financial year 1939-40 shall be 364,080,770 pounds avoirdupois, being ninety-five per cent, of India's standard export figure.

Serial No. 60.

No. 243 (10)-Tr. (IER)/38 of 26th August 1939.

THE CONTROL OF DRY RUBBER.

MAXIMUM QUOTA OF DRY RUBBER EXPORTS.

Notification No. 243 (10)-Tr. (IER)/38 of the 26th August, 1939, issued by the Government of India in the Department of Commerce:—

In pursuance of section 13 of the Indian Rubber Control Act, 1934 (XXVIII of 1934), and in supersession of its notification in the Department of Commerce No. 243 (10)-Tr. (IER)/38, dated the 17th June 1939, the Central Government is pleased to declare that the permissible maximum net exports of dry rubber from British India for the third quarter of 1939, shall be 2,625 tons.

Serial No. 61.

No. 243 (10)-Tr. (IER)/38 of the 21st October 1939.

THE CONTROL OF RUBBER.

EXPORT QUOTA FOR DRY RUBBER.

Notification No. 243 (10)-Tr. (I. E. R.)/38, dated the 21st October, 1939, issued by the Government of India in the Department of Commerce:—

In pursuance of section 13 of the Indian Rubber Control Act, 1934 (XXVIII of 1934), and in supersession of its notification in the Department of Commerce No. 243 (10)-Tr. (IER)/38, dated the 30th September 1939, the Central Government is pleased to declare that the permissible maximum net exports of dry rubber from British India for the fourth quarter of 1939, shall be 3,281½ tons.

Serial No. 62.

No. 250 (2)-Tr. (IER)/39 of the 25th November 1939.

THE CONTROL OF RUBBER.

THE EXPORT LICENCE FEE OF RUBBER.

Notification No. 250 (2)-Tr. (IER)/39 of the 25th November, 1939, issued by the Government of India in the Department of Commerce:—

In pursuance of clause (a) of sub-section (1) of section 22 of the Indian Rubber Control Act, 1934, (XXVIII of 1934) and in supersession of its notification in the Department of Commerce, No. 250 (3)-Tr. (IER)/38, dated the 24th December, 1938, the Central Government is pleased to direct that, with effect from the 1st January, 1940, the rate of licence fee for every export licence issued by the Indian Rubber Licensing Committee shall be three annas per hundred pounds of rubber or part thereof covered by such licence.

PART VII
THE CONTROL OF HOUSE RENTS, BOARD-
ING HOUSES, ETC.,
IN DELHI

Serial No. 63.

No. B.-52 of the 28th September 1939.

THE CONTROL OF HOUSE RENTS IN NEW DELHI.

AMENDMENT TO DEFENCE OF INDIA ORDINANCE RULES.

Notification No. B.-52,* dated the 28th September, 1939, issued by the Government of India in the Department of Labour:—

In exercise of the powers conferred by section 2 of the Defence of India Ordinance, 1939, the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:—

In rule 81 of the said Rules, after clause (b) of sub-rule (2), the following clause shall be inserted, namely:—

“(bb) for controlling the rents in any urban area for residential accommodation, whether furnished or unfurnished and whether with or without board;”.

Serial No. 64.

No. B.-52 of the 28th September 1939.

THE CONTROL OF HOUSE RENTS IN NEW DELHI.

Notification No. B.-52,† dated the 28th September, issued by the Government of India in the Department of Labour:—

In exercise of the powers conferred by clause (bb) of sub-rule (2) of rule 81 of the Defence of India Rules the Central Government is pleased to make the following Order:—

1. (1) This Order may be called the New Delhi House Rent Control Order 1939.

(2) It shall come into force at once.

(3) It shall extend to the Municipality of New Delhi and to the Notified Area of the Civil Station, Delhi.

2. In this Order, unless there is something repugnant in the subject or context—

(1) ‘Controller’ means the Chief Engineer of the Central Public Works Department;

(2) ‘house’ means a building or part of a building suitable for occupation as a residence, and includes—

(a) the garden, grounds and outhouses (if any) appurtenant to such building or part of a building; and

(b) any furniture supplied by the landlord for use in such building or part of a building; and

* The Number of this Notification is altered from B. 52 to B. 52 (1) by Notification B. 52 (2) of the 29th September 1939. Serial No. 160.

† The Number of this Notification No. B. 52 is altered to No. B. 52 (2) by the Notification No. B. 52 (2) of the 29th September 1939.

- (3) 'landlord' includes the person who is receiving or is entitled to receive the rent of a house whether on his own account or on behalf of himself and others or as an agent or trustee, or who would so receive the rent or be entitled to receive the rent if the house were let to a tenant.

3. When, on a written complaint or otherwise, the Controller has reason to believe that the rent of any house within the local limits to which this Order applies, is excessive, he shall hold a summary enquiry and record a finding.

4. If, on a consideration of all the circumstances of the case, including any amount paid or to be paid by the tenant by way of premium or any other like sum in addition to rent, the Controller finds that the rent of the house is excessive, he shall determine the fair rent to be charged for the house.

5. In fixing the fair rent under clause 4, the Controller shall have due regard to the prevailing rates of rent for the same or similar accommodation in similar circumstances during the twelve months prior to the 1st September 1939, and, in the case of a house which has been constructed after that date, also to any general increase in the cost of sites and building construction.

6. When the Controller has determined the fair rent of a house—

- (a) the landlord shall not charge any rent in excess of such fair rent;
- (b) any agreement for the payment of rent in excess of such fair rent shall be null and void in respect of such excess and shall be construed as if it was an agreement for payment of the said fair rent.
- (c) any sum in excess of such fair rent paid, whether before or after the commencement of this Order, in respect of residence after the commencement of this Order shall be refunded to the person by whom it was paid, or at the option of such person, otherwise adjusted.

7. (a) After the commencement of this Order, an increase in rent shall be permissible only where some addition, improvement or alteration, not included in necessary repairs or repairs which are usually made to houses in New Delhi or the Delhi Civil Station has been carried out at the landlord's expense since the rent was fixed.

(b) Any such increase in rent shall not exceed $7\frac{1}{2}$ per cent, per annum on the cost of such addition, improvement or alteration and shall not be chargeable until such addition, improvement or alteration has been completed.

(c) Any dispute between the landlord and the tenant in regard to any increase of rent claimed under this clause shall be decided by the Controller.

8. (1) Any person aggrieved by an order of the Controller may, within fifteen days from the date on which the order is communicated to him, present an appeal in writing to the Chief Commissioner, Delhi.

(2) The Chief Commissioner shall then send for the record of the case from the Controller, and, after perusing such record and, after making such further enquiry as he thinks fit either personally or through the Controller, shall decide the appeal.

(3) The decision of the Chief Commissioner and subject only to such decision, an order of the Controller, shall be final.

Serial No. 65.

No. B.-52 (2) of the 29th September 1939.

THE CONTROL OF HOUSE RENT IN NEW DELHI.

AMENDMENTS TO PREVIOUS NOTIFICATIONS.

Notification No. B.-52 (2) of the 29th September, 1939, issued by the Government of India in the Department of Labour:—

In the Notifications of the Government of India, Department of Labour, published in the *Gazette of India* Extraordinary, dated September 28, 1939, amending the Defence of India Rules and promulgating the New Delhi House Rent Control Order, 1939, for "No. B.-52" on the first page read "No. B.-52 (2)" and for "No. B.-52" on the second page read "No. B.-52 (1)".

Serial No. 66.

No. B.-52 (1) of the 29th September 1939.

THE CONTROL OF HOTELS AND LODGING HOUSES IN DELHI.

THE HOTELS & LODGING HOUSES CONTROL ORDER.

Notification No. B.-52 (1) of the 29th September, 1939, issued by the Government of India in the Department of Labour:—

In exercise of the powers conferred by clause (bb) of sub-rule (2) of rule 81 of the Defence of India Rules the Central Government is pleased to make the following Order:—

1. (1) This Order may be called the Hotels and Lodging Houses Control Order, 1939.

(2) It shall come into force at once.

(3) It shall extend to the Municipality of New Delhi and to the Notified Area of the Civil Station, Delhi.

2. In this Order, unless there is anything repugnant in the subject or context:—

(1) "Controller" means the Chief Engineer of the Central Public Works Department.

(2) "manager of an hotel" includes any person in charge of the management of an hotel.

(3) "owner of a lodging house" includes the person who is receiving or is entitled to receive whether on his own account or on behalf of himself and others or as an agent or trustee, payment from a lodger on account of board, lodging or any other service.

3. (1) When, on a written complaint or otherwise, the Controller has reason to believe that the charges made for board, lodging or any other service provided in any hotel or lodging house within the local limits to which this Order applies are excessive, he shall hold a summary enquiry and record a finding.

(2) For the purposes of an enquiry under sub-clause (1), the Controller may require the manager of an hotel or the owner of a lodging house to produce before the Controller any book of account, document, or other information relating to the hotel or lodging house concerned which he may consider necessary, and may authorise any person subordinate to him to enter up on any premises to which the enquiry relates.

4. If, on a consideration of all the circumstances of the case, including any amount paid or to be paid by any lodger in the hotel or lodging house by way of premium or any other like sum in addition to the charges, the Controller finds that the charges are excessive, he shall determine the fair rate to be charged for board, lodging and any other service provided in the hotel or lodging house.

5. In fixing the fair rate under clause 4, the Controller shall have due regard to the prevailing rates of charges for the same or similar accommodation, board and service during the twelve months prior to the 1st September 1939 and to any general increase in the cost of living after that date.

6. When the Controller has determined the fair rate of charges:—

(a) the manager of the hotel, or owner of the lodging house, as the case may be, shall not charge any amount in excess of such fair rate;

(b) any agreement for the payment of any charges in excess of such fair rate shall be null and void in respect of such excess and shall be construed as if it was an agreement for payment of the said fair rate;

(c) any sum in excess of such fair rate paid, whether before or after the commencement of this Order, in respect of residence after the commencement of this Order shall be refunded to the person by whom it was paid or at the option of such person, otherwise adjusted.

7. (1) Any person aggrieved by an order of the Controller may, within fifteen days from the date on which the order is communicated to him, present an appeal in writing to the Chief Commissioner, Delhi.

(2) The Chief Commissioner shall thereupon send for the case from the Controller, and, after perusing such record and after making such further enquiry as he thinks fit, either personally or through the Controller, shall decide the appeal.

(3) The decision of the Chief Commissioner, and subject only to such decision, an order of the Controller, shall be final.