

WAR-TIME RESTRICTIONS

(A compendium of Orders, Notifications, Acts and Ordinances affecting Business and Trade issued by the Central Government and the Government of Bombay, incorporating amendments upto 31st December 1943.)

BY

KRISHNAKANT MOHANLAL DESAI, M.A., LL.B.,
Advocate, High Court, Bombay
(Sometime Dakshina Fellow, Elphinstone College, Bombay).

Publishers :

The Associated Advertisers and Printers Ltd.,
BOMBAY

Published February, 1944

Sole Selling Agents

PADMA PUBLICATIONS LTD.

FORT, BOMBAY

Printed and Published by V. R. Sawant at the Associated Advertisers & Printers Ltd.,
505, Arthur Road, Tardeo, Bombay.

(The use of Orders, Notifications, Acts and Ordinances etc. in this book is made with the permission of the Government of Bombay and the Government of India but not under their authority or direction).

PREFACE

The Government of India passed the Defence of India Act, 1939, (No. XXXV of 1939), on 29th September 1939, and in pursuance of Section 3 thereof issued the Defence of India Rules. Some of these rules authorised the Central as well as the Provincial Governments to issue various types of Orders from time to time as the occasion and circumstances demanded. A large number of Orders have thus been issued and frequently altered and amended. These Orders are published in the Government Gazettes and only a limited copies are separately printed. They are so easily exhausted, that it is very difficult to secure the copies of the Orders.

In order to meet with this difficulty, I have undertaken the task of compiling and publishing in a book form all the Orders, Notifications, Acts and Ordinances issued by the Central Government as well as the Government of Bombay which affect business and trade. The book does not include Orders affecting law and order, export and import of articles, War Risk Insurance Scheme, Waggon priorities in Railways, delegation of powers to various Officers, etc. I have also omitted those Orders which fix or regulate the prices of commodities as these prices change frequently and are liable to be misleading. The primary consideration in preparing this compilation has been to give the complete law affecting business and trade prevailing in the City of Bombay. But a large number of Orders also apply to the whole of British India and a fairly good number to the whole of the Province of Bombay.

All the Orders etc., are grouped under suitable headings and arranged in alphabetical order except that within each chapter the Orders issued by the Central Government precede those issued by the Government of Bombay. In the beginning

of each Order, I have given the notification number, the Department issuing it and the date of issue. In the case of Orders issued by the Central Government, the words "Government of India" are specified. The rest are those issued by the Bombay Government and no specification is therefore considered necessary in such cases. In preparing this compilation, I have consulted the Bombay Government Gazette Parts I, IV, IVA, IVB and IVC and the Government of India Gazette Part I and Extraordinary of the last two months.

I will be failing in my duty if I do not acknowledge with thanks all the help which I have received from several quarters. My filial duty requires me to mention the name of Mr. Mohanlal M. Desai, B.A., LL.B., Advocate, High Court, who first gave me the inspiration for the preparation of this book, and but for whose daily guidance this book, perhaps, might not have seen the light of the day. Amongst my friends who have rendered me very great help are Mr. B. H. Bhukhanwala, B.A., LL.B., Advocate, High Court, Mr. Mukund R. Modi, B.A., LL.B., Advocate (O. S.) and Mr. Chandrakant M. Desai, B.A., LL.B., Advocate, High Court. I am also thankful to Rao Saheb V. S. Kuadekar, Assistant Director of Civil Supplies, Bombay, Mr. Vyavaharkar, Police Prosecutor, Mr. B. V. Modi B.A., Municipal Secretary and Mr. Jamnadas Dwarkadas B.A., of the Associated Cement Companies, for the kind interest they evinced in my work. Lastly, I must thank Mr. Morarji Padamsey and Mr. D. S. Dalal B.A., LL.B. of the Associated Advertisers and Printers Ltd. for readily agreeing to publish this book and for giving me all the necessary facilities in connection with this publication.

Picket Road,
Bombay.
1st February, 1944.

K. M. DESAI.

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Abbreviations.

| | |
|----------------|---|
| C. D. or D. C. | ...Department of Commerce. |
| C. S. D. | ...Department of Civil Supplies. |
| F. D. or D. F. | ...Department of Food. |
| F. D. (S.) | ...Finance Department (Supply). |
| G. D. or D. G. | ...General Department. |
| G. of I. | ...Government of India. |
| I. & C. S. D. | ...Department of Industries and Civil Supplies. |
| S. D. or D. S. | ...Department of Supply |
| W. D. or D. W. | ...War Department. |
| W. T. D. | ...War Transport Department. |

CHAPTER I
BUILDINGS

BRICK (CONTROL OF DISTRIBUTION) ORDER, 1942.

In exercise of the powers conferred by subrule (2) of rule 81 of the Defence of India Rules and in supersession of Government orders issued under Government Notifications in the Home Department, S.D./A.R.P. Nos. 1854, 1856, 3454 and Nos. 388B and 53/2, dated the 20th February 1942, 20th February 1942, 24th March 1942, 23rd May 1942 and 16th June 1942 respectively, the Government of Bombay is hereby pleased to make the following Order:—

1. *Short title, extent and commencement.*—(1) This Order may be called the Brick (Control of Distribution) Order, 1942.

(2) It extends to the City of Bombay, the Bombay Suburban District and the Thana Mahal, the Kalyan taluka and the Bhiwandi taluka in the Thana District.

(3) It shall come into force at once.

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

(a) “Controller” means the person appointed as Brick Controller by the Government of Bombay and includes any person exercising, upon authorisation by the Government of Bombay, all or any of the powers of the Brick Controller;

(b) “producer” means a person carrying on the business of manufacturing bricks;

(c) “stock holder” means a person holding stocks of bricks for sale;

3. *Application of Order.*—The provisions of this Order shall apply to all bricks including usable over-burnt bricks and brickbats and those obtained from dismantled buildings.

4. *Acquisition.*—Subject to the provisions of clause 7 no person shall acquire any bricks except under the authority of and in accordance with the conditions contained or incorporated in—

(a) a written order of the Controller, or

(b) a license granted by the Controller in this behalf, or

(c) a sub-license granted by the holder of a license issued by the Controller, who has been authorised by the Controller to grant sub-licenses.

5. *Disposal*.—Subject to the provisions of clause 7, no person shall sell, deliver or otherwise dispose of any bricks except—

- (a) to a person authorised to acquire those bricks by a written order of the Controller, or
- (b) to the holder of a license issued by the Controller, or
- (c) to the holder of a sub-license granted by the holder of
 - a license issued by the Controller, who has been authorised to grant sub-licenses,

and in accordance with the conditions contained or incorporated in the document which is the authority for such disposal.

6. *Carriers, warehousemen and servants*.—For the purpose of clauses 4 and 5 any acquisition by or disposal to a carrier or warehouseman or servant acting in the ordinary course of his business or employment as such of any bricks shall be deemed to be only an acquisition by or disposal to the person on whose behalf or to whose order the carrier, warehouseman or servant so acquires those bricks; and any acquisition from or disposal by a carrier or warehouseman or servant acting as aforesaid of any bricks shall be deemed to be only an acquisition from or disposal by the person on whose behalf or to whose order the carrier, warehouseman or servant so disposes of those bricks.

7. *Saving for small transactions*.—The provisions of clauses 4 and 5 shall not apply to the acquisition or disposal of bricks in quantities not exceeding in any one month such amount, if any, as may be fixed in this behalf from time to time by the Government of Bombay.

8. *Use or consumption of bricks*.—A person acquiring bricks in accordance with the provisions of clause 4 shall not use the bricks otherwise than in accordance with any conditions contained or incorporated in the document which was the authority for the acquisition.

9. *Maximum price of bricks*.—(1) Bricks of the kind specified in column 1 of the Schedule appended to this Order shall not be sold in any area to which this Order extends at a price higher than the maximum price specified in the corresponding entry in the second column of the said Schedule.

(2) Producers or stock holders shall not withhold bricks from sale to any person duly authorised to acquire them in accordance with clauses 4 and 7 on demand by such person and on offer of such price.

(3) Producers or stock holders shall issue a cash memorandum or other memorandum relating to the sale of bricks to the purchasers giving full and correct particulars as regards the kind and quantity of bricks sold and the prices at which they are sold.

(4) Producers or stock holders shall keep a copy of this clause together with a copy of the said Schedule displayed in a conspicuous position in their places of business.

10. *Surrender of revoked authorities.*—Where any written order, license or sub-license referred to in clauses 4 and 5 is revoked by the authority which issued it, the person to whom it was issued shall forthwith return it to the authority which issued it.

11. *Surrender of authorities at the time of acquisition.*—A person disposing of bricks in accordance with the provisions of clause 5 shall obtain from the person acquiring the bricks, the document which is the authority for the disposal and acquisition and shall preserve it and when so required shall deliver it to the Controller or to such person as the Controller may direct.

12. *Power to require keeping of accounts and to obtain information.*—(1) Every producer and every stock holder shall keep such books, accounts and records relating to the business carried on by him as the Controller may require.

(2) Every producer or stock holder or person holding stocks of bricks shall on being requested to do so, either by notice served on him or special or general direction issued by the Controller,

(a) produce to such person as may be mentioned in the notice or direction such accounts and other documents as may be mentioned or described in the notice or direction;

(b) furnish to the Controller such estimates, returns and other information relating to the business as may be mentioned or described in the notice or direction; and

(c) permit any person or person of a class or description mentioned in the notice or direction to enter and inspect with a view to securing compliance with this order, any premises used for or in connection with the business.

13. *Power of Government of Bombay to give directions.*—The Government of Bombay may give directions as to the procedure to be followed by the authorities issuing the written orders, licenses, and sub-licenses referred to in clauses 4 and 5, and generally for purposes of giving effect to the provisions of this order.

14. *License for use of bricks in certain cases.*—Notwithstanding anything contained in this order no person shall use bricks for the construction of a new building or for the extension or reconstruction of an existing building within the limits of the City of Bombay and the Bombay Suburban District except under a license granted by the Controller.

SCHEDULE.

| 1 | 2 |
|---|---|
| Kind of brick. | Maximum price per 1000 bricks. |
| Hand-made bricks delivered at the Kila site at which they are produced. | Rs. 18/-(including load- ing charges). |

| | |
|---|--|
| <p>1 Machine-made bricks delivered at the Kiln site at which they are produced.</p> | <p>2 Rs. 20/- (including loading charges).</p> |
| <p>Machine-made bricks delivered f.o.r. at the railway station nearest to the site at which they are produced.</p> | <p>Rs. 28/-.</p> |
| <p>Machine-made bricks delivered at the quay side of any of the Bundars or <i>ex</i>-waggons at any of the Railway Station in the City of Bombay.</p> | <p>Rs. 28/-.</p> |

BUILDING (CONTROL OF CONSTRUCTION) ORDER, 1943.

Notification, Home Department (Political -A.R.P.), No. 388-C dated 11th February 1943.

In exercise of the powers conferred by sub-rule (2) of rule 76-B of the Defence of India Rules and in supersession of Government Order issued under Government Notification in the Home Department (Political-A.R.P.) No. 388-B, dated the 21st July 1942, the Government of Bombay is hereby pleased to make the following Order:—

1. *Short Title and extent*:—(1) This Order may be called the Building (Control of Construction) Order, 1943.

(2) It extends to the City of Bombay, the Bombay Suburban District and the Thana Mahal in Thana District.

2. *Construction of Building*:—No person shall erect, re-erect, construct or alter any building except under the authority of a written permit granted on behalf of the Government of Bombay by the Brick Controller for the Province of Bombay..

3. *Savings*:—Nothing in this Order shall apply to—

- (a) temporary structures that are to be dismantled within one month from the date of the commencement of their erection;
- (b) building vesting in His Majesty for the purpose of the Central or the Provincial Government or in a local authority;
- (c) repairs not involving structural alterations; and
- (d) works carried out in pursuance of any Order issued under the Defence of India Rules.

Notes

The previous Order No. 388-B dated 21st July 1942 was made under rule 76B(1) of the Defence of India Rules and prohibited erection, re-erection, construction or alteration of a building other than a public building in the City or Suburbs of Bombay without the written permission of the Brick Controller for the Province of Bombay.

CEMENT.

Disposal of Cement.

Government of India, Department of Supply No. SS/70 (9) dated 7th January 1943—

To,

1. The Associated Cement Companies (India) Ltd., Bombay.
2. Dalmia Cement Ltd., Rohtas Industries Ltd., (Dalmianagar).
3. The Assam Bengal Cement Co. Ltd., Calcutta.
4. The Sone Valley Portland Cement Co. Ltd., Calcutta.
5. The Andhra Cement Co. Ltd., Bezwada.

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of this Department Order No. SS/70 (9)/42 dated the 8th August 1942, the Central Government is pleased to order that

- i) You or your agents shall supply cement only in accordance with the instructions issued from time to time in this behalf by the Central Government or the Hony. Cement Adviser to the Government of India, and
- ii) you or your agents shall not dispose of any cement except as provided in (i) above.

Notes

The previous Order directed the above Companies to reserve and supply 90 per cent. of their total monthly production in accordance with the instructions issued from time to time by the Central Government or the Honorary Cement Adviser to the Government of India and not to dispose of the remaining 10 per cent. except in accordance with the instructions issued by these two authorities.

Transportation of Cement.

Notification, Government of India, Department of Supply, No. 1114 dated 19th November 1942—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is hereby pleased to order that with effect from the 1st December 1942 [cement other than coloured cements such as Snowcrete, Himalayan White and Colorcrete shall not be transported by rail except :]¹

- (i) by the concerns named in the schedule hereto annexed; or
- (ii) under a permit issued by any of the following authorities :
 - (a) The Central Government.
 - (b) The Hony. Cement Adviser to the Government of India.

¹ Substituted by G. of I., S.D., No. 155 dated 11-3-43.

WAR-TIME RESTRICTIONS

- (c) Chief Engineer and Additional Chief Engineer, C. P. W. D.
- [(d) Chief Engineer, N. W. Army, Deputy Chief Engineer, Quetta (North Western Army), S.O.R.E.II(L) Karachi, (N. W. Army), Chief Engineer, Central Command, Chief Engineer, Eastern Command, Deputy Chief Engineer, Southern Army, Poona and S.O.R. E.I.(L), Bombay.]
- (e) A Provincial Government and/or such officer of the Provincial Government as may be authorised in this behalf by the Provincial Government.

Schedule.

| | |
|------------------------|--|
| The Manager, | Wah Cement Works, Wah, N.W.R. |
| ” | Bhupendra Cement Works, Surajpur, N.W.R. |
| ” | Bundi Cement Works, Lakheri, B.B. & C.I. Ry. |
| ” | Shahabad Cement Works, Shahabad, Deccan. |
| ” | Coimbtore Cement Works, Madukarai, S.I.R. |
| ” | Kistna Cement Works, Tadapalli, Guntur Dt. |
| ” | Okha Cement Works, Dwarka, Kathiawar. |
| ” | Porbandar Cement Works, Porbandar, Kathiawar. |
| ” | Gwalior Cement Works, Banmor. |
| ” | C. P. Cement Works, Kymore. |
| ” | Khalari Cement Works, Khalari. |
| ” | Sind Cement Works, Rohri, Sind. |
| ” | Rohtas Industries, Ltd., Dalamianagar, Bihar. |
| ” | Dalmia Cement Ltd., Dandot, Punjab. |
| ” | Dalmia Dadri Cement Ltd., Dalmiadadri, Jind State. |
| ” | ” Cement Ltd., Drigh Road, Karachi. |
| ” | ” ” ”, Dalmiapuram, South India. |
| ” | The Sone Valley Portland Cement Co. Ltd., Japla. |
| ” | The Assam Bengal Cement Co. Ltd., Chhatak. |
| ” | The Andhra Cement Co. Ltd., Bezwada. |
| ” | The Mysore Cement Works, Bhadravati. |
| The Managing Director, | The Cement Marketing Co. of India Ltd. |
| | Bombay and their agents, the following: |
| | M/s. Balmer Lawrie and Co. Ltd., Calcutta. |
| | Bird and Co., New Delhi. |
| | ” Cawnpore. |
| | ” Lahore. |
| | Best and Co. Ltd., Madras. |
| | Harrison and Crosfield Ltd., Cochin, Quilon. |
| | Peirce Leslie and Co. Ltd., Calicut. |

The Manager, The Sone Valley Portland Cement Co. Ltd.,
 Calcutta, and their agents, the following :
 M/s. Martin and Co., Calcutta.
 Gillanders Arbuthnot and Co., Calcutta.
 The Assam Bengal Cement Co. Ltd., Calcutta
 and their agents.
 M/s. The Eastern Corporation Ltd., Calcutta.

Notes

On 17th March 1943, the above Cement Companies were directed to supply cement against authorisations issued by the Honorary Regional Cement Advisers also. The Adviser for the Province of Bombay is Mr. C. W. Fowler, Post Box No. 572, Bombay.

Cement for private use.

(Members of the public can ask for cement if they require it for essential repairs and extension to property, the completion of construction of private buildings, the improvement of sanitation and as an aid to the production of food crops. They should apply to the Regional Honorary Cement Adviser directly or through the main Selling Agent, Registered Bazar Selling Agent or Registered Stockists in the form printed below. (This form is for the Province of Bombay). The form must be duly completed in every respect and should be supported by any one of the following persons—

- (1) Collector or District Magistrate or District Supply Officer.
- (2) Chairman of the Municipality or the District Board.
- (3) Medical Officer of Health.
- (4) Any other officer of standing.

If the application is accepted, the R. H. C. A. will issue an authorisation in favour of the applicant through any of the above mentioned selling agent.)

Form.

C. A. G. I.

Date.....

This demand should be supported by a Competent Government Authority wherever possible (see revised memorandum of instructions) and should be returned to the Regional Hon. Cement Adviser to Government of India, Bombay.

From
 Full name and address.....

(In English)

To

THE REGIONAL HON. CEMENT ADVISER,
 Post Box No. 572, Bombay.

Signature and designation of Authority.....
 supporting the request.

State whether Central or Provincial Government, or Military, or Indian State }

Quantity of cement required.....

| Month | Tons |
|-------|-------|
| | |
| | |
| | |
| | |
| Total | |
| ===== | |

Where required (Railway Station).....
 (Province or Indian State).....

Purpose for which required.....
 Give full details of Nature of work, etc.

Usual source of supply (Agent's name).....

Applications for immediate delivery must be supported with adequate reason showing that the demand is essential and cannot be delayed.

In view of the large number of applications received delays in dealing with them are at times unavoidable. Reminders should be forwarded with copy of the original application if urgency of action is required.

Signature

Authorisations to supply cement are issued on the faith of representations contained in the applications that the cement is required urgently and for the purposes specified either in the applications or in the authorisations.

It is a condition of the supply being made that the full quantity of cement that may be supplied is required and will be used only for the particular purpose referred to above and that no part of it will be used for any other work or given or sold to any other party nor transported from the town where it is supplied to any other place.

Any breach by applicants of these conditions will amount to misrepresentation and obtaining cement by false pretences.

In addition to any other action, all further or other supplies (even if already authorised) will be immediately cancelled or stopped.

H. E. ORMEROD,
Hon. Cement Adviser to Government of India.

I agree to be bound by the above conditions.

Date.....

Place.....

Signature of the applicant.

FACTORIES.

Home Department (Political A.R.P.)

Bombay, 25th October, 1941.

Nos. S.D./A.R.P. :—1938—In exercise of the powers conferred by sub-rule (1) of rule 51-D of the Defence of India Rules, the Government of Bombay is pleased to order that in the areas specified in the Schedule hereto annexed, no factory wherein two hundred or more workers may be employed shall be erected and no factory wherein two hundred or more workers are employed shall be extended for the purpose of carrying on any manufacturing process or working any vital plant, except with the permission of the Government of Bombay in the Home Department (Political—A.R.P.) and in accordance with such requirements as to lay-out, materials and construction as the Government may impose, being requirements which it is in the opinion of the Government necessary to impose for the purpose of rendering the factory less vulnerable to air raids or of affording better protection to persons using or resorting to it.

Nothing contained in this Order shall apply in respect of any factory which is under the control of the Central Government.

Schedule.

- (1) The City of Bombay.
- (2) The district of Ahmedabad.
- (3) The district of Kaira.
- (4) The district of Broach and Panch Mahals.
- (5) The district of Surat.
- (6) The district of Thana.
- (7) The Bombay Suburban District.
- (8) The district of Ahmednagar.
- (9) The district of Nasik.
- (10) The district of Poona.

WAR-TIME RESTRICTIONS

- (11) The district of Belgaum.
- (12) The district of Dharwar.
- (13) The district of Kanara.
- (14) The district of Kolaba.
- (15) The district of Ratnagiri.

Home Department (Political—A.R.P.)

Bombay, 21st March, 1942.

No. S.D./A.R.P. 3336—In exercise of the powers conferred by sub-rule (1) of rule 51-E of the Defence of India Rules, the Government of Bombay is hereby pleased to order that the owners of factories situated in the Province of Bombay shall not paint or colour wash the exterior of the said factories except with the previous permission of the Regional Camouflage Officer, Bombay.

CHAPTER II.

CHEMICALS

AGAR CONTROL ORDER, 1942.

Notification No. 560, dated 22nd June 1942, issued by the Government of India, Department of Supply :—

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

1. (1) This Order may be called the Agar Control Order, 1942.
(2) It extends to the whole of British India.
(3) It shall come into force at once.
2. In this Order—
“agar” means any substance answering to the specification of agar as given in the British Pharmacopoeia or in the Pharmacopoeia of the United States of America;
“Director General” means the Director General, Indian Medical Service.
3. No person shall, except under the authority of a permit granted in this behalf by the Director General—
 - (a) sell or otherwise dispose of agar;
 - (b) use agar otherwise than as a medium for the culture of micro-organisms;
 - (c) use any of the raw materials listed in the Schedule attached to this Order otherwise than for the manufacture of agar.
4. No person shall, except under the authority of a licence granted by the Director General, manufacture agar.
5. An application for a licence to manufacture agar shall be made to the Director General, and shall contain the following particulars :
 - (a) the name of the firm or individual proposing to undertake manufacture;
 - (b) the material or materials from which it is proposed to manufacture agar;
 - (c) the place where the manufacture will be undertaken;
 - (d) the approximate quantity of agar to be manufactured.
6. The Director General, or any officer authorised by him in writing in this behalf, may enter upon and inspect any pre-

mises in which agar is or is reasonably believed to be manufactured, kept for sale, sold or used.

7. Every person engaged in the manufacture, use or sale of agar shall—

- (a) keep such books, accounts or other records relating to his undertaking as the Director General may direct;
- (b) produce to the Director General, or to any officer authorised by him in writing in this behalf, such books, accounts, or other records relating to his undertaking as may be demanded by the Director General or as the case may be the authorised officer;
- (c) furnish to the Director General such estimates, returns, and other information as he may require;
- (d) permit the Director General, or any officer authorised by him in writing in this behalf, to enter upon and inspect any premises used for, or in connections with, the undertaking.

SCHEDULE.

1. *Gracilaria lichenoides*.
2. *Gracilaria confervoides*.

BLEACHING POWDER AND CHLORINE CONTROL ORDER, 1943.

Notification, Government of India, Department of Supply, No. S.S./138/43, dated 4th February 1943—

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

1. *Short title and extent.*—

- (i) This Order may be called the Bleaching Powder and Chlorine Control Order, 1943.
- (ii) It extends to the whole of British India.
- (iii) It shall come into force on the 10th February 1943.

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

- (a) "Bleaching powder" includes any compound of chloride of lime or calcium hypochlorite containing more than ten per cent. of available chlorine;
- (b) "Chlorine" means chlorine either in gaseous or liquid form;
- (c) "licensing authority" means the Controller of Heavy Chemicals appointed by the Central Government;
- (d) "manufacturer" means a person who produces bleaching powder and/or chlorine for sale;
- (e) "importer" means any person who imports bleaching powder and/or chlorine;
- (f) "form" means a Form appended to this Order.

3. *Prohibition of sale and purchase except through permits.*—No manufacturer or importer shall sell or otherwise transfer bleaching powder or chlorine except on the authority of and in accordance with a permit issued under this Order.

4. *Applications.*—Persons wishing to purchase or otherwise acquire bleaching powder or chlorine shall apply—

- (i) in triplicate in Form I to the Chemicals Directorate, Directorate General of Supply, New Delhi, where the bleaching powder or chlorine is required for the execution of defence orders for goods other than cotton textiles;
- (ii) in triplicate in Form II to the Deputy Director General, Cotton Textiles Directorate, Bombay where the bleaching powder or chlorine is required for cotton textiles purposes; and
- (iii) in duplicate in Form III to the Controller of Heavy Chemicals, Post Box No. 107, New Delhi, in all other cases.

5. *Procedure on receipt of application.*—On receipt of an application under sub-clause (i) or (ii) of clause 4, the authority specified therein shall check it, and—

- (a) if prepared to recommend the grant of a permit shall forward the application to the licensing authority with such remarks as it may deem fit to make; and
- (b) if not so prepared, shall reject the application and inform the applicant accordingly.

6. *Restriction on the powers of licensing authority.*—

(I) The power of the licensing authority to grant or refuse permits under this Order shall be subject to the general or special instructions, including any Order of priority, issued from time to time—

(a) by the Chemicals Directorate, Directorate General of Supply, or the Deputy Director General, Cotton Textiles, as the case may be, in the case of applications forwarded under clause 5; and

(b) by the Central Government in the Commerce Department in all other cases.

(II) No permit for civil purposes shall be issued unless all the requirements of defence orders and public health purposes have been met.

(III) The permit shall be issued in accordance with Part C of Form I or II or Part B of Form III, as the case may be. One copy will be retained by the licensing authority and another forwarded to the applicant who shall hand it over to the seller when he obtains the supply from him.

7. *Power to fix prices.*—The Central Government may, by notification in the official Gazette, fix from time to time the price or prices at which manufacturers or importers shall supply

bleaching powder or chlorine to consumers and the licensing authority may, in issuing a permit specify the price so fixed and the manufacturer shall charge only at such rates during the period specified in the permit.

8. *Retu ns.*—All manufacturers and importers shall submit to the licensing authority before the seventh day of each month a true return in Form IV showing the stocks produced, imported, consumed or disposed of during the last preceding month.

Forms.
(Not printed).

CHROME COMPOUNDS CONTROL ORDER, 1941.

Notification, Government of India, Department of Supply, No. 590, dated 9th October 1941.

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

1. (1) This Order may be called the Chrome Compounds Control Order, 1941.
(2) It shall come into force forthwith.
2. For the purposes of this Order, "chrome compound" includes potassium bichromate, sodium bichromate and chrome alum.
3. No chrome compounds shall be used in any textile industry except for the manufacture of goods ordered by the Central Government and to the extent required by the specifications prescribed for such goods.
4. No person shall sell or otherwise dispose of chrome compounds except on presentation by the purchaser or other receipt of a license in the Form appended to this Order granted by the Director General of Supply, Supply Department, New Delhi, [or the Textile Commissioner],¹ and in accordance with the terms and conditions of such license.
5. (1) Person wishing to purchase or otherwise acquire chrome compounds shall apply in the Form appended to this Order (which shall be completed in triplicate)
 - (a) to [the Textile Commissioner],² if the chrome compounds are needed for use in a textile industry or
 - (b) to the Director General of Supply, Chemicals Directorate, Supply Department, New Delhi, if the chrome

1. Substituted for "the Assistant Director General, Cotton Textile, Ballard Estate, Bombay, by Government of India, Department of Supply, Not. No. 88/45/42, dated 25-6-43.

2. Substituted, *Ibid.*

compounds are needed for use otherwise than in a textile industry.

[(2) [The Textile Commissioner]¹ or the Director General of Supply, [or an officer authorised by the Central Government in this behalf,]² as the case may be, shall either reject the application and inform the applicant, or shall issue a license in the form appended to this Order for such quantity of chrome compound as he thinks fit and shall specify in the license the name of the supplier from whom purchase under the license may be made, and the license shall be valid only for purchase from the supplier named therein.]³

[(3) In issuing a license under this paragraph the authority empowered so to do may—

- (a) fix the price at which the chrome compounds covered by the license shall be respectively supplied and acquired by the manufacturer and consumer concerned during the period to which the license relates;
- (b) require that before any supply is made under the license the consumer shall deposit with the Government the whole of the purchase price or such sum representing a part of such price as may be specified in the license.]⁴

6. (1) All manufacturers, stockholders and consumers of chrome compounds and all dealers in chrome compounds shall maintain true and accurate accounts showing—

- (i) the stocks (if any) held on the coming into force of this Order;
- (ii) the quantities of chrome compounds produced or acquired after the coming into force of this Order;
- (iii) the quantities of chrome compounds sold or otherwise disposed of after the coming into force of this Order;
- (iv) the daily and monthly balances of stocks held.

(2) These accounts shall be open to inspection by any person authorised in writing in this behalf by the Director General of Supply.

Form of application and Licence.

(To be submitted in triplicate)

PART I.

Application for permission to purchase or otherwise acquire Chrome Compounds (Sodium Bichromate, Potassium Bichromate, Chrome Alum).

1. Ibid.

2. Inserted by Government of India S. D., Not. No. 88/45/42 dated 15-7-42.

3. Inserted by the Government of India, Department of Supply, Not. No. 139 dated 3-3-42.

4. Inserted by the Govt. of India. Dept. of Supply, Not. No. 88/45, dated, 21-1-48

1. Date.
2. Name of applicant.
3. Address of applicant.
4. Type and quantity of chrome compound required.
5. Quantity of chrome compounds held by applicant on the date of the application.
6. Name of person or firm from whom applicant prefers to purchase.
7. Purpose for which quantity in head 4 required,
 - (a) whether for use in a textile industry,
 - (b) whether for use for any other purpose.
8. If use in head 7 is for Textile Industry:—
Number and date of the Supply Department Purchase Branch order for execution of which the purchase of chrome compounds is necessary.
9. If use in head 7 is for a purpose other than Textile Industry,
 - (a) precise purpose for which the purchase is necessary,
 - (b) average monthly consumption for the said purpose during the twelve months previous to the date of the application.

I certify that the contents of this application are true to the best of my knowledge and belief.

Signature of applicant.

PART II
(Not printed).

PART III
(Not printed).

ESSENTIAL DRUGS (CENSUS) ORDER, 1941.

Notification, Government of India, Department of Supply, No. 324, dated 24th July 1941.

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

1. (1) This Order may be called the Essential Drugs (Census) Order, 1941.
- (2) It shall come into force at once.
2. In this Order, "essential drug" means a drug specified in the first column of Schedule I annexed to this Order, and "specified quantity" in relation to an essential drug means the quantity specified in the corresponding entry in the second column of the said Schedule.

[3. Any person engaged in the business of manufacturing or importing drugs or of selling drugs whether wholesale or retail, shall submit to the authority specified in the entry in the second column of Schedule II annexed to this Order corresponding to the area specified in the first column of that Schedule in which he carries on business, so as to reach that authority not later than the 27th day of each month, a return showing :—

- (i) the quantity of any essential drug in his possession or under his control within British India on the 20th day of such month;
- (ii) the quantity of any essential drug held by him jointly with any other person within British India on the 20th day of such month and exact location of godown or godowns where stored;
- (iii) full business address of the firm;
- (iv) exact location of all godowns held singly or jointly held with any other person or firm irrespective of whether they are used to store essential drugs or not;
- (v) name and residential address of each partner;

Provided that if the total quantity of an essential drug in the possession or under the control of any person, whether held by him singly or jointly with any other person, is less than the specified quantity, that person shall not be required to submit a return in respect of that drug.]¹

4. Any person engaged in the business of manufacturing or importing drugs, or of selling drugs wholesale, shall keep a record of any purchase or sale made by him of any quantity of an essential drug whether such quantity is less than the specified quantity or not.

[The record to be maintained for each of the essential drugs shall include :—

- (a) the quantity and the rate at which the drug has been bought and the name and full address of the person from whom purchases have been made;
- (b) the quantity and the rate at which the drug has been sold and the name and full address of the person to whom the drug has been sold.]²

5. Any person engaged in the business of selling drugs retail shall keep a record of any purchase or sale made by him of an essential drug of which the quantity in his possession or under his control is not less than the specified quantity.

6. Any person appointed in this behalf by the Central Government or the Provincial Government, or any person authorised in writing by any person so appointed, may, for the purpose of verifying the correctness of any return submitted or record

1 Substituted by Govt. of I., S. D. No. 937 dated 11—8—43.

2. Inserted by Govt. of India, Dept. of Supply, Not. No. 1015, dated 23-10-42.

kept in pursuance of this Order, or otherwise with a view to securing compliance with the provisions of this Order, enter upon and inspect any premises in which the business of manufacturing, importing or selling drugs is carried on, and may inspect and take copies of, or of any part of, any records, books or accounts kept in relation to such business, whether in pursuance of this Order or otherwise.

[7. Nothing in this Order shall be deemed to require any hospital or charitable dispensary to submit any returns, or keep any register, in respect of drugs purchased, held or sold by it.]¹

[8. Deleted by G. of India, S.D., Not. No. 937 dated 11-8-43.]

[9. Any person appointed in this behalf by the Central Government or the Provincial Government may, with a view to securing compliance with the provisions of this Order, search any premises in which the business of manufacturing, importing or selling drugs is carried on, and subject to the provisions of rule (3c) of rule 81 of the Defence of India Rules, may seize any stores of essential drugs in respect of which he has reason to believe that a contravention of this Order has been, is being or is about to be committed.

10. If any person contravenes any provision of this Order, then without prejudice to any other punishment to which he may be liable, the Court trying such contravention may direct that any stocks of essential drugs in respect of which it is satisfied that such provision has been contravened, shall be forfeited to His Majesty.]²

[SCHEDULE I.]³

List of drugs and minimum quantities to be declared.

| Item. | Specified quantity. |
|----------------------------------|---|
| Acidum Acetylsalicylicum. | 2 lbs. |
| Acid Boric. | 14 lbs. |
| Acid Citricum. | 14 lbs. |
| Acid Mandelicum (and its salts). | 8 ozs. |
| Acriflavina. | 4 ozs. |
| Adrenalina and preparations. | 1 oz. Liquor Adrenalini Hydrochloridi. |
| Aether Anaestheticus. | 5 lbs. |
| Agar. | 4 ozs. |
| Ammonii Carbonas. | 1 cwt. |
| Amylis Nitris | 50 capsules. |
| Argentoproteinum. | 1 oz. |
| Atropinae Sulphas. | 1 drachm. |
| Barbitonum. | 4 ozs. |
| Barbitonum Solubile. | 4 ozs. |

1. Inserted by Govt. of India, Dept. of Supply, Not. No. 968, dated 8th Oct. 42.

2. Inserted by Govt. of India, Dept. of Supply, Not. No. 722, dated 23rd June, 1943.

3. Substituted by G. of I., S. D., Not. No. 625 dated 15-7-42.

| Item | Specified quantity |
|---|---|
| Belladonnae Folia. | 28 lbs. |
| Belladonnae Radix. | 28 lbs. |
| Bismuthi Carbonas. | 10 lbs. |
| Bismuthi Salicylas. | 10 lbs. |
| Bismuthi Subnitrates. | 10 lbs. |
| Calcii Gluconas. | 1 lb. |
| Camphora. | 10 lbs. |
| Chloroformum. | 10 lbs. |
| Cinchona Bark. | 14 lbs. |
| Cinchona Febrifuge. | 1 lb. |
| Cocainae Hydrochloridum. | 4 ozs. |
| Emetinae Hydrochloridum. | 1 oz. |
| Ergota Praeparata and preparations. | 8 ozs. |
| Extractum Hepatiz Liquidum (Liver Extract) | |
| Oral. | 10 lbs. |
| Parental. | 50 ccs. |
| Homatropinae Hydrobromidum | 1 drachm. |
| Hydrargyrum and preparations— | |
| Hydrargyrum. | 5 lbs. |
| Unguentum Hydrargyri. | 10 lbs. |
| Hydrargyri Perchloridum. | 1 lb. |
| Hydrargyri Subchloridum. | 1 lb. |
| Hyoscinae Hydrobromidum. | 1 drachm. |
| Insulinum including Protamine | |
| Insulin (with zinc) Suspension. | 5000 units. |
| Iodum and preparations— | |
| Iodum. | 8 ozs. |
| Liquor Iodi Mitis. | 20 lbs. |
| Liquor Iodi Fortis. | 5 lbs. |
| Ipecacuanha and preparations— | |
| Ipecacuanhae. | 1 lb. |
| Pulvis Ipecacuanhae et Opii. | 8 ozs. |
| Mepacrinae Hydrochloridum | 250 tablets of any strength, |
| (Quinacrine, Atebrin, etc.) | (stating strength in grams.) |
| Nagonal or British equivalents such as Antrypol (B.D.H.) | 12 grams. |
| Neosphenamina. | 40 ampoules of any dose (stating details of strength in grams.) |
| Pamapaquin (Plasmoquine, Praequine, etc.). | 250 tablets of any strength, (stating strength in grams.) |
| Percaïne. | 4 ozs. |
| Phenacetinum. | 1 lb. |
| Phenobarbitonum. | 4 ozs. |

| Item | Specified quantity |
|---|---|
| Phenobarbitonum Solubile. | 4 ozs. |
| Phenol (Acidum Carbolicum pure). | 1 lb. |
| Pituitary Extract (Posterior Lobe). | 100 ampoules of any strength. |
| Potassii Bromidum. | 1 lb. |
| Potassii Iodidum. | 1 lb. |
| Procainae Hydrochloridum. | 4 ozs. |
| Quinine Salts. | 4 ozs. |
| Sodii Iodidum. | 1 lb. |
| Sodii Salicylas. | 7 lbs. |
| Soluble Hexobarbitone (Evipan Sodium, etc.) | 4 ozs. |
| Strophanthin (in solution or in tablet form). | 60 grains. |
| Sulpharsphenamina. | 40 ampoules of any dose (stating details of strength in grams.) |
| Sulphanilamide. | 4 ozs. or 200 tablets of $\frac{1}{2}$ gram each. |
| Sulphapyridine (M. & B. 693). | 200 tablets of $\frac{1}{2}$ gram each. |
| Sulphathiazol (Thiazamide M.&B. 760). | 200 tablets of $\frac{1}{2}$ gram each; |
| Sulphaguanidine. | 200 tablets of $\frac{1}{2}$ gram each. |
| Totaquina. | 1 lb. |

The Schedule applies to items of any Pharmacopoeial or other accepted standards whether pure or admixed with any other substance, in bulk or in the form of tablets, ampoules, ointments, etc., including all proprietary brands and trade mark preparations and equivalents of them intended for oral, hypodermic, intravenous or external use.

SCHEDULE II.

| Area. | Authority. |
|---|--|
| Bombay Presidency, Sind, and Ajmer-Merwara. (Other areas not printed). | The Deputy Assistant Director General (Medical Stores) Bombay. |

Notes.

Deputy Assistant Directors General (Medical Stores) in charge of Medical Stores Depot at Madras, Bombay, Calcutta, Lahore and Raipur are authorised to search premises under clause 9. In Bombay, the Commissioner of Excise, Bombay, is appointed to exercise powers conferred by clause-6.

—————

HYDRO SULPHITE OF SODA CONTROL ORDER, 1943.
Notification, Government of India, Department of Industries and Civil Supplies, No. 203-Tex.(3)/43(i), dated 1st October, 1943—

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

1. (1) This Order may be called the Hydrosulphite of Soda Control Order, 1943.

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

(3) It shall come into force at once.

2. In this Order, "Textile Commissioner" means the Textile Commissioner, Bombay, and includes any officer authorized by him or by the Central Government to exercise all or any of the powers of the Textile Commissioner under this Order.

3. No person shall sell or otherwise dispose of, or purchase or otherwise acquire, Hydrosulphite of Soda except under a valid licence granted by the Textile Commissioner or in pursuance of a direction given under clause 4 of this Order.

4. The Textile Commissioner may by order in writing require any dealer in Hydrosulphite of Soda to sell to such person as may be specified in the Order, such quantities of Hydrosulphite of Soda as may be so specified, and the dealer shall comply with the Order.

5. Any person, if required so to do by the Textile Commissioner, shall submit a return of stocks in such form as the Textile Commissioner may specify.

6. The Textile Commissioner may, if he has reason to believe that any person has contravened, is contravening or is likely to contravene, any of the provisions of this Order:—

(a) require any person to give such information in his possession with respect to any business carried on by that or any other person as he may demand.

(b) inspect or cause to be inspected any books or documents belonging to, or under the control of, any person.

(c) enter and search, or authorize a police officer not below the rank of Sub-Inspector to enter and search any premises.

7. No person shall, with intent to evade the provisions of this Order, refuse to give any information lawfully demanded from him under clause 6, or conceal, destroy, mutilate or deface any book or other document kept by him in the course of his business.

Notes

In pursuance of the powers vested in the Textile Commissioner, Bombay, under the above Order, all persons are required to furnish to him, on or before the 30th October 1943, a return giving details of the quantity in hundredweights of Hydrosulphite of Soda in stock with them and of the quantities for which they hold licences.

Note.—Failure to comply with this Notice will render a stockist liable to prosecution under the Defence of India Rules.

SULPHATE OF ALUMINA CONTROL ORDER, 1943.

Notification, Government of India, Department of Commerce, No. 251-I.C. (69)/42 dated 19th April 1943.

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

1. *Short title and extent*:—

(i) This Order may be called the Sulphate of Alumina Control Order, 1943.

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

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

(a) "Sulphate of Alumina" means all grades of sulphate of alumina including Alumina Ferric and Alum Cake.

(b) "Licensing Authority" means the Central Government or any officer appointed by the Central Government to perform the duties of the licensing authority.

(c) "Manufacturer" means a person who manufactures sulphate of alumina.

(d) "Importer" means a person who imports sulphate of alumina.

(e) "Form" means a Form appended to this Order.

(f) "Seer" means a standard seer as prescribed by section 3(1)(b) of the Standards of Weight Act, 1939, (IX of 1939).

3. *Registration of sellers*:—

(i) Every person who wishes to sell or otherwise dispose of Sulphate of Alumina shall make an application in duplicate for registration in *Form A* to the Licensing Authority.

(ii) The Licensing Authority, if he sees fit, shall grant a Registration certificate in *Form B*.

(iii) The Licensing Authority may at any time during the currency of the registration certificate rescind the certificate without notice by order in writing to the certificate holder.

4. *Prohibition of sale except by registered persons*:—

(a) No person other than a person registered under clause 3 shall sell or otherwise dispose of Sulphate of Alumina.

(b) No person registered as aforesaid shall sell or otherwise dispose of Sulphate of Alumina except against a licence in *Form D* issued by the Licensing Authority under Clause 6.

5. *Prohibition of use, purchase and acquisition except under*

valid licences :—No person shall use, purchase or otherwise acquire Sulphate of Alumina for any purpose except under a licence issued by the Licensing Authority in *Form D* :

Provided that no licence will be necessary for the acquisition of stocks by a person directly by process of manufacture or by import.

6. *Application for permission to purchase, acquire or use Sulphate of Alumina* :—

- (a) [Any]¹ person wishing to purchase or otherwise acquire or use Sulphate of Alumina shall apply in *Form C* to the Licensing Authority.
- (b) The Licensing Authority, if he sees fit, shall issue a license in *Form D* stating the quantity of each grade which may be purchased or otherwise acquired or used.

7. *Submission of return of stocks and maintenance of accounts, etc.* :—Every person carrying on any kind of business in or who is a consumer of, Sulphate of Alumina shall :

- (a) submit monthly to the Licensing Authority so as to reach that officer on or before the seventh day of each month beginning with the 7th May 1948 a true return, in *Form E* of stock of Sulphate of Alumina in his possession at the end of the last day of the preceding month,
- (b) keep such books, accounts, or other records relating to Sulphate of Alumina as the Central Government or any officer authorised by it in this behalf may direct.

8. *Supply of information, inspection, search, etc.* :—The Central Government or any officer authorised by it in this behalf, may, if it or he has reason to believe that any person has contravened, is contravening or is likely to contravene any of the provisions of this Order, —

- (a) require any person to give such information in his possession with respect to any business in Sulphate of Alumina carried on by that or any other person as it or he may demand,
- (b) inspect or cause to be inspected any books or documents belonging to, or under the control of any such person, and
- (c) enter and search, or authorize a police officer not below the rank of sub-inspector to enter and search any premises which in the opinion of the Central Government or authorised officer is being used for such business.

1. Inserted by Govt. of India, Dept. of Ind. & Civil Supplies Not. No. 281-I.C.(A) 69/42 dated 12-6-43.

9. *Effect of non-supply of information*:—If any person with intent to evade the provisions of this Order, refuses to give information lawfully demanded from him under clause 8 or cancels, destroys, mutilates or defaces any book or other document, he shall be deemed to have contravened the provisions of this Order.

10. *Contracts varied by the Order*:—The provisions of this Order shall have effect notwithstanding anything to the contrary in any contract, whether entered into before or after the commencement of this Order.

11. *Saving*:—Nothing in this Order shall apply to sale, disposal, purchase, acquisition or use of Sulphate of Alumina in quantity not exceeding one seer at a time and not exceeding five seers per month, by any person other than a manufacturer or importer.

SULPHATE OF ALUMINA CONTROL ORDER, 1943.

“ FORM A ”

(See clause 3(i))

Application for registration.

(To be submitted in duplicate to the Licensing Authority.)

- | No. | Date |
|-----|---|
| 1. | Name and address of applicant. |
| 2. | Whether (a) manufacturer or (b) importer |
| 3. | Supplies made during Calendar year 1942 (details overleaf.) |
| 4. | Present stocks. |
| 5. | If manufacturer or importer, state the estimated quantity of Sulphate of Alumina which applicant expects to manufacture/import during the period 1st April 1943 to 31st March 1944. |
| 6. | Estimated quantity of Sulphate of Alumina which applicant would require for own consumption during the period 1st April 1943 to 31st March 1944. |
| 7. | Estimated quantity of Sulphate of Alumina which applicant expects to make available for sale during the period 1st April 1943 to 31st March 1944. |

I hereby certify that the contents of this application are true to the best of my knowledge and belief.

Signature of applicant.

Note.—If the applicant is not a manufacturer or importer items Nos. 2 and 5 will not be filled in.

Name and address of consumer(s) to whom applicant supplied Sulphate of Alumina during the Calendar year 1942, quantity and grade separately.

| Name. | Address. | Grade | Quantity. | | | |
|-------|----------|-------|-----------|-------|------|------|
| | | | Tons. | Cwts. | Qrs. | Lbs. |

" FORM B "
(See clause 3(ii))
(Not printed).

" FORM C."
(See clause 6(a))

Application for permission to purchase or otherwise acquire or use Sulphate of Alumina.

(To be submitted in duplicate).

1. Date.
2. Name of applicant.
3. Address of applicant.
4. Quantity of Sulphate of Alumina required
5. Quantity of Sulphate of Alumina held by the applicant on the date of application.
6. Name of person or firm from whom purchase will be made.
7. Precise purpose for which quantity in *item 4* above is required. (Give full details and in the case of Government contracts quote name of indenter, order no. and quantities in respect of supplies outstanding, if any.)¹
8. Average monthly consumption for the said purpose during the 12 months previous to the date of application.
9. Period for which the quantity applied for is estimated to last.

I certify that the contents of this application are true to the best of my knowledge and belief.

Signature of applicant.

Note.—Column 6 will be left blank if the applicant has stock and applies for its use only.

" FORM D."
(See Clause 6(b))
(Not printed).

¹ Substituted by G. of I., I-& C.S. D., Not. No. 251-C.S. (69A)/42 dated 2-10-43

" FORM E "

(See Clause 7(a))

Return of stock of Sulphate of Alumina for the month of 194 .
(Not Printed)

Notes.

On 19th April 1943, the Central Government appointed the Controller of Heavy Chemicals in the Directorate General of Supply to perform the duties of the Licensing Officer under this Order.

SULPHURIC ACID CONTROL ORDER, 1942.

Notification, Government of India, Department of Supply, No. SS/101/42, dated 13th August 1942.

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

1. *Short title and extent*:—
 - (i) This Order may be called the Sulphuric Acid Control Order, 1942.
 - (ii) It extends to the whole of British India.
2. *Definitions*:—In this Order, unless there is anything repugnant in the subject or context—
 - (a) "sulphuric acid" means all grades and concentrations of sulphuric acid or oil or vitriol;
 - (b) "Licensing Authority" means the Director General of Supply, New Delhi or any officer appointed by him to perform the duties of the Licensing Authority;
 - (c) "manufacturer" means a person who manufactures sulphuric acid for sale;
 - (d) "Form" means a form appended to the order.
3. *Prohibition of sale except through valid licences*:—On and after the 1st October 1942—
 - (a) no manufacturer other than manufacturer registered under clause 4 shall sell sulphuric acid; and
 - (b) no manufacturer registered as aforesaid shall sell or otherwise dispose of sulphuric acid except on the authority of a basic or special sales licence issued under this order by the Licensing Authority.
4. *Registration of manufacturers*:—
 - (1) Every manufacturer who wishes to sell sulphuric acid shall, on or before the 1st October 1942 make an application for registration in Form SA/A to the Licensing Authority, stating the names and addresses of all persons to whom he supplied sulphuric acid during the calendar year 1941 together with the quantities of each grade supplied. The application shall also state the estimated quantity of sulphuric acid which he expects to manufacture and make available for sale during

the period 1st October 1942 to 31st December 1942. Such manufacturer shall from time to time as hereafter directed in writing by the Licensing Authority furnish a statement to the Licensing Authority of the estimated quantities of sulphuric acid which he expects to manufacture and make available for sale during such subsequent period or periods as the Licensing Authority may indicate in the discretion.

(2) The Licensing Authority, if he sees fit, shall grant a Registration Certificate, in Form SA/B and shall issue a basic sales licence in the same Form stating the quantity of each grade of sulphuric acid which the registered manufacturer may supply during the period specified in the licence and the persons to whom he may supply it.

(3) The Licensing Authority may at any time during the currency of the licence rescind or amend the licence without notice by order in writing to the licence holder.

5. *Power to fix prices* :—The Central Government may, by notification in the official Gazette fix from time to time the price or prices at which manufacturers shall supply sulphuric acid to consumers and the Licensing Authority shall, in issuing a licence, quote the price at which the manufacturer shall supply during the period specified in the licence.

6. *Information to consumers of the quantity of sulphuric acid and supplier from whom they may purchase* :—The Licensing Authority shall inform each consumer or person named in a basic sales licence of the name of the manufacturer authorised to supply him with sulphuric acid, together with the quantity of each grade which such manufacturer may supply to him, the period during which and the prices at which the supply shall be made.

7. *Application for Special Licence* :—Any consumer or person included in basic sales licence who wishes to purchase sulphuric acid in excess of the quantities authorised in respect of him by such licence, and any consumer or person not included in a basic sales licence who wishes to purchase sulphuric acid shall apply in Form SA/C to the Licensing Authority.

8. *Issue of Special Licences* :—The Licensing Authority shall pass such orders on each application under clause 7 as it thinks fit and shall either inform the applicant that his application has been rejected or—

- (a) shall issue a licence in Form SA/C for the whole or part of the quantity of sulphuric acid applied for, naming in the licence the supplier from whom the applicant may get his supply or
- (b) if the applicant is not already included in a basic sales licence, and if it is considered suitable, include the applicant in one or other of the basic sales licences already issued and shall specify the quantity of sulphuric acid

of each grade which may be supplied to him and shall inform the supplier concerned.

FORM SA/A.

Application for registration as manufacturer of sulphuric acid.
(To be submitted in duplicate to the Director-General of Supply, Chemical Directorate, New Delhi).

No.
Date

1. Name and address of applicant.
2. Supplies made during calendar year 1941 (details below).
3. Present stocks. Grade. Quantity.
T.C.Q. Lbs.
4. Estimated quantity of sulphuric acid which applicant expects to manufacture and use for his own consumption during the period 1st October to 31st December 1942.
5. Estimated quantity of sulphuric acid which applicant expects to manufacture and make available for sale during the period 1st October to 31st December 1942.

| | | | | |
|---|-------|----------|--------|-------------------------|
| Name and address of consumers to whom applicant supplied sulphuric acid during the calendar year 1941, and quantity of each grade supplied to be given as in <i>pro-forma</i> in separate list. | Name. | Address. | Grade. | Quantity. T.C.Q. Lb. |
| | 1. | | 2. | |
| | 3. | | 4. | |
| | 5. | | | |

FORM SA/B.

Registration as a manufacturer of sulphuric acid and Basic Sales Licence.
(Not printed).

FORM SA/C.

Application for a Special Sales Licence to purchase sulphuric acid.
(To be submitted in triplicate to the Director-General of Supply, Chemicals Directorate, New Delhi).

No.
Date.

1. Name and address of applicant.
2. Quantity of sulphuric acid applied for Grade. Quantity.
T.C.Q. Lbs.

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3. Name and address of supplier in view.
 4. Purpose for which the acid is wanted,
(Give full details, stating whether the acid is to be used for a purpose connected with a Government contract.)
 5. Period for which the acid applied for is estimated to last.
 6. Stock of sulphuric acid held by the applicant on date of the application.
- | | |
|--------|-------------|
| Grade. | Quantity. |
| | T.C.Q. Lbs. |

Signed.

Dated.

Licence.

(Not printed).

TAR AND BITUMEN ORDER, 1942.

(This Order was issued on 31st January 1942 by a notification of the Government of India in the Department of Supply No. 75. It was amended from time to time and was finally cancelled as from 1st July 1943 by a Notification of the Government of India in the Department of Supply No. 55/205, dated 15th June 1943.)

CHAPTER III.

CINEMATOGRAPH.

CINEMATOGRAPH FILM (FOOTAGE CONTROL).

Notification, Government of India, Department of Commerce, No. 276/L.C. (1)/42 dated 16th May 1942—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that no person shall produce or cause to be produced any cinematograph film the length of which exceeds 11,000 feet or any trailer the length of which exceeds 400 feet and that no person shall exhibit or cause to be exhibited in any one show for public entertainment any trailer or trailers made in India, the aggregate length of which exceeds 400 feet.

Provided that the Central Government may, where it is satisfied that special circumstances exist, exempt from this prohibition any cinematograph film or trailer in respect of which an application in writing is made to the Central Government in the Department of Commerce before the 15th June 1942:

[Provided further that upto and including the 7th October 1942, a single trailer exceeding 400 feet in length and made and completed before the 16th May 1942 may be exhibited so long as no other trailer whatsoever is exhibited at the same show.]¹

CINEMATOGRAPH FILM (FOOTAGE CONTROL) ORDER, 1943.

Notification, Government of India, Department of Commerce, No. 276—L.C.(1)/42 dated 17th July 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in modification of Notification of the Government of India in the Department of Commerce, No. 276—L.C.(1)/42, dated the 16th May 1942 as amended by Notification No. 276—L.C.(6)/42, dated the 25th August 1942, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order shall be called the Cinematograph Film (Footage Control) Order, 1943.
- (2) It shall extend to the whole of British India.
- (3) It shall come into force at once.

1. Inserted by G. of I., C. D., Not. No. 276-I.C.(6)/42 dated 15-8-42.

2. No person shall produce or cause to be produced any film or trailer which—

- (i) is intended to advertise any cinematograph film ;
- (ii) is in the nature of an advertisement for or is intended to give publicity to any article intended for consumption, use or sale in any part of British India.

3. No person shall exhibit or cause to be exhibited in any one show for public entertainment a total length of film exceeding 14,500 feet. This shall include

- (1) a feature film not exceeding 11,000 feet in length ;
- (2) one or more propaganda films the total length of which is not less than 2,000 feet. After the 14th September 1943 these films shall be "approved films" as defined in rule 44-A of the Defence of India Rules ;

Provided that a lawfully produced feature film of a length greater than 11,000 feet can be shown, and, if this is done, the total length of film shown at the performance can exceed 14,500 feet by the same amount by which the length of the feature film exceeds 11,000 feet.

4. This Notification is not in supersession of Notification of the Government of India in the Department of Commerce No. 276-I.C.(I)/42, dated the 16th May 1942 as amended by Notification No. 276—I.C.6/42, dated the 15th August 1942.

CONTROL OF CINEMATOGRAPH EXHIBITIONS.

Notification, Government of India, Defence Department, No. 5-DC(24)/43 dated the 15th May 1943.

After Rule 44 of the Defence of India Rules, the following rule shall be inserted, namely—

44A. *Control of Cinematograph Exhibitions.*—

- (1) In this rule—
 - (a) "approved film" means a cinematograph film approved for the purposes of this rule by the Central Government ;
 - (b) "cinema theatre" means a place licensed under the Cinematograph Act, 1918, for the exhibition of cinematograph films ;
 - (c) "exhibitor" means a person carrying on the business of exhibiting cinematograph films to the public.
- (2) Every exhibitor shall cause to be exhibited at each performance given after the 14th September 1943, in every cinema theatre under his control one or more approved films the total length of which is not less than two thousand feet.
- (3) Every exhibitor shall comply with any directions which the Central Government may, by general or special order give

as to the manner in which approved films shall be exhibited in the course of any performance.

(4) If any person contravenes the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

ORDERS.

I. Notification, Government of India, Department of Information and Broadcasting, No. 17/62/43-A. & G.I. dated 18th August 1943—

In pursuance of clause (a) of sub-rule (1) of Rule 44A of the Defence of India Rules, the Central Government is pleased to approve for the purposes of the said rule the films specified in the schedule hereto annexed.

Schedule.

1. All films produced by the Film Advisory Board or "Information Films of India" and certified by the Bombay Board of Censors on or before the 15th August 1943.

2. The periodical issues of news films in English, Hindustani, Bengali, Telugu and Tamil entitled "Indian News Parade," and distributed by "Information Films of India."

3. The periodical issue of news films, entitled "Gaugment British News," and distributed by "British Distribution (India) Ltd."

[4. The periodical issues of news films entitled "British Movietone News," and distributed by the Twentieth Century Fox Corporation (India), Ltd.

5. The periodical issues of news films entitled "Paramount British News" and distributed by "Paramount Films of India, Ltd.]"

II. Notification, Government of India, Department of Broadcasting and Information, No. 17/63/43-A. & G. I., dated 18th August 1943—

In exercise of the powers conferred by sub-rule (3) of rule 44A of the Defence of India Rules, the Central Government is pleased to direct that every exhibitor shall, immediately before any approved film, other than a film approved for the purposes of the said rule by notification No. 17/62/43—A. & G. I. dated the 18th August 1943 as for the time being in force, is exhibited at any performance, cause to be exhibited a film copy not less than fifteen feet in length of the certificate of approval granted by the Central Government in respect of that film.

III. Notification, Government of India, Department of Information and Broadcasting, No. 17/63/43- A. & G. II., dated 30th August 1943—

In exercise of the powers conferred by sub-rule (3) of rule 44A of the Defence of India Rules, the Central Government is pleased to direct that the approved film or films to be exhibited in the course of any performance given after the 14th September 1943, shall be exhibited immediately before the interval of the performance if there be an interval, and immediately before the exhibition of the full length film if there be no interval.

RAW CINEMATOGRAPH FILM (CONTROL OF DISTRIBUTION) ORDER, 1943.

Notification, Government of India, Department of Industries and Civil Supplies, No. 276-I.C.(7)/43 dated 17th July 1943.

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

1. *Short title and extent.*—

(1) This Order may be called the Raw Cinematograph Film (Control of Distribution) Order, 1943.

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

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

(a) "Raw film" means all kinds of unexposed 35 mm. motion picture film including negative and positive raw films, and sound negatives.

(b) "Film" means a finished motion picture produced for exhibition and includes feature films and trailer films whether shown for entertainment or otherwise.

(c) "Licensing Authority" means the Central Government or any officer or person appointed by the Central Government to perform the duties of the licensing authority.

(d) "Producer" means a person who produces a film and under whose name the completed film is released and screened.

(e) "Re-printer" means a person who prepares copies of completed films from negatives of such films.

(f) "Form" means a Form appended to this Order.

3. *Registration of sellers.*—

(i) Every person who wishes to sell or otherwise dispose of raw film shall make an application in duplicate for registration in Form A to the Licensing Authority.

(ii) The Licensing Authority, if he sees fit, shall grant a Registration Certificate in Form B.

(iii) The Licensing Authority may at any time during the

currency of the registration certificate rescind the certificate without notice by order in writing to the certificate holder.

4. *Prohibition of sale except by registered persons.*—

- (a) No person other than a person registered under clause 3 shall sell or otherwise dispose of raw film.
- (b) No person registered as aforesaid shall sell or otherwise dispose of raw film except against a licence in Form E or Form F issued by the Licensing Authority under Clause 6.

5. *Prohibition of use, purchase and acquisition except under valid licences.*—No producer or re-printer shall use, purchase or otherwise acquire raw film for producing a film or for taking copies of films or for any other purpose except under a licence issued by the Licensing Authority in Form E or Form F as the case may be.

6. *Application for permission to purchase, acquire or use raw film.*—

- (a) A producer or re-printer wishing to purchase or otherwise acquire or use raw film shall apply to the Licensing Authority in Form C or Form D as the case may be.
- (b) The Licensing Authority, if he sees fit, shall issue a licence in Form E or form F, as the case may be, stating the quantity of each kind of raw film which may be purchased or otherwise acquired or used.

7. *Submission of return of stocks and maintenance of accounts etc.*—Every person carrying on any kind of business in or who is a consumer of raw film shall—

- (a) submit monthly to the Licensing Authority so as to reach that Officer on or before the 15th day of each month beginning with the 15th August 1943 a true return in Form G or in Form H, as the case may be, of the stock of raw film in his possession at the end of the last day of the preceding month.
- (b) Keep such books, accounts or other records relating to raw film as the Central Government or any other officer authorised by it in this behalf may direct.

8. *Supply of information, inspection, search, etc.*—The Central Government or any officer authorised by it in this behalf may, if it or he has reason to believe that any person has contravened, is contravening or is likely to contravene any of the provision of this Order,—

- (a) require any person to give such information in his possession with respect to any business in raw film carried on by that or any other person as it or he may demand,
- (b) inspect or cause to be inspected any books or documents belonging to or under the control of any such person, and

(c) enter and search, or authorise a police officer not below the rank of sub-inspector to enter and search any premises which in the opinion of the Central Government or authorised officer is being used for such business.

9. *Effect of non-supply of information.*—If any person with intent to evade the provisions of this Order, refuses to give any information lawfully demanded from him under clause 8 or cancels, destroys, mutilates or defaces any book or other document, he shall be deemed to have contravened the provisions of this Order.

10. *Contracts varied by the Order.*—The provisions of this Order shall have effect notwithstanding anything to the contrary in any contract whether entered into before or after the commencement of this Order.

11. *Saving.*—Nothing in this Order shall apply to sale, disposal, purchase, acquisition or use of raw film in quantity not exceeding one hundred feet at a time by any person other than a producer or re-printer.

CHAPTER IV
CLOTH AND YARN

COTTON CLOTH AND YARN (CONTROL) ORDER, 1943.

Notification, Government of India, Department of Industries and Civil Supplies, No. 34-Tex.(1)/43 dated 17th June 1943—

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

1. (1) This Order may be called the Cotton Cloth and Yarn (Control) Order, 1943.
- (2) It shall come into force at once.
2. The provisions of this Order shall be in addition to and not in derogation of any other law for the time being in force.
3. In this Order, unless there is anything repugnant in the subject or context,
 - (a) "cloth" and "yarn" mean and include respectively cloth and yarn manufactured either wholly or partly from cotton; but do not include cloth and yarn manufactured wholly from wool, silk, artificial silk or jute;
 - (b) "dealer" means a person carrying on the business of selling cloth or yarn or both, whether wholesale or retail, and whether or not in conjunction with any other business, [and shall include master-weavers of hand-loom cloth;]¹
 - (c) "manufacturer" means a person engaged in the manufacture of cloth or yarn or both;
 - (d) "Textile Commissioner" means the Textile Commissioner appointed by the Central Government and includes such Additional Textile Commissioners as may be appointed by the Central Government.
4. (1) The Central Government may constitute a Textile Control Board (hereinafter referred to as the Board) consisting of 25 to advise the Central Government through the Textile Commissioner generally on matters connected with the purposes of this Order (including matters connected with the export of cloth, yarn and raw cotton) and in particular in respect of the functions of the Textile Commissioner under clauses 10 and 11.

1. Inserted by G. of I., I. and C.S.D., No. 34-Tex (1)/43 dated 14-8-43.

(2) The Chairman of the Board shall be such non-official member thereof as the Central Government may designate in this behalf.

5. (1) The Board may by resolution form from among its members such Committees as it thinks expedient to exercise on its behalf such of its functions as may be specified in the resolution :

Provided that any such Committee formed for the purposes of advising on technical matters connected with the purposes of this Order and in particular on matters relating to the fixation of prices, increase in production, standardisation, and rationalisation, shall be composed only of members representing the Textile Industry, and subject to the provisions of Clause 9 its advice on all such matters shall ordinarily be acted upon.

(2) Any such Committee shall not exceed fifteen in number and it shall elect a Chairman from among its members.

6. Any Committee of the Board may co-opt such additional members not exceeding ten in number as it thinks fit and having special knowledge of the subject with which the Committee is concerned, and the members so co-opted shall have the same rights as the other members of the Committee.

7. (1) A Committee of the Board may by a resolution form from among its members a Standing Sub-Committee to exercise on its behalf such of its functions as may be specified in the resolution.

(2) Any such Standing Sub-Committee shall not exceed five in number, and if the Chairman of the Committee is a member of the Standing Sub-Committee he shall be the Chairman thereof.

8. The Board may in consultation with the Central Government make rules to regulate the calling of, and procedure at, meetings of the Board, Committees and Standing Sub-Committees (including the fixing of quorum).

9. (1) The Board or any Committee or Standing Sub-Committee acting in the exercise of the functions assigned to it under clause 5 or as the case may be clause 7 may tender advice to the central Government through the Textile Commissioner on matters connected with the purposes of this Order and in particular in respect of the functions of the Textile Commissioner under clauses 10 and 11 :

Provided that if the Textile Commissioner is unable to recommend to the Central Government to accept the advice so tendered he shall refer the matter back to the Board, Committee or Standing Sub-Committee as the case may be for further consideration.

(2) If after such reference the Textile Commissioner is still unable to recommend to the Central Government to

accept any advice so tendered by the Board or any Committee or Standing Sub-Committee, he may, or if the Chairman of the Board so requires shall, refer the question for the decision of the Central Government who shall consult the Board or the Committee or Standing Sub-Committee as the case may be before giving its decision.

(3) Before issuing any notification under clause 10 or any direction under clause 11 otherwise than in pursuance of advice tendered to him by the Board or a Committee or Standing Sub-Committee, the Textile Commissioner shall consult the Chairman of the Board, who shall refer the question to the Board or, in his discretion to the appropriate Committee or the Standing Sub-Committee.

(4) The Textile Commissioner may refer any matter on which he desires advice, or make any proposal, to the Chairman of the Board who shall refer the same to the Board or, in his discretion, to the appropriate Committee or Standing Sub-Committee.

(5) If the opinion of the majority of members of the Board or any Committee or Standing Sub-Committee, as the case may be, present at the meeting, at which the question is discussed is adverse to the Textile Commissioner's proposal, he shall, if he does not accept the advice of such majority, refer the question for the decision of the Central Government who shall consult the Board or the Committee, as the case may be, before giving its decision.

[10. Subject to the provisions of sub-clause (3) of clause 9, the Textile Commissioner may, by notification in the Gazette of India, specify—

(a) The maximum quantity of handloom cloth which may be stocked by any dealer and the maximum period for which he may hold such stock ;

(b) the maximum prices, ex-factory, wholesale and retail, at which any class or specification of cloth or yarn may be sold ;

(c) the markings to be made by the manufacturers on any class or specification of cloth or yarn manufactured by them, and the time and manner of making those markings.

11. Subject to the provisions of sub-clause (3) of clause 9, the Textile Commissioner may from time to time issue directions in writing to any manufacturer regarding the classes or specifications of cloth or yarn, and the maximum and minimum quantities thereof which he shall or shall not manufacture during such period as may be specified in the directions, and the manufacturer shall comply with all such directions.

12. (1) No manufacturer or dealer shall sell or offer to sell any cloth or yarn at a price higher than the maximum price specified in this behalf under clause 10.

(2) Every dealer shall exhibit in his premises a true copy of each of the notifications that may have been, or may hereafter be, issued by the Textile Commissioner under clause 10 specifying the maximum prices at which cloth or yarn may be sold.

(3) No manufacturer or dealer shall, without sufficient cause, refuse to sell cloth or yarn to any person.

Explanation.—The possibility or expectation of obtaining a higher price at a later date shall not be deemed to be a sufficient cause for the purposes of this sub-clause.

13. Where the Textile Commissioner has specified under clause 10 the markings to be made, and the time and manner of marking them, in respect of any class or specification of cloth or yarn—

(a) every manufacturer of such cloth or yarn shall cause the markings to be made thereon at the time, and the manner, specified by the Textile Commissioner;

(b) no person other than a manufacturer shall cause the markings to be made on any such cloth or yarn;

(c) no person other than a manufacturer shall after the 31st December 1943 have in his possession or under his control any such cloth or yarn which is not so marked unless it be for *bona fide* personal requirements.

14. (1) No cloth (other than handloom cloth) or yarn manufactured before the 1st August 1943 shall, unless expressly authorised by the Textile Commissioner—

(a) be kept by any person in unopened bales or cases after the 31st August 1943;

(b) be kept undisposed of by any dealer, or by any person holding on behalf of a dealer, after the 31st December 1943.

(2) No cloth or yarn marked with the date of packing under the provisions of this Order shall, unless expressly authorised by the Textile Commissioner,—

(a) be kept by any person in unopened bales or cases for more than three months after that date;

(b) be kept undisposed of by any dealer, or any person holding on behalf of a dealer, for more than six months after that date.

15. The Textile Commissioner may by general or special order exempt any cloth or yarn, or any class of cloth or yarn, from all or any of the provisions of clauses 13 and 14.

16. Where, in pursuance of a notification under clause 10, any piece of cloth is required to be marked at one end with the

price at which it is to be sold retail, and the piece is not sold as a whole, that portion of the piece containing the price marking shall be sold last by the dealer.

17. Every manufacturer, every dealer and every person to whom any stocks of cloth or yarn have been pledged by a manufacturer or dealer, shall declare the stocks of cloth or yarn held by him on such dates, in such form and to such authority as may be specified by the Textile Commissioner by notification in the Gazette of India.

18. (1) No manufacturer shall, save with the permission of the Textile Commissioner at any time hold—

(a) stock of cloth exceeding the total quantity manufactured by him during the preceding three months; or

(b) stocks of yarn not required by himself for manufacturing cloth, exceeding the quantity of yarn manufactured by him during the preceding two months:

Provided that for the purposes of this sub-clause, cloth on looms and yarn in process of manufacture into cloth shall not be taken into account.

(2) No dealer or other person not being a manufacturer shall at any time hold stocks of cloth or yarn in excess of his normal requirements.

(3) Nothing in sub-clause (2) shall be deemed to apply in relation to the possession by any person carrying on the business of banking of cloth or yarn pledged with him by a dealer or a manufacturer.

(4) For the purposes of sub-clauses (1) and (2) any cloth or yarn agreed to be sold to a dealer by a manufacturer and of which delivery has not been taken by the due date shall be deemed to be held by the dealer and not by the manufacturer.

19. The Textile Commissioner, may, if he has reason to believe that any person has contravened or is likely to contravene any provisions of this Order,—

(a) require any person to give any information in his possession with respect to any business carried on by that or any other person.

(b) inspect or, cause to be inspected any books or other documents belonging to or under the control of any person;

(c) enter and search, or authorise any person to enter and search, any premises, and seize, or authorise any person to seize, any cloth or yarn in respect of which he has reason to believe that a contravention of this Order has been committed.]¹

1. Substituted by G. of L, I. & C. S. D., Not. No. 34-Tex. A (1) 12/43 dated 24-11-43.

20. If any person with the intent that any provision of this Order may be evaded refuses to give any information lawfully demanded from him under clause 19 or conceals, destroys, mutilates or defaces any book or other document, he shall be deemed to have contravened the provision of this Order.

21. A Textile Commissioner may, with the sanction of the Central Government and by general or special Order in writing, authorise any person to discharge on his behalf all or any of his functions under this Order other than those specified in clauses 9 and 10.

22. A Court trying any contravention of this Order may, without prejudice to any other sentence which it may pass, direct that any cloth or yarn in respect of which it is satisfied that such contravention has occurred shall be forfeited to His Majesty.

[23. No prosecution for the contravention of any of the provisions of this Order shall be instituted without the previous sanction of the Provincial Government.]¹

Notes.

(Forms in which information is called for in clause 16 are not printed here).

In the Province of Bombay, the Supply Commissioner and Director of Industries is authorised to discharge the function of the Textile Commissioner.

The prices of various types of cloth and yarn are published in the Bombay Government Gazette, 1943, Part IV-C at pages 942-4. In fixing the maximum prices ex-mill and retail for cloths and yarns of kinds or qualities other than those specified in the notification published at the above page, shall be more or less, as the case may be, than the prices fixed by an amount equal to the customary differences between the prices of nearest kinds of qualities specified in the above referred to notification and the kinds and qualities not specified there. (See page 974 of the Bombay Government Gazette. 1943, Part IV-C.)

ORDERS.

I. Notification by the Government of India, Department of Industries and Civil Supplies, No. 34-Tex(15)/43, dated 7th July 1943.

Under the powers conferred on me by the Cotton Cloth and Yarn (Control) Order, 1943, Clause 10(c), I hereby prescribe the following markings and the manner of marking which shall be observed by all manufacturers of cotton cloth and yarn in respect of goods packed after the 31st July 1943, excepting cotton cloth and yarn purchased under a direct contract by the Government of India.

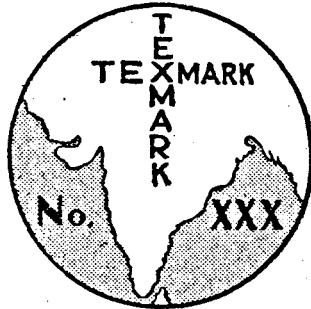
Clause 1.—Every manufacturer shall obtain a distinguishing number, for use as prescribed, by application to the Textile Commissioner, Hararwala Building, Ballard Estate, Bombay.

1. Inserted by G. of I., I. and C.S.D., No. 34/Tex(1)/43 dated 14-8-43.

The term "manufacturer" shall be deemed to include a Dyer, Bleacher, Printer or Finisher of Cotton Yarn and Cotton Cloth.

Clause 2.—Cotton Cloth Marking.—

- (a) At a distance not exceeding 1 yard from each end of a piece or uncut unit, every manufacturer shall impress or stamp the mark illustrated below:—



- (b) The overall diameter of the mark shall not be less than $1\frac{1}{2}$ ".
- (c) The figures of the mark shall not be less than $\frac{1}{4}$ " in height and the letters not less than $\frac{1}{8}$ " in height.
- (d) Within the mark and in the position shown at XXX in the above diagram, the manufacturer's distinguishing number shall be stamped.
- (e) The month and year of packing shall also be stamped or impressed in letters or figures not less than $\frac{1}{2}$ " in height immediately below the mark.

Clause 3.—Cotton Yarn Marking.—

- (a) A paper label reproducing the mark described in clause (2), but having a diameter of not less than 4" shall be inserted by the manufacturer in the centre of every bundle of yarn packed by him.
- (b) Letters and figures of the label shall not be less than $\frac{1}{4}$ " in height.
- (c) Within the mark and in the position shown at XXX in the diagram in clause (2), the manufacturer's distinguishing number shall be reproduced.
- (d) The month and year of packing shall be stamped or impressed on the label in letters and figures not less than $\frac{1}{2}$ " in length immediately below the mark illustrated in clause (2).

Clause 4.—Bale Marking.—The month and year of packing and the manufacturer's distinguishing number shall be stamped

or impressed on the outside of every bale or other package of cotton yarn and/or cotton cloth in letters and figures not less 1½" in height.

Clause 5.—It shall be an offence under the Cotton Cloth and Yarn (Control) Order, 1943,—

(a) for any person other than a manufacturer to use or apply the marking prescribed in this Order or any cotton cloth or cotton yarn, or to any bale or other container in which it is packed.

(b) for any manufacturer to use the markings prescribed in this Order in a manner other than that prescribed.

Clause 6.—For purposes of marking Cloth, Yarn and bales or other containers under this Order, the following abbreviations only may be used for the month of packing :—

| | | |
|------------|--------------|-------|
| JANUARY | Abbreviation | JANY. |
| FEBRUARY | | FEBY. |
| AUGUST. | | AUGT. |
| SEPTEMBER. | | SEPT. |
| OCTOBER. | | OCTR. |
| NOVEMBER. | | NOVR. |
| DECEMBER. | | DECR. |

II. Notification, Government of India, Department of Industries and Civil Supplies, No. 34-Tex (15) /43, dated 23rd Aug. 1943.

In exercise of the powers conferred on me by clause 10(a) of the Cotton Cloth and Yarn (Control) Order, 1943, I hereby notify that the following items be exempted until further notice from the operation of the Order to the extent specified against them :—

| Items. | Nature and Extent of Exemption. |
|----------------------------|------------------------------------|
| (a) Hosiery. |) Exemption from the operation of |
| (b) Ready made clothing |) the Order subject to the proviso |
| (excluding dhoties |) that manufacturers of such |
| and sarees.) |) items must declare the stocks |
| (c) Sewing thread in tubes |) held by them as on 31st July. |
| or reels or any other |) 1943 of raw materials in the |
| make up of not more |) form of cloth and yarn not |
| than 2,000 yards in |) actually in the process of manu- |
| length. |) facture. |
| (d) Cotton ropes, tape, |) |
| binding and similar |) |
| miscellaneous items. |) |

III. Notification, Government of India, Departments of Industries and Civil Supplies, No. 34-Tex (15)/43, dated 26th August 1943—

In exercise of the powers conferred on me by clause 10(a) of the Cotton Cloth and Yarn (Control) Order, 1943, I hereby notify that the following items be exempted until further notice from the operation of sub-clause (c) of clause 10 and clauses 13 and 14 of the Order:—

- (a) pieces of any length up to a maximum of seventy-two inches which do not exceed nine inches in width at any point in the direction at right angles to the longest length.
- (b) Any piece of cloth of an area not exceeding four square feet and not exceeding thirty-four inches at the widest point in any direction.

Explanation.—The above amendment is intended to cover items such as small handkerchiefs, small towels, napkins, jarans, rags of various sorts and including mill rags which are cut from the ends of full pieces after processing.

(Sd.) Textile Commissioner.

IV. Notification, Government of India, Department of Industries and Civil Supplies, No. 34-*Tex*(15)/43, dated 20th Sept. 1943.

In exercise of the powers conferred on me by clause 10(a) of the Cotton Cloth and Yarn (Control) Order, 1943, I hereby notify that the cloth or yarn manufactured partly from cotton but containing not more than 10 per cent. of cotton by weight be exempted from the operation of the above order.

COTTON CLOTH MOVEMENTS CONTROL ORDER, 1943.

Notification issued by the Government of India, Department of Industries and Civil Supplies, No. 265-*Tex*/43, dated 23rd Oct. 1943.

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

1. This Order may be called the Cotton Cloth Movements Control Order, 1943.

2. In this Order "cotton cloth" means any kind of cloth manufactured wholly or partly from cotton but does not include cloth made up into garments: "Textile Commissioner" means the Textile Commissioner, Bombay, and includes any other officer appointed by him to perform the functions of the Textile Commissioner under this Order.

3. No person shall offer for transport by rail, or cause to be transported by rail; any consignment of cotton cloth except under and in accordance with the terms of

(a) a general permit notified by the Central Government in this behalf; or

(b) a special permit issued by the Textile Commissioner, and countersigned by the Regional Controller of Railway Priorities, Bombay, in the Form annexed to this Order.

Provided that this prohibition shall not apply to the transport by rail of cotton cloth not exceeding one and a half maunds in weight by a railway passenger as part of his luggage.

4. Applications for special permits under clause 3 shall be made in quadruplicate in the Form annexed to this Order. (Forms Not Reproduced).

General Permit No. 1.

Under the Cotton Cloth Movements Control Order, 1943.

(1) For the purposes of this permit, India shall be divided into the following Surplus Area and Deficit Zones:

Surplus Areas

1. The Bombay Surplus Area—Comprising the Province of Bombay the Western India States, Baroda State, Gujarat States, Kolhapur and the Deccan States.

2. The Delhi Surplus Area—Comprising the Province of Delhi.

Deficit Zones.

1. The Sind Deficit Zone—Comprising the Province of Sind and British Baluchistan and the States of Khairpur, Kalat and Las Bela.

2. The Punjab Deficit Zone—Comprising the Punjab, the North West Frontier Province, all States to the north of the Punjab, and the Punjab States except Khairpur State.

3. The United Provinces Deficit Zone—Comprising the United Provinces and the States of Benares and Rampur.

4. The Bihar Deficit Zone—Comprising the Province of Bihar but excluding the Districts of Santhal Parganas and Manbhum, and that portion of Singhbhum District which lies to the east of Seraikela state.

5. The Bengal Deficit Zone—Comprising the Provinces of Bengal and Assam, the portion of the Provinces of Bihar excluded from the Bihar Deficit Zone, and the States of Sikkim, Bhutan, Cooch Behar, Tripura Manipur and the Khasi Hill States.

6. The Orissa Deficit Zone—Comprising the Province of Orissa, and all States in the Eastern States Agency except those included in item 5 or item 7.

7. The Central Provinces Deficit Zone—Comprising the Central Provinces and Berar, all States of the Central India

States Agency, lying to the north of the Central Provinces and east of Jhansi district and the States of Kawardha Khairagarh, Nandgaon and Chhuikhadan.

8. The South Deficit Zone—Comprising [the Provinces of Madras and Coorg, the Madras States, and the States of Hyderabad, Mysore, Banganapalle and Sandur.

9. The Rajputana Deficit Zone—Comprising Ajmer-Merwara, the Rajputana States, Gwalior, the Central India States except those included in item 7.

(2) Cotton cloth may be transported by rail under this permit:

(a) Within any Deficit Zone.

(b) From Karachi to the Punjab and Rajputana Deficit Zone.

(c) From the South Deficit Zone to the Bihar, Bengal and Orissa Deficit Zones.

(d) From the Central Provinces Deficit Zone to the Bengal, Bihar and Orissa Deficit Zones and those parts of the United Provinces Deficit Zones lying on or to the east of the railway line Jhansi-Cawnpore-Lucknow-Gorakhpur.

(e) From the United Provinces Deficit Zone to the Bihar and Bengal Deficit Zones.

(f) From the Bihar and Orissa Deficit Zones to the Bengal Deficit Zones.

(g) From the Rajputana Deficit Zone to the Sind, Punjab and United Provinces Deficit Zones and the Delhi Surplus Area.

(h) Within the Delhi Surplus Area and from the Delhi Surplus Area to the Punjab, United Provinces, Bihar and Bengal Deficit Zones.

(i) Within the Bombay Surplus Area, and from the Bombay Surplus Area to the Delhi Surplus Area and any Deficit Zones.

Provided that no cotton cloth may be transported under this permit—

(i) On the G.I.P. Railway in the direction of Bombay City between Bhusaval and Bombay City, or between Dhond and Bombay City, or between junctions on these sections of railway line with the B.B. and C.I. Railway and beyond ;

(ii) by the all rail route from Bombay City to Karachi ;

(iii) from Bombay City to any station in Kathiawar or to any station on the metre gauge section of B.B. and C.I. Railway between Mehsana and Wadhwan (excluding Mehsana but including Wadhwan.)

COTTON TEXTILES SIZING AND FILLING CONTROL ORDER, 1942.

Notification, Government of India, Department of Commerce, No. 130-I.C.(1)/42, dated the 8th Aug. 1942.

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

1. *Short Title*.—This Order may be called the Cotton Textiles Sizing and Filling Control Order, 1942.
2. *Definition*.—In this Order, unless there is anything repugnant in the subject or context, "cotton piece-goods" includes any woven or knitted fabric or material containing more than 90 per cent. by weight of cotton after removal of any size or filling.
3. *Sizing or Filling*.—(a) No person shall on or after the 1st day of January 1943 manufacture or process, or cause to be manufactured or processed any cotton piece-goods which contain any sizing or filling material, or both, of any description, exceeding in the aggregate 10 per cent. of the weight of the cotton in the cloth, provided that in respect of cloth the warp of which consists of yarn of 13s counts or coarser, any person may manufacture or process or cause to be manufactured or processed, any cotton-piece-goods which contain any sizing or filling material, or both, of any description not exceeding in the aggregate 15 per cent. of the weight of the cotton in the cloth.]¹
 [(b) No person shall on or after the 1st October 1943, use wheat flour for the purpose of sizing or filling cotton piece-goods except with the permission in writing of the Textile Commissioner, Bombay, or any other officer authorised by him in this behalf and in accordance with such terms as may be laid down by him.]]²
4. No person shall on or after the [1st day of January 1943]³ sell or otherwise dispose of or purchase or otherwise acquire any cotton piece-goods which have been manufactured, processed or finished in contravention of clause 3.
5. *Tests*.—For the purposes of this Order, the proportion of sizing or filling material, or both, relative to the weight of the cotton in any finished cotton piece-goods shall be determined by such test [carried out by such authority] as the Central Government may, from time to time, prescribe by order in writing and the result of such test shall be conclusive.
6. *Inspection of premises*.—Any officer authorised by the Central Government [the Provincial Government or the [Textile Commissioner],* Cotton Textiles, Department of Supply, Bombay]³ in writing in this behalf may enter upon

1. Substituted by the Govt. of India, Dept. of Commerce, Not. No. 130-I.C.(1)/42, dated 24th Dec. 1942, which came into operation on 1st Jan. 43.

§ Inserted by G. of I., Not. No. 100-Text (B) 43 dated 29-9-43.

2. Substituted for 1st Sept. 1942 by (1) Supra.

3. Substituted for "Deputy Director General" by G. of I., I. & C.S.D., Not. No. 176-Text./43 dated 7-8-43.

3. Inserted Ibid.

and inspect any premises in which he has reason to believe that cotton piece-goods are manufactured or processed or sized or filled in contravention of the provisions of this Order, and may ask for any information relating to the manufacture, processing, sizing or filling of such piece-goods in those premises [and take samples for the purpose of testing.]

- [7. *Existing contracts*.—This order shall relieve any person from any legal obligation he may have undertaken prior to the 1st day of January 1943 to deliver cotton piecegoods sized to an extent in excess of the amount stipulated in this Order.]¹
- [8. Notwithstanding anything in this order, the Central Government or the [Textile Commissioner,]* Cotton Textiles, Department of Supply, Bombay, or any other person authorised by it or him in this behalf, may in its or his absolute discretion grant a special written permission to any person to manufacture or process, or cause to be manufactured or processed, any cotton piecegoods containing sizing or filling material, or both, of any description, exceeding in the aggregate 10 per cent. of the weight of the cotton in the cloth.]²

THE BOMBAY COTTON CLOTH DEALERS LICENSING ORDER, 1943.

Notification, Finance Department (Supply), No. 564 dated 3rd August 1943—

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

1. (1) This Order may be called the Bombay Cotton Cloth Dealers Licensing Order, 1943.
- (2) It extends to the whole of the Province of Bombay and shall come into force at once.
2. In this Order, unless there is anything repugnant in the subject or context,—
 - (a) “cloth” means cloth manufactured either wholly or partly from cotton; but does not include cloth manufactured wholly from wool, silk, artificial silk or jute;
 - (b) “dealers” means a person carrying on the business of selling or storing for sale cloth, whether wholesale or retail and whether or not in conjunction with any other business and includes a hawker;
 - (c) “hawker” means a person who goes from place to place or from house to house carrying or exposing for

1. Substituted by the Govt. of India, Dept. of Commerce, Not. No. 180-I.C.(1)/42, dated 24th Dec. 42, which came into force on 1-1-43.

2. Ibid.

sale cloth or exposing samples of cloth to be afterwards delivered;

- (d) "Licensing authority" means in the City of Bombay and the Bombay Suburban District the Director of Industries and elsewhere the District Magistrate.
3. Save as hereinafter provided, on and after 15th October 1933, no person shall sell, or store for sale, cloth except under and in accordance with the conditions of a license granted by the licensing authority.
 4. Applications for licenses under this Order shall be made to the licensing authority in Form I appended hereto; and in the case of dealers carrying on their business on the date of coming into force of this Order, such applications shall be made within one month from the said date.
 5. Every license issued under this Order shall be in Form II appended hereto. [The License shall be effective in relation to the business premises in respect of which it is granted or, as the case may be, throughout the areas in respect of which it is granted whether or not such areas are within the jurisdiction of the licensing authority.]¹
 6. The fee charged to a hawker for the grant of a license shall be Re. 1 and that to any other dealer shall be Rs. 5.
 7. Every license granted under this Order shall be valid for the period specified in the license but may be renewed from time to time for a period of one year on payment of a fee of Re. 1.
 8. If the holder of a license issued under this Order has supplied incorrect information in an application under clause (4) or contravenes any of the conditions mentioned in the license the licensing authority may, without prejudice to any other action that may be taken against such holder, suspend or cancel his license.
 9. Any officer authorised in this behalf by the licensing authority may enter upon and inspect any premises in which he has reason to believe that sale or storage for sale of cloth is taking place contrary to the provisions of this Order and may require any hawker to produce his license for inspection.
 10. Nothing contained in this Order shall apply to—
 - (a) the owner of a textile mill, or
 - (b) any person selling or storing for sale cloth manufactured by himself for the members of his family.
 11. The Provincial Government may exempt any person or class of persons from the operation of all or any of the provisions of this Order and, may at any time suspend or cancel such exemption.

1. Inserted by F. D. (Supply), No. 564 dated 4-10-43.

Form I.

1. Name of the applicant in full.....
2. Address of the applicant in full.....
3. Occupation of the applicant.....
4. (a) Whether the applicant or his firm has been habitually dealing in cloth.....
(b) If so, state the exact address where the business was carried on and the year since when he or the firm is in business.....
- 5.*Exact description of premises where the business is to be carried on
- **Area (Taluka, Peta, District or any other locality) where the business is to be carried on.
- [5A. Address of the godown or place, other than the place of business, where applicant holds stocks of cloth]²
6. Period for which license is required.....
7. I/We have carefully read the conditions of the license in Form II to the Bombay Cotton Cloth Dealers Licensing Order, 1943, and I/we agree to abide by them.
8. §I/We have not previously applied for such a license.
I/We applied for such a license on
and was/were refused a license on

Dated _____ Signature(s) of applicant(s).

*In the case of a dealer other than a hawker.

**In the case of a hawker.

§Strike out the words which are not applicable.

Form II.

License for sale or storage for sale of cloth.
(Not printed).

DECLARATION OF STOCK IN BOMBAY.

Notification, Finance Department (Supply), No. 564(A) dated 17th September 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that every person carrying on the business of selling or storing for sale cloth, whether wholesale or retail, and whether or not in conjunction with any other business (including a hawker) shall by the 30th September 1943, furnish to the Director of Industries in the City of Bombay and the Bombay Suburban District, and to the District Magistrate elsewhere, a full and correct statement (address) of the godown or other place, where stocks of cloth manufactured either wholly or partly from cotton are held by him.

CHAPTER V.
COMPANIES (LIMITED)

ANNUAL LIST OF MEMBERS.

Notification, Government of India, Defence Department, No. 5 DC-(15)/43, dated the 19th June 1943.

After rule 81F (of the Defence of India Rules), the following rule shall be inserted namely:—

81G. Modification of annual list of members returnable under section 32 of Act VIII of 1913.—

(1) Notwithstanding anything contained in sections 32 and 151 of the Indian Companies Act, 1913, a company having more than fifty members shall be deemed to have complied with the requirements of the said sections in respect of the annual list of members (other than the first) for the year 1943 or any subsequent year if, instead of making every year the list referred to in sub-section (1) of section 32 in the form prescribed for the purpose in Form E of the Third Schedule to the said Act, the company furnishes a statement showing all changes in membership and in the number of shares held by members that have taken place since the date of the last return, together with the summary prescribed in sub-section (2) of the said section 32, and files with the Registrar of Joint Stock Companies the same in the manner provided in sub-section (3) thereof.

(2) The Central Government may by order prescribe the particulars which shall be contained in the statement referred to in sub-rule (1).

Order.

Notification, Government of India, Department of Commerce, No. 24(2)-Tr. (C.L.)/43 dated 19th June 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81G of the Defence of India Rules, the Central Government is pleased to order that the statement which a company shall file with the Registrar of Joint Stock Companies under sub-rule (1) of the said rule, shall contain the following particulars, namely:

(i) The names and addresses of all persons, who have become members of the Company since the date of the last return and the numbers of shares of each class acquired by each;

(ii) The names of members of the Company, other than those stated in Clause (i), who have transferred or forfeited any shares held by them, or acquired any shares, since the date

of the last return, specifying, in each case, the total number of shares of each class transferred, forfeited or acquired; and
 (iii) the total number of shareholders of each class.

CONTROL OF CAPITAL ISSUES.

Notification, Government of India, Defence Department, No. 5,DC.(27)/43 dated 17th May 1943.

In exercise of the powers conferred by Section 2 of the Defence of India Act, 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 94 of the said Rules, the following rule shall be inserted namely:—

94-A. *Control of Capital Issues*—(1) For the purpose of this Rule—

- (a) Securities shall include shares, stocks, bonds, debentures and debenture stocks, issued by or for the benefit of the company;
 - (b) a person shall be deemed to make an issue of capital who issues any securities whether in cash or otherwise.
- (2) Subject to such exemptions as may be granted by order of the Central Government, no company, whether incorporated in British India or not, shall, except with the consent of the Central Government—

- (a) make an issue of capital in British India;
- (b) make in British India any public offer of securities for sale;
- (c) renew or postpone the date of maturity or repayment of any security maturing for payment in British India.

[(2-A) The Central Government may qualify any consent accorded by it under sub-rule (2) with such conditions, whether for immediate or future fulfilment, as it may think fit to impose; and where a company acts in pursuance of such consent, it shall comply with the terms of any conditions so imposed]¹.

(3) Subject to such exemptions as may be granted by order of the Central Government no company incorporated in British India shall, except with the consent of the Central Government make an issue of capital anywhere.

(4) Subject to such exemptions as may be granted by order of the Central Government, no person shall issue in British India any Prospectus or other document offering for subscription or publicly offering for sale any security which does not include a statement that the consent of the Central Government has been obtained to the issue or offer of the securities.

1. Inserted by the Govt. of India, Def. Dept. Not. No. 5—DC (27)/43 dated 23rd June 1943.

[(4-A). The Central Government may by order condone a contravention of sub-rule (2), sub-rule (3), or sub-rule (4) and on the making of such order the provisions of this rule shall have effect as if an exemption had been granted under sub-rule (2), sub-rule (3) or sub-rule (4), as the case may be, in favour of the thing done in contravention of such sub-rule]².

(5) No person shall subscribe for any securities issued by a Company in respect of any issue of capital made in British India or elsewhere unless such issue has been made with the consent of the Central Government.

[(5-A). No person shall purchase or sell any securities issued by a company in respect of any issue of capital made after the 17th May 1943 in British India or elsewhere, unless such issue has been made with the consent of the Central Government]³ [or unless the security concerned is one which, having before the 23rd June 1943 been the subject of a transaction which would have been prohibited if it had been effected on or after that date, is endorsed with a certificate by the Examiner of Capital Issues or an officer authorised by him in this behalf that it has on this ground been exempted by the Central Government from the operation of this sub-rule.]²

(6) If any person contravenes the provisions of this rule he shall be punishable with imprisonment for a term which may extend to five years or with fine or with both.

Orders.

Notification, Government of India Finance Department, No. D/558-EC1/43 dated 23rd June 1943—

In exercise of the powers conferred by sub-rule(2) of Defence of India Rule 95A, the Central Government is pleased to exempt from the operation of that sub-rule the following transactions, namely :—

(1) Issues of shares for a consideration not exceeding one thousand rupees in all to the subscribers of a memorandum of association.

(2) Issues of Securities by persons in the ordinary course of their normal business and strictly and solely for the purpose of that business to a person carrying on the business of banking or his nominee in respect of advances made or to be made or overdrafts granted or to be granted by that person from time to time (not being advances made or to be made or overdrafts granted or to be granted on terms express or implied that the advance or the overdraft will or may be discharged wholly or partly by the issue of any securities or by the transfer of any securities subsequently issued, or will or may be repaid wholly or partly out of the proceeds of any securities subsequently issued).

2. Inserted by Govt. of India, Def. Dept. No. 5-DC(27/43 dated 2nd Aug. 1943.

3. Inserted by Govt. of India, Def. Dept. No. 3DC(27)/43 dated 23rd June, 43.

CHAPTER VI.

COTTON

COTTON MOVEMENTS CONTROL ORDER, 1942.

Notification, Government of India, Department of Supply, No. 1116, dated 19th November 1942.

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

1. (i) This Order may be called the Cotton Movements Control Order, 1942.
(ii) It shall come into force at once.
2. In this Order, "cotton" means every kind of unmanufactured cotton, whether ginned or unginned.*...
3. No person shall offer cotton for transport by rail, or cause any consignment of cotton to be transported by rail, except under and in accordance with the terms of—
 - (a) a general permit notified by the Central Government in this behalf; or
 - (b) a special permit issued by the Regional Controller of Priorities, Bombay, or the Executive Officer or Deputy Executive Officer of the Cotton Movements Panel, Bombay, in Part III of the Form appended to this Order.
4. Applications for special permits shall be made in quadruplicate in the Form appended to this Order.
5. Any person carrying on an undertaking shall on being required so to do furnish to the Chairman or the Executive Officer of the Cotton Movements Panel, Bombay, returns in such form or forms as that officer may direct relating to that person's dealings in cotton.
6. The Chairman or the Executive Officer of the Cotton Movements Panel, Bombay, may with a view to secure compliance with the provisions of this Order—
 - (a) require any person to furnish such information in his possession relating to any undertaking carried on by him or any other person, as the said Chairman or the Executive Officer may demand;
 - (b) inspect or cause to be inspected any books or docu-

*Deleted by No. 1208 dated 17-12-42

GENERAL PERMIT No. 1

Under the Cotton Movements Control Order, 1942.

New Delhi, dated the 19th November 1942.

Notification No. 1117. In pursuance of sub-clause (a) of clause 3 of the Cotton Movements Control Order, 1942, the Central Government is pleased to notify for public information the following General Permit—

1. For the purposes of this Permit, India shall be divided into the following Free Areas and Zones :—

Northern Free Area, comprising the Province of Sind, the State of Khaipur and the area served by railway stations to the North or West of the railway line Reti-Samasata-Ferozepur City-Jullundur Cantonment, including the stations on that railway line (and the stations on the Fort Abbas-Bahawalnager branch line).

North Zone, comprising all territory bounded on the North-West by the Northern Free Area and on the South by an imaginary line joining the railway stations of (1) Samasata, (2) Merta Road, (3) Ajmer, (4) Kotah, (5) Chhabra Gugor, (6) Bina, (7) Katni, (8) Bilaspur, (9) Raipur, (10) Arang Mahanadi, (11) Cuttack, stations (1) to (6) being excluded from this Zone but stations (7) to (11) included therein.

West Zone, comprising all territory bounded on the North-West by the Northern Free Area and an imaginary line joining the railway stations of Samasata, Merta Road, Ajmer, Kotah, Bina, Sehore Cantonment, Khandwa, Jalgaon, Daulatabad, Latur, Gulberga, Gadag, Davangeri including all those stations and thence to the coast at Karwar.

South Zone, comprising all territory to the South of an imaginary line joining the railway stations of Cuttack, Arang Mahanadi, Warangal, Kurnool Town, Guntakal, Bellary, Davangeri, excluding all those stations, and thence to the coast at Karwar.

Central Free Area, comprising the territory bounded by the North West and South Zones.

2. Cotton consigned (a) to any cotton mill or (b) to a merchant in Karachi or (c) to a merchant in the City of Bombay who has previously obtained a licence from the Government of Bombay, when such licence is necessary, permitting the import of the consignment into the City of Bombay, *or (d) to a merchant in Cawnpore, subject to the provisions of the notification of the Government of the United Provinces No. 996-PTB/XVIII, dated the 27th March 1943, relating to the import of cotton into Cawnpore by merchants] may be transported by rail under this permit—

(i) within the North Zone or from the Northern and Central Free Areas into the North Zone †[Provided that the transport of cotton by rail from Cawnpore ‡(or from any station within a distance of twenty miles of Cawnpore) shall not be permitted].

(ii) within the West Zone or from the Northern and Central Free Areas into the West Zone, provided that the transport by the railways of cotton from Karachi or from Bombay City and Island and Salsette shall not be permitted without a Special Permit granted under clause 3 of the Cotton Movements Control Order, 1942.

Cotton may be transported from Karachi to Bombay by sea without Special Permit.

(iii) within the South Zone or from the Central Free Area into the South Zone.

(iv) within the Free Areas.

* Inserted by Govt. of India, Department of Supply, Notification No. 379 dated New Delhi, the 14th April, 1943.

† Inserted by Govt. of India, Dept. of Supply, Notification No. 521, dated, New Delhi, the 18th May, 1943.

‡ Inserted by Govt. of India, Dept. of Industries & Civil Supplies, Notification No. 71-Tex/43 dated New Delhi, 3rd July, 1943.

ments belonging to, or under the control of any person carrying on an undertaking;

(c) enter and inspect any premises.

7. Nothing in this Order shall permit any movement of cotton prohibited by or under the Government of India Cotton Transport Act, 1923 (III of 1923), or any other law for the time being in force.

Application for Special Permit under the Cotton movements Control Order, 1942

(See clauses 3 and 4 of Notification No. 1116).

Part I.

1. *Name of consigner.*
2. *Postal address of consignor.*
3. *Telegraphic address of consigner.*
4. *Name of consignee.*
5. *Address of consignee.*
6. *Number of bales.*
7. *Total weight in maunds.*
8. *Quality of cotton (Place of origin also approx. grade and staple must be stated.)*
9. *Station of despatch.*
10. *Destination station.*
11. *State reason why special permission requested.*
12. If cotton is for export, state country, export licence No. if any, and export licensing authority. If import recommendation received from Government of Importing country, give details.
13. If cotton is for merchants' stocks, state quantity in bales of same quality already held.

Part II.

(To be filled in when applicant or consignee is a mill).

14. Applicant's total stock in bales of all cotton.
 15. Applicant's total stock in bales of the quality of cotton in respect of which application is made.
 16. Applicant's monthly consumption in bales from item 14.
 17. Applicant's monthly consumption in bales from item 15.
- All details given above are true to the best of my knowledge and belief.

Signature of applicant.

Place.

Date.

Part III.

(Not printed).

COTTON YARN ORDER, 1942.

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to make the following order, namely—

1. With effect from [1st November, 1942]¹ no person in the Province of Bombay shall sell, store for sale or carry on business in, cotton yarn except under and in accordance with the conditions of a licence in the form in Schedule B granted by the Yarn Commissioner for the Province of Bombay.

2. Any person desiring a licence shall make an application to the Yarn Commissioner for the Province of Bombay in the form in Schedule A.

3. Nothing contained in this order shall apply to—

(a) the owner of a textile mill, or

(b) any person selling, storing for sale or carrying on business in, cotton yarn spun by himself or the members of his family.

SCHEDULE A and B.

(Not printed).

IMPORT OF COTTON IN THE CITY OF BOMBAY.

I. Notification, General Department, No. 23/4 dated 28th April 1942.—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 29th April 1942, no person shall move cotton into the City of Bombay by road, rail or sea except under a license granted by the Director of Civil Supplies, Bombay, or the Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the Office of the Director of Civil Supplies.

II. Notification, Finance Department (Supply), No. 23/4 dated 2nd December 1942.—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of Government Notification, Finance Department (Supply), No. 23/4, dated the 29th October 1942, the Government of Bombay is pleased to direct that Government Notification, General Department, No. 23/4 dated the 28th April 1942, prohibiting the entry of cotton into the City of Bombay by road, rail or sea, except under a license granted by the Director of Civil Supplies, Bombay, or the Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the Office of the Director

1. Substituted for " 1st Sept. 1942 " by Not. No. 24/3 dated 22-9-42.

of Civil Supplies, Bombay, shall not, with effect from the 3rd December 1942, apply to such cotton as is tenderable against the Indian Cotton Contract under the provisions of the bye-laws of the East India Cotton Association, Ltd.

III. Notification, Finance Department (Supply), No. 23(4) dated 24th March 1943.—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that the prohibition contained in Government Notification, General Department, No. 23/4, dated the 28th April 1942, against the entry of cotton in the City of Bombay by rail except under a license granted by the Director of Civil Supplies, Bombay, or the Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the office of the Director of Civil Supplies, Bombay, shall not apply to cotton consigned to a cotton mill in the City of Bombay by rail from any place in the West Zone or from the Northern Free Area and the Central Free Area as defined in the General Permit No. 1 notified by the Central Government in Government of India, Department of Supply, Notification No. 1117, dated the 19th November 1942.

CHAPTER VII

FOODSTUFFS

FOODGRAINS CONTROL ORDER, 1942.

Notification, Government of India, Department of Commerce, No. Econ. Ad. (P.C.) 550/42, dated 21st May 1942—

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

1. (1) This Order may be called the Foodgrains Control Order, 1942.

(2) It extends to the whole of British India, but shall come into force in any Province only on such date as the Provincial Government may by notification in the Official Gazette appoint in this behalf.

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

(a) “foodgrain” means such one or more of the commodities specified in the First Schedule to this Order as the Provincial Government may from time to time by notification in the Official Gazette declare to be a foodgrain to which this Order applies;

(b) “Form” means a form as set forth in the Second Schedule to this Order;

(c) “purchase in wholesale quantities” means purchase in quantities exceeding 20 maunds in any one transaction, and includes purchase by any person on behalf of another as a commission agent or as an *arhatiya*;

(d) “sale in wholesale quantities” means sale in quantities exceeding 20 maunds in any one transaction, and includes sale by any person on behalf of another as a commission agent or as an *arhatiya*.

[(e) “storage for sale in wholesale quantities” means storage in quantities exceeding 20 maunds for purchases of sale, whether wholesale or retail, and includes storage by any person on behalf of another as a commission agent or an *arhatiya*]¹ [and storage by an employer for the purpose of supplying on payment or otherwise, food or foodstuffs to any of his employees.]²

3. (1) No person shall engage in any undertaking which

1. Inserted by Govt. of India F.D., No. 10-38/43-A, dated 18-8-43.

2. Inserted by Govt. of India F.D., No. C.G., IV (2)/43 dated 22-5-43.

involves the purchase, sale, or storage for sale, in wholesale quantities of any foodgrains except under and in accordance with a licence issued in that behalf by the Provincial Government [or by an officer authorised by the Provincial Government in this behalf]³ :

Provided that, if in any Province other legal provision exists for the licensing of persons engaged in any such undertaking as aforesaid, the Provincial Government may by notification in the official Gazette direct that licences for the time being in force issued under that provision shall be deemed for all the purposes of this Order to be licences issued thereunder. [Provided further that the Provincial Government or an officer authorised by the Provincial Government in this behalf may by a special or general order exempt subject to such conditions as may be specified in the Order, a purchaser other than a retail dealer from the operation of this clause.]⁴

[(2) For the purpose of this clause any person who stores foodgrain in quantities exceeding 40 maunds may, unless the contrary is proved, be deemed to store the foodgrain for purposes of sale.]⁵

4. Licences issued under this Order shall be in Form A, and shall specify—

- (a) the food grain or foodgrains in which the licensee may deal;
- (b) the place or places at which the licensee may carry on the licensed undertaking.

5. Applications for licences under this Order shall be made in Form B to the Provincial Government or to an officer authorised by the Provincial Government in this behalf.

[6. (1) No person being the holder of a licence issued, or deemed to be issued, under this Order shall contravene any of the conditions mentioned in Form A; and if any such person contravenes any of the said conditions, then without prejudice to any other action that may be taken against him, his licence may be cancelled by order of the Provincial Government or of an officer authorised by the Provincial Government in this behalf.

(2) Notwithstanding anything contained in sub-clause (1), the Provincial Government may, in special circumstances, without giving any previous notice or without assigning any reason, suspend or cancel a licence issued, or deemed to be issued, under this Order.]⁶

7. Any [person]⁷ authorised by the Wheat Commissioner for India or the Provincial Government in this behalf may enter

3. Inserted by Govt. of India C.D., No. P. & S.C. 550/42 dated 4-7-42.

4. Inserted by Govt. of India, C.D., No. P. & S.C. 550/42 dated 10-8-42.

5. Inserted by Govt. of India, F.D., No. C.G. IV(2)/43, dated 22-5-43.

6. Substituted by Govt. of India, C.D., No. P. & S.C. 550/42 dated 10-8-42.

7. Inserted by Govt. of India, F.D., No. C.G. IV(2)/43 dated 22-5-43.

upon and inspect any premises in which he has reason to believe that the purchase, sale, or storage for sale, in wholesale quantities of any foodgrain is taking place contrary to the provisions of this Order:

[7A. If any person contravenes the provisions of clause (3) or clause (6) of this Order then without prejudice to any other punishment to which he may be liable, any Court trying the offence may order that any stocks of foodgrains, together with the packages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty.]^a

8. [Except in such areas as the Provincial Government may from time to time notify in the official Gazette;]^b nothing in this Order shall apply to the sale or storage for sale by any person of any foodgrain produced by himself or by his tenant.

THE FIRST SCHEDULE.

(See clause 2(a)).

- [1. Wheat and wheat products (including *ata*, *maida*, *rawa*, *suji*, and bran) (*Triticum Spp* inclusive of the different species).
2. Rice in the husk (Paddy) (*Oryza Sataiva*).
3. Rice husked (*Oryza Sataiva*).
4. Maize (*Zea. Mays*).
5. Jowar (*Sorghum vulgare*).
6. Bajra (*Pennisetum typhoides*).
7. Gram, any variety (*Cicer arietinum*),
8. Barley (*Hordeum vulgare*).
9. Ragi or mandua (*Eleusine coracana*).
10. Rahar (*Cajanus indicus*).
11. Masur (*Lens esculenta* or *Ervum Lens*).
12. Kodra (Kodon) (*Paspalum scrobiculatum*)]^c.
- [13. Korra (Tenai) (*setaria italica*)]^d

THE SECOND SCHEDULE.

Forms.

Form A.

(See clause 4).

Licence for purchase, sale, or storage for sale, in wholesale quantities of foodgrains.)

(Not printed).

Form B.

(See Clause 5).

8. Inserted by Govt. of India, P.D., No. A. I. E. 43, dated 5-2-43.
 9. Inserted by Govt. of India, P.D., No. C.G. IV(2)/43 dated 22-5-43.
 10. Substituted by Govt. of India, C.D. No. P. & S.C. 550/42 dated 7-10-42.
 11. Inserted by Govt. of India, F.D., No. VII-(1)/42 dated 8-12-42.

1. Applicant's name.
2. Do. profession.
3. Do. residence.
4. Situation of applicant's place of business with particulars as to No. of house, Moholla, town or village and Police Station and District.
5. How long the applicant has been trading in foodgrains (particulars to be given for each foodgrain).
6. Quantities of foodgrains handled annually during the past 3 years.
7. Names of foodgrains in respect of which licence is required.
8. Income-tax paid in 1939-40
Do. 1940-41

I declare that the following quantities of the foodgrains specified above are in my possession this day and are held at the places noted against them:—

I have carefully read the conditions of licence given in Form A of the Second Schedule to the Foodgrains Control Order, 1942, and I agree to abide by them.

(a)* I applied for such licence in this district for any of the foodgrains specified in paragraph 7 above.

(b)* I applied for such licence in this district for on and was not granted a licence on

* Strike out the words which are not applicable.

Signature of Applicant,
District :

Dated

[Form C.]¹²

(See Paragraph 4 of the Form A.)

Return of Stocks, receipts and deliveries of*
for the month of 1942.

Name Licence No.
Address

| | Particulars. | Quantity in Remarks, | |
|----|---|----------------------|---------|
| | | Maunds. | if any. |
| 1. | Stock at the beginning of the month. | | |
| 2. | Quantities received during the month- | | |
| | (a) from other persons in the same district | | |

12. Substituted by G. of I., C.D., Not. No. 8 S.C. 550/42 dated 10-8-42.

*The name of the foodgrain.

WAR-TIME RESTRICTIONS

- (b) from persons in other districts of
the Province
- (c) from persons outside the Province
Total
3. Quantity delivered or otherwise re-
moved during the month—
- (a) to other persons in the same dis-
trict
- (b) to persons in other districts of
the Province
- (c) to persons outside the Province ...
Total
4. Stock at the end of the month ...

Notes.

This Order came into force in the Province of Bombay on 1st July 1942.

The following is the revised list of "foodgrains" declared to be so in the Province of Bombay as on 28th January 1943—

1. Wheat and wheat products (including *atta*, *maida*, *rava*, *suji*, and bran) (*Triticum Spp* inclusive of the different species).
2. Rice in the husk (Paddy) (*Oryza sativa*).
3. Rice husked (*Oryza sativa*).
4. Maize (*Zea mays*).
5. Jowar (*Sorghum vulgare*).
6. Bajra (*Pennisetum typhoides*).
7. Gram, any variety (*Cicer arietinum*).
8. Barley (*Hordeum vulgare*).
9. Ragi or mandua (*Eleusine coracana*).
10. Rahar (*Cajanus indicus*).
11. Masur (*Lens Esculenta or Ervum Lens*).
12. Kodra (Kodon) (*Paspalum Scorbiculatum*).

Originally, on 13th June 1942, the first seven articles in the above list only were declared to be "foodgrains" in this Province and item 9 was added to it on 2nd July 1942.

The Assistant Director of Civil Supplies (Licensing Department), Bombay, in the City of Bombay and the District Magistrates in the Province of Bombay outside the said City are authorised to receive application for licenses.

The following officers are authorised for the purpose of clause 7:—

In the City and Suburbs of Bombay—(1) Assistant Director of Civil Supplies, Bombay. (2) Inspectors under the Controller of Prices, Bombay. (3) Food Controller, Bombay, (4) Controller of Rationing, Bombay, (5) Chief Inspectors of Licences, (6) Rationing Officer in the City of Bombay, (7) Inspectors of Licences and (8) Inspectors under the Controller of Rationing.

In the Province of Bombay—(1) Revenue Officers of and above the grade of Aval Karkun, (2) Price Inspectors, (3) District Supply Officers, (4) Officers of the Excise Department of and above the rank of Sub-Inspectors, and (5) Rationing Officers and Assistant Rationing Officers.

GUR CONTROL ORDER, 1943.

Notification, Government of India, Department of Food, No. 11-S.C. (8)/43-I dated 24th July 1943—

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

1. (1) This Order may be called the Gur Control Order, 1943.
- (2) It extends to the whole of British India.
- (3) It shall come into force at once.
2. In this order, unless there is anything repugnant in the subject or context,
 - (a) "Controller" means the person appointed as Gur Controller for India by the Central Government and includes any person authorised by the said Controller to exercise all or any of the powers of the Controller under this Order;
 - (b) "dealer" means a person dealing in the purchase, sale or distribution of Gur;
 - (c) "producer" means a person carrying on the business of producing Gur;
 - (d) "Gur" means articles commonly known as Gur, Gul, jaggery, palmyra jaggery, shakkar and rab, and includes raw sugar as also uncrystallised sugar in any other form comprising of original and convertible-molasses and other impurities inherent or foreign prepared by boiling cane or palmyra juice;
 - (e) "Sugar" means any form of sugar containing more than 90 per cent. of sucrose.
3. The Controller may, from time to time, fix by notification in the official Gazette for any specified area the maximum price at which Gur may be sold or delivered, and different rates of price may be so fixed by him for different areas or different types or grades of Gur.
4. Every producer and dealer shall comply with such directions regarding the production, sales, delivery, stocks, distribution or prices of Gur as may from time to time be given by the Controller.
5. If in the opinion of the Controller the unregulated production of Gur in any area is likely to affect adversely the production of sugar in quantity which in his opinion is required for the needs of the community, he may, by order published in the official Gazette, provide for all or any of the following matter :
 - (a) prohibit or restrict the export of sugarcane to any place outside that area;
 - (b) direct that cane growers in that area shall deliver sugarcane to a specified sugar factory or factories in

accordance with such conditions in regard to quantity, price, and time of delivery as may be specified by the Controller;

- (c) prohibit, or restrict to such quantities or quantities or both as may be specified by the Order, the manufacture of Gur by all or any class of producers in the said area.

6. (1) The Controller may, from time to time:—

(i) allot quotas of Gur for the requirements of any specified province or area, or of any specified market, and

(ii) issue directions to any producer or dealer to supply Gur to such areas or markets or such persons or organisations, in such quantities, of such types or grades, at such times, at such prices and in such manner as may be specified by the Controller.

(2) Every producer or dealer shall, notwithstanding any existing agreement with any other person give priority to, and comply with, any directions issued to him under sub-clause (1).

7. No Gur shall, after such date and from such area as the Controller may notify in this behalf, be offered for transport by railway or in any manner whatsoever by land or river by a consigner or accepted by a railway servant or by any person whatsoever for transport or transported by rail, road or river except under a permit issued by the Controller in such form and subject to such conditions and in respect of such areas as he may from time to time prescribe;

Provided that this clause shall not apply to the transport by railway or in any manner whatsoever by land or river of Gur (a) by a *bona fide* traveller as part of his personal luggage, or (b) under and in accordance with military credit notes, or (c) under and in accordance with a permit issued by a Provincial authority before the date of this Order.

Explanation.—For the purposes of this clause Gur not intended for the personal use of the traveller and members of his family shall not be deemed to be his personal luggage.

8. The Controller may, by notification in the Official Gazette, make regulations for carrying into effect the purposes of this Order.

Notes.

By a notification of the Central Government No. 11-S.C. (9)/43 dated 4th September 1943, the notification bearing the same number and dated 24th July 1943 was superseded and under clause 7, it was *inter alia* ordered that no gur shall be consigned from any place within the Province of Bombay to any place except Bombay, the Gujarat States, the Deccan States, the States of Idar, Radhanpur and Vijayanagar and Portuguese Settlements in India.

On 24th July 1943, the Gur Controller for India was authorised to exercise the powers under Rule 81(2)(e) of the D. I. R. in respect of the undertaking engaged in the production or distribution of Gur.

On 21st September 1943, the Director of Civil Supplies, Bombay, is authorised for the purposes of clauses 5 and 7 in the Province of Bombay.

SUGAR AND SUGAR PRODUCTS CONTROL ORDER, 1943.

Notification, Government of India, Food Department, No. I-SC(1)/43, dated the 1st July, 1943.—

In exercise of the powers conferred by the Sub-rule (2) of rule 81 of the Defence of India rules and in supersession of the Sugar Control Order, 1942, published with the Notification of the Government of India in the Department of Commerce, No. I-SC/6/42 dated the 29th June 1942, and modified, by subsequent notifications the Central Government is pleased to make the following Order, namely:—

1. (1) This order may be called the Sugar and Sugar Products Control Order, 1943.

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

(3) It shall come into force at once.

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

(a) "Controller" means the person appointed as the Sugar Controller for India by the Central Government, and includes any person authorised by the Controller to exercise all or any of the powers of the Controller under this Order;

(b) "dealer" means a person carrying on business in the purchase, sale or distribution of sugar or sugar products;

(c) "*ex-factory price*" means the price of sugar inclusive of excise duty, packed in accordance with the usual market practice, and loaded at the buyer's option, on buyer's carts, lorries or other means of transport, or into railway wagons at the railway station or siding generally used by the producer, and all incidental charges including those for siding and for warding, being on account of the *ex-factory* seller;

(d) "producer" means a person carrying on the business of manufacturing sugar or sugar products or both with the aid of electrical energy or any other form of energy which is mechanically transmitted, and is not generated by human or animal agency;

(e) "recognised dealer" means a dealer who has been recognised as such by the Controller for the purposes of this Order;

(f) "sugar" means any form of sugar containing more than 90 per cent. of sucrose;

(g) "sugar product" means any article manufactured from, and containing, sugar not less than 50 per cent. of its weight.

3. No producer shall, after such date as the Controller

may notify in this behalf, dispose of, or agree to dispose of, or, in pursuance of any agreement entered into on or before such date make delivery of, any sugar, except

(i) to or through a recognised dealer, or

(ii) to a person specially authorised in this behalf by the Controller to acquire sugar on behalf of the Central Government or of a Provincial Government or of an Indian State.

4. (1) If the Controller has reason to believe that the production of special types of sugar or sugar products is likely to affect adversely the production of adequate quantities of ordinary sugar, he may, by general or special order, prohibit, or limit to such quantities as may be specified in the order, the manufacture by any producer or by producer generally of such types or grades of sugar or sugar products as the order may specify, and no producer to whom such order applies shall manufacture any sugar or sugar products in contravention thereof.

(2) For the purposes of sub-clause (1) "producer" includes a person carrying on the business of manufacturing any form of sugar containing more than 90 per cent. sucrose including Khandsari sugar, Desi sugar and Bura.

5. Every producer and dealer shall comply with such directions regarding the sales, stocks or distribution of sugar or sugar products as may from time to time be given to him by the Controller.

6. (1) The Controller may, from time to time, fix the price at which any sugar or sugar product may be sold or delivered.

(2) Where the price has been so fixed—

(a) the price at which such sugar or sugar product may be sold for delivery otherwise than *ex-factory* shall be the price fixed under sub-clause (1) for sale *ex-factory plus* such charges in respect of transport to or in specified areas and other incidental charges as are approved by the Controller;

(b) no person shall sell or purchase or agree to sell or purchase such sugar or sugar products at a price different from that fixed under the provisions of sub-clause (1);

(c) no such sugar or sugar product shall be delivered or accepted in pursuance of an agreement entered into before such fixing of prices which provides for the payment of a price different from that fixed under the provision of sub-clause (1) unless the agreement is by consent of parties so revised as to substitute for the price originally agreed the price so fixed.

7. (1) The Controller may, from time to time—

(i) allot quotas of sugar or sugar products or of both for the requirements of any specified province, or areas, or market,

(ii) issue directions to any producer or dealer to supply sugar or sugar products to such provinces, areas or markets or

such persons or organisations, in such quantities, of such types or grades, at such times, at such prices and in such manner as may be specified by the Controller, and

(iii) require any producer or dealer to keep in reserve stocks of sugar or sugar products in such quantities and of such types and grades as he may direct from time to time :

Provided that where price of any sugar or sugar product has been fixed in accordance with sub-clause (1) of clause 6 the Controller shall in respect of such sugar or sugar product specify the price under paragraph (ii) of this sub-clause accordingly.

(2) Every producer shall, notwithstanding any existing agreement with any other person, give priority to, and comply with, any directions issued to him under sub-clause (1).

8. (1) No sugar shall, after such date as the Controller may notify in this behalf, be offered for transport by railway or in any manner whatsoever by land or river by a consignor or accepted by a railway servant or by any person whatsoever for transport except under a permit issued by the Controller in such form and subject to such conditions and in respect of such areas as he may from time to time prescribe ;

Provided that this clause shall not apply to the transport by railway or in any manner whatsoever by land or river of sugar (a) by a *bona fide* traveller as part of his personal luggage, or (b) under and in accordance with Military Credit Notes, or (c) under and in accordance with a permit issued by a Provincial authority before the date of this notification.

Explanation.—For the purposes of this clause sugar not intended for the personal use of the traveller and members of his family shall not be deemed to be his personal luggage.

(2) A permit issued in pursuance of sub-clause (1) shall be returned by the consignor to the Controller on completion of despatch, or on expiry of the period of its validity, whichever is earlier, with the particulars of actual despatches in the prescribed form.

(3) For the purposes of this clause "sugar" means sugar manufactured by any process, including sugar made in vacuum pan factories from cane or gur or palmyrah jaggery, as well as khandsari sugar, sugar candy (misri) and Bura.

9. The Controller may, by notification in the official Gazette, make rules for carrying into effect the purposes and objects of this Order.

10. Notwithstanding the supersession of the Sugar Control Order, 1942, all notifications, rules, orders, authorizations, quotas, requirements, and directions issued thereunder shall, so far as they are not inconsistent with this Order, be deemed to have been made hereunder, and they shall continue in force until rescinded or modified hereunder.

Notes.

Some of the notifications issued under the original Order may be summarised as under :—

The Director of Civil Supplies, Bombay is authorised to exercise powers conferred in clauses, 5, 6(2)(a), 7(i)(ii)(iii) and 8(i) for Bombay Province. 30th April 1942 is the date fixed referred to in clause 3.

On 12th September 1942 the Sugar Controller issued an order No.—35-S.C.(1)/42 directing that no sugar in consignments of more than one bag shall be offered for transport by rail by a consignor or accepted by a railway for transport from any railway station in the Province of Bombay, amongst other Provinces, to a railway station outside the area of Bombay, the Gujarat State, the Deccan States, the State of Idar, Radhanpur and Vijayanagr, and the Portugese Settlements in India without a permit of the Controller.

Directions to recognised dealers are not printed here. They are published at pages 1364-66 of the Bombay Government Gazette, 1942, Part IV C and are amended at page 985 of Bombay Government Gazette, 1943, Part IV C.

WHEAT CONTROL ORDER, 1942.

Notification, Government of India, Department of Commerce, No. Econ. Ad. (P. C.) 7/41-(A), dated 30th April 1942—

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

1. (1) This Order may be called the Wheat Control Order, 1942.

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

(3) It shall come into force on the first day of May 1942.

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

(a) "export" means to take out of any Province in British India to any other Province in British India or to an Indian State;

(b) "import" means to bring into any Province in British India from any other Province in British India or from an Indian State;

(c) "Provincial Price Controller" means the officer appointed by the Provincial Government to administer the subject of Price Control in the Province and includes any person authorised by that officer to exercise all or any of the powers conferred on the Provincial Price Controller by this Order;

(d) "wheat" includes wheat flour, *atta*, *maida*, *rava*, *suji*, bran and any other wheat product;

(e) "Wheat Commissioner" means the Wheat Commissioner for India appointed by the Central Government and includes any officer authorised by him to exercise all or any of the powers conferred on the Wheat Commissioner by this Order.

3. (1) No person shall export or import any wheat except under and in accordance with a permit issued in that behalf by the Wheat Commissioner :

Provided that nothing in this clause shall apply to the export or import of wheat—

- (a) not exceeding [two and a half maunds]¹ in weight by a *bona fide* traveller as part of his personal luggage ;
- (b) under and in accordance with military credit notes ;
- (c) before the 1st June 1942 under and in accordance with a permit duly issued by any provincial authority :

[Provided further that the Wheat Commissioner may by general or special order exempt from the provisions of this clause the export or import of wheat to such extent, in such manner and for such period as may be specified in the order.]²

[(2) If it appears to the Wheat Commissioner that a permit issued under this Order is not likely to be utilised or that there are sufficient reasons requiring its cancellation he may cancel the permit and on such cancellation the holder of the permit shall forthwith return it to the Wheat Commissioner.]³

4. Applications for permits to export or import wheat during any calendar month shall be made in writing not later than the fifteenth day of [that month]⁴—

- (a) in the case of export or import by rail or by sea, to the Wheat Commissioner ; and
- (b) in any other case to the Provincial Price Controller ; and shall contain full and true particulars of the following :—
 - (i) name of consignor ;
 - (ii) name of consignee ;
 - (iii) quantity and nature of consignment ;
 - (iv) port or railway station of despatch (including district and province in which situated) ;
 - (v) port or railway station of destination (including district and province in which situated) ;
 - (vi) price at which the wheat included in the consignment has been sold :

Provided that applications for permits to export or import wheat during the month of May 1942 be made at any time before the 21st May 1942.

5. Where wheat is exported by rail in accordance with a permit issued by the Wheat Commissioner, the permit shall be returned by the consignor to the Wheat Commissioner on completion of despatch of the quantity therein mentioned with the entries in respect of each consignment showing the quan-

1. Substituted for "five maunds" by G. of I., F.D., Not No. 5-44/43-A dated 5-3-42.

2. Substituted by G. of I., C. D., (Price Control) Not. No. Econ. Ad. (P.C.) 7/41-(A) dated 13-5-42.

3. Substituted by G. of I., C.D., (Price Control) Not. No. P. & S. C. 7/41-(A) dated 13-8-42.

4. Substituted by G. of I., C.D. Not. No. P. & S. C. 7/41-(A) dated 4-6-42.

tity despatched and the date of despatch duly certified by the Station Master on the permit.

6. Where wheat is exported by sea in accordance with a permit issued by the Wheat Commissioner, the Consignor shall deliver the permit to the Customs Collector who shall return it to the Wheat Commissioner after the consignment has been exported.

7. Where wheat is exported otherwise than by rail or by sea in accordance with a permit issued by the Wheat Commissioner, the permit shall be disposed of in accordance with such instructions as the Provincial Price Controller may by general order give in this behalf.

Notes.

On 2nd May 1942 the Provincial Price Controllers were authorised to exercise powers under clause 3 of this Order in respect of exports and imports of wheat otherwise than by rail or by sea.

On 29th May 1942 the export or import of wheat by road or river was exempted from the provisions of clause 4. But on 20th July 42 the Punjab and on 28th October 1942, British Baluchistan were excluded from this provision.

DECLARATION OF STOCKS.

(In the City of Bombay).

Farina, Starch, etc.

Notification, Finance Department (Supply), No. 404 dated 29th March 1943—

In exercise of the powers conferred by rule 116 of the Defence of India Rules and in modification of the orders issued in Government Notification, Finance Department (Supply), No. 404, dated the 26th February 1943, the Government of Bombay is pleased to order that with immediate effect every person (including a person in charge of a textile mill) in the area specified in column 1 of Schedule I hereto shall furnish before 5th and 20th day of every month to the authority or each of the authorities specified against it in column 2 of the said schedule a full and correct statement in the form in Schedule II hereto of the stocks of any of the articles specified in Schedule III hereto held by him on the 1st and 15th day of every month respectively on his own account, or on account of or in partnership with any other person, if such stocks amount to 10 maunds (each maund being equal to 82 2/7 lbs.) or more.

Schedule I.

The City of Bombay and
the Bombay Suburban
District.

The Director of Civil Supplies
(Statistical Section,) Bombay.

Any other area in the Province of Bombay.

The Director of Civil Supplies (Statistical Section), Bombay, and the District Magistrate having jurisdiction over the area.

Schedule II.

Form.

(Please see Schedule I below).

Schedule III.

Articles—

1. Farina. 2. Wheat Starch. 3. Maize Starch. 4. Tapioca roots. 5. Tapioca starch.

Notes

The previous order, which is modified here, gave 1st and 15th day of each month as the dates for furnishing statements.

Foodstuffs, Etc.

Notification, Finance Department (Supply), No. 383-II-A dated 12th August 1943.

In exercise of the powers conferred by rule 116 of the Defence of India Rules, and in supersession of the orders issued in Government Notification in the Finance Department (Supply) No. 383-II(b), dated the 6th March 1943, the Government of Bombay is pleased to order that every person shall, on every Monday, furnish to the Director of Civil Supplies (Statistics Section), Secretariat, Bombay, in the form in Schedule I hereto appended a full and correct statement of the stocks of any of the articles specified in column 1 of Schedule II hereto appended, held by him in the City of Bombay and the Bombay Suburban District on his own account or on account of or in partnership with any other person on the Saturday immediately preceding such Monday, if such stocks amount to the quantities specified against them in column 2 of the said Schedule II.

Schedule I.

Form of Statement.

1. Full name and address of the person.
2. Article.
3. The exact location of the godown or godowns, or any other place or places where the stocks are kept.
4. (1) The quantity of stock held (stock of each variety of sugar or rice to be mentioned separately)—
 - (a) on his own account
 - (b) on account of other person
 - (c) in partnership with any other person
- (2) Full name and addresses of persons on account of whom stocks are held and the quantity of stock held on account of each such person

(3) Full names and addresses of persons in partnership with whom stocks are held and the quantity of stock held in partnership with each such person.

Schedule II.

| Article. | Quantity. |
|---|---|
| 1. | 2. |
| 1. Wheat | 5 maunds (of 82 2/7 lbs. each) or more |
| 2. Wheat flour (that is, maida or wholemeal flour) | 5 maunds (of 82 2/7 lbs. each) or more |
| 3. Wheat atta | 5 maunds (of 82 2/7 lbs. each) or more |
| 4. Wheat, Rava or Suji | 5 maunds (of 82 2/7 lbs. each) or more |
| 5. Wheat Bran | 5 maunds (of 82 2/7 lbs. each) or more |
| 6. Wheat Pollard | 5 maunds (of 82 2/7 lbs. each) or more |
| 7. Rice *(including brokens and Patni) | 5 maunds (of 82 2/7 lbs. each) or more |
| 8. Rice flour | 5 maunds (of 82 2/7 lbs. each) or more |
| 9. Paddy | 5 maunds (of 82 2/7 lbs. each) or more |
| 10. Jowar | 5 maunds (of 82 2/7 lbs. each) or more |
| 11. Jowar flour | 5 maunds (of 82 2/7 lbs. each) or more |
| 12. Bajri | 5 maunds (of 82 2/7 lbs. each) or more |
| 13. Bajri flour | 5 maunds (of 82 2/7 lbs. each) or more |
| 14. Maize | 5 maunds (of 82 2/7 lbs. each) or more |
| 15. Ragi (Nagli) | 5 maunds (of 82 2/7 lbs. each) or more |
| 16. Barley | 5 maunds (of 82 2/7 lbs. each) or more |
| 17. Barley flour | 5 maunds (of 82 2/7 lbs. each) or more |
| 18. Barley Bran | 5 maunds (of 82 2/7 lbs. each) or more |
| 19. Barley products | 5 maunds (of 82 2/7 lbs. each) or more |
| 20. Kodra | 5 maunds (of 82 2/7 lbs. each) or more |
| 21. Gram | 5 maunds (of 82 2/7 lbs. each) or more |
| 22. Gram-dal | 5 maunds (of 82 2/7 lbs. each) or more |
| 23. Gram-flour | 5 maunds (of 82 2/7 lbs. each) or more |
| 24. Gram products (that is, Kurma, Chuni and Chhalla) | 5 maunds (of 82 2/7 lbs. each) or more in aggregate |
| 25. Tur whole | 5 maunds (of 82 2/7 lbs. each) or more |
| 26. Tur-dal | 5 maunds (of 82 2/7 lbs. each) or more |
| 27. Tur products (that is, tur kurma, tur chuni, tur husk) | 5 maunds (of 82 2/7 lbs. each) or more in aggregate |
| 28. Other pulses (that is, Mung, Masur, udid, math, lang, chawla, peas, val, kulthi and gawar) whole and splits (that is dal); and their products (that is, kurma, chuni and chhala). | 5 maunds (of 82 2/7 lbs. each) or more of each |

- | | |
|---|--|
| 29. Sugar* (that is Crystall sugar, crushed sugar, sugar candy, lissa sugar and bura sugar) | 25 maunds (of 82 2/7 lbs. each) or more in aggregate |
| 30. Cotton seed | [25 maunds (of 82 2/7 lbs. each) or more] ¹ |
| 31. Groundnuts (in shell) | 25 maunds (of 82 2/7 lbs. each) or more |
| 32. Groundnut seed | 25 maunds (of 82 2/7 lbs. each) or more |
| 33. Groundnut oil | 10 maunds (of 82 2/7 lbs. each) or more |
| 34. Charcoal | 100 bags (of 3 quarters each) or more |
| 35. Kerosene | 8 gallons or more |
| 36. Ghee (butter fat) | 5 maunds (of 82 2/7 lbs. each) or more |
| 37. Hydrogenated vegetable oil or vegetable ghee or vanaspāti | 5 maunds (of 82 2/7 lbs. each.) or more |

* In the case of stocks of rice and sugar the quantity of each variety should be specified separately.

Notes.

The order calling upon persons to declare stocks of various commodities of food grains etc. if in excess of certain quantity was first made on 9th January 1943 and the same was revised and modified from time to time thereafter till the above Order was made. Some of the important notifications issued by the Finance Department (Supply) revising the original Order bear No. 13(b) dated 8th January 1943, No. 13(c) dated 5th February 1943, No. 383-II(b) dated 6th March, 1943, No. 383-II dated 26th April 1943, No. 383-II dated 10th June 1943, No. 86/2 dated 24th July 1943. The notification dated 6th March 1943 practically applies to all the articles mentioned in the Schedule II but with this difference that the declaration has to be made in respect of articles 1 to 28 if the quantity exceeds 10 maunds.

Furnace Oil.

Notification of Political and Service Department dated 29th July 1943 directed every manufacturer, dyer, bleacher, finisher and processor of cloth and yarn to furnish to the Textile Commissioner the stock of "furnace oil" held by him at 6 a.m. on 30th July 1943 before 3 p.m. on 30th July 1943.

Gur.

Notification, Finance Department (Supply), No. 31, dated 20th September 1943—

In exercise of the powers conferred by rule 116 of the Defence of India Rules, the Government of Bombay is pleased to order that every person, shall, on every Monday, furnish to the Director of Civil Supplies (Statistics Section), Secretariat, Bombay, in the form hereto appended, a full and correct statement of the stocks of gur (jaggery) held by him in the City of Bombay and the Bombay Suburban District on his own account or on account of or in partnership with any other person on the

¹ Substituted for "100 baggs (of 3 quarters each) or more" by F. D. (Supply) Not. No. 383-II-A dated 11-10-43.

Saturday immediately preceding such Monday, if such stocks amount to 25 maunds (each maund being equal to 82 2/7 lbs.) or more :—

Form.

(Same as Schedule I on page 71)

EXPORT FROM THE PROVINCE OF BOMBAY

The Bombay Foodgrains (Movement Control Order, 1943).
Notification, Finance Department (Supply), No. 354-II dated 12th May 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of the Orders issued in Government Notification in the General Department No. 4587/33, dated the 15th March 1942, and in partial supersession of the Orders issued in Government Notifications specified in the margin, that is to say, in so far as they relate to the export of any of the foodgrains specified in the Schedule hereto from any place in the Province of Bombay to any other province in British India or to an Indian state, the Government of Bombay is pleased to make the following Order, namely :—

1. G. N., F. D. (Supply, No. 11-11-28009-II, dated 16-10-1942,
2. G. N., F. D. (Supply), No. 11-7, dated 22-12-1942.
3. G. N., F. D. (Supply), No. 422, dated 18-2-1943.
4. G. N., F. D. (Supply), No. 180, dated 25-2-1943.

1. (1) This Order may be called the Bombay Foodgrains (Movement Control) Order, 1943.

(2) It extends to the whole of the Province of Bombay.

(3) It shall come into force on such date as the Provincial Government may by notification in the Official Gazette appoint in this behalf.

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

(a) "Export" means to take out of the Province of Bombay to any other Province in British India or to an Indian State ;

(b) "Supply Commissioner" means the Supply Commissioner appointed by the Provincial Government and includes any officer authorised by him to exercise all or any of the powers exercisable by the supply Commissioner under this Order ;

(c) "Foodgrains" means any of the foodgrains specified in the Schedule to this Order and includes any products of such foodgrains.

3. (1) No person shall export any foodgrains except under and in accordance with a permit issued in that behalf by the Supply Commissioner :

Provided that nothing in this clause shall apply to the export of foodgrains—

- (a) Under and in accordance with military credit notes;
 (b) under and in accordance with a permit duly issued by the Provincial Government or any Officer authorised by the Provincial Government :

Provided also that the Supply Commissioner may by general or special order exempt from the provisions of this clause the export of foodgrains to such extent, in such manner and for such period as may be specified in the order.

(2) If it appears to the Supply Commissioner that a permit issued under sub-clause (i) is not likely to be utilised or that there are sufficient reasons requiring its cancellation, he may cancel the permit and on such cancellation the holder of the permit shall forthwith return it to the authority issuing it.

4. Applications for permits to export foodgrains during any calendar month shall be made in writing not later than the fifteenth day of the preceding month to the Supply Commissioner and shall contain full and true particulars of the following:—

- (i) name of consignor;
- (ii) name of consignee;
- (iii) quantity and nature of consignment;
- (iv) port or railway station of despatch (including district in which situated);
- (v) port or railway station of destination (including district and province or state in which situated);
- (vi) price at which the foodgrains included in the consignment have been sold :

Provided that application for permit to export foodgrains during the month of May 1943 may be made at any time during that month.

5. Where any foodgrains are exported by rail in accordance with a permit issued by the Supply Commissioner, the permit shall be returned by the consignor to the Supply Commissioner on completion of despatch, of the quantity therein mentioned with the entries in respect of each consignment showing the quantity despatched and the date of despatch duly certified by the Station Master on the permit.

6. Where any foodgrains are exported by sea in accordance with a permit issued by the Supply Commissioner, the consignor shall deliver the permit to the Customs Collector who shall return it to the Supply Commissioner after the consignment has been exported.

7. Where any foodgrains are exported otherwise than by rail or by sea in accordance with a permit issued by the Supply Commissioner the permit shall be disposed of in accordance with such instructions as the Supply Commissioner may indicate on the permit.

8. Where any permit issued by the Supply Commissioner has not been utilised, the holder of the permit shall return it to

WAR-TIME RESTRICTIONS

the authority issuing it immediately after the expiry of the month for which it is issued.

[9. If any person contravenes the provisions of clause 3 of this Order then without prejudice to any other punishment to which he may be liable, any Court trying the offence may order that any stocks of foodgrains, together with the packages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to His Majesty].

The Schedule
See clause 2 (c)

| | | |
|-----------------------------------|---|-----------------------|
| Wheat | } | (including products). |
| Rice | | |
| Jowar | | |
| Bajri | | |
| [Pulses of any kind] ¹ | | |
| Barley | | |
| Maize | | |
| [Ragi.] ² | | |

(NOTES.—This Order came into force with effect from 14th May 1943.)

Cocoanut Oil

Notification, Finance Department (Supply), No. 54-A/IV dated 21st August 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that with effect from 22nd August 1943 no person shall remove cocoanut oil in excess of 5 lbs. by rail, road or sea from any place within the limits of the Province of Bombay to any place in India outside the limits of the said Province except under and in accordance with the conditions of a licence granted in the City of Bombay and the Bombay Suburban District by the Director of Civil Supplies, Bombay, or the Controller of Prices, Bombay, or the Licensing Officer in the office of the Supply Commissioner, Bombay, and elsewhere by the District Magistrate concerned.

Cotton-seed

Notification, Finance Department (Supply), No. 33-IV dated 4th June 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of the orders

1. Inserted by F.D., (Supply) Not. No. 354-I-A dated 2-9-43.
2. Substituted for "grams" by F. D. (Supply) Not. No. 354-II dated 8-7-43.
3. Inserted by F. D. (Supply). Not., No. 354-II-A dated 2-9-43.

issued in Government Notification, General Department, No. 4794/33, dated the 14th March 1942, the Government of Bombay is pleased to direct that no person shall remove cotton seed in excess of 20 seers by rail, road or sea from any place within the limits of the Province of Bombay to any place in India outside the limits of the said Province except under and in accordance with the conditions of a license granted in the City of Bombay and the Bombay Suburban District by the Director of Civil Supplies, Bombay, or the Controller of Prices, or the Licensing Officer in the office of the Supply Commissioner, Bombay, and elsewhere by the District Magistrate concerned.

(Notes.—The previous order of the 14th March 1942 prohibited the export of cotton seed in excess of 20 seers from the City and Suburbs of Bombay to any place in India.)

Groundnuts

Notification, Finance Department (Supply), No. 48-IV dated 27th September 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 30th September 1943, no person shall remove groundnuts (in shell) or groundnut seeds by rail, road or sea from any place within the limits of the Province of Bombay to any place in India outside the said limits, except under and in accordance with the conditions of a license granted in the City of Bombay and the Bombay Suburban District by the Director of Civil Supplies, Bombay, or the Licensing Officer in the office of the Supply Commissioner, Bombay, and elsewhere by the District Magistrate concerned:

Provided that no such licence shall be necessary for the carrying of any of the said articles not exceeding 10 lbs in weight as part of his personal luggage by a *bona fide* traveller.

Groundnut Cakes

Notification, Finance Department (Supply), No. 45-A dated 21st October 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person shall remove groundnut cakes by rail, road, or sea from any place within the limits of the Province of Bombay to any place in India outside the said limits except under a license granted by the Director of Agriculture, Bombay Province, Poona, or by an officer authorised by him on his behalf.

Gur

Notification, Finance Department (Supply), No. 31 dated 24th February 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from 25th February 1943, no person shall remove any Gur (jaggery) by road, rail or sea from any place within the limits of the Province of Bombay to any place in India outside the limits of the said Province except under a licence granted by the Director of Civil Supplies, Bombay, or the Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the office of the Supply Commissioner, Bombay, so far as Bombay City is concerned and the District Magistrates concerned in case of the districts in the Province.

Gur

Notification, Finance Department (Supply), No. 31 dated 20th August 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and, in partial modification of Government Order in Finance Department (Supply), No. 31, dated the 24th February 1943, in so far as it pertains to the removal of Gur (Jagegry) to the Indian States specified in the Schedule hereto appended, the Government of Bombay is pleased to direct that no person shall remove any Gur (Jaggery) by road, rail or sea from any place within the limits of the area comprising the City of Bombay and the Bombay Suburban District to any place in the Province of Bombay outside the said limits or to any place in the Indian States specified in the said Schedule, except under a licence granted by the Director of Civil Supplies, Bombay, the Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay.

Schedule

- | | |
|---------------------|------------------|
| 1. Kolhapur. | 10. Mudhol. |
| 2. Akalkot. | 11. Phaltan. |
| 3. Bhor. | 12. Ramdurg. |
| 4. Janjira. | 13. Savanur. |
| 5. Jamkhandi. | 14. Sawantwadi. |
| 6. Kurundwad (Sr.). | 15. Sangli. |
| 7. Kurundwad (Jr.). | 16. Wadi Jaghir. |
| 8. Miraj (Sr.). | 17. Aundh. |
| 9. Miraj (Jr.). | 18. Jath. |

Tea

Notification, Finance Department (Supply), No. 52 dated 10th April 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in partial modification of the Order issued in Government Notification, Finance Department (Supply), No. 422, dated the 18th February 1943, the Government of Bombay is pleased to direct that with effect from the 11th April 1943, no person shall remove tea by rail, road or sea from any place within the limits of the Province of Bombay to any place in India outside the limits of the said Province except under a licence granted by the Director of Civil Supplies, Bombay, or the Controller of Prices and the Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay:

Provided that no such licence shall be necessary for the carrying of 5 lbs. of the said article as part of his personal luggage by a *bona fide* traveller.

Oil Cakes

Notification, Finance Department (Supply), No. 45-IV dated 8th June 1943.—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person shall remove vegetable oil cakes [other than groundnut cakes]¹ by rail, road or sea from any place within the limits of the Province of Bombay to any place in India outside the limits of the said Province, except under a licence granted by the Director of Civil Supplies, or the Controller of Prices, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay, so far as Bombay City and the Bombay Suburban District are concerned, and by the District Magistrate concerned in the case of other Districts in the Province.

(NOTES.—On 8th July 1943, the Government was pleased to exempt from the operation of this order consignment of oilcakes booked under Military Credit Notes.)

Sugar

Notification, General Department, (Supply), No. 30/3 dated 11th June 1942—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 12th June 1942, no person shall remove any sugar by road, rail or sea from any place within the limits of the Province of Bombay to any place in India outside the limits of the said Province except under a licence granted by the Director of Civil Supplies,

1. Inserted by F.D. (supply), Not. No. 45-B, dated 21-10-43.

Bombay, or the Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the Office of the Director of Civil Supplies, Bombay, so far as Bombay City and the Bombay Suburban District are concerned, and by the District Magistrate concerned in the case of other districts in the Province.

EXPORT FROM THE CITY OF BOMBAY

Cotton Seed

Notification, Finance Department (Supply), No. 33-IV dated 24th June 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 26th June 1943, no person shall remove cotton seed in excess of 20 seers by rail, road or sea from any place within the limits of the City of Bombay and the Bombay Suburban District to any place in India outside the limits of the said City and District except under and in accordance with the conditions of a licence granted by the Director of Civil Supplies, Bombay, or the controller of Prices, Bombay, or the Licensing Officer in the office of the Supply Commissioner, Bombay.

Foodstuffs, etc.

Notification, Finance Department (Supply), No. 11/7-II dated 3rd July 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of Government Notifications in the Finance Department (Supply), No. 11/11/28009-II, dated the 16th October 1942, and No. 11/7, dated the 22nd December 1942, the Government of Bombay is pleased to direct that with effect from 3rd July 1943, no person shall remove by road, rail or sea any of the articles specified in Schedule I hereto appended (hereinafter referred to as the said articles) from any place within the area specified in Schedule II hereto appended (hereinafter referred to as the said area) to any other place in the Province of Bombay outside the said area, except under and in accordance with a licence granted by the [Director of Civil Supplies or the Assistant Director of Civil Supplies (General);]¹ or the Licensing Officer in the office of the Supply Commissioner, Bombay:

Provided that nothing in this Order shall apply to the removal of any of the said articles by or on behalf of Government or under and in accordance with Military Credit Notes.

1. Substituted by F.D. (Supply), Not. No. 11/7-11-A dated 29th July 1943.

[If any person contravenes the provisions of this Order then without prejudice to any other punishment to which he may be liable, any Court trying the offence may order that any stocks of the articles, together with the packages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty.]²

Schedule I

Jowar, bajri, jowar-flour, bajri-flour, rice, paddy, rice products, wheat, wheat-flour, *atta*, *maida*, *rava*, *suji*, bran, [bread (Baker's bread or loaf)]³, and any other wheat product, [maize and maize products]⁴; gram, tur, gram-dal, gram-flour, tur-dal, and pulses of any kind [whole and splits (that is, dal), and their products (that is, kurma, chuni and challa)]² and sugar including lissa sugar, bura and sugarcandy.

Schedule II

Area comprising—

- (1) The City of Bombay;
- * (2) The Bandra Municipal Borough;
- * (3) The Kurla Municipal Borough;
- * (4) The Parle-Andheri Municipal Borough;
- * (5) The Ghatkopar-Kirol Municipal District;
- * (6) The Juhu Municipal District;
- * (7) The village of Chembur;
- * (8) The village of Kapashe;
- * (9) The part of Survey No. 62-B of the village of Chakala, which is outside the Parle-Andheri Municipal Borough.

* Situated in the Bombay Suburban District.

Hay

Notification, Finance Department (Supply), No. 34 dated 13th January 1943—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from 13th January 1943, no person shall remove hay by road, rail or sea from any place within the limits of the City of Bombay and the Bombay Suburban District to any place in India outside the limits of the said city and district, except under a licence granted by the Director of Civil Supplies, Bombay, or the Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the office of the Supply Commissioner, Bombay.

2. Ibid.

3. Inserted by F.D. (Supply), Not. No. 11/7-II-A dated 2-11-43.

4. Inserted by F. D. (Supply), Not. No. 152-A dated 2-12-43.

Matches

Notification, Finance Department (Supply), No. 35 dated 6th February 1943—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 8th February 1943, no person shall remove matches by road, rail or sea from any place within the limits of the City of Bombay and the Bombay Suburban District to any place in India outside the limits of the said City and District, except under a licence granted by the Director of Civil Supplies, Bombay, or the Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay :

Provided that no such licence shall be necessary (a) for the export by the manufacturers specified in the schedule hereto appended of matches manufactured by them or (b) for the carrying of matches not exceeding 12 boxes or booklets as part of his personal luggage by a *bona fide* traveller.

Schedule

- (1) New Era Match Works, Jogeshwari,
- (2) Bombay Match Works, Kurla.

(NOTES.—On 11th June 1943, the Government was pleased to exempt from the operation of this order consignment of matches covered by Military Credit Notes.)

Piece-goods, etc.

Notification, Finance Department (Supply), No. 422 dated 18th February 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of the order issued by the Government Notification, Finance Department (Supply), No. 25 (b), dated the 4th February 1943, no person shall remove by sea any of the articles specified in column 1 of the Schedule annexed hereto from any place within the limits of the City of Bombay and the Bombay Suburban District to any place in India outside the limits of the said City and District, except under a licence granted by the Director of Civil Supplies, Bombay, or the Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay :

Provided that no such licence shall be necessary for the carrying of any of the said articles not exceeding the quantities specified against them in column 2 of the said Schedule as part of his personal luggage by a *bona fide* traveller.

[Provided also that no such licence shall be necessary for the removal of piecegoods [and all kinds of yarn]¹ to Karachi by steamer.]²

Schedule

| | 1. | 2. |
|---|-----|---------|
| Tea | ... | 5 lbs. |
| Any kind of foodstuff (manufactured or otherwise) including biscuits [but excluding copra] ³ [and sago] ⁴ | ... | 10 lbs. |
| Cotton piece-goods | ... | 10 lbs. |
| Silk piece-goods | ... | 10 lbs. |
| Artificial silk piece-goods | ... | 10 lbs. |
| All kinds of yarn | ... | 10 lbs. |

Notes.

The above Order is partially modified so far as it relates to tea by F. D. (Supply), Notification No. 52 dated the 10th April 1943, and so far as it relates to foodstuffs by F. D. (Supply), Notification No. 354-II dated the 12th May 1943.

Potatoes

Notification, Finance Department (Supply), No. 44/1 dated 11th September 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 11th September 1943, no person shall remove potatoes by road, rail or sea from any place within the limits of the area comprising the City of Bombay and the Bombay Suburban District to any place in India outside the said limits except under a licence granted by the Director of Civil Supplies, Bombay, or the Controller of Prices or the Licensing Officer in the Office of the Supply Commissioner, Bombay.

IMPORTS IN THE CITY OF BOMBAY

Foodstuffs

Notification, Finance Department (Supply), No. 383-II dated 3rd July 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the Orders issued in the Government Notifications, Finance Department (Supply) No. 383-11 (a), dated the 30th December 1942, No. 261-A, dated the 1st January 1943, and No. 383-II, dated the 22nd April 1943, the Government of Bombay is pleased to direct that

1. Inserted by F.D. (Supply), Not. No. 422 dated 5-4-43.
 2. Inserted by F.D., (Supply), Not. No. 422 dated 14-4-43.
 3. Inserted by F. D. (Supply), Not. No. 422-IV dated 6-11-43.
 4. Inserted by F. D. (Supply), Not. No. 644-5 dated 24-11-43.

no person shall bring into the area specified in Schedule I hereto appended (hereinafter referred to as the said area) by rail, road or sea any quantity of the articles specified in Schedule II hereto appended (hereinafter referred to as the said articles) without a licence from the Director of Civil Supplies or Assistant Director of Civil Supplies (General) or the Licensing Officer in the office of the Supply Commissioner, Bombay, or where the second proviso hereinafter appearing applies from [the Assistant Controller of Rationing, Bombay, or a Rationing Officer authorised in this behalf by the Controller of Rationing, Bombay:]¹

Provided that such licence shall not be required in respect of stocks of the said articles brought into the said area by or on behalf of Government or covered by Military Credit Notes :

Provided further that such licence shall be granted against cancellation of the appropriate coupons of a ration card available for lawful use in the said area within the month of the issue of the licence where the stocks of the said articles to be brought into the said area do not exceed the quantity represented by the coupons so available in relation to the said articles in combination.

[If any person contravenes this Order, any Court trying such contravention may direct that any stocks of the said articles in respect of which the Court is satisfied that the Order has been contravened shall be forfeited to His Majesty.]²

Schedule I

Area comprising—

- (1) The City of Bombay ;
- * (2) The Bandra Municipal Borough ;
- * (3) The Kurla Municipal Borough ;
- * (4) The Parle-Andheri Municipal Borough ;
- * (5) The Ghatkopar-Kirol Municipal Borough ;
- * (6) The Juhu Municipal District ;
- * (7) The village of Chembur ;
- * (8) The village of Kapashe ;
- * (9) The part of Survey No. 62-B of the village of Chakala, which is outside the Parle-Andheri Municipal Borough.

* Situated in the Bombay Suburban District.

Schedule II

- (1) Wheat, wheat products including *atta*, *maida*, *rava suji* or bran ;
- (2) Rice or rice flour ;
- (3) Jowar or Jowar flour ;
- (4) Bajri or bajri flour ;
- (5) Baker's bread or loaf.

1. Substituted by F. D. (Supply) Not. No. 283-II-A dated 29th July 1948.

2. Inserted, *Ibid.*

Sugar

Notification, Finance Department (Supply), No. 476 dated 3rd July 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the Order issued in Government Notification, Finance Department (Supply) No. 479 (a), dated the 5th January 1943, and in partial supersession of the Order issued in Government Notification, Finance Department (Supply), No. 30, dated the 26th September 1942, that is to say in so far as it relates to the area specified in Schedule I hereto appended (hereinafter referred to as the said area), the Government of Bombay is pleased to direct that no person shall bring into the said area by rail, road or sea any quantity of the articles specified in Schedule II hereto appended (hereinafter referred to as the said articles) except under and in accordance with the conditions of a licence granted by the Director of Civil Supplies, or the Assistant Director of Civil Supplies or the Licensing Officer in the Office of the Supply Commissioner, Bombay :

Provided that such licence shall not be required in respect of stocks of the said articles brought into the said area by or on behalf of Government or covered by Military Credit Notes :—

Schedule I

Area comprising—

- (1) The City of Bombay ;
 - * (2) The Bandra Municipal Borough ;
 - * (3) The Kurla Municipal Borough ;
 - * (4) The Parle-Andheri Municipal Borough ;
 - * (5) The Ghatkopar-Kirol Municipal District ;
 - * (6) The Juhu Municipal District ;
 - * (7) The village of Chembur ;
 - * (8) The village of Kapashe ;
 - * (9) The part of Survey No. 62-B of the village of Chakala which is outside the Parle-Andheri Municipal Borough.
- * Situated in the Bombay Suburban District.

Schedule II

- (1) Crystal sugar ;
 - (2) Crushed Sugar ;
 - (3) Lissa sugar ;
 - (4) Bura sugar ;
 - (5) Sugarcandy.
-

FREEZING OF STOCKS

(In the City of Bombay)

Bajri

Notification, Finance Department (Supply), No. 383-II dated 30th December 1942—

In exercise of the power conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that pending further orders no person holding on his own account, or on account of, or in partnership with any other person any stocks of bajri or bajri products exceeding 10 Bengal maunds in quantity at any godown or other place of storage in the City of Bombay or in the Bombay Suburban District shall remove from the said place or dispose of any of the said stocks without the written permission of the Government of Bombay.

Barley

Notification, Finance Department (Supply), No. 344-II dated 17th June 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person holding on his own account, or on account of, or in partnership with any other person, any stocks of Barley exceeding 10 Bengal maunds in quantity at any godown or other place of storage in the City of Bombay or the Bombay Suburban District, shall, with effect from the 17th June 1943, remove from the said godown or place or dispose of the said stocks or any portion thereof without the written permission of the Government of Bombay.

Cotton-seed

Notification, Finance Department (Supply), No. 3-IV dated 26th June 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 27th June 1943, no person holding on his account or on account of, or in partnership with any other person, any stocks of cottonseed exceeding [25 Bengal maunds]¹ in quantity at any godown or other place of storage in the City of Bombay or the Bombay Suburban District, shall remove from the said godown or place or dispose of the said stocks or any portion thereof except under and in accordance with the conditions of a license granted by the Director

1. Substituted for "10 bags" by F.D. (Supply) Not. No. 33-IV dated 6-9-43.

of Civil Supplies, Bombay, or the Controller of Prices, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay.

Groundnuts

Notification, Finance Department (Supply), No. 48-IV dated 21st May 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person holding on his own account, or on account of, or in partnership with any other person, any stocks of groundnuts (in shell) and groundnut seeds exceeding 5 Bengal maunds in quantity at any godown or other place of storage in the City of Bombay or in the Bombay Suburban District, shall remove from the said godown or place or dispose of the said stocks or any portion thereof, without the written permission of the Government of Bombay.

Oil - cake

Notification, Finance Department (Supply), No. 45-IV dated 28th May 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person holding on his account, or on account of, or in partnership with any other person, any stocks of Oil-cake in quantities exceeding 5 Bengal maunds at any godown or other place of storage within the City of Bombay or the Bombay Suburban District shall remove from the said godown or place or dispose of the said stocks or any portion thereof without the written permission of the Government of Bombay.

Rice of paddy

Notification, Finance Department (Supply), No. 13 (a) dated the 8th January 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that pending further orders no person holding on his own account, or on account of, or in partnership, with any other person any stocks of rice or paddy, irrespective of the place of origin, exceeding ten maunds in quantity at any godown or other place of storage in the City of Bombay or in the Bombay Suburban District shall remove from the said place or dispose of any of the said stocks without the written permission of the Government of Bombay.

[Provided that no such permission shall be necessary in the case of disposal of any of the said stocks in favour of Government.]²

Rice, Jowar, Bajri

Notification, Finance Department (Supply), No. 383-II(a), dated 30th December 1942—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that with effect from 31st December 1942 no person shall—

(a) remove from any railway station or railway goods yard or dock or bunder in the City of Bombay or in the Bombay Suburban District any stocks of rice or rice products, or jowar or jowar products or bajri or bajri products received by him at the said place on his own account, or on account of, or in partnership with, any other person (hereinafter called the said stocks) except under and in accordance with the conditions of a licence granted by the Assistant Secretary to Government, Finance Department (Supply), and Assistant Director of Civil Supplies (General); and

(b) dispose of such of the said stocks as are removed to any godown or other place of storage, without the written permission of the Government of Bombay.

Sugar

Notification, Finance Department (Supply), No. 30 dated 26th September 1942—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, and in modification of Government Notification, General Department, No. 30, dated the 31st August 1942, the Government of Bombay is pleased to order that, with effect from Sunday the 27th September 1942, no person shall remove any consignment or parcel of sugar received at any railway station or railway goods yard or dock or bunder in the City of Bombay or in the Bombay Suburban District without a Licence from the Assistant Secretary to the Government of Bombay, Finance Department (Supply).

Sugar

Notification, Finance Department (Supply), No. 476 dated 5th June 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and, in supersession of Govern-

2. Inserted by F.D. (Supply) No. 13(a) dated 24-3-43.

ment Notification, Finance Department (Supply), No. 818, dated the 22nd May 1943, the Government of Bombay is pleased to direct that no person, holding on his own account, or on account of, or in partnership with any other person any stock of crystal, crushed, lissa or bura sugar or sugarcandy in quantities exceeding twenty-five maunds (of 82 $\frac{2}{7}$ lbs. each) whether separately or in aggregate, at any godown or other place of storage in the City of Bombay or the Bombay Suburban District, shall remove from the said godown or place or dispose of the said stock or any portion thereof without the written permission of the Government of Bombay.

Notes.

The previous Order dated the 22nd May 1943 laid down the quantity of sugar to be five maunds for the above purpose.

Tapioca Starch and Root

Notification, Finance Department (Supply), No. 404 dated 26th May 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person holding on his account, or on account of, or in partnership with any other person, any stocks of tapioca starch, whether admixed or not with china clay, chalk or any other substance, and ground dried tapioca roots at any godown or other place of storage in the City of Bombay or in the Bombay Suburban District, shall remove from the said godown or place or dispose of the said stocks or any portion thereof without the written permission of the Government of Bombay:

[Provided that nothing in this Order shall apply to the stocks of tapioca starch held by cotton spinning and weaving mills and intended to be used by them for sizing purposes.]¹

Wheat.

Notification, Finance Department (Supply), No. 261 dated 1st January 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that pending further orders no person holding on his own account, or on account of, or in partnership with, any other person any stocks of wheat or wheat products exceeding ten maunds in quantity at any godown or other place of storage in the City of Bombay or in the Bombay Suburban District shall remove from the said place or dispose any of the

1. Inserted by F.D. (Supply) Not. No. 404-IV dated 14-7-43.

said stocks without the written permission of the [Director of Civil Supplies, Bombay, or the Assistant Director of Civil Supplies, Bombay.]¹

Wheat, Rice, Jowar, Bajri and their Products.

Notification, Finance Department (Supply), No. 383-II (a) dated 22nd April 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in partial supersession of the orders issued in Government Notifications, Finance Department (Supply), No. 383-II (a), dated the 30th December 1942, and No. 261-A, dated the 1st January 1943, that is to say, in so far as they relate to the Bombay Suburban District, the Government of Bombay is pleased to direct that with effect from the 23rd April 1943, no person shall—

(a) remove from any railway station or railway goods yard or dock or bund or past any Municipal Town Duty Collection naka in the Bombay Suburban District to any other place in the said District, stocks of wheat, wheat-flour, atta, maida, rava, suji or bran, or rice or rice-flour, or jowar or jowar-flour, or bajri or bajri-flour (hereinafter referred to as the said articles) brought or received by him at the said place on his own account, or on account of or in partnership with any other person except under and in accordance with the conditions of a license granted by the Assistant Secretary to Government, Finance Department (Supply) and Assistant Director of Civil Supplies (General), and

(b) dispose of such of the stocks of the said articles as are removed to any godown or any other place of storage without the written permission of the Government of Bombay:

Provided that nothing in this Order shall apply to stocks of wheat, wheat-flour, atta, maida, rava, suji or bran covered by Military Credit Notes.

RATIONING.

(With particular reference to the City of Bombay only.)

BOMBAY RATIONING PREPARATORY MEASURES ACT, 1943.

BOMBAY ACT No. I OF 1943.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 8th January, 1943)

1. Substituted by F. D. (Supply) Not. No. 261-I dated 11-9-48.

An Act to provide for the numbering of premises and collecting information about persons as measures preparatory to the rationing of articles or things essential to the life of the community.

WHEREAS it is expedient to provide for the numbering of premises and collecting information about persons as measures preparatory to the rationing of articles or things essential to the life of the community;

AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature;

NOW, THEREFORE, in exercise of the said powers the Governor of Bombay is pleased to make the following Act:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Bombay Rationing Preparatory Measures Act, 1943.

(2) This section shall come into force at once. The Provincial Government may by a notification in the Official Gazette direct that the other provisions of the Act shall come into force in any area in the Province of Bombay on such date as may be specified in the notification.

2. *Definition.*—In this Act unless there is anything repugnant in the subject or context,—

(1) "Inquiry Officer" means a person authorised under clause (b) of sub-section (1) of section 3 and includes any person appointed to assist him under sub-section (2) of section 3.

(2) "Numbering Officer" means a person authorised under clause (a) of sub-section (1) of section 3 and includes any person appointed to assist him under sub-section (2) of section 3.

3. *Powers to number premises and collect information about persons.*—(1) If in the opinion of the Provincial Government it is necessary or expedient to carry out any of the following measures as preparatory to the rationing of any articles or thing essential to the life of the community, the Provincial Government may—

(a) authorise any person in respect of any area to paint on or affix to any premises in that area such letters, marks or numbers as may be necessary for facilitating their identification;

(b) authorise any person in respect of any area to collect information and statistics necessary for the rationing in respect of all persons in that area.

(2) The person authorised under sub-section (1) may by order in writing appoint any other person or persons to assist him in carrying out the measures.

4. *Asking of questions and obligation to answer.*—(1) An

Inquiry Officer may ask of any person such questions for the purpose of collecting information and statistics relating to the rationing of articles or things essential to the life of the community as the Provincial Government may notify in the Official Gazette.

(2) Every person of whom a question is asked under subsection (1) shall be legally bound to answer such question to the best of his knowledge and belief, and if so required by the Inquiry Officer, to answer it in writing with his name signed thereto.

5. *Right of access.*—Every person occupying any premises shall allow the Numbering Officer or Inquiry Officer such access thereto as he may require for the purpose of his work :

Provided that in requiring access due regard shall be paid by such Officer to the social and religious customs of the occupier.

6. *Penalties.*—(a) Any Inquiry Officer who knowingly makes any false returns in connection with any inquiry conducted by him ; or

(b) any person who voluntarily obstructs a Numbering Officer or Inquiry Officer exercising any powers or performing any duties under this Act ; or

(c) any person who intentionally gives a false answer to or refuses to answer to the best of his knowledge or belief any question asked of him which he is legally bound by section 4 to answer ; or

(d) any person who gives to any Inquiry Officer information which he knows or believes to be false intending thereby to cause or knowing it to be likely that he will thereby cause the Inquiry Officer to do or omit anything which he ought not to do or omit if the true state of facts respecting which the information is given were known to him ; or

(e) any person occupying any premises who refuses to allow access to a Numbering Officer or Inquiry Officer as required by section 5 ; or

(f) any person who removes, obliterates, alters or damages before such date as the Provincial Government may in relation to any area specify in this behalf any letters, marks or numbers which have been painted on or affixed to the premises by a Numbering Officer ;

shall be punishable with rigorous imprisonment which may extend to six months and shall also be liable to fine which may extend to five hundred rupees.

7. *Bar of Proceedings.*—No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act.

8. *Sanction for prosecution.*—No prosecution under this Act shall be instituted without the previous sanction of the Provincial Government or such officer as the Provincial Government may authorise in this behalf.

Notes

Sections 2 to 8 of the Act came into force in the City of Bombay with effect from 12th January 1943. 31st May 1943 was fixed as the date for clause (f) of Section 6 in relation to the City of Bombay.

The Municipal Commissioner for the City of Bombay was authorised to paint on or affix to any premises in the City such letters, marks or numbers as may be necessary for facilitating identification.

The Controller of Rationing, Bombay, is authorised to collect information and statistics necessary for the rationing of articles or things essential to the life of the community in respect of all persons in the City of Bombay. He is also the authorised Officer for the purpose of Section 8 in respect of the City of Bombay.

An Inquiry Officer may ask questions to any person to obtain information regarding the following matters:—

1. Full name of the head of the family.
2. Age.
3. Address.
4. Occupation and Office, Firm, Factory etc., where employed.
5. Names of members of the family including servants living in the premises with the head of the family. Relationship of each such member with the head of the family [and occupation of each such member].
6. Age of the members.
7. Whether main food of the family is rice.

THE BOMBAY RATIONING INQUIRY ORDER, 1943

Notification, Finance Department (Supply), No. C. R. 11 dated 5th February 1943—

In exercise of the powers conferred by rule 116 of the Defence of India Rules, the Government of Bombay is pleased to make the following Order, namely:—

1. (1) This Order may be called the Bombay Rationing Inquiry Order, 1943.

(2) It extends to the whole of the Province of Bombay.

(3) It shall come into force in any local area on any such date as the Provincial Government may by notification in the Official Gazette appoint in this behalf.

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

(1) "Appointed date" means in relation to any specified article such date as may be fixed by the Provincial Government in respect of any area [*].

(2) "Establishments" means catering establishments, institutions, residential establishments, manufacturing establishments, mills and animal establishments.

(3) (i) "Catering Establishments" includes hotels, restaurants, eating houses, cafes, tea shops, coffee stalls, free feeding centres and every other place of refreshment open to the public, clubs, canteens and other similar establishments.

(ii) "Institutions" includes hospitals, sanatoria, convalescent homes, nursing homes, orphanages, workhouses, infirmaries, asylums, boarding schools (providing meals for day-boarders) and other similar establishments.

*Omitted by F.D. (Supply) Not. No. C.R. 11 dated 12-2-43.

(iii) "Residential Establishments" shall not include private households but shall include boarding houses, apartment houses, residential hotels, hostels, nurses' homes, boarding schools (without any day-boarders) and other similar establishments.

(iv) "Manufacturing Establishments" includes bakeries, confectionaries, and other similar establishments.

(v) "Mills" includes flour-mills, provender mills, and other similar establishments.

(vi) "Animal Establishments" includes stables for horses or cattle, poultry farms, zoos, menageries, veterinary hospitals, *pinjarapoles*, and other similar establishments.

(4) "Schedule" means a schedule appended to this Order.

(5) "Specified article" means any of the articles specified in Schedule A.

3. Every person owning or in charge of an establishment in any area specified in column 1 of Schedule B, desiring to obtain any specified article or a product thereof on or after the appointed date, for use or consumption at such establishment, shall, not later than the date fixed by the Provincial Government in this behalf for such area, furnish to the Officer specified against it in column 2 of the said Schedule true and correct information in respect of such establishment as required in any one of the forms specified in Schedule C which is appropriate to it.

Schedule A.

Rice ;
Wheat and wheat products ;
Bajra ; and
Jowar.

Schedule B.

| | |
|--|--|
| The City of Bombay. | Controlling of Rationing, Bombay. |
| [The Dhulia Municipal Borough. | The Controller of West Khan- desh. |
| The Nandurbar Municipal Dist. | The Mamalátdar of Nandar- bar.] ¹ |
| [The Bandra Municipal Borough. | The Chief Officer of the Bandra Municipality. |
| The Kurla Municipal Borough. | The Chief Officer of the Kurla Municipality. |
| The Parle-Andheri Municipal Borough. | The Chief Officer of the Parle- Andheri Municipality. |
| The Ghatkopar-Kirol Municipal District. | The Secretary of the Ghatkopar- Kirol Municipality. |

1. Added by F. D. (Supply) Not. No. C.R. 7 (b) dated 20-4-43.

| | |
|---|---|
| The Juhu Municipal District. | The President of the Juhu Municipality.] ² |
| [The Village of Chembur. | The Secretary of the Chembur Notified Area Committee]. ³ |
| The Satara City Municipal Borough and the Satara Suburban Municipal District. | The District Magistrate, Satara. |
| The Karad Municipal District. | The Rationing Officer, Satara. |
| The Wai Municipal District. | The Rationing Officer, Satara. |
| The Panchgani Municipal District. | The Rationing Officer, Satara. |
| The Mahableshwar Municipal District. | The Rationing Officer, Satara. |

Schedule C.

Form for Catering Establishments, Institutions and Residential Establishments.

Form for Manufacturing Establishments and Mills.

Form for Animal Establishments.

(Not Printed).

Notes.

The order came into force on 6th February 1943. The Controller of Rationing, Bombay, is authorised to exercise powers conferred by rule 116 of the Defence of India Rules to verify information given under the above order.

The "appointed date" in respect of the City of Bombay in relation to articles in Schedule A was 15th March 1943.

BOMBAY RATIONING ORDER, 1943.

Notification, Finance Department (Supply), No. C. R. 68 dated 3rd March 1943—

In exercise of the powers conferred by rule 81 of the Defence of India Rules and of all other powers enabling it in this behalf, the Government of Bombay is pleased to make the following Order, namely :—

1. (1) This Order may be called the Bombay Rationing Order, 1943.

(2) It extends to the whole of the Province of Bombay.

(3) It shall come into force in any local area on such date as the Provincial Government may by notification in the official Gazette appoint in this behalf.

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

(1) "authorised wholesale distributor" means a wholesale dealer authorised under the provisions of clause 3 and shall

2. Added by F. D. (Supply), Not. No. C. R. 59 (b) dated 11-5-43.

3. Added by F. D. (Supply) Not. No. C. R. 59 (b) dated 9-6-43.

include a person in charge of a godown appertaining to a rationed article and under the control of the Crown ;

(2) "authorised retail distributor" means a retail dealer authorised under the provisions of clause 3 and shall include a person in charge of a shop under the control of the Crown ;

(3) "authorised establishment" means a person in charge of an establishment authorised under the provisions of clause 3 and shall include a person in charge of an establishment under the control of the Crown ;

(4) (a) "establishments" means catering establishments, institutions, residential establishments, manufacturing establishments, mills, [industries]¹ and animal establishments ;

(b) (i) "catering establishments" includes hotels, restaurants, eating houses, cafes, tea shops, coffee stalls, free feeding centres and every other place of refreshment open to the public, clubs, canteens and other similar establishments,

(ii) "institutions" includes hospitals, sanatoria, convalescent homes, nursing homes, orphanages, work houses, infirmaries, asylums, boarding schools (providing meals for day-boarders) and other similar establishments,

(iii) "residential establishments" shall not include private households but shall include boarding houses, apartment houses, residential hotels, hostels, nurses' homes, boarding schools (without any day-boarders) and other similar establishments,

(iv) "manufacturing establishments" includes bakeries, confectioneries, and other similar establishments,

(v) "mills" includes flour mills, provender mills, and other similar establishments,

[(v-a) "industries" means undertakings requiring the use of any rationed article specified in this behalf, in the process of production, manufacture or finish of any article whether or not a rationed article,]²

(vi) "animal establishments" includes stables for horses or cattle, poultry farms, zoos, menageries, veterinary hospitals, *pinjarapoles* and other similar establishments ;

(5) "establishment consumption" means all consumption of food supplied by an establishment for consumption on the premises of the establishment or elsewhere ;

(6) "household consumption" means all consumption of food other than establishment consumption ;

(7) "rationed article" means any article which the Provincial Government may by notification in the Official Gazette in respect of any area specify in this behalf ;

1. Inserted by F. D. (Supply) Not. No. C. R. 68 dated 5-6-43.

2. Inserted by F. D. (Supply) Not. No. C. R. 68 dated 5-6-43.

(8) "rationing date" means in relation to any rationed article such date as may be fixed by the Provincial Government in respect of any area for commencement of rationing of the article in that area; and

(9) "ration documents" includes a ration book, a ration card or any part of any ration book or ration card or any ration coupon or any declaration, authority, permit, or other document issued or made by or under the provisions of this Order.

3. (1) With a view to controlling the distribution of any rationed article, the Provincial Government or an officer authorised by the Provincial Government in respect of any area in this behalf may issue an authorisation to any person being a wholesale dealer, retail dealer or having charge of an establishment to supply any rationed article in such area in accordance with the provisions prescribed by or under this Order and such authorisation shall specify the rationed article in respect of which it is issued.

[(2) The Provincial Government or the authorised officer may, at any time, whether at the request of the person to whom an authorisation has been issued or *suo motu*, after making such inquiry as may be deemed necessary, add to, amend, vary or rescind the authorisation issued under this clause.]³

4. No person other than an authorised wholesale distributor, an authorised retail distributor or an authorised establishment shall, on and after the rationing date, supply or offer or attempt to supply to any person any rationed article.

5. No authorised wholesale distributor shall, on and after the rationing date, supply or offer or attempt to supply any rationed article to any person other than an authorised retail distributor or an authorised establishment and except under and in accordance with the provisions prescribed by or under this Order.

6. No authorised retail distributor or authorised establishment shall, on and after the rationing date, supply or offer or attempt to supply any rationed article except for household consumption, establishment consumption or for the purposes of an establishment other than an establishment consumption and except under and in accordance with the provisions prescribed by or under this Order.

7. No person shall, on and after the rationing date, obtain or attempt to obtain any rationed article except for household consumption, for establishment consumption or for the purposes of an establishment other than establishment consumption [or in connection therewith]⁴ and except under and in accordance with the provisions prescribed by or under this Order.

3. Inserted by F. D. (Supply) Not. No. C. R. 68 (a) dated 24-4-43.

4. Inserted by F. D. (Supply) Not. No. C. R. 68 (b) dated 30-3-43.

8. The foregoing provisions shall not apply to distribution by any person of any rationed article lawfully obtained by him—

(a) to members of the same household or to guests sharing meals in such household; or

(b) to any other person either without payment of price of such rationed article or in exchange for any other rationed article.

9. Except as otherwise provided by this Order, a rationed article shall be obtained, on and after the rationing date, only by means of a ration document available for lawful use and lawfully used, and only upto the quantity in relation to that article [as specified or]⁵ as represented by the units specified on the ration document.

10. (1) With a view to controlling the distribution of any rationed article, the Provincial Government may issue or cause to be issued to any person or class of persons or to the public generally in any area ration documents for the purposes of rationing of such article :

Provided that no ration document shall be delivered to any person unless such person or any adult member of his family to whom the document is tendered on his behalf signs in token of receipt of such document as required by the officer delivering such document.

[(2) The Provincial Government or an officer authorised by it in respect of any area in this behalf may, at any time, whether at the request of the person to whom any ration document has been issued or *suo motu*, after making such inquiry as may be deemed necessary, add to, amend, vary or rescind the ration document. Where any ration document is rescinded any person in possession of it shall forthwith deliver the same to Government or the authorised officer, as the case may be.]⁶

[11. (1) An officer or authority empowered by or in pursuance of this Order to exercise any power may for the effective exercise of that power—

(a) exercise or cause to be exercised the power of entry with respect to any premises :

Provided that in exercising or causing to be exercised the power of entry due regard shall be paid by such officer or authority to the social and religious customs of the occupier of the premises ;

(b) ask or cause to be asked of any person all necessary questions.

(2) Every person shall allow the access to premises required and shall answer truthfully the questions asked of him under sub-clause (1).]⁷

5. Inserted by F. D. (Supply) Not. No. C. R. 68 (b) dated 30-3-43.

6. Inserted by F. D. (Supply), Not. No. C. R. 68 (a) dated 24-4-43.

7. Inserted by F. D. (Supply) Not. No. 68 (a) dated 24-4-43.

12. The Provincial Government may in respect of any area make regulations providing for—

(a) the conditions subject to which any rationed article may be supplied or obtained for household consumption, for establishment consumption or for the purposes of an establishment other than establishment consumption [or in connection therewith,]⁸ and

(b) in particular—

(i) the kind of ration document which may be issued for each such purpose;

(ii) the manner in which such ration document may be used for supplying or obtaining any rationed article including the manner in which and the conditions subject to which such document may be registered with any authorised wholesale distributor, authorised retail distributor, or authorised establishment;

(iii) the period for which any ration document or part thereof shall be valid;

(iv) the number of units allotted to any person, class of persons or to the public generally;

(v) the quantity which a unit shall represent in relation to any rationed article, whether separately for that article or in combination with other articles;

(vi) the conditions subject to which the authorised wholesale distributor, authorised retail distributor or authorised establishment may obtain and supply any rationed article; and

(vii) any other matter connected with the distribution of any rationed article.

13. A ration [document]⁹ shall be available for lawful use only when it is used by or on behalf of the person in respect of whom it is issued.

14. Every ration document issued under this Order shall be the property of the Provincial Government but the person to whom it is issued or surrendered or with whom it is retained under the provisions of this Order or the regulations thereunder shall be entitled to its custody and shall be responsible for its safe custody.

15. If any ration document be defaced, lost or destroyed, the officer authorised by the Provincial Government in respect of any area in this behalf may after making such inquiry as he may think fit issue a new ration document in place thereof [on payment of a fee of two annas.]¹⁰ Every person to whom a new ration document has been issued shall, if he subsequently finds the lost ration document, forthwith return the latter document to the said officer.

8. Inserted by F. D. (Supply), Not. No. C. R. 68 (b) dated 30-3-43.

9. Inserted by F. D. (Supply), Not. No. C. R. 68 (b) dated 30-3-43.

10. Inserted by F. D. (Supply), Not. No. C. R. 68 dated 16th July 1943.

16. No person shall transfer to any other person a ration document issued to himself.

17. When any person is in possession of a ration document and such possession is not authorised by virtue of this Order, he shall forthwith deliver the same to the officer in charge of the nearest rationing office.

18. In any case where any ration coupon or other ration document is required to be cancelled under or for the purposes of this Order, it shall not be deemed to be cancelled unless it shall have been effectively cancelled in ink (whether by means of a die or stamp, or otherwise) or by means of indelible pencil and shall upon such cancellation cease to be available for lawful use.

[19. (1) Any officer authorised by the Provincial Government in respect of any area in this behalf may at all reasonable times inspect any stocks of rationed articles, any ration documents, or any books, accounts or other documents pertaining to dealings in any rationed articles; and may for the purpose of such inspection—

(a) enter any premises: Provided that in exercising the power of entry, due regard shall be paid by such officer to the social and religious customs of the occupants of the premises;

(b) ask of any person all necessary questions; and

(c) require the production of any document.

(2) Every person, when so required by such officer under sub-clause (1), shall allow access to premises, answer all questions to the best of his knowledge and belief, and produce the documents in his possession.]¹¹

[19A. Every authorised wholesale distributor, authorised retail distributor or authorised establishment, as the case may be, shall, when so required by any officer authorised by the Provincial Government in this behalf—

(a) deliver to him all coupons and other authorities and documents surrendered to him under or for the purposes of this Order; and

(b) furnish such particulars relating to his dealings in and stocks of any rationed article as may be required.]¹²

20. Notwithstanding any provisions of this Order, the Provincial Government may subject to such conditions as may be prescribed authorise distribution of any rationed article otherwise than on a ration document, and whether or not for household consumption or establishment consumption or for the purposes of an establishment other than establishment consumption.

21. The Provincial Government may exempt any person or class of persons from the operation of all or any of the provi-

11. Inserted by F. D. (Supply), Not. No. C. R. 68 dated 10-8-48.

12. Inserted by F. D. (Supply), Not. No. C. R. 68 dated 13th September 1943.

sions of this Order and may at any time suspend or cancel such exemption.

Notifications Relating to the Bombay Rationing Order, 1943.

I. Notification, Finance Department (Supply), No. C. R. 68 dated 25th March 1943—

In exercise of the powers conferred by sub-clause (7) of clause 2 of the Bombay Rationing Order, 1943, the Government of Bombay is hereby pleased to specify the following articles in respect of the City of Bombay as rationed articles, namely:—

- Rice including rice flour;
- Bajra including bajra flour;
- Jowar including jowar flour;
- Wheat including wheat flour, *suji*, *rava*, *maida* and *atta*;
- Bran;
- Baker's bread or loaf;
- [Sugar (including crystal sugar, crushed sugar, sugar-candy, lissa sugar and bura sugar).]¹

II. Notification, Finance Department (Supply), No. 68 (a) dated 30th March 1943—

In exercise of the powers conferred by clause 20 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to authorise distribution of all rationed articles otherwise than on a ration document to any person in the City of Bombay by an authorised establishment for establishment consumption [subject to the condition that baker's bread or loaf shall not be so distributed except for consumption on the premises of the establishment.]²

III. Notification, Finance Department (Supply), No. C. R. 68 (d) dated 24th April 1943—

In exercise of the powers conferred by clause 20 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to authorise distribution for household consumption of all rationed articles otherwise than on a ration document by any employer specified in Schedule C [appended to the City of Bombay Rationing Regulation, 1943]³ to any manual labourer residing in the City of Bombay [or in any of the areas specified in the schedule hereto annexed]⁴ and employed by him in quantities not exceeding those prescribed in clause 16A of the said regulation :

1. Added on 5th June 1943 by F. D. (Supply), Not. No. C. R. 68 (d).

2. Inserted by F. D. (Supply), Not. No. C. R. 68 dated 2-11-43.

3. Substituted by F. D. (Supply), Not. No. 59 (f) dated 3-7-43.

4. Inserted, *ibid.*

[Provided that no such distribution of any rationed article shall be made to any manual labourer residing (in any of the said areas)⁶ before the rationing date fixed in respect (of such areas.)⁶]

Schedule

- The Bandra Municipal Borough.
- The Kurla Municipal Borough.
- The Parle-Andheri Municipal Borough.
- The Ghatkopar-Kirol Municipal District.
- The Juhu Municipal District.
- The Chembur Village.
- The Kapashe Village.
- The area comprising that part of Survey No. 62-B of the Chakala village which is outside the Parle-Andheri Municipal Borough.
- The Majas Village.
- The Oshivare Village.
- The Versova Village.

IV. Notification, Finance Department (Supply), No. C. R. 80 dated 4th June 1943—

In exercise of the powers conferred by rule 116 of the Defence of India Rules, the Government of Bombay is pleased to direct that any person employing in the City of Bombay, on or after the 5th day of June 1943, manual labourers, for a period not exceeding ninety days at a time, who are not residents of the said City and who have come to the said City for employment by such person, shall furnish to the Rationing Officer appointed for the Municipal ward in which the employer carries on his undertaking,

(a) the particulars specified in the Schedule hereto appended regarding each such labourer within seven days from the date of the arrival of the labourer in the said City; and

(b) the date of departure from the said City or the date of discharge from service of the labourer within seven⁵ days from such date.

Schedule

- (1) Full name of the labourer.
- (2) Age.
- (3) Permanent Address.
- (4) Date of arrival in the City of Bombay.
- (5) Probable date of departure.
- (6) Present address.
- (7) Employer's name.
- (8) Place of employment.
- (9) Period of employment.

5. Inserted by *ibid.*

6. Substituted by F. D. (Supply), Not. No. C. R. 59 (f) dated 7-8-43.

(10) Nature of employment.

(11) Names and ages of members of the labourer's family, if any, who have arrived along with or subsequent to the date of arrival of the labourer.

Notes.

Various other notifications issued under the above Order may be summarised as under:—

The Order came into force in the City of Bombay on 4th March 1943.

2nd May 1943 was fixed as the date for the commencement of rationing in the city of Bombay in respect of rice (including rice-flour); bajra (including bajra-flour); jowar (including jawar-flour); wheat (including wheat-flour, *suji*, *rawa*, *maida* and *atta*); bran and baker's bread or loaf. On 6th June 1943, sugar was included in the above list.

On 25th March 1943, the Controller of Rationing, Bombay, was authorised in respect of the City of Bombay to issue authorisations to dealers and establishments under clause 3.

On 29th April 1943, the Controller of Rationing, Bombay, and all the Rationing Officers in the City of Bombay were authorised for the purposes of clauses 10(2), 15 and 19 in respect of the City of Bombay.

On 10th August 1943, the Controller of Rationing, Rationing Officer (including Assistant Rationing Officers) and Inspectors (including Chief Inspectors and Deputy Chief Inspectors) in the City of Bombay were authorised for the purpose of clause 19.

On 13th September 1943, the Controller of Rationing and the Rationing Officers (including Assistant Rationing Officers) in the City and Suburbs of Bombay were authorised for the purposes of clause 19A.

On 5th June 1943, sugar was specified for the purposes of sub-clause (4)(b) (v-a) of clause 2.

THE CITY OF BOMBAY RATIONING REGULATION, 1943.

Notification, Finance Department (Supply), No. 68(b) dated 4th March 1943—

In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to make the following regulation in respect of the City of Bombay:—

[CHAPTER I

General]²

[1. This regulation may be called the City of Bombay Rationing Regulation, 1943.

1A.]³ In this regulation unless there is anything repugnant in the subject or context,—

[(1) " Baker's bread " means baker's bread or loaf of any of the following variety, namely, 4 oz. bread, 8 oz. bread, 16 oz. bread, 4/5 oz. nan or lamba pav or 1 lb., 2 lb. or 4 lb. sandwich loaf;]⁴

(2) " Form " means a form appended to this regulation;

[(2A) " Manual Labourer " means a person engaged in heavy manual work;]⁵

Explanation.—The decision of the Controller of Rationing or any other officer authorised by him in this behalf as to whether any person is or is not a manual labourer shall be final.

2. This heading was inserted by G. N., F. D. (S.), No. 68, dated 30th March 1943.

3. Clause 1 was inserted and original clause 1 was renumbered as clause 1 A by G. N., F. D. (S.), No. C. R. 68, dated 2nd June 1943.

4. This portion was inserted by G. N., F. D. (S.), No. C. R. 88, dated 30th March 1943.

5. This sub-clause was inserted by G. N., F. D. (S.), No. C. R. 68 dated 24th April 1943.

(3) "Rationing Officer" means an officer appointed as such by the Provincial Government and includes an Assistant Rationing Officer [and, a Chief Inspector specially authorised in this behalf by the Controller of Rationing;]¹

(4) "Schedule" means a schedule appended to this regulation; and

(5) "Week" means the period commencing from the rationing date and ending at midnight of Saturday next following and each successive period of seven days thereafter.

[1B. For the purposes of this regulation anything required to be done by any person may if such person is a minor be done on his behalf by a person who is for the time being his guardian or has for the time being actual charge of or control over him.]²

[2. An authorised wholesale or retail distributor or establishment shall when it is necessary to do so obtain a licence or authorisation under the Foodgrains Control Order, 1942, and the Bombay Retail Trade Control and Licensing Order, 1942 and observe the conditions thereof.

CHAPTER II.

Household Consumption]³

[3].⁴ For the purposes of household consumption in the City of Bombay ration cards issued shall be the ration documents.

[4].⁴ [Save as otherwise expressly provided]⁵ [a ration card issued for use during the first twenty-four weeks shall have twentieth-four coupons and that issued for use thereafter shall have fifty-two coupons.]⁶ Each coupon shall bear an inscription denoting the serial number of the week, reckoned from the first week, for which the coupon shall be valid:

Provided that the Provincial Government may by notification in the Official Gazette declare that coupons bearing specified serial numbers shall be valid also during other specified weeks in respect of any person or class of persons or the public generally.

[4A.]⁷ Any person residing or intending to reside in the City of Bombay to whom a ration card has not been issued or who is not included in any household for which a ration card is issued and who desires to have a ration card issued either for himself or on behalf of his household shall apply to the Rationing Officer of the municipal ward in which he resides or intends to reside furnishing true and correct information in such form as the Rationing Officer may require. The Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant.

[4AA. Any holder of a ration card or person intending to reside in the City of Bombay may, if he desires to obtain sugar for a child who is a member of his household and below twelve years of age, apply to the Rationing Officer of the municipal ward in which he resides or intends to reside furnishing true and correct information, in such form as the Rationing Officer may require. The Rationing Officer may make or cause to be made such inquiry as he deems fit for verification of the information furnished by the applicant.]⁸

1. These words were added by G. N., F. D. (S.), No. C.R.- 68 dated 2nd June 1943

2. This clause was inserted by G. N., F. D. (S.), No. C.R. 68, dated 28th June 1943

3. This portion was inserted by G. N., F. D. (S.), No. C.R. 68, dated 30th March 1943

4. Original clauses 2 and 3 were renumbered as 3 and 4 respectively, *ibid.*

5. These words were substituted for the words "Save as provided in clause 5" by G. N., F. D. (S.), No. C.R. 68, (b), dated 24th April 1943. The words "Save as provided in clause 5" were inserted by G. N., F. D. (S) No. C.R. 68, dated 30th March 1943.

6. These words were substituted for the original words "a ration card shall consist of twenty-four coupons" by G. N., F. D. (S.), No. C.R. 68, dated 17th September 1943.

7. Clause 4A, 4B, 4C and 4D were inserted by G. N., F. D. (S.), No. C. R. 68 (b), dated 24th April 1943.

8. This clause was inserted by G. N., F. D. (S), No. C. R. 68, dated 23th June 1943.

4B. Save in the case of an application for a supplementary ration card by a manual labourer [or for a ration card to obtain sugar for a child]¹ no person shall apply for a ration card if he has already obtained a ration card or if he is included in a household for which a ration card has been obtained.

4C. No person shall obtain a ration card by furnishing false information.

4D. Save as otherwise expressly provided, no person shall obtain or attempt to obtain any rationed article on more than one ration card issued in his name or for the household in which he is included. If more than one ration card [available for simultaneous use]² is issued in the name of any person or any person is included in more than one household for which a ration card is issued such person shall forthwith report the fact to the Rationing Officer of the municipal ward in which he resides.

[5. A ration card issued to a homeless person shall bear an inscription that it is issued to a homeless person. [Such ration card issued for use during the first twenty-four weeks shall consist of twenty-four coupons numbered serially to denote weeks and cancelled except in regard to the coupons denoting the first and second weeks. Such ration card issued for use thereafter shall consist of fifty-two coupons numbered serially to denote weeks and cancelled in regard to all the coupons:

Provided that]³ the Provincial Government may by notification in the Official Gazette declare that any specified cancelled coupon shall be valid for the week it denotes.]⁴

[5A.]⁵ Where a person has made an application as required by clause 4A before the rationing date a provisional ration card may be issued by the Rationing Officer to such person pending issue of a regular ration card to or on behalf of him under clause 10 of the Bombay Rationing Order, 1943. A provisional ration card shall bear an inscription that it is provisional and shall consist of four coupons numbered serially to denote weeks. Each coupon shall be valid for the week specified on it.

[Provided that the Provincial Government may by notification in the Official Gazette declare that any specified cancelled coupons shall also be valid for the week specified in the notification.]⁶

5B. A temporary ration card shall be issued by the Rationing Officer to any person who has made an application as required by clause 4A after the rationing date if the period of his stay in the City of Bombay is likely to be more than one week but less than eight weeks. A temporary ration card shall bear an inscription that it is temporary and shall consist of eight coupons. The Rationing Officer shall specify on one or more coupons the weeks for which they are valid and the temporary ration card shall be valid accordingly. The Rationing Officer may at the request of the holder of the card and after making such inquiry as he deems fit specify on any of the other coupons the weeks for which they shall be valid and the validity of the card shall be extended accordingly. On such extension the Rationing Officer shall issue an intimation thereof to the authorised retail distributor with whom the card is registered. The intimation shall be retained by the authorised retail distributor.

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1. These words were inserted, by G. N., F. D. (S.), No. C. R. 68 dated 28th June 1943.
 2. These words were inserted by G. N., F. D., (S.), No. C. R. 68, dated 17th September 1943.
 3. This clause was inserted by G. N., F. D. (S.), No. C. R. 68, dated 30th March 1943.
 4. This portion was substituted for the original portion by G. N., F. D. (S.) No. C. R. 68 dated 17th September 1943.
 5. Clauses 5-A, 5-B, 5-C and 5-D were inserted by G. N., F. D. (S.), No. C. R. 63, (b), dated 24th April 1943.
 6. This proviso was added by G. N., F. D. (S.), No. 68 dated 27th May 1943.

5C. A ration card consisting of twenty-four coupons shall be issued to any person who has made an application as required by clause 4A after the rationing date and who intends to stay in the City of Bombay for a period exceeding eight weeks. Each coupon on such ration card shall bear an inscription denoting the serial number of the week reckoned from the first week for which the coupon shall be valid. Before a ration card is so issued the coupon denoting the week or weeks which have elapsed at the date of its issue or during which the applicant does not intend to stay in the City of Bombay shall be cancelled :

Provided that pending the issue of a ration card under this clause the Rationing Officer may in his discretion issue to the applicant a temporary ration card as provided in clause 5B.

[5CC. Where a ration card is issued to any person consisting of twenty-four coupons numbered serially to denote weeks and cancelled except in regard to the coupons denoting the first and the second weeks it shall be valid during the first and second weeks respectively :

Provided that the Provincial Government may by notification in the Official Gazette declare that any specified cancelled coupon shall be valid for the week it denotes.]¹

5D. The limit specified under the proviso to clause 14 shall not apply in respect of a ration card issued under clause 5B, [5C, or 5CC.]²

[6.]³ (1) The ration card [for use during the first twenty-four weeks]⁴ shall be issued in the name of the head of the family on behalf of his household. [Such]⁵ ration card shall show the number of units allotted to the household, at the rate of two units for each member of the household of the age of twelve years and above and one unit for each member of the household of the age below twelve years but not below two years.

(2) The ration card for use after the first twenty-four weeks shall be issued in the name of the person to whom it is issued. Such ration card shall show the number of units allotted, at the rate of two units for each person of the age of twelve years and above and one unit for a person of the age below twelve years but not below two years.

[6A.]⁶ (1) Every holder of a ration card shall and any member of his household may notify in writing to the officer in charge of the nearest rationing office any reduction in the number of members of his household (including a child below the age of two years for whom a ration card has been issued under sub-clause (1) of clause 10-A), due to death, absence from the City of Bombay for more than seven days or other cause. In case of death of the holder of a ration card, the notice shall be given by the member managing the household. The notice shall be given within ten days from the date on which such reduction in the number of members of the household takes place, and shall contain the following particulars, namely :—

1. (a) Serial No. of ration card.
- (b) Serial No. of supplementary ration card, if any.
- (c) Serial No. of supplementary ration card for sugar, if any.
- (d) Serial No. of ration card for sugar if any issued to a child below the age of two years.

1. This clause was inserted by G. N., F. D. (S.), No. C. R. 68, dated 15th May 1943.

2. This words, figures and letters were substituted for the original word, figure and letter "or 5C", *ibid*.

3. Original clause 4 was renumbered as sub-clause (1) of clause (6) and sub-clause (2) was inserted by G. N., F. D. (S.), No. C. R. 68, dated 30th March 1943. That sub-clause and the brackets and figures "(1)" were deleted by G. N., F. D. (S.), No. C. R. 68, dated 16th September 1943. Clause 6 was again renumbered as sub-clause (1) of clause (6) and sub-clause (2) was inserted by G. N., F. D. (S.), No. C. R. 68, dated 17th September 1943.

4. These words were inserted by G. N., F. D. (S.), No. C. R. 68, dated 17th September 1943.

5. This word was substituted for the original word "Each," *ibid*.

6. This clause was inserted by G. N., F. D. (S.), No. C. R. 68, dated 10th September 1943.

2. Name and address of the head of the family.
3. Number of persons of the ages specified below in respect of whom reduction has taken place—
 - (1) Of twelve years and above.
 - (2) Below twelve years but not below two years.
 - (3) Below two years.
4. Date from which, and period for which, reduction has taken place.
5. Name and address of distributor with whom the card or cards are registered.

(2) In the case of a holder of a ration card registered under the provisions of clause 13-B, such notice shall be given in accordance with the provisions of sub-clause (1) of clause 14-A of the Bombay Suburban District Rationing Regulation, 1943.

6B. (1) Every holder of a ration card shall notify in writing any change in his address to the Rationing Officer for the Municipal ward in which he intends to reside. Such notice may be given on behalf of the holder by any member of his household. The notice shall, if not given in advance, be given within ten days from the date on which the change of address takes place and shall contain the following particulars, namely:—

1. (a) Serial No. and Code No. of ration card.
- (b) Serial No. and Code No. of supplementary ration card, if any
- (c) Serial No. and Code No. of supplementary card for sugar, if any.
- (d) Serial No. and Code No. of ration card for sugar, if any.
- 2 Name of the holder of ration card.
- 3 His old address.
- 4 His new address.
- 5 Date from which charge of address will take place.

(2) In the case of a holder of a ration card registered under the provisions of clause 13-B, such notice shall be given in accordance with the provisions of sub clause (1) of clause 14-B of the Bombay Suburban District Rationing Regulation, 1943.

[7.]¹ Each coupon in the ration card shall be equivalent to the number of units allotted to the household under clause 6.

[8.]² The quantity of all rationed articles (other than sugar)³ in combination represented by each unit on a ration card shall be $\frac{1}{2}$ Bombay paylee : Provided that the maximum proportion of any rationed article [or of a rationed article of a particular quality]⁴ comprised in such quantity shall be as specified in Schedule A.

[The quantity of sugar represented by each unit on a ration card shall be [6]⁵ oz.]³

[9.]⁷ (1) The Controller of Rationing may issue or cause to be issued as supplementary ration card to each manual labourer other than one employed by an employer specified in Schedule C, (or in Schedule C appended to the Bombay Suburban District Rationing Regulation, 1943).⁸ A supplementary ration card (issued for use during the first twenty-four weeks shall

1. Original clause 5 was renumbered as clause 7 and the figure "6" substituted for figure "4" by G. N., F. D. (S.), No. C. R. 68, dated 30th March 1943.
2. The portion beginning with clause 8 and ending with Form III was inserted by G. N., F. D. (S.), No. C. R. 61, dated 30th March 1943.
3. These brackets and words were inserted by G. N., D. (S.), No. C. R. 68, (a), dated 5th June 1943.
4. These words were inserted by G. N. F. D. (S.), No. C. R. 68, dated 4th September 1943.
5. This paragraph was inserted by G. N., F. D. (S.), No. C. R. 68 (a), dated 5th June 1943.
6. This figure was substituted for the original figure "5" by G. N., F. D. (S.), No. C. R. 68, dated 9th July 1943.
7. This clause was substituted for the original clause by G. N., F. D. (S.), No. C. R. 68 (b), dated 24th April 1943.
8. This portion was inserted by G. N., F. D. (S.), No. C. R. 69 (i), dated 8rd July 1943.

consist of twenty-four coupons and that issued for use thereafter of fifty-two coupons,)⁹ each coupon being equivalent to one unit. Each coupon shall bear an inscription denoting the serial number of the week, reckoned from the first week, for which the coupon shall be valid :

Provided that the Provincial Government may by notification in the Official Gazette declare that coupons bearing specified serial numbers shall be valid also during other specified weeks.

(2) Any manual labourer other than one employed by an employer specified in Schedule C [or in Schedule C appended to the Bombay Suburban District Rationing Regulation, 1943]¹, shall if he desires to obtain a supplementary ration card apply to the Rationing Officer of the Municipal ward in which he resides furnishing true and correct information in such form as the Rationing Officer may require. If after making such inquiry as may be necessary for verifying the information furnished by the applicant the Controller of Rationing or any other officer authorised by him in this behalf is satisfied that the applicant is a manual labourer a supplementary ration card shall be issued to him.

10. The quantity of all rationed articles (other than sugar)² in combination represented by each unit on a supplementary ration card shall be $\frac{1}{2}$ Bombay paylee :

Provided that the maximum proportion of any rationed article [or of a rationed article of a particular quantity]³ comprised in such quantity shall be as specified in Schedule B.

[The quantity of sugar represented by each unit on a supplementary ration card shall be nil.]⁴

[10A.]⁵ (1) Where a person has made an application as required by clause 4AA, a ration card to obtain sugar for the child on whose behalf the application is made may be issued by the Rationing Officer.

(2) For each child below the age of twelve years but not below the age of 2 years, the ration card issued under sub-clause (1) shall be a supplementary ration card for sugar consisting of twenty-four coupons [for use during the first twenty-four weeks and consisting of fifty-two coupons for use thereafter]⁶ each coupon being equivalent to one unit. Each coupon shall bear an inscription denoting the serial number of the week reckoned from the first week, for which the coupon shall be valid :

Provided that the Provincial Government may, by notification in the Official Gazette, declare that coupons bearing specified numbers shall be valid also during other specified weeks.

(3) For each child below the age of two years the ration card issued under sub-clause (1) shall be ration card for sugar consisting of twenty-four coupons for use during the first twenty-four weeks and consisting of fifty-two coupons for use thereafter, each coupon being equivalent to two units. Each coupon shall bear an inscription denoting the serial number of the week reckoned from the first week, for which the coupon shall be valid :

Provided that the Provincial Government may, by notification in the Official Gazette, declare that coupons bearing specified serial numbers shall be valid also during other specified weeks.

(4) The quantity of sugar represented by each unit on a ration card issued under sub-clause (1) shall be [6 oz.]⁷

(5) The limit specified under the proviso to clause 14 shall not apply in respect of a ration card issued under sub-clause (1).

⁹ These words were substituted for the original words "shall consist of twenty-four coupons," by G. N., F. D. (S.), No. C. R. 88, dated 17th September 1943.

1. Inserted by Not. No. C. R. 59 (1) dated 3rd July 1943.

2. Inserted on 5th June 1943.

3. Inserted on 4th Sept. 1942.

4. Inserted on 5th June 1943.

5. Inserted on 23rd June 1943.

6. Inserted on 17th Sept. 1943.

7. Substituted on 9th July 1943.

11. No person may obtain any rationed article on a ration card unless he—

(a) signs or puts his thumb impression in the space provided for the purpose on the ration card;

(b) gets himself registered for obtaining his supply of rationed articles with an authorised retail distributor; and

(c) complies with any other directions which the Provincial Government in this behalf may issue.

12. Save as provided in [clauses 13, 13A and 13B]¹ a holder of a ration card may register himself with any authorised retail distributor.

Explanation.—An authorised retail distributor may register with himself if he is a holder of a ration card.

13. A holder of a ration card employed by any employer specified in Schedule C shall not register himself except with his employer: provided that after such period not exceeding two months as the Provincial Government may prescribe in this behalf from the rationing date he may register himself with any other authorised retail distributor.

[13A.]² A holder of a ration card employed by any employer specified in Schedule C appended to the Bombay Suburban District Rationing Regulation, 1943, may register himself with his employer on or after the rationing date fixed in respect of Bandra, Kurla and Parle-Andheri Municipal Boroughs, Ghatkopar-Kirol and Juhu Municipal Districts, Chembur and Kapashe villages and area comprising that part of Survey No. 62-B of the Chakala village which is outside the Parle-Andheri Municipal Borough for the Majas and Oshivare villages, or the Versova village, as the case may be.]³

[13B.]⁴ Notwithstanding anything contained in this regulation a holder of a ration card issued under the provisions of the Bombay Suburban District Rationing Regulation, 1943, employed by an employer specified in Schedule V and any other ration card holders in his family may register themselves with his employer and thereupon the ration cards shall be deemed for all purposes to be issued under the provisions of this regulation: Provided that the holders of such ration cards shall not be entitled to obtain any rationed article on their ration cards before the rationing date fixed in respect of Bandra, Kurla and Parle-Andheri Municipal Boroughs, Ghatkopar-Kirol and Juhu Municipal Districts, Chembur and Kapashe villages and area comprising that part of Survey No. 62-B of the Chakala village which is outside Parle-Andheri Municipal Borough [or the Majas and Oshivare villages, [or the Versova Village.]⁵ as the case may be:]³

Provided further that the number denoting the 1st week on such ration cards, according to the Bombay Suburban District Rationing Regulation, 1943, shall be deemed to be the number denoting the [10th week]³ and the subsequent numbers of the weeks on such ration cards shall be deemed to be the numbers denoting the respective subsequent weeks on the ration card issued under the provisions of this regulation.

14. No authorised retail distributor shall when requested so to do refuse to register the holder of a ration card if—

(a) the distributor is an employer specified in Schedule C and the holder is his employee,

(b) the distributor is one specified in Schedule D or is a person in charge of a shop appertaining to a rationed article and under the control of the Crown: provided that he shall refuse to register such holder if the

¹ These words, figures and letters were substituted for the original word and figures " clause 13 " by G. N., F. D. (S.), No. C.R. 59 (i), dated 8rd July 1943.

² These clauses were inserted, *ibid.*

³ These words were inserted by G. N., F. D. (S.), No. C.R. 59 (d), dated 7th August 1943.

⁴ These words were inserted by G. N., F. D. (S), No. C.R. 59 (d), dated 23th August 1943.

⁵ These figures, letters and word were substituted for the words " week on a ration card issued under the provisions of this regulation during which rationing commences in the said areas," *ibid.*

number of holders already registered with him thereby exceed six hundred or such other limit as the Provincial Government may fix in any particular case, or generally.

15. (1) The holder of a ration card shall get himself registered in the following manner, namely—

(a) he shall by himself or through an agent present the ration card to an authorised retail distributor in order to enable the distributor to enter his name, address and signature in the ration card; and

(b) he shall by himself or through an agent permit the distributor to detach and retain with him the counterfoil of the ration card.

(2) Every authorised retail distributor with whom the holder of a ration card seeks registration shall enter in the ration card presented to him his name, address and signature. He shall detach and retain with him the counterfoil of such ration card. He shall preserve all such counterfoils. He shall enter the serial number on the ration card and the units specified thereon in a register to be maintained by him.

16. (1) On demand and offer of price by or on behalf of the holder of a ration card registered with an authorised retail distributor and against cancellation of the appropriate coupon or part thereof, the distributor shall supply to the holder rationed articles not exceeding the quantity obtainable on the coupon or part thereof as the case may be: provided that no part which is not a multiple of $\frac{1}{4}$ shall be cancelled at any time.

(2) The distributor shall comply with such other directions as may be issued by the Provincial Government or any officer authorised by the Provincial Government in this behalf.

[16A.]² On demand and offer of price by a manual labourer residing in the City of Bombay, [Bandra, Kurla or Parle-Andheri Municipal Borough, Ghatkopar-Kirol or Juhu Municipal District, or Chembur, 'Kapashe, Majas, Oshivare 'or Versova village or area comprising that part of Survey No. 62-B of the Chakala village which is outside the Parle-Andheri Municipal Borough,]³ who is employed by an employer specified in Schedule C the employer shall supply to the labourer otherwise than on a ration card rationed articles not exceeding the quantity available for four weeks at a time as represented by units on a supplementary ration at the rate of one unit per week.

[Provided that during such period as may be notified in this behalf by the Provincial Government from time to time the employer shall supply to the labourer rationed articles not exceeding the quantity available for five weeks at a time as represented by units on a supplementary ration card at the rate of one unit per week.]⁴

17. Notwithstanding anything contained in clauses 11 to 16 the officer authorised by the Provincial Government in this behalf may issue instructions transferring the name of a person registered with any authorised retail distributor from such distributor to another authorised retail distributor.

[Explanation.—For the purposes of this clause "authorised retail distributor" includes an employer specified in Schedule C appended to the Bombay Suburban District Rationing Regulation, 1943.]⁵

17A. (1) Notwithstanding anything contained in this Chapter, a ration card, other than a temporary ration card, but including a supple-

¹ This word was substituted for the original word "five" by G. N. F. D. (S), No. C.R. 68 (b), dated 11th June 1943.

² This clause was inserted by G. N., F. D. (S), No. C.R. 68 (b), dated 24th April 1943.

³ This portion was inserted by G. N., F. D. (S.), No. C.R. 59 (f), dated 3rd July 1943.

⁴ The words "Kapashe, Majas or Oshivare" were substituted for the words "or Kapashe" by G. N., F. D. (S), No. C.R. 59 (d), dated 7th August 1943.

⁵ The words "Oshivare or Versova" were substituted for the words "or Oshivare" by G. N., F. D. (S), No. C.R. (d), dated 28th August 1943.

⁶ This proviso was added by G.N., F.D. (S), No. C.R. 68 (a), dated 21st July, 1943.

⁷ This Explanation was added by G. N., F. D. (S.), No. C.R. 59 (f), dated 3rd July

mentary ration card, supplementary ration card for sugar and ration card for sugar, issued for use during the period ending with the twenty-fourth week, shall also be available for use during the twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth weeks. The first, second, third and fourth coupons on such card shall be deemed also to bear the serial numbers denoting the 25th, 26th, 27 and 28th weeks, respectively, and shall be valid accordingly, that is to say valid for use until further cancellation.

(2) The coupons on a ration card bearing serial numbers denoting the 25th, 26th 27th and 28th weeks otherwise than by virtue of sub-clause (1) of this clause shall be deemed to be cancelled.

CHAPTER III

Establishments Generally

18. For the purposes of an establishment ration permits and ration authorities shall be the ration documents.

CHAPTER IV

Catering Establishments, Institutions and Residential Establishments

19. A ration permit for obtaining rationed articles (other than sugar)¹ for the purposes of the establishment shall be issued in the name of the person in charge of an authorised catering establishment, institution or residential establishment.

20. [Such permit issued for the first time shall have four coupons; that issued for the second time shall have twenty coupons; and that issued any time thereafter shall have alternately twenty-eight and twenty-four coupons. Each coupon shall be valid for the week specified on it and]² shall be equivalent to the number of units allotted from time to time to the establishment as specified on such permits having regard to the average number of residents in the establishment.

21. The quantity of all rationed articles (other than sugar)¹ obtainable by each unit on a ration permit shall be $\frac{1}{4}$ Bombay paylee:

Provided that the proportion of any rationed article [or of a rationed article of a particular quality³ comprised in such quantity shall be determined by the Rationing Officer from time to time having regard to the needs of the establishment and the stock of that article [or stock of the article of that particular quality]³ available with the establishment.

21A. (*Deleted by G. N., F. D. (S), No. C. R. 68, dated 9th July 1943.*)

22. No holder of such permit shall obtain any rationed article on the permit unless he gets himself registered with an authorised retail distributor or with a Rationing Officer as may be directed on the permit.

23. Where a ration permit directs registration with an authorised retail distributor the provisions of clauses 11, [14 to 16 and]⁴ 17 shall apply as if the permit were a ration card:

Provided that the limit specified under clause 14 shall not apply in respect of ration permits.

24. Where a ration permit directs registration with a Rationing Officer, the holder of the ration permit shall get himself registered in the following manner—

(a) he shall by himself or through an agent present the ration permit to the Rationing Officer in order to enable him to enter his name, address and signature in the ration permit; and

(b) he shall by himself or through an agent permit the Rationing Officer to detach and retain with him the counterfoil of the ration permit.

¹ These brackets and words were inserted by G. N., F. D. (S), No. C.R. 68 (a), dated 5th June 1943.

² This portion was substituted for the words "Such permit shall have four coupons each valid for the week specified on it. Each coupon" by G.N., F.D.(S), No. C.R. 68, dated 28th May 1943.

³ These words were inserted by G. N., F. D. (S), No. C. R. 68, dated 4th September 1943.

⁴ These figures and words were substituted for the original words and figures "and 14 to" by G. N., F. D. (S), No. C. R. 68, dated 9th July 1943.

25. A Rationing Officer with whom the holder of a ration permit seeks registration shall enter in the ration permit presented to him, his name, address and signature. He shall detach and retain with him the counterfoil of such ration permit. He shall preserve all such counterfoils. He shall enter the serial number on the ration permit and the units specified thereon in a register to be maintained by him.

26. Once every week the holder of the ration permit shall submit to the Rationing Officer an indent for the rationed articles not exceeding the quantity obtainable on the coupon valid for that week. On the basis of such indent, and against cancellation of the said coupon, the Rationing Officer shall issue a ration authority specifying in terms of bags of stated average capacity the quantity obtainable thereon; and the period during which it shall be valid:

Provided that in specifying the number of such bags the Rationing Officer may round off any fraction thereof in any manner he thinks fit.

27. The rationing authority shall be drawn in triplicate; one copy shall be retained by the Rationing Officer; another copy shall be delivered to the holder of the permit; the remaining copy shall be sent to the Assistant Director of Civil Supplies (Godowns) in charge of godowns [or to an authorised wholesale distributor.]¹ The ration authority shall be valid for the period specified on it.

28. On demand and offer of price by or on behalf of the holder of a ration authority and against cancellation of such authority, a person in charge of a godown appertaining to the rationed articles and under the control of the Crown [or the authorised wholesale distributor, as the case may be.]² shall supply to the holder rationed articles in quantities specified on such authority.

29. (1) On demand and offer of price by a resident in the establishment, the person in charge of the establishment shall supply food prepared from the rationed articles.

(2) The person in charge of the establishment may supply food prepared from the rationed articles to any other customer for the purpose only of establishment consumption.

[CHAPTER IV-A]³

Sugar for Establishments

29-A. (1) A ration permit for obtaining sugar for the purposes of the establishment may be issued in the name of the person in charge of an authorised establishment.

(2) Such permit shall at its first issue have twenty-four coupons; and at subsequent issues alternately have twenty-eight and twenty-four coupons each valid for the week specified on it. Each coupon shall be equivalent to the number of units allotted to the establishment as specified on the ration permit.

(3) The quantity of sugar obtainable by each unit on the ration permit issued under sub-clause (1) shall be 6 oz.

29-B. No holder of such permit shall obtain sugar on the permit unless he gets himself registered with an authorised retail distributor or with a Rationing Officer as may be directed on the permit.

29-C. Where a ration permit directs registration with an authorised retail distributor the provisions of clauses 11, 14 to 16 and 17 shall apply as if the permit were a ration card:

Provided that the limit specified in clause 14 shall not apply in respect of ration permits.

29-D. Where a ration permit directs registration with a Rationing Officer the provisions of clauses 24 to 28 shall apply in relation to such permit.

¹ These words were inserted by G.N., F.D. (S.), No. C.R. 68 (a), dated 5th June 1943.

² These words were inserted, *ibid.*

³ This Chapter was inserted by G.N., F.D. (S.), No. C.R. 68, dated 9th July 1943.

CHAPTER V.

Authorised Retail Distributors

30. In connection with the ration documents registered with him and the counterfoils retained by him an authorised retail distributor shall maintain a register in Form [I, (1A or 1B),¹ as the case may be.]¹ At least once every week he shall submit to the Rationing Officer for the Municipal Ward in which his shop is situated, or in case he is an authorised retail distributor specified in Schedule C at least once in four weeks he shall submit to the Rationing Officer (Factories) the register together with the counterfoils and shall specify the total number of units registered with him. The Rationing Officer shall check the register and return it to the distributor. For the first week there shall also be submitted along with the register a duplicate thereof which the Rationing Officer shall retain. He shall then issue to the distributor a ration authority as provided in clause 32 specifying in terms of bags of stated average capacity the quantity of the rationed article obtainable thereon and the period for which the authority shall be valid :

Provided that in specifying the number of such bags, the Rationing Officer may round off any fraction thereof in any manner he thinks fit :

[Provided further that in specifying the number of bags in respect of the employers specified in Schedule C the Rationing Officer may allot the additional quantities required for the supply of rationed articles under clause 16A.]²

31. (1) For the first week, the quantity of a rationed article covered by the authority shall not be less than the maximum obtainable as on a ration card in relation to that article on the total number of the registered units.

(2) For any subsequent week, the quantity of a rationed article covered by the authority shall not be less than the extent to which the quantity of that article in stock with the authorised retail distributor is short of the maximum specified in sub-clause (1) [due to sales lawfully made :]³

[Provided that in calculating quantities in relation to sugar, there shall be excluded from the total number of the registered units—(a) the units on all supplementary ration cards and (b) the units on all ration permits other than those (issued under sub-clause (1) of clause 29-A).]⁴

32. The ration authority shall be drawn up in triplicate ; one copy shall be retained by the Rationing Officer ; another copy shall be delivered to the holder of the permit ; the remaining copy shall be sent to the Assistant Director of Civil Supplies (Godowns) in charge of godowns [or to an authorised wholesale distributor.]⁵ The ration authority shall be valid for the period specified on it.

33. On demand and offer of price by or on behalf of the holder of a ration authority and against the cancellation of such authority, a person in charge of a godown appertaining to the rationed articles and under the control of the Crown [or the authorised wholesale distributor, as the case may be.]⁶ shall supply to the holder rationed articles in quantities specified on such authority.

1 The words, figure and letter "or in Form 1A, as the case may be," were inserted by G.N., F.D. (S.), No. C.R. 68, dated 28th June 1943.

2 These figures, letters and word were substituted for the words, figure and letter "or in Form A-1" by G.N., F.D. (S.), No. C.R. 68 dated 9th July 1943.

3 This proviso was added by G.N., F.D. (S.), No. C.R. 68 (a), dated 24th April 1943.

4 These words were inserted, *ibid.*

5 This proviso was added by G.N., F.D. (S.), No. C.R. 68 (a) dated 5th June 1943.

6 This portion was substituted for the words, figures and letter "on which sugar is obtainable under clause 21A" by G.N., F.D. (S.), No. C.R. 68, dated 9th July 1943.

7 These words were inserted by G.N., F.D. (S.), No. C.R. 68 (a), dated 5th June 1943.

CHAPTER VI

Animal Establishments

34. A ration permit for obtaining bran shall be issued in the name of the person in charge of an authorised animal establishment.

35. Such permit shall at its first issue have twenty-four coupons, and at subsequent issues alternately have twenty-eight and twenty-four coupons each valid for the week specified on it. Each coupon shall be equivalent to the number of units allotted to the establishment as specified on the ration permit:

Provided that the Provincial Government may by notification in the official Gazette declare that coupons bearing specified serial numbers shall be valid also during other specified weeks in respect of any person or class of persons or the public generally.

36. The quantity of bran represented by each unit on the ration permit shall be [such as may be notified in this behalf by the Provincial Government from time to time.]¹

37. The provisions of clauses 11, [15, 16 and]² 17 shall so far as may be apply as if such ration permit were a ration card and an authorised flour mill were an authorised retail distributor.

[37A.]³ (1) Where rationed articles other than bran [and sugar]⁴ are required for consumption by animals at any authorised animal establishment a ration permit for obtaining such articles may be issued in the name of the person in charge of such establishment.

(2) Such permit issued for the first time shall have four coupons; that issued for the second time shall have twenty coupons and that issued any time thereafter shall have twenty-eight and twenty-four coupons alternately. Each coupon shall be valid for the week specified on it and shall be equivalent to the number of units allotted to the establishment as specified on the ration permit.

(3) The quantity of all rationed articles other than bran [and sugar]⁴ obtainable by each unit on such ration permit shall be $\frac{1}{4}$ Bombay paylee :

Provided that the proportion of any rationed article [or of a rationed article of a particular quantity]⁵ comprised in such quantity shall be determined by the Rationing Officer from time to time having regard to the needs of the establishment and the stock of that article [or stock of the article of that particular quality]⁶ available with the establishment.

(4) The provisions of clauses 11, [14 to 16 and]⁶ 17 shall apply as if such ration permit were a ration card :

Provided that the limit specified under clause 14 shall not apply in respect of such ration permits.

CHAPTER VII

Baker's Bread

38. For the purpose of obtaining baker's bread in connection with household or establishment consumption, bread tickets [issued under this Chapter or under Chapter VII of the Bombay Suburban District Rationing Regulation, 1943.]⁷ shall be the ration document.

39. A bread ticket shall be valid for the week during which it is issued and also for the succeeding week.

1—These words were substituted for the word "nil" by G.N., F.D. (S.), No. C.R. 59 (i), dated 3rd July 1943.

2—These figures and word were substituted for the words and figures "and 15 to," *ibid.*

3—This clause was inserted by G.N., F.D. (S.), No. C.R. 68 (b), dated 24th April 1943.

4—These words were inserted by G.N., F.D. (S.), No. C.R. 68 (a), dated 5th June 1943.

5—These words were inserted by G.N., F.D. (S.), No. C.R. 68, dated 4th September 1943.

6—These figures and words were substituted for the original words and figures "and 14 to" by G.N., F.D. (S.), No. C.R. 69 (i), dated 3rd July 1943.

7—This portion was inserted, *ibid.*

40. The quantity represented by each unit on a bread ticket shall be 28 oz. of bread.

41. Any holder of a ration card or permit may demand a bread ticket in exchange for a quantity of wheat not exceeding the maximum obtainable by him on any coupon. On such demand, the authorised retail distributor or Rationing Officer with whom such holder is registered shall calculate the number of units in respect of bread corresponding to the said quantity of wheat at the rate of one unit of bread for a paylee of wheat. He shall then cancel the part of the coupon proportionate to the said quantity of wheat and issue a bread ticket to the holder as provided in clause 42.

42. The authorised retail distributor or Rationing Officer as the case may be shall enter on the bread ticket the number of the ration card or permit against which it is issued. He shall indicate on the bread ticket the units for which it is valid by crossing the appropriate number on the ticket. He shall likewise indicate on the bread ticket the week for which it is issued, by crossing the appropriate number of the week printed on the ticket.

43. Every authorised manufacturing establishment shall, and any other authorised establishment or wholesale or retail distributor may, supply bread to the holder of a bread ticket against the surrender of such ticket during the period for which the ticket is valid and only up to the quantity of bread as represented by the units specified on the bread ticket.

CHAPTER VIII

Manufacturing Establishments

44. In connection with the bread tickets surrendered to him a person in charge of an authorised manufacturing establishment shall maintain a register in Form II. Once every week he shall submit to the Rationing Officer for the municipal ward in which the establishment is situated the register together with the bread tickets and shall specify the total number of bread units registered with him. The Rationing Officer shall check the register and return it. There shall also be submitted along with the register a duplicate thereof which the Rationing Officer shall retain. He shall then issue to the said establishment on the basis of the registered bread units a ration permit specifying the quantity of wheat flour obtainable thereon and the period for which the permit is valid.

45. On demand and offer of price by or on behalf of the holder of such ration permit for a permit issued under clause 57 of the Bombay Suburban District Rationing Regulation, 1943,¹ and against the surrender of such permit an authorised flour mill shall supply wheat flour to the holder during the period for which the permit is valid and up to the quantity specified thereon.

CHAPTER IX

Authorised Flour Mills

46. In connection with the ration documents registered with him and the counterfoils retained by him the person in charge of an authorised flour mill shall maintain a register in Form III. Once every week he shall submit to the Rationing Officer for the Municipal Ward in which his mill is situated the register together with the counterfoils and shall specify separately the total number of units in respect of bran and in respect of wheat flour registered with him. The Rationing Officer shall check the register and return it to the person in charge of the authorised flour mill. There shall also be submitted along with the register a duplicate thereof which the Rationing Officer shall retain. He shall then issue to the person in charge of the authorised flour mill a ration authority on the basis of the said units of bran and wheat flour specifying in terms of bags of stated average capacity the quantity of wheat obtainable thereon, and the period for which the authority is valid:

Provided that in specifying the number of such bags the Rationing Officer may round off any fraction thereof in any manner he thinks fit.

¹ This portion was inserted by G.N., F.D. (S.), No. C.R. 59 (ii), dated 3rd July 1943.

47. The ration authority shall be drawn up in triplicate; one copy shall be retained by the Rationing Officer; another copy shall be delivered to the holder of the permit; the remaining copy shall be sent to the Assistant Director of Civil Supplies (Godowns), in charge of godowns. The ration authority shall be valid for the period specified on it.

48. On demand and offer of price by or on behalf of the holder of a ration authority and against cancellation of such authority a person in charge of a godown appertaining to the rationed article and under the control of the Crown, shall supply to the holder wheat in quantities specified on such authority.

[CHAPTER X]¹

Wheat flour

49. For the purpose of obtaining wheat flour in connection with household or establishment consumption, bread tickets [issued under Chapter VII of this regulation or Chapter VII of the Bombay Suburban District Rationing Regulation, 1943,]² shall be the ration documents.

50. The quantity of wheat flour represented by each unit on a bread ticket shall be 22 oz. of wheat flour.

51. Save as otherwise provided in Chapter VIII in respect of manufacturing establishments, an authorised flour mill may supply wheat flour to the holder of a bread ticket against the surrender of such ticket during the period for which the ticket is valid and only up to the quantity of wheat flour as represented by the units specified on the bread ticket.

52. In connection with the bread tickets surrendered to him under clause 51 a person in charge of an authorised flour mill shall maintain a register in Form IV. Once every week he shall submit to the Rationing Officer (Permits) the register together with the bread tickets and shall specify the total number of units registered with him. The Rationing Officer shall check the register and return it to the person in charge of the authorised flour mill. There shall also be submitted along with the register a duplicate thereof which the Rationing Officer shall retain. He shall then issue to the person in charge of the authorised flour mill a ration authority on the basis of the said units specifying in terms of bags of stated average capacity the quantity of wheat obtainable thereon, and the period for which the authority is valid:

Provided that in specifying the number of such bags the Rationing Officer may round off any fraction thereof in any manner he thinks fit.

53. The provisions of clauses 47 and 48 shall apply to such ration authority.

SCHEDULES.

SCHEDULE A.

Maximum proportion of separate rationed articles [or of rationed articles of different qualities]³ to be obtained on each unit.

| | | | | | |
|-------|-----|-----|-----|-----------------|--|
| Rice | ... | ... | ... | † $\frac{1}{2}$ | [(of which rice of sort II quality shall not comprise more than $\frac{1}{4}$ unit).] ⁴ |
| Bajra | ... | ... | ... | §1 | |
| Wheat | ... | ... | ... | * $\frac{1}{2}$ | |
| Jowar | ... | ... | ... | 0 | |

1—This chapter was inserted by G.N., F.D.(S.), No. C.R. 68 (b), dated 24th April 1943.

2—insert foot-note as on page 115.

3—This portion was inserted by G.N., F.D. (S.), No. C.R. 68, dated 4th September 1943, with effect from 5th September 1943.

† These figures were substituted for original figures " $\frac{1}{4}$ " with effect from 27th June 1943 by G.N., F.D. (S.), No. C.R. 68, dated 25th June 1943.

§ This figure was substituted for the original figures " $\frac{1}{2}$ " by G.N., F.D. (S.), No. C.R. 68 (b), dated 24th April 1943.

* These figures were substituted for the figures " $\frac{1}{4}$ " with effect from 4th July 1943 by G.N., F.D. (S.), No. C.R. 68, dated 29th June 1943. The figures " $\frac{1}{4}$ " were substituted for the original figures " $\frac{1}{2}$ " in Schedule A by G.N., F.D., No. 68(b), dated 24th April 1943.

SCHEDULE B.

Maximum proportion of rationed articles [or of rationed articles of different qualities]² to be obtained on a supplementary unit.

| | | | | | |
|-------|-----|-----|-----|-----------------|--|
| §Rice | ... | ... | ... | † $\frac{1}{2}$ | [(of which rice of sort II quality shall not comprise more than $\frac{1}{4}$ unit).] ³ |
| Bajra | .. | ... | ... | 1 | |
| Wheat | ... | ... | ... | $\frac{3}{4}$ | |
| Jowar | | | | †0 | |

SCHEDULE C.

List of Employers who are authorised retail distributors. (Not printed.)

SCHEDULE D.

List of dealers who are authorised retail distributors. (Not printed.)

FORMS.

(Not printed).

Notes.

The Controller of Rationing and all the Rationing Officers are authorised in the City of Bombay for the purposes of clause 17 of the Regulation.

Seven hundred and fifty is the limit fixed for the purposes of proviso to sub-clause (b) of clause 14 of the Regulation in respect of the shops appertaining to rationed articles and under the control of Crown in the City of Bombay.

From 31st October 1943, the quantity of bran represented by each unit on a ration permit shall be 17 $\frac{1}{2}$ lbs.

Several notifications declaring cancelled coupons specific weeks under clauses 5, 5A, 5CC of this Regulation are not printed here.

OTHER RESTRICTIONS

The Bombay Retail Trade Control and Licensing Order, 1942

Notification, General Department, No. 80-M, dated 29th July 1942.

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

1. (1) This Order may be called the Bombay Retail Trade Control and Licensing Order, 1942.

(2) It extends to the whole of the Province of Bombay.

(3) It shall come into force in any area on such date as the Provincial Government may by a notification in the official Gazette appoint in this behalf.

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

(a) "Controlled article" means any of the articles specified in the First Schedule to this Order.

§—This portion was inserted by G.N., F.D. (S.), No. C.R. 68 (b), dated 24th April 1943.

2. }
• } See Supra.
† }

(b) "Form" means a form as set forth in the Second Schedule to this Order.

(c) "Sale in retail quantities" in respect of any controlled article means sale of such article in quantities not exceeding the quantity specified against it in column 2 of the Third Schedule to this Order.

3. (1) No person shall engage in any undertaking which involves the sale, or storage for sale, in retail quantities of any controlled article except under and in accordance with a licence issued in that behalf by an officer authorised by the Provincial Government.

(2) The officer authorised to issue licences under sub-clause (1) may, for reasons to be recorded in writing, refuse to issue a licence to any person.

(3) An appeal shall lie to the Provincial Government against an order made under sub-clause (2) within [30]¹ days from the date of the order.

4. Licences issued under this Order shall be in Form A and shall specify—

(a) the controlled articles in which the licensee may deal;

(b) the place or places at which the licensee may carry on the licensed undertaking.

5. Applications for licences under this Order shall be made in Form B to the officer authorised to issue licences under clause 3.

6. No person being the holder of the licence issued under this Order shall contravene any of the conditions mentioned in Form A; and if any such person contravenes any of the said conditions, then without prejudice to any other action that may be taken against him, his licence may be cancelled by order of the officer authorised to issue licences under clause 3.

7. Any officer authorised by the Provincial Government in this behalf may enter upon and inspect any premises in which he has reason to believe that the sale, or storage for sale, in retail quantities of any controlled article is taking place contrary to the provisions of this Order.

[7A. If any person contravenes the provisions of sub-clause (1) of clause 3 or clause 6 of this Order then without prejudice to any other punishment to which he may be liable, any Court trying the offence may order that any stocks of food-grains together with packages and coverings thereof in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to His Majesty.]²

8. The Provincial Government may exempt any person or class of persons from the operation of the whole or any part of this Order.

¹ Substituted for "15" by G. D., Not. No. 80 M dated 17-8-42.

² Inserted by F. D. (Supply) dated 30th April 1943.

The First Schedule

[See Clause 2 (a)]*

1. Wheat and wheat products (including flour, atta, maida, rawa, suji and bran).
2. Paddy.
3. Rice.
4. Maize.
5. Jowar.
6. Bajri.
7. Gram, any variety.
8. Pulses of all kinds.

The Second Schedule

Form A.

(See Clause 4).

The Bombay Retail Trade Control and Licensing Order, 1942.
Licence for Sale or Storage for Sale in Retail Quantities of
Controlled Articles.

(Not Printed).

Form B.

(See Clause 5).

1. Applicant's name.
2. Applicant's profession.
3. Applicant's residence.
4. Situation of applicant's place of business with particulars as to No. of house, Moholla, town or village and Police Station and District.
5. How long the applicant has been trading in controlled articles (particulars to be given for each kind of article).
6. Approximate quantities of controlled articles handled annually during the past three years if accounts are kept.
7. Names of articles in respect of which Licence is required.

I declare that the following quantities of the articles specified above are in my possession this day and are held at the places noted against them:—

I have carefully read the conditions of Licence given in Form A of the Second Schedule to the Bombay Retail Trade Control and Licensing Order, 1942, and I agree to abide by them.

(a)* I have not previously applied for such licence in this district for any of the articles specified in paragraph 7 above.

(b)* I applied for such licence in this district for
 on _____ and was/
 was not granted a licence on _____

* Strike out the words which are not applicable.

Dated _____

Signature of Applicant.
 District _____

The Third Schedule

[See Clause 2 (c) of the Order.]

| | |
|--|------------|
| 1. Wheat and wheat products (including flour, atta, maida, rawa, suji and bran)... | 20 Maunds. |
| 2. Paddy | Do. |
| 3. Rice | Do. |
| 4. Maize | Do. |
| 5. Jowar | Do. |
| 6. Bajri | Do. |
| 7. Gram, any variety | Do. |
| 8. Pulses of all kinds | Do. |

Notes.

This Order came into force in the City and Suburbs of Bombay on 1st September 1942. The Assistant Director of Civil Supplies (Licensing Department), Bombay, is authorised to receive applications for licenses under this Order both in the City and Suburbs of Bombay. The following officers are authorised for the purposes of clause 7:—

(1) The Food Controller, Bombay, (2) The Controller of Rationing, Bombay, (3) Assistant Director of Civil Supplies, (4) Rationing Officers in the City of Bombay, (5) Chief Inspectors of Licenses, (6) Inspectors of Licenses (7) Inspectors under the Controller of Prices, Bombay and (8) Inspectors under the Controller of Rationing, Bombay.

Essential Articles Restricted Acquisition Order, 1943

Notification, Finance Department (Supply), No. 401-I dated 19th January 1943—

In exercise of the powers conferred by sub-rule (2) (a) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to make the following order, namely:—

1. (1) This Order may be called the Essential Articles Restricted Acquisition Order, 1943.

(2) It extends to the whole of the Province of Bombay.

(3) It shall come into force at once in the City of Bombay and the Bombay Suburban District and the Provincial Government may by notification in the Official Gazette direct that it shall come into force in any other part of the Province of Bombay on such date as it may by notifications appoint.

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

(1) "Essential article" means any article included in the Schedule to this Order.

(2) "Normal quantity" means in relation to the quantity

of any essential article required by any person, such quantity as would be required for use and consumption in the household or establishment or of the animals in the custody of that person during a period of one month or such longer period as ought fairly to be allowed in view of the existence of any special circumstance :

[Provided that in those areas of the City of Bombay and the Bombay Suburban District, in which rationing of any such article has commenced under the provisions of the Bombay Rationing Order, 1943, the normal quantity in relation to that article means the quantity equal to the total quantity of the category, if any, of the rationed articles obtainable in combination with that article during a period of four weeks on a ration document.]¹

3. (1) No person shall, except under the authority of a license granted by an officer authorised by the Provincial Government in this behalf, acquire any essential article if by so doing the quantity thereof in his possession or under his control shall exceed the normal quantity required by him.

(2) The restriction in sub-clause (1) shall not apply to such part of the quantity of any essential article in the possession or under the control of any person as has been acquired by him before the coming into force of this Order, provided that no person shall acquire any further quantity of any essential article if thereby the total quantity of such article in his possession or under his control exceeds the normal quantity required by him :

Provided that the foregoing restrictions shall not apply to the acquisition in the ordinary course of his business of any essential article by a person carrying on the business of a producer, dealer, manufacturer, carrier or warehouse-man.

4. No person shall sell, transfer or otherwise dispose of any essential article to another person if he knows, or ought reasonably to be presumed to know, that by reason of such sale, transfer or disposal the quantity of such article which may lawfully be acquired by that other person will be exceeded.

[4A. If any person contravenes any of the provisions of clauses 3 and 4 of this Order then without prejudice to any other punishment to which he may be liable, any Court trying the offence may order that any stocks of essential articles together with packages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to His Majesty.]²

5. The provisions of this Order shall have no application to any essential article acquired or disposed of by or on behalf of the Crown.

¹ Inserted by F. D. (Supply), Not. No. C. R. 52 dated 27-9-1943.

² Inserted Ibid.

6. The Provincial Government may exempt any person from any or all the provisions of this Order.

Schedule

1. Wheat and wheat products (including atta, maida, rawa, suji, and bran);
2. Rice (including rice in the husk) [and rice products;]¹
3. Jowar;
4. Bajra.

Bombay Rice Mills Licensing Order, 1943.

Notification, Finance Department. (Supply), No. 98-IA. dated 9th October 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is hereby pleased to make the following order:—

1. (i) This order may be called the Bombay Rice Mills Licensing Order, 1943.

(ii) It extends to the whole of the Province of Bombay.

(iii) It shall come into force at once.

2. (i) No person shall carry on the business of milling rice by power-driven machinery except under and in accordance with the conditions of a license issued in that behalf in the case of the City of Bombay and the Bombay Suburban District by the Director of Civil Supplies, Bombay, and in the case of other areas by the District Magistrate concerned.

(ii) Persons carrying on business of milling rice on the date on which this Order comes into force shall take out a license within fifteen days from the said date.

3. Applications for licenses under this Order shall be made in Form I in the Schedule to this Order in the case of the City of Bombay and the Bombay Suburban District to the Director of Civil Supplies, Bombay, and in the case of other areas to the District Magistrate concerned.

4. Licenses issued under this Order shall be in Form II in the Schedule to this Order.

5. (1) No person who is the holder of a license issued under this Order shall contravene any of the conditions of the license. If any such person contravenes any of the said conditions, then without prejudice to any other action that may be taken against him, his license may be cancelled or suspended by the Director of Civil Supplies, Bombay, or by the District Magistrate concerned, or any other officer authorised by him in this behalf.

(2) Notwithstanding anything contained in sub-clause (a), the Director of Civil Supplies, Bombay, or the District Magistrate concerned, may, in special circumstances, without giving any

previous notice or without assigning any reason, suspend or cancel a license issued under this Order.

6. Any Officer authorised by the Director of Civil Supplies, Bombay, or by the District Magistrate of the District may enter upon and inspect any premises in which he has reason to believe that the milling of rice by power-driven machinery is taking place.

Schedule

Form I.

(See clause 3.)

Form of application for licence

1. Applicant's name and address.
2. Place where the Rice Mill is situated, (Name of the Mill if any).
3. Postal address of the Mill.

I declare that I am the Proprietor/Manager of the Rice Mill covered by this application. I have carefully read the Bombay Licensing Order, 1943, and the conditions of Licence in Form II in the Schedule to the said Order and I agree to abide by them.

I declare that I have in my possession the following stock of rice which has been processed otherwise than by the process described in paragraph 4 of the form of licence (Form II) and I agree not to mill rice except by these processes in future from the date of this application.

(a)* I have not previously applied for such licence in this District.

(b)* I applied for such a licence in the City of Bombay/the Bombay Suburban District/this District on and was/was not granted a licence on

* Strike out the words which are not applicable.
Signature of Applicant.

Dated.

Form II

(See Clause 4)

(Not printed.)

Form III

(See paragraph 3 of Form II)

Return of stocks, receipts, production, deliveries and balance of paddy and rice for the fortnight ending

Name—

Licence No.—

Address—

Fortnight ending—

Particulars.

Quantities in Imperial Maunds.

Paddy. Rice of normal Broken. Bran.
single polish.

1. Stock at the beginning of the fortnight.

2. Quantity of paddy received for milling during the fortnight. (Total of items 1 and 2). Paddy only.
3. Quantity of paddy actually milled during the fortnight.
4. Quantities of rice, broken and bran produced by milling the quantity in item 3. (Total of items 1 and 4). Rice, Broken Rice and Bran.
5. Quantities delivered or otherwise removed during the fortnight.
6. Stock at the end of the fortnight.

Signature of the Licensee.

Bread

Notification, Finance Department (Supply), No. 166 (a)-I, dated 6th March 1943—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to order that no person in the City of Bombay or the Bombay Suburban District shall manufacture bread, *i.e.*, baker's bread or loaf, for sale of any variety other than 4 oz. bread, 8 oz. bread, 16 oz. bread, $\frac{4}{5}$ oz. nan or lamba pav, and 1 lb., 2 lb. or 4 lb. sandwich loaf.

Cakes, etc. (Rice)

Notification, Finance Department (Supply), No. 420 dated 5th February 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person within the limits of the City of Bombay and the Bombay Suburban District shall, with effect from the date of this Order, use rice flour or any other rice product for the preparation of cakes, pastry or any kind of sweetmeats whatever, for sale or service [in any club or public place]¹ except under and in accordance with the conditions of a licence granted by the Director of Civil Supplies, Bombay.

[Provided that nothing contained in this Order shall apply to the use of rice flour or any other rice product for the preparation of cakes pastry or any kind of sweetmeats whatever for sale or service to a resident member of a club in his room.]¹

(Note.—For Cakes etc. made out of Wheat, see Addenda.)

1. Inserted by F.D.S., Not. No. 420-I dated 15-11-43.

Catering to Fifty Persons

Notification, Finance Department (Supply), No. 390-II dated 30th January 1943—

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to order that no person or persons acting as host shall with effect from 5th February 1943 distribute or cause to be distributed on any one day at any party, entertainment or function, religious, social or otherwise in the City of Bombay or the Bombay Suburban District any eatables to fifty or more persons.

The prohibition contained in this Order shall not apply to any distribution of eatables made under the authority of a written permit granted by the Supply Commissioner, Bombay.

(Note—This Order is now superseded by the following notification.)

Notification, Finance Department (Supply), No. 390-II-A dated 28th October 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of Government Notification, Finance Department (Supply), No. 390-II, dated the 30th January 1943, the Government of Bombay is pleased to direct that no person, or body of persons acting in concert either jointly or severally, shall, on any one day at or in connection with any party, entertainment or function, religious, social or otherwise in the City of Bombay and the Bombay Suburban District either himself or themselves or through an agent serve, distribute or provide for consumption any eatables to fifty or more persons (including the person or persons so serving, distributing or providing for consumption).

The prohibition contained in this order shall not apply to any service, distribution or provision for consumption of eatables made under the authority of a written permit granted by the Supply Commissioner, Bombay.

Destruction of Foodstuffs

Notification, Finance Department (Supply), No. 383-IIA dated 30th September 1943—

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

No person shall destroy, throw away or otherwise dispose of in a like manner any stocks of the articles specified in the Schedule hereto appended held in the City of Bombay or the Bombay Suburban District, without a licence from the Director

of Civil Supplies, Bombay, the Food Controller, Bombay, or the Controller of Rationing, Bombay :

Provided that this Order shall not apply to any stocks of the said articles which are unfit for human consumption.

Schedule

Wheat, wheat flour (that is, maida or wholemeal flour), wheat atta, wheat rava or suji, wheat bran, wheat pollard, rice (including brokens and Patni), rice flour, paddy, jowar, jowar flour, bajri, bajri flour, maize, ragi (nagli), barley, barley flour, barley bran, barley products, kodra, gram, gram-dal, gram flour, gram-products, (that is, kurma, chuni and chhalla), tur whole, tur-dal, tur products (that is, tur kurma, tur chuni, tur husks), other pulses (that is, mung, masur, udid, math, lang, chawla, peas, val, kulthi and gwar) whole and splits (that is dal); and their products (that is, kurma, chuni and chhalla).

Sugar.

Flour Mills (Wheat Flour)

Notification, Finance Department (Supply), No. 344-I dated 21st January 1943—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that the flour Mills situated within the limits of the City of Bombay and the Bombay Suburban District shall not manufacture any kind of wheat-flour other than wholemeal wheat-flour.

Flour Mills (Bran)

Notification, Finance Department (Supply), No. 344-I, dated 22nd April 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of Government Order in the Finance Department, No. 344, dated the 2nd December 1942, the Government of Bombay is pleased to direct that [save as otherwise directed in any particular case, by the Director of Civil supplies, Bombay, or the Assistant Director of Civil Supplies, Bombay,]¹ every person in charge of a roller flour mill shall extract or cause to be extracted bran from wheat ground in such mill in quantities the weight of which is not less than 8 per cent. and not more than 10 per cent. of the weight of wheat so ground at any time.

1, Inserted by F. D. S. Not No 344-IA, dated 9-11-43.

Ice-Cream, etc.

Notification, Finance Department (Supply), No. 57 (g)/IV dated 13th October 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the order issued in the Government Notification in the Finance Department (Supply), No. 57(g)/IV, dated the 5th August 1943, the Government of Bombay is pleased to direct that within the limits of the City of Bombay and the Bombay Suburban District no person shall except under and in accordance with the conditions of a licence granted by the Director of Civil Supplies, Bombay—

(a) use milk, cream, skimmed milk, dried milk or milk powder for the preparation of ice-cream including kulfi malai ; or

(b) distribute in a public place or sell at any place ice-cream including kulfi malai for the preparation of which milk, cream, skimmed milk, dried milk or milk powder has been used.

Notes.

The previous order merely prohibited the use of milk or cream only for the preparation of icecream and kulfi malai.

Powers to Police Officers

Notification, Finance Department (Supply), No. 568 dated 4th August 1943—

In exercise of the powers conferred by clause (a) of sub-rule (1) of rule 126 of the Defence of India Rules, the Government of Bombay is pleased to empower all Police Officers posted for duty at the Road Nakas at Mulund and Dahisar in the Bombay Suburban District, in connection with checking of movements of foodstuffs in the City of Bombay and the Bombay Suburban District, to stop and search within their respective jurisdiction any vehicle, as defined in clause (a) of sub-rule (1) of rule 89 of the said rules.

Powers to Officers

Notification, Finance Department (Supply), No. 410-II-A dated 11th October 1943—

In exercise of the powers conferred by clause (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that the following officers may enter upon, search and inspect premises in the areas within their respective jurisdictions and search and seize the articles thereon to which Government Orders published in Government Notifications specified in the Schedule hereto appended relate namely :—

- (1) Revenue Officers of and above the grade of Aval Karkun.
- (2) Price Inspectors.

- (3) District Supply Officers.
- (4) Officers of the Excise Department of and above the rank of Sub-Inspector.
- (5) Rationing Officers and Assistant Rationing Officers.

Schedule

Government Notifications.

General Department

2. No. 30/3, dated the 11th June 1942—Banning the export of Sugar outside the Province.

15. No. 80-M, dated the 29th July 1942—The Bombay Retail Trade Control and Licensing Order, 1942.

Finance Department (Supply)

16. No. 30(a), dated the 27th October 1942—Fixing maximum retail prices of sugarcandy and lissa sugar.

17. No. 30(b), dated the 27th October 1942—Prohibiting manufacture of sugarcandy and lissa sugar.

18. No. 134, dated the 27th November 1942—Banning the disposal of sizing made out of wheat or wheat flour.

19. No. 318, dated the 27th November 1942—Prohibiting manufacture of Bura Sugar.

25. No. 422, dated the 18th February 1943 (as amended by No. 52, dated the 10th April 1943)—Banning the export of tea outside the Province.

26. No. 31, dated the 24th February 1943—Banning the export of Gur (jaggery) outside the Province.

28. No. 37-1, dated the 5th March 1943—Banning the export of waste paper, paper cuttings, rags, hemp or jute outside the Province.

29. No. 38/2, dated the 27th March 1943—Fixing maximum prices of steam coal and hard coke.

31. No. 344, dated the 22nd April 1943—Fixing percentage for extraction of bran.

32. No. 254-II, dated the 12th May 1943—The Bombay Foodgrains (Movement Control) Order, 1943.

33. No. 35 (2)-IV, dated the 28th May 1943—Fixing maximum wholesale prices of boxes or booklets of matches.

34. No. 33-IV, dated the 4th June 1943—Banning the export of cotton outside the Province.

35. No. 419-IA, dated the 7th June 1943—Banning the disposal of sizing made out of rice, or rice flour in the Province.

36. No. 45-IV, dated the 8th June 1943—Banning the export of vegetable oilcakes outside the Province.

37. No. 54-A-IV, dated the 21st August 1943—Banning the export of cocoanut oil exceeding 5 lbs. outside the Province.

40. No. 48-IV, dated the 27th September 1943—Banning

the export of groundnuts (in shell) or groundnut seeds outside the Province.

(N.B.—Government Notifications not pertaining to the City and Suburbs of Bombay have been omitted here in the above Schedule.)

Sizing (Wheat)

Notification, Finance Department (Supply), No. 134 dated 27th November 1942—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from 29th November 1942, no person shall dispose of, by sale or otherwise, sizing made out of wheat, or wheat flour intended for use as sizing, [(including back filling and finishing)]¹ within the limits of the City of Bombay and Bombay Suburban District, except under and in accordance with the conditions of a license granted by the Director of Civil Supplies, Bombay, or a person authorised by him to do so, and elsewhere, except under and in accordance with the conditions of a licence granted by the District Magistrate of the district within whose jurisdiction the sale is to take place.

Sizing (Rice)

Notification, Finance Department (Supply), No. 419-IA dated 7th June 1943—

In exercise of powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 8th June 1943, no person shall dispose of by sale or otherwise, sizing made out of rice, or rice flour intended for use as sizing within the City of Bombay and the Bombay Suburban District, except under and in accordance with a licence granted by the Director of Civil Supplies, Bombay, or by a person authorised by him to do so, and elsewhere, except under and in accordance with a licence granted by the District Magistrate of the district within whose jurisdiction the sale is to take place.

Sugar

Notification, Finance Department (Supply), No. 30(b),—dated 27th October 1942—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is hereby pleased to order that, with effect from the

1. Inserted by F.D. (Supply), Not. No. 184-I dated 30th July 1943.

date of this Order, no person shall produce sugarcandy or *lissa* sugar in the Province of Bombay, except under and in accordance with the conditions of a licence granted by the Director of Civil Supplies, Bombay.

Sugar (Bura)

Notification, Finance Department (Supply), No. 318, dated 27th November 1942—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is hereby pleased to order that, with effect from 1st December 1942, no person shall produce *Bura* sugar in the Province of Bombay, except under and in accordance with the conditions of a licence granted by the Director of Civil Supplies, Bombay.

(NOTE—F. D. (Supply), Not. No. 318 dated 26-2-1943 exempts “producers” of sugar as defined in sub-clause (d) of clause 2 of the Sugar Control Order, 1942, from the operation of the above two orders in so far as they relate to the production of sugarcandy and *bura* sugar in the Province of Bombay).

Tapioca Starch

Notification, Finance Department (Supply), No. 404 dated 26th May 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person within the limits of the City of Bombay and the Bombay Suburban District shall use tapioca starch containing any quantity of dried tapioca roots in the preparation of foodstuffs of any kind whatever, including sweetmeats, intended for sale or distribution except under and in accordance with the conditions of a licence granted by the Director of Civil Supplies, Bombay.

Vegetable Oil Cake

Notification, Finance Department (Supply), No. 45 dated 22nd May 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that with effect from the date of this Order no person in the Province of Bombay shall use any kind of vegetable oil cake for purposes of fuel except under and in accordance with the conditions of a licence granted in the City of Bombay and the Bombay Suburban District by the Director of Civil Supplies, Bombay, or the Controller of Prices, Bombay, and elsewhere by the District Magistrate concerned.

CHAPTER VIII.

FORWARD CONTRACTS & OPTIONS BULLION (FORWARD CONTRACTS AND OPTION) PROHIBITION.

Notification, Government of India, Defence Department, No 5-DC(80)/43, dated the 29th May 1943.

After rule 90B (of the D. I. Rules), the following rule shall be inserted, namely :—

90C. *Control of dealings in Bullions.*

(1) In this rule—

(a) "bullion" means gold or silver bullion;

(b) "contract" means a contract made, or to be performed in whole or in part, in British India relating to the sale or purchase of bullion, and includes an option in bullion;

(c) "forward contract" means a contract for the delivery of bullion at a future date, such date being later than [two clear working]¹ days from the date of the contract;

(d) "option in bullion" means a contract made, or to be performed in whole or in part, in British India for the purchase or sale of a right to buy, or a right to sell, or a right to buy or sell, bullion in future, and includes a *teji*, a *mandi* or a *teji-mandi* in bullion.

(2) No person shall enter into any forward contract or option in bullion.

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

COTTON CLOTH AND YARN (FORWARD CONTRACTS PROHIBITION) ORDER, 1943.

Notification, Government of India, Department of Industries and Civil Supplies, No. 34/Tex.(14)/43 dated 25th June 1943—

Whereas it appears to the Central Government to be expedient for securing efficient prosecution of the War and for maintaining supplies essential to the life of community to prohibit certain transactions in cloth and yarn :—

¹ Substituted by G. of I., D. D., Not. No. 5-D.C. (40) 143 dated 24-9-43.

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order namely—

1. (1) This Order may be called the Cotton Cloth and Yarn (Forward Contracts Prohibition) Order, 1943.
- (2) It extends to the whole of British India.
- (3) It shall come into force at once.
2. In this Order,—
 - (i) "Contracts" means a contract made or to be performed in whole or in part in British India relating to the sale or purchase of cotton cloth or yarn ;
 - (ii) "Forward Contracts" means a contract for the delivery of cotton cloth or yarn at some future date.
3. Save as hereinafter provided, no person shall, after the 24th of June 1943, enter into any forward contract in respect of cotton cloth or yarn.
4. Every forward contract entered into in contravention of clause 3 shall be void within the meaning of the Indian Contract Act, 1872 (IX of 1872).
5. The provisions of this Order shall not apply to forward contracts for cotton cloth or yarn of specified qualities and for specified delivery at specified prices, against which delivery orders, railway receipts or bills of lading and other documents of title are not transferable to third parties.
6. Nothing in this Order shall affect the validity of any forward contract in cotton cloth or yarn entered into before the commencement of this Order or any right, title, obligation or liability required or incurred under any such forward contract.

COTTON (FORWARD CONTRACTS AND OPTIONS PROHIBITION) ORDER, 1943.

Notification, Government of India, Department of Commerce, No. P. & S. C. 56/43 dated 1st May 1943—

Whereas it appears to the Central Government to be expedient, for securing efficient prosecution of the War and for maintaining supplies essential to the life of community, to prohibit certain transactions in cotton :

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely :—

1. (1) This Order may be called the Cotton (Forward Contracts and Options Prohibition) Order, 1943.
- (2) It extends to the whole of British India.
- (3) It shall come into force at once.

2. In this Order—

- (i) "contract" means a contract made, or to be performed in whole or in part, in British India relating to the sale or purchase of cotton, and includes an option in cotton [but does not include such contracts as the Central Government may, by notification in the official Gazette, declare to be excluded from the provisions of this Order];¹
 - (ii) "forward contract" means a contract for the delivery of cotton at some future date;
 - [(iii) "new crop" means any cotton crop sown after the 28th February 1943];²
 - (iv) "option in cotton" means a contract made, or to be performed in whole or in part, in British India for the purchase or sale of a right to buy, or a right to sell, or a right to buy or sell, cotton in future, and includes a *teji*, a *mandi* or a *teji-mandi* in cotton.
3. No person shall enter into—
- (a) any forward contract in respect of New Crops; or
 - (b) any option in cotton.
4. All contracts entered into after the commencement of this Order in contravention of clause 3 shall be void.
5. Nothing in this Order shall affect the validity of any forward contract or option in cotton entered into before the commencement of this Order, or any right, title, obligation or liability acquired or incurred under any such forward contract or option.

Order.

Notification, Government of India, Department of Industries and Civil Supplies, No. 262-*Tex-A* (3) 43, dated 27th Oct. 43.

In pursuance of sub-clause (1) of clause 2 of the Cotton (Forward Contracts & Options Prohibition) Order, 1943, the Central Government is pleased to declare the following contracts to be excluded from the provisions of the said order namely:—

"Forward Contracts entered into by members of the East India Cotton Association Ltd., who are entitled to the use of the clearing house subject to the rules and bye-laws of that Association in terms of the Indian Cotton Contracts (basis Khandesh, Jarilla $\frac{1}{2}$): provided that the price payable is not more than Rs. 550 and not less than Rs. 400 per candy Bombay delivery; provided further that every such member shall on each clearing day commencing from the 12th November 1943 deposit with the said Association which Association shall in turn deposit with Imperial

¹ Inserted by the Govt. of India, Dept. of Commerce, Not. No. P. & S. C. 56/43 dated 15-5-43.

² Inserted, *Ibid.*

Bank of India a sum (not carrying interest) which shall be not less than Rs. 25/- per bale on the net open futures position of each such member, regardless of the price of such contract.

COTTON (FORWARD CONTRACTS IN CURRENT CROPS PROHIBITION) ORDER, 1943.

Notification, Government of India, Department of Commerce, No. P. & S. C. 56/43 dated 19th May 1943—

Whereas it appears to the Central Government to be expedient, for securing efficient prosecution of the War and for maintaining supplies essential to the life of community, to prohibit certain transactions in cotton :

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely—

1. (1) This Order may be called the Cotton (Forward Contracts in Current Crops Prohibition) Order, 1943.
- (2) It extends to the whole of British India.
- (3) It shall come into force at once.
2. In this Order—
 - (i) "contract" means a contract made, or to be performed in whole or in part, in British India relating to the sale or purchase of cotton ;
 - (ii) "current crops" means any cotton sown before the 1st March 1943 ;
 - (iii) "forward contract" means a contract for the delivery of cotton at some future date.
3. No person shall, after the 20th May 1943, enter into any forward contract in respect of current crops.
4. Notwithstanding any custom, usage or practice of the trade, or the terms of any contract or any regulation of an association relating to such contract,—
 - (1) every contract outstanding at the close of business on the 20th May 1943 shall be deemed to be closed out at such rate as the Central Government may by notification in the official Gazette fix in respect of any cotton or class of cotton ;
 - (2) all differences arising out of any contract so deemed to be closed out shall be payable on the basis of the rate fixed as aforesaid and the seller shall not be bound to give, and the buyer shall not be bound to take, delivery;
 - [(3) Payment of all differences legally due to a member of an Association by another member of such Association in respect of any contract closed out under this clause shall be made through the Clearing House of the Association and for the purposes of calculating such dif-

ferences the rate fixed by the Central Government under sub-clause (1) shall be deemed to be the settlement rate fixed by the Association under its by-laws or other regulations which shall, for the relevant purpose, continue to have effect subject to the provisions of this Order.]¹

- [5. The Central Government may, by notification in the official Gazette, exclude any contract or class of contracts from the provisions of this Order].²

Notes.

[Following class of contracts are excluded from the provisions of the above Order under clause 5.]³

Forward contracts for Kapas or cotton (full-pressed, half-pressed or loose) of specific qualities or types and for specific delivery at a specified price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties.

[Following contracts are excluded from the provisions of the Order under clause 2 (i).]⁴

Forward contracts for Kapas or cotton (full-pressed, half-pressed or loose) of specific qualities or types and for specific delivery at a specified price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties.

FOODGRAINS (FUTURES AND OPTIONS PROHIBITION) ORDER, 1942.

Notification, Government of India, Department of Commerce, No. Econ. Ad.(P.C.) 7/41(A), dated 28th May 1942—

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

1. (1) This Order may be called the Foodgrains (Futures and Options Prohibition) Order, 1942.
- (2) It extends to the whole of British India.
- (3) It shall come into force on the 28th day of May, 1942.
2. In this Order, unless there is something repugnant in the subject or context,
 - (a) "foodgrain" means any of the foodgrains specified in the Schedule to this Order;
 - (b) "futures in foodgrain" means any agreement relating to the purchase or sale of foodgrain made on a forward basis and providing for delivery at some future date and payment of margin on such date or dates as may be expressly or impliedly agreed upon by the parties;

¹ Inserted by the Govt. of India, Dept. of Commerce Not. No. P. & S.C. 56 (1)/43, dated 21st May, 43.

² Inserted by Ibid, dated 20th May, 1943.

³ Govt. of India Not. No. P. & S. C. 56 (2)/43 dated 20th May, 1943.

⁴ Govt. of India, Not. No. P. & S. C. 56 (3)/43 dated 20th May, 1943.

- (c) "margin" means the difference between the price specified in an agreement relating to the purchase or sale of foodgrain and the prevailing market price for the same quality and quantity of foodgrain on a particular day ;
- (d) "option in foodgrain" means an agreement for the purchase or sale of a right to buy, or a right to sell, or a right to buy and sell, any foodgrain in future, and includes a *teji*, a *mandi*, and a *teji-mandi* in any foodgrain.
3. After the commencement of this Order no person shall—
- (a) save with the permission of the Central Government or of an officer authorised by the Central Government in this behalf, enter into any "futures in foodgrain" or pay or receive, or agree to pay or receive, any margin in connection with any such futures ;
- (b) enter into any options in foodgrain.
4. Every futures in foodgrain entered into before the commencement of this Order and outstanding for settlement shall be settled at the prevailing market rate applicable to the agreement at the close of transactions on the 27th May 1942.
5. All options in foodgrain entered into before the commencement of this Order and remaining to be performed whether wholly or in part shall be void within the meaning of the Indian Contracts Act, 1872 and shall not be enforceable by law.
6. No person being the owner or occupier of any premises shall knowingly permit such premises to be used—
- (a) for the making of any futures or options in foodgrain, or the payment or receipt of any margins, prohibited by clause 3, or
- (b) for the settlement of any futures in foodgrain in contravention of the provisions of clause 4, or
- (c) for the performance of any options in foodgrain declared void by clause 5.
7. The Central Government may by notification in the official Gazette appoint such persons as it thinks fit to be Inspectors for the purposes of this Order within such local limits as it may assign to them respectively.
8. An Inspector appointed under clause 7 may, within the local limits for which he is appointed,
- (a) enter and inspect any premises used or believed to be used for the making or performance of futures or options in foodgrain, or the payment or receipt of margins, with assistants, if any, as he thinks fit ;

- (b) require the owner, occupier or other person in charge of the premises to produce any books, accounts or other documents relating to the said transactions;
- (c) take or cause to be taken extracts from or copies of any documents relating to the said transactions which are produced before him or otherwise found in the premises.

Schedule.

1. Wheat.
2. Gram.

Notes.

The Wheat Commissioner for India is appointed for the purposes of clause 3, as respects (i) futures in wheat, and (ii) futures in gram.

OILSEEDS (FORWARD CONTRACTS PROHIBITION) ORDER, 1943.

Notification, Government of India, Department of Commerce, No. P. & S. C. 75/43, dated 29th May 1943—

Whereas it appears to the Central Government to be expedient, for securing the efficient prosecution of the war and for maintaining supplies essential to the life of the community, to prohibit certain transactions in oilseeds:

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Oilseeds (Forward Contracts Prohibition) Order, 1943.
- (2) It extends to the whole of British India,
- (3) It shall come into force at once.
2. In this Order—
 - (i) "contract" means a contract made, or to be performed in whole or in part, in British India relating to the sale or purchase of oilseeds;
 - (ii) "Forward contract" means a contract for the delivery of oilseeds at some future date;
 - [(iii) "Oilseeds" means any of the oilseeds for the time being specified in the first column of the Schedule to this Order;
 - (iv) "specified date" in relation to any oilseeds means the date specified against those oilseeds in the second column of the Schedule to this Order.
3. No person shall, after the specified date for any class of oilseeds, enter into any forward contract in any of those oilseeds.]¹

1. Substituted by G. of I., C.D. Not. No. P. & S.C. 75 (A)/43 dated 4-9-43.

4. Notwithstanding any custom, usage or practice of the trade, or the terms of any contract or any regulation of an Association relating to any contract,—

[(1) every forward contract in any class of oilseeds outstanding at the close of business on the specified date shall be deemed to be closed out at such rate as the Central Government may by notification in the Official Gazette fix in this behalf, and different rates may be fixed for different classes of contracts ;]¹

(2) all differences arising out of any contract so deemed to be closed out shall be payable on the basis of the rate fixed as aforesaid and the seller shall not be bound to give, and the buyer shall not be bound to take, delivery;

(3) payment of all differences legally due from a member of an Association to another member of such Association in respect of any forward contract closed out under this clause shall be made to the Clearing House of the Association and for the purposes of calculating such differences the rate fixed by the Central Government under sub-clause (1) shall be deemed to be settlement rate fixed by the Association under its bye-laws or other regulations which shall, for the relevant purpose, continue to have effect subject to the provisions of this Order.

- [5. The Central Government may, by notification in the Official Gazette, exclude any contract or class of contracts from the provisions of this Order.]²

Schedule.

(See clause 2).

| Oilseeds. | Specified date. |
|---------------------------------------|-----------------------|
| 1. Groundnut. | } 31st May 1943. |
| 2. Linseed. | |
| 3. Mustard Seed. | |
| 4. Rapeseed (<i>Toria</i>). | |
| 5. Castor Seed. | } 6th September 1943. |
| 6. Cotton Seed. | |
| 7. Sesamum (<i>Til or Jinjili</i>). | |

Notes.

The following class of contracts are excluded from the provisions of the above Order by G. of I., C. D., No. P. & S. C. 75 (2)/43 dated 31-5-1943.

Forward contracts for groundnut, linseed, mustard seed, rapeseed or toria seed of specific qualities or types and for specific delivery at a specified price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties.

1. Substituted by G. of I., C. D., Not. No. P. & S. C. 75(A)/43 dated 4-9-43.

2. Inserted by G. of I., C. D., No. P. & S. C. 75 (1)/43, dated 31-5-43.

By the notification No. P. & Sc. 75 (3)/45, dated 2nd June 1943, the Government of India was pleased to fix the price of groundnut, linseed, mustard seed, rapeseed or toriaseed in respect of which forward contracts were outstanding at the close of the business on 31st May 1943 (excepting those forwards contracts which are exempted under clause 5) at the market rate applicable to the contract at the close of business on 31st May 1943.

Notification No. P. & S. C. 75 (A)/ 1/43 dated 4th Sept. 1943 the following contracts were excluded from the provisions of the above Order:—

Forward contracts for castor seed, cotton seed or sesamum (til or jinjli) of specified qualities or types and for specific delivery at a specified price, delivery orders, railway receipts or bills of lading against which contracts are not transferable to third parties.

By another notification No. P. & Sc. 75(A) 2/43, dated 11th September 1943, the Central Government directed that every forward contract in castor seed or sesamum (til or Jinjli) outstanding at the close of business on 6th September 1943 (except those exempted under clause 5) be deemed to be closed out at the market rate applicable to such contract at the close of business on 6th September 1943.

SECURITIES (BUDLA TRANSACTIONS) PROHIBITION

Notification, Government of India, No. 5—D.C. (47) 43:—

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

In the said Rules, after rule 94B, the following rule shall be inserted, namely:—

94C. *Prohibition of budla*—(1) In this Rule—

- (a) "budla" includes a contango and a backwardation and any other arrangement whereby the performance of any obligation under a contract to take or give delivery of securities within a stipulated period is postponed to some future date in consideration of the payment or receipt of interest or other charges;
- (b) "contract" means a contract made, or to be performed in whole or in part, in British India relating to the sale or purchase of securities;
- (c) "ready-delivery contract" means a contract which must be performed by the actual delivery of, or payment for, the securities specified therein on a date not later than the seventh day (or, if the seventh day happens to be a holiday, the business day next following) from the date of the contract;
- (d) "securities" include stock, shares, bonds, debentures and debenture stock and any other instrument of a like nature;

- (e) "Stock Exchange" means any association, organisation or body of individuals, whether incorporated or not, established for the purpose of assisting, regulating and controlling business in buying, selling and dealing in securities;
- (2) No Stock Exchange shall, after the 24th September 1943, permit, or afford facilities for,—
- (a) the transaction of budla;
 - (b) the making of any contract other than a ready delivery contract; or
 - (c) the carrying out or settlement of any budla transaction or any contract other than a ready-delivery contract.
- (3) Any Director, Manager, Secretary or other officer of a Stock Exchange who contravenes any of the provisions of this Rule shall be punishable with imprisonment for a term which may extend to five years or with fine or with both.
- [(4) The Central Government may, by order, authorise, subject to such conditions, if any, as it may impose, any Director, Manager, Secretary or other Officer of a Stock Exchange to extend in any particular case, for reasons to be recorded in writing, the time for the performance of a 'ready delivery contract' specified in clause (c) of sub-rule (1),]¹

¹ Inserted by G. of L., D.D., No. 6-DC (47)/43 dated 9-10-43.

CHAPTER IX.

FUEL

KEROSENE LICENSING ORDER, 1942.

Notification, General Department, No. 86/2 dated 31st July 1942..

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

1. (1) This Order may be called the Kerosene Licensing Order, 1942.

(2) It extends to the City of Bombay and the Bombay Suburban District and shall come into force on the 3rd August 1942.

2. On and after the 3rd August 1942 no person shall engage in any undertaking which involves the sale, or storage for sale of kerosene except under and in accordance with a license issued in that behalf by the Controller of Kerosene (Industrial Use) or such other Officer as may be authorised by the Provincial Government.

3. Applications for licenses under this Order shall be made in Form I in the Schedule to this Order to the Controller of Kerosene (Industrial Use).

4. Licenses issued under this Order to hawkers for sale of kerosene shall be in Form II and to dealers other than hawkers for sale or for storage for sale in Form III in the said Schedule to this Order.

5. The Officer authorised to issue licenses under clause 2 may without assigning any reason refuse to issue a license to any person.

6. No person being a holder of a license issued under this Order shall contravene any of the conditions mentioned in the license and if such person contravenes any of the said conditions, then without prejudice to any other action that may be taken against him, his license may be cancelled or suspended by the Controller of Kerosene (Industrial Use).

7. Any officer authorised by the Controller of Kerosene (Industrial Use), or the Controller of Prices, Bombay, or the Director of Civil Supplies, Bombay, in this behalf, may enter upon and inspect any premises in which he has reason to believe that the sale or storage for sale of kerosene is taking place contrary to the provision of this Order.

8. The Provincial Government may exempt any person

or class of persons from the operation of all or any of the provisions of this Order, and may at any time suspend or cancel such exemption..

EXPORT OF KEROSENE OIL FROM BOMBAY.

Notification, General Department, No. 36/2 dated 10th July 1942.

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 10th July 1942, no person or body other than the Burmah-Shell Oil Storage and Distributing Company of India Limited, the Indo-Burma Petroleum Company Limited, Caltex (India) Limited, and the Standard-Vacuum Oil Company, shall remove any kerosene oil by road, rail or sea from any place within the limits of the City of Bombay and the Bombay Suburban District to any place in India outside the limits of the said City and District except under a license granted by the Director of Civil Supplies, Bombay, or by the Assistant Director of Civil Supplies, Bombay.

DECLARATION OF THE STOCK OF KEROSENE OIL.

(Please see Notification, Finance Department (Supply), No. 388-II-A, dated 12th August 1943 printed at page 71).

SALE OF KEROSENE OIL.

Notification, General Department, No. 36/2 dated 14th July 1942—

In exercise of the powers conferred by clauses (a) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to order—

(1) that no trader in kerosene oil, wholesale or retail, including shopkeepers, itinerant dealers and hawkers, shall sell to any person in the City of Bombay and the Bombay Suburban District, at any one time any quantity of kerosene oil exceeding one quart (one-fourth gallon) except under a permit granted by the Controller of Kerosene (Industrial Use), Department of Industries, Old Custom House, Bombay;

(2) that applications for permits shall be made in the attached form.

Forms. (Not printed).

EXPORT OF COAL, ETC., FROM BOMBAY.

I. Notification, Finance Department (Supply), No. 32 dated 13th February 1943—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that with effect from the 13th February 1943, no person shall remove charcoal and woodfuel by road, rail or sea from any place within the limits of the Pro-

vince of Bombay to any place in India outside the limits of the said Province except under a license granted by the Director of Civil Supplies, Bombay, or the Controller of Prices and Assistant Director of Civil Supplies, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay, so far as Bombay City and the Bombay Suburban District are concerned and by the District Magistrate concerned in other districts of the Province.

II. Notification, Finance Department (Supply), No. 32-IV dated 16th April 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in partial supersession of Government Order in the Finance Department (Supply), No. 82, dated the 13th February 1943, that is to say, in so far as it relates to the removal of charcoal by sea from any place within the limits of the areas specified in the Schedule appended hereto, the Government of Bombay is pleased to direct that no person shall remove charcoal by sea from any place within the limits of the areas specified in the said Schedule to any other place in India outside the limits of the said areas except under and in accordance with a license granted in the case of the City of Bombay and the Bombay Suburban District by the Director or Civil Supplies, Bombay, or the Controller of Prices, Bombay, or the Licensing Officer in the office of the Supply Commissioner, Bombay, and in the case of other areas by the District Magistrate concerned ;

Provided that no such license shall be necessary for the removal of charcoal from any place within the limits of the Kolaba District to any place within the limits of the City of Bombay.

Schedule.

- | | |
|------------------------------|------------------------|
| 1. City of Bombay. | 5. Broach District. |
| 2. Bombay Suburban District. | 6. Kolaba District. |
| 3. Thana District. | 7. Ratnagiri District. |
| 4. Surat District. | 8. Kanada District. |

III. Notification, Finance Department (Supply), No. 38 dated 18h February 1943—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 19th February 1943, no person shall remove coal by road or sea from any place within the limits of the City of Bombay and the Bombay Suburban District to any place in India outside the limits of the said City and District except under a license granted by the Provincial Coal Controller, Old Customs House, Fort, Bombay.

CHAPTER X.
MACHINERY

AIR-CONDITIONING UNITS.

Notification, Government of India, Department of Supply, No. 105, dated 27th January 1943—

As it appears necessary for the efficient prosecution of the war and for maintaining supplies and services essential to the life of the community, to prohibit the sale of certain air-conditioning units, the Central Government hereby order, under rule 81(2) of the Defence of India Rules, that no air-conditioning units of the specifications detailed in the Schedule given below, shall be sold or otherwise disposed of or offered for sale, except with the written permission of the Director of Electrical Engineering, 8 Esplanade East, Calcutta.

Schedule.

Specification.

| Household self-contained cabinet air conditioning units— | | |
|--|--------------------------------------|--------------------------|
| SIZES | $\frac{3}{4}$ ton or 9,000 B.Th.U. | $\frac{3}{4}$ H.P. motor |
| | 1 ton or 12,000 B.Th.U. | 1 H.P. |
| | $1\frac{1}{2}$ ton or 14,500 B.Th.U. | $1\frac{1}{2}$ H.P. |
| | 3 ton or 35,000 B.Th.U. | 3 H.P. |
| | 5 ton or 55,000 B.Th.U. | 5 H.P. |

Type of motor.

A.C.

(Single phase 230 volts for smaller sizes.
(Three phase 400/230 volts for sizes 3 to
(5 ton.

or

220v.

D.C.

Water cooling.

With or without cooling water connections.

THE TYPEWRITER CONTROL ORDER, 1943.

Notification, Government of India, Department of Labour, No. A755, dated 29th December 1942.

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

1. (1) This Order may be called the Typewriter Control Order, 1943.
- (2) It applies to typewriters of the makes specified in Schedule I.
- (3) It extends to the whole of British India.
- (4) It shall come into force on the Second day of January 1943.
2. In this Order, unless there is anything repugnant in the subject or context—
 - (a) "Controller" means the Controller of Printing and Stationery India and includes any officer authorised by him to exercise all or any of the powers conferred on the Controller by this Order;
 - (b) "dealer" means a company specified in Schedule II and includes every branch and agent of such companies;
 - (c) "forms" means a Form set forth in Schedule III;
 - (d) "schedule" means a Schedule to this Order;
 - (e) "typewriter" means a typewriter machine to which this Order applies and includes parts from which such machines can be assembled.
3. (1) No dealer shall, except in pursuance of a direction given under Clause 5, sell or otherwise dispose of a typewriter to any person or authority except on presentation of a permit in Form A granted by the Controller.
- (2) Such permit shall be issued in duplicate and shall be valid for a period for 90 days from the date of issue.
- (3) On completion of purchase the purchaser and dealer shall comply with the Instruction set out in the said Form.
- (4) Nothing in this clause shall apply to sales to or under order placed by the Central Stationery Office, Calcutta.
4. Applications for permits under clause 3 shall be made in Form B to an officer authorised by the Provincial Government in this behalf.
5. Any dealer whom the Controller directs in writing to sell or otherwise dispose of a typewriter to a particular person or authority shall comply with such direction.
6. The Controller may enter upon and inspect any premises in which typewriters are or are reasonably believed to be assembled kept for sale or sold.
7. Any dealer shall if so required by the Controller submit a return in the form required by the Controller giving details of the stocks, receipts, and deliveries of typewriters.

Schedule I.

(See clause 1 (2)).

Makes of typewriters to which this Order applies.

1. Remington. 2. Underwood. 3. Royal.

Schedule II.

(See clause 2 (b)).

Dealers.

1. Messrs. Remington Rand Inc., 3, Council House Street, Calcutta.
2. Messrs. Blackwood, Bryson and Co., 2, Mangoe Lane, Calcutta.
3. Messrs. Letham Abercrombie and Co., Ltd., Bombay.
4. Messrs. Roneo Ltd., 9, Mission Row, Calcutta.
5. Messrs. Addison and Co., Ltd., Mount Road, Madras.

Schedule III

Forms.

(See clause 2 (c)).

Form A.

(Not printed)

Form B.

(See clause 4.)

Application to purchase a typewriter.

- (i) Name.
- (ii) Address.
- (iii) Profession.
- (iv) Purpose for which the typewriter is required.
- (v) Whether the typewriter is required for replacement of an existing machine unfit for further use. If so, No., make, model and age of the machine to be replaced and how it will be disposed of.
- (vi) Make and size of typewriter desired to be purchased and whether standard or portable.
- (vii) No. and description of typewriters already owned by the applicant.

Date.

Signature of the applicant.

MACHINE TOOL CONTROL ORDER, 1941.

Notification, Government of India, Department of Supply, No. 38 dated 15th February 1941.

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

1. *Short title, extent and commencement.*—

- (1) This Order may be called the Machine Tool Control Order, 1941.
- (2) It extends to the whole of British India.
- (3) It shall come into force on the 1st day of March, 1941.

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

- (a) "Machine Tool" includes any mechanical contrivance for cutting, forming, abrading, polishing, or otherwise working or treating wood or metal [or plastic materials such as bakelite]* any standard equipment usually sold therewith, and any machinery ancillary to the operation thereof;
- (b) "Machine Tool Controller" means any officer appointed by the Central Government to exercise all or any of the powers of the Machine Tool Controller under this Order.
- (c) "Scheduled Machine Tool" means a machine tool entered in the Schedule to this Order.

3. *Licensing of import, production and sale of Scheduled Machine Tools.*—

(1) No person shall be engaged in—

- (a) the import into British India from any place outside India;
- (b) the production; or
- (c) the sale;

of any scheduled machine tool [or any component part thereof]¹ except under and in accordance with a licence granted by the Machine Tool Controller in [Form A, Form B or Form C]² appended to the Order.

(2) A licence granted by the Machine Tool Controller may specify:—

- (a) the description and numbers of scheduled machine tools which may be imported, produced, or as the case may be kept for sale, or sold by the licensee;
- (b) the place or places at which any premises of the licensee shall be located;
- (c) the persons or classes of persons to whom, and the purposes for which, scheduled machine tools may be sold;
- (d) the period for which the licence shall be valid;

and may require the licensee to comply with any directions given by the Machine Tool Controller as to the types, numbers, and design, of the scheduled machine tools to be imported, produced or kept for sale from time to time.

(3) The Machine Tool Controller may, for reason to be recorded in writing, cancel any licence granted under this clause.

(4) [No licence for import, production or sale of any machine tool shall be granted except under the conditions that the machine intended to be sold, imported or produced in India shall be marked conspicuously and indelibly in English with

* Inserted by G. of I., S. D., Not. No. 895, dated 8-8-43.

¹ Inserted by G. of I., S. D., Not. No. 101, dated 22-3-41.

² Substituted by G. of I., S. D., No. 331, dated 23-4-42.

the name of the firm manufacturing or selling the machine tool and with the serial or stock reference number of the machine tools produced or sold by that firm.]¹.

4. *Acquisition of Scheduled Machine Tools.*—No person shall acquire any scheduled machine tool from any person in India except under an authorisation by the Machine Tool Controller in [Form "D"]² appended to this Order.

5. *Inspection of Premises.*—The Machine Tool Controller, or any officer authorised by him in writing in this behalf, may enter upon and inspect any premises in which machine tools are or are reasonably believed to be produced, kept for sale, sold, or used.

6. *Supply of Accounts and other Information.*—Every person engaged in the import, production, sale, or use of machine tools, shall:—

- (a) keep such books, accounts, or other records relating to his undertaking as the Machine Tool Controller may direct;
- (b) produce to the Machine Tool Controller, or to any officer authorised by him in writing in this behalf, such books, accounts, or other records relating to his undertaking as may be demanded by the Machine Tool Controller or other officer as aforesaid;
- (c) furnish to the Machine Tool Controller such estimates, returns, and other information as the Machine Tool Controller may require;
- (d) permit the Machine Tool Controller, or any officer authorised by him in writing in this behalf, to enter upon and inspect any premises used for, or in connection with, his undertaking.

THE SCHEDULE.

All machine tools of the following types including any standard equipment or ancillary machinery usually supplied therewith:—

Section One—

Milling.
 Diesinking.
 Engraving.
 Keyseating.
 Breaching.
 Oil Greeving.
 Splining.
 Profile Slotting.
 Marking.

1 Inserted by Govt. of India, Dept. of Supply, Not. No. 57 dated 27-11-42.

2 "D" substituted for the original Form B, by Ibid.

Section Two—

Metal Cutting.
 Cold Saws.
 [Hack Saw Machines].¹
 Filing and Sawing.
 [Band Saw Machines].²
 Cutting Off.
 [Tool and Abrasive].³

Section Three—

Testing Machines for Mechanical Workshop and Engineering Laboratory use.

Section Four—

Grinding (excluding small electrical bench and portable grinders up to 10" wheels and Pneumatic Grinders).
 Honing.
 Polishing.
 Lapping.

Section Five—

Drilling (other than portable electric [or portable pneumatic]).

Section Six—

Capstan and Turret Lathes.

Section Seven—

Lathes—general.

Section Eight—

Furnaces, electrically, coal, coke, gas or, oil fired.

Section Nine—

Forging.
 Power Hammers.
 Drop Stamps.
 Riveting (other than portable [hand]⁴ riveters).

Section Ten—

Wire drawing, forming [and stitching].⁵
 Rolling Mills (other than jewellers).
 Bar Reeling.
 Bar Turning.

Section Eleven—

Thread forming, cutting, rolling or milling.

Section Twelve—

Moulding Machines and other machines for foundry use.

1 Substituted for the original "Hack Saws" by Govt. of India, Dept. of Supply No. 101, dated 23-3-42.

2 Substituted for the original "Band Saws" Ibid.

3 Substituted for the original "Cutting Off, Tool Abrasive" Ibid.

4 Inserted Ibid.

5 Inserted Ibid.

6 Inserted by Govt. of India, Dept. of Supply No. 418, dated 21-4-43.

Die Casting Machines.
Magnetic Separators.

Section Thirteen—

[Hydraulic Presses and other machinery for the production of plastic blocks and plastic mouldings (such as bakelite and other cellulose products).]*

Section Fourteen—

Sheet Metal Working Machinery other than hand power types including Shears, Punches, Presses Benders, Brakes, Guillotines, Plate Straighteners and Rollers.

Section Fifteen—

Automatic Bar and Chucking Machines, Single and multiple spindle.

Section Sixteen—

Gear Cutting.

Section Seventeen—

Shaping.

Slotting.

Planing.

Section Eighteen—

Vertical Boring and Turning Mills

Horizontal Boring.

Jig Boring.

Section Nineteen—

Special and Standard machines particularly used in Railway Workshops, but not otherwise specified.

Section Twenty—

Oxygen Cutting.

Oxy-acetylene Generating.

Plant for welding and cutting.

Electric Welding.

Section Twenty-one—

Wood working machinery other than hand worked or small "Homecraft" types.

Section Twenty-two—

Lathe chucks.

Magnetic chucks (Electric and Non-Electric).

Drill chucks.

Rotary Tables.

Dividing Heads.

Tool Post Grinders.

Milling & Indexing attachments.

[Machine Vices.]¹

*Substituted by Govt. of India, S. D. Not. No. 595 dated 2-8-43.

1 Inserted by Govt. of India, Dept. of Supply, No. 507 dated 11-6-42.

[Section Twenty-three—

Synthetic Graphite and Amorphous Carbon Electrodes as used in Electric Furnaces for production of Iron, Steel, Ferro-Alloys and non-ferrous metals.

Synthetic Graphite and Amorphous Carbon Electrodes for use in electrolytic processes.

Carbon Furnace Liner Blocks for use in Electric Furnaces for the production of Ferro-alloys.]¹

FORM A.

FORM B.

(Not printed).

¹ Inserted by Government of India, Dept. of Supply, No. 418 dated 21-4-43.

CHAPTER XI.

METAL

ALUMINIUM CONTROL ORDER, 1943.

Notification, Government of India, Department of Supply, No. 1169, dated 21st October 1943.

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

1. *Short title* :—This Order may be called the Aluminium Control Order, 1943.

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

“aluminium” means :—

(i) any unwrought aluminium or any unwrought aluminium alloy (whether virgin, secondary, or remelted) in ingots, notch bars, rolling slab, wire bar, billets, or in any other form,

(ii) any wrought aluminium or wrought aluminium alloy (whether virgin, secondary or remelted) in semi-manufactured form including sheets, circles, strips, tubing rod, wire, sections and foil,

(iii) any aluminium or aluminium alloy rolled from scrap, and

(iv) aluminium scrap or aluminium alloy scrap ;

“aluminium alloy” means any alloy (whether virgin, secondary or re-melted) containing not less than forty per centum by weight of aluminium ;

“Controller” means the Director General of Munitions Production, and includes any officer authorised by him to perform all or any of the functions of the Controller under this Order

“Form” means a Form appended to this Order ;

“manufacturer” means any person carrying on an undertaking which involves the use of aluminium for the purpose of any manufacturing process.

3. (1) No manufacturer shall acquire or use any aluminium except under and in accordance with the terms and conditions of a certificate in Form B granted by the Controller to the manufacturer, on an application made by him to the Controller in Form A.

(2) The certificate may require the holder to comply with any directions given by the Controller in writing in this behalf

as to the manufacture of the products and the use to which the aluminium may be put.

(3) The Central Government may at any time cancel any certificate granted under this clause.

4. (1) No person shall sell, or otherwise transfer, any aluminium other than aluminium scrap or aluminium alloy scrap except:—

(a) to a manufacturer holding a valid certificate in Form B and in accordance with the terms thereof; or

(b) under and in accordance with the terms of a permit in Form D granted by the Controller on an application made to him in Form C.

(2) No manufacturer shall sell or otherwise transfer any aluminium scrap or aluminium alloy scrap except under and in accordance with the terms of a permit in Form D granted by the Controller on an application made to him in Form C.

5. The Controller or any other officer authorised by the Central Government in this behalf may enter upon and inspect any premises in which he has reason to believe

(a) that any aluminium is stocked or sold, or

(b) that any undertaking which involves the use of aluminium for the purpose of any manufacturing process is carried on.

6. Every person carrying on an undertaking which involves the treatment, keeping, storage, movement, transport, distribution, disposal, acquisition, use or consumption of aluminium shall

(a) submit monthly to the Controller so as to reach the Controller on or before the tenth day of each calendar month a true return in Form E of all quantities of aluminium in his possession or under his control on the last day of the previous month and of all purchases and sales effected during the previous month;

(b) keep such books, accounts or other records relating to his stocks, sales or undertakings as the Controller may direct;

(c) produce to the Controller, or to any officer authorised by the Central Government in this behalf, such books, accounts or other records relating to his stocks, sales or undertakings as may be required by the Controller or the officer, as the case may be.

7. The Aluminium Control Order, 1941, is hereby repealed: Provided that all certificates in Form A and permits in Form B issued under the said Order, and at present in force, shall continue to be valid for a period of two months from the date of this Order, and that period be deemed to be certificates and permits issued under clauses 3 and 4, respectively, of this Order.

IRON AND STEEL (CONTROL OF DISTRIBUTION) ORDER, 1941.

Notification, Government of India, Department of Supply, No. 315, dated 26th July 1941.

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

1. Short title, extent and commencement.—

(1) This order may be called the Iron and Steel (Control of Distribution) Order, 1941.

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

(3) It shall come into force on the 1st August 1941.

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

(a) “Controller” means the person appointed as Iron and Steel Controller by the Central Government and includes any person exercising, upon authorisation by the Central Government, all or any of the powers of the Iron and Steel Controller;

(b) “Scheduled Department” means any one of the Departments specified in the First Schedule to this Order or any Departments hereafter designated as a Scheduled Department for the purposes of this Order by the Central Government and includes any officer or Department of the Central or of a Provincial Government or any [person or body]¹ which has been authorised by a Department specified in the Schedule to issue the licenses referred to in clauses 4 and 5;

(c) “producer” means a person carrying on the business of manufacturing iron or steel;

(d) “stockholder” means a person holding stocks of iron or steel for sale who is registered as a stockholder by the Controller.

3. Application of Order.—The provisions of this Order shall apply to all iron or steel² of the categories specified in the Second Schedule to this Order.

4. Acquisition.—Subject to the provisions of clause 7 no person shall acquire or agree to acquire any iron or steel except under the authority of and in accordance with the conditions contained or incorporated in—

(a) a written order of the Controller, or

(b) a licence issued by a Scheduled Department, or

(c) a sub-licence granted by the holder of a licence issued by a Scheduled Department who has been authorised by the Scheduled Department to grant sub-licenses, or

¹ Substituted by G. of I., S. D. Not. No. 21 dated 14-1-42

² Words and brackets “(including usable defectives other than melting scrap)” omitted by G. of I., S. D. Not. No. 282 dated 9-4-42.

- (d) a special written order of the Government of India in the Department of Supply.
5. *Disposal*.—Subject to the provisions of clause 7, no person shall dispose of or agree to dispose of or export or agree to export from British India any iron or steel except—
- (a) to a person who is authorised to acquire that iron or steel by a written order of the Controller, or
 - (b) to the holder of a license issued by a Scheduled Department, or
 - (c) to the holder of a sub-license granted by the holder of a license issued by a Scheduled Department who has been authorised by the Scheduled Department to grant sub-licenses, or
 - (d) to a person who is authorised to acquire that iron or steel by a special written order of the Government of India in the Department of Supply, or
 - (e) under the authority of a license issued by the Director General, Munitions Production, authorising that person to dispose of or agree to dispose of that iron or steel to a person who is not subject to the provisions of this order.

and in accordance with the conditions contained or incorporated in the document which is the authority for such disposal.

6. *Carriers, warehousemen and servants*.—For the purposes of clauses 4 and 5 any acquisition by or disposal to a carrier or warehouseman or servant acting in the ordinary course of his business or employment as such of any iron or steel shall be deemed to be only an acquisition by or disposal to the person on whose behalf or to whose order the carrier, warehouseman or servant so acquires that steel; and any acquisition from or disposal by a carrier or warehouseman or servant acting as aforesaid of any iron or steel shall be deemed to be only an acquisition from or disposal by the person on whose behalf or to whose order the carrier, warehouseman or servant so disposes of that steel.

7. The provisions of clauses 4 and 5 shall not apply to:—
- (a) "*Saving for small transactions, for Iron and Steel not produced in British India, and for transactions between stock-holders in British India.*—the acquisition or disposal [by or to or on behalf of such persons or classes of persons as may be specified by the Central Government]¹ of iron or steel of any category specified in the Second Schedule to this Order in quantities not exceeding in any one month such amount, if any, as may be fixed in this behalf from time to time by the Central Government;

¹ Inserted by G. of I., S.D., Not. No. 10 dated, 6-1-42.

- (b) the acquisition of any such iron or steel where at the time when it is required or when the agreement to acquire it is made, the iron or steel is outside British India, or non-existent and to be manufactured outside British India ;
- (c)¹]²
8. *Use of iron or steel to confirm to conditions governing acquisition.*—A person acquiring iron or steel in accordance with the provisions of clause 4 shall not use the iron or steel otherwise than in accordance with any conditions contained or incorporated in the document which was the authority for the acquisition.
9. *Surrender of revoked authorities.*—Where any written order, license or sub-license referred to in clause 4 or clause 5 is revoked by the authority which issued it, the person to whom it was issued shall forthwith return it to the authority which issued it.
10. *Surrender of authority at the time of acquisition.*—A person disposing of iron or steel in accordance with the provisions of clause 5 shall obtain from the person acquiring the steel the document which is the authority for the disposal and acquisition and shall preserve it, and when so required shall deliver it to the Controller or to such person as the Controller may direct.
- [10A. All applications for authorisation under this Order to acquire or dispose of any iron or steel under an agreement for the supply thereof entered into before the commencement of this Order shall be made not later than the 21st day of December, 1941, and no such application made after that date shall be taken into consideration.]³
11. *Power to require keeping of accounts and to obtain information.*—
- (1) Every producer and every stockholder shall keep such books, accounts and records relating to the business carried on by him as the Controller may require.
- (2) Every producer or stockholder or person holding stocks of iron or steel, and every person employed in connection with the business of a producer or stockholder or person holding stocks of iron or steel shall, on being requested to do so, either by notice served on him or special or general direction issued by the Controller,—
- (a) produce to such person as may be mentioned in the notice or direction such accounts and other documents as may be mentioned or described in the notice or direction ;

1 Omitted by G. of I., S.D., Not. No. 616 dated 17-9-42.

2 Substituted by G. of I., S.D., Not. No. 530 dated 16-9-41. There seems to be an obvious printer's mistake in the first four lines of this clause, but it is printed here as it appeared in the original Notification.

3 Inserted by G. of I., S.D., Not. No. 716 dated 11-12-41.

- (b) furnish to the Controller such estimates, returns and other information relating to the business as may be mentioned or described in the notice or direction; and
 - (c) permit any person or person of a class or description mentioned in the notice or direction to enter and inspect with a view to securing compliance with this Order any premises used for or in connection with the business.
- [11A. The Controller may, where he is satisfied that such action is necessary in order to co-ordinate the production of iron or steel with the demands of iron or steel which have arisen or are likely to arise under authorisations to acquire duly issued under this Order,—
- (a) Prohibit, with effect from such date as he may specify, the manufacture by any producer of iron or steel of any of the categories specified in the Second Schedule to this Order, otherwise than in accordance with any general or special directions issued by the Controller,
 - (b) Require with effect from such date and with reference to such periods as the controller may specify, any producer to obtain approval to his programme of manufacture of iron or steel of any of the categories specified in the second Schedule to this Order,
 - (c) Require, with effect from such date as the Controller may specify, any producer to manufacture iron or steel of such categories as he is capable of manufacturing, in accordance either with programmes of production approved under sub-clause (b) of this clause or with special instructions issued by the Controller.]¹
12. *Power of Central Government to give directions.*—The Central Government may give directions as to the procedure to be followed by the authorities issuing the written orders, licenses and sub-licenses referred to in clauses 4 and 5, as to the conduct by Departments of any operations undertaken under this Order as to the maintenance by the Controller of records in connection with the distribution of iron or steel and generally for the purpose of giving effect to the provisions of this Order.

The First Schedule.

(See clause 2 (b)).

The Directorate General, Munitions Production of the supply Department of the Government of India.

The Engineer-in-Chief's Branch of General Headquarters, India.

Naval Headquarters of the Royal Indian Navy.

¹ Inserted by G. of I., S.D., Not. 60. 259 dated 3-4-42.

The Railway Board.
 The Commerce Department of the Government of India.
 The Labour Department of the Government of India.
 The Master General of the Ordnance Branch of General
 Headquarters, India.

[The Second Schedule.

(See Clause 3).

Iron and Steel to which the order applies.

Pig Iron.

Ingots, Blooms, Billets, tin bars, sheet bars, and slabs.
 Steel castings.

Heavy structurals (including heavy sections of joists, channels, and angles).

Light structurals (including light sections of joists, channels, angles, tees and light rails of 30 lbs. and under).

Tyres, Wheels and Axles.

Shell steel ingots, blooms, billets and bars.

Heavy Rails (over 30 lbs.), fish-plates, dogspikes, chair spikes, screw spikes, rail keys, rail anchors, filler pieces, wedges, sleeper jaws, and slipper clips.

Tinplate, Terneplate.

Black Sheets (Plain and Corrugated).

Galvanised Sheets (Plain and Corrugated).

Plates (shipbuilding).

Plates (Ordinary mild steel and high tensile).

Plates (Bullet proof).

Bars (including flats, squares, rounds, hexagons and rods).

Bolts (including Fish Bolts), Nuts, Rivets and Washers.

Black or Galvanised Wire, whether plain or barbed.

Wire Nails.

Wire (Miscellaneous).

Hoop and Strip.

Spring Steel in any unfabricated or semi-fabricated form.

Tool Steel in any unfabricated or semi-fabricated form.

...¹ ...]².

Direction under the above Order.

Notification, Government of India, Department of Supply No. 634 dated 30th October 1941.

¹ Three items which appeared in this Schedule were omitted by G. of I., S.D., Not. No. 223 dated 23-2-43.

² The Second Schedule that appeared in the original G. of I., S.D., Not. No. 316 dated 26-7-41 was amended and added to by G. of I., S.D., Not. No. 652 dated 6-11-41 which again was substituted by G. of I., S.D., Not. No. 282 dated 9-4-42 as above.

Following direction issued by the Iron and Steel Controller under clause 11 of the Iron and Steel (Control of Distribution) Order, 1941, is published for general information:—

Direction.

Under clause 11 of the Iron and Steel (Control of Distribution) Order, 1941, I hereby issue this general direction to all "producers," that is, persons carrying on the business of manufacturing iron or steel of the categories specified in the Second Schedule to the said Order, to furnish information in the following form to "The Iron and Steel Controller, 102A Clive Street, Calcutta" on or before the 30th day of November 1941.

- (1) Name of Producer.
- (2) Address of Office.
- (3) Address of Works.
- (4) Categories of Iron or steel produced.

Import Trade Control under the above Order.

Notification, Government of India, Department of Commerce No. 350(55)-ITC/42 dated 10th January 1942.¹

In pursuance of the provisions of clause 7 of the Iron and Steel (Control of Distribution) Order, 1941 and in supersession of the notification of Government of India in the Department of Commerce, No. 350(55)-ITC/41, dated the 9th September 1941, the Central Government is pleased to declare that the provisions of clauses 4 and 5 shall not apply to the acquisition by or on behalf of any one consumer from one or more stockholders or from any other person not being a producer, nor to the disposal by any one stockholder or other person not being a producer, to any one consumer of iron or steel of any category specified in column 1 of the Statement hereto appended, in quantities not exceeding in any one month the amount mentioned against that category in column 2 of the Statement.

2. Nothing herein contained shall apply to the acquisition of any iron or steel by or on behalf of Government or any railway administration.

Statement

| Column 1 | Column 2 |
|--|----------|
| (1) Light structurals (including light sections of joists, channels, angles, tees and light rails of 80 lbs. and under) | 112 lbs. |
| (2) Black sheets (plain and corrugated) | 56 lbs. |
| (3) Galvanised sheets (plain and corrugated) | 56 lbs. |
| (4) Bars (including flats, rounds, hexagons and rods) | 224 lbs. |

¹ The Control was originally published under G. of I., D.C., Not. No. 350(55)-ITC/41 dated 1-8-41, which Notification was superseded by G. of I., D.C., Not No.350(55), ITC/41 dated 9-9-41; the latter was again superseded by the Notification appearing above.

| | | | | | | | |
|-----|---|-----|-----|-----|-----|-----|----------|
| (5) | Bolts, nuts, washers and screws (other than wood screws) | ... | ... | ... | ... | ... | 14 lbs. |
| (6) | Rivets | ... | ... | ... | ... | ... | 7 lbs. |
| (7) | Black or galvanised wire, plain | ... | ... | ... | ... | ... | 14 lbs. |
| (8) | Wire nails | ... | ... | ... | ... | ... | 14 lbs. |
| (9) | Usable defectives (including secondhand and damaged material) | ... | ... | ... | ... | ... | 10 Tons. |

Notification, Government of India, Supply Department No. 223 dated 25th February 1943.

In pursuance of the provisions of sub-clause (a) of clause 2 of the Iron and Steel (Control of Distribution) Order, 1941, the Central Government is pleased to authorise all Deputy Iron and Steel Controller to exercise all the powers of the Iron and Steel Controller under the said Order.

The Memorandum by the Government of India, Department of Industries and Civil Supplies.

MEMORANDUM.

No. SC(Genl.)1/43. (Issued on 5th August 1943).

Subject :—Latest dates for submitting applications for licences for the acquisition of Iron and Steel as per Iron and Steel (Control of Distribution) Order, 1941.

The attention of Licence-holders is invited to the following Time-table showing the latest date by which certain operations in each period must be completed in accordance with instructions issued in the Supply Department's U.O. No. VIII-3 (211), dated the 21st July 1942, and Iron and Steel Controller's Circular No. 58, dated the 11th June 1942 :—

| | Period I. | Period II. | Period III | Period IV. |
|---|--------------|-------------|-------------|------------|
| (a) Receipt of quota from M.G.O. on | August 1 | November 1 | February 1 | May 1 |
| (b) Issue of sub-quotas before | August 31 | November 30 | February 28 | May 31 |
| (c) To issue bulk of licences and report probable balances to M.G.O. by | September 15 | December 15 | March 15 | June 15 |
| (d) Sub-quota holders should issue licences and report any balances to this office by | September 30 | December 31 | March 31 | June 30 |
| (e) Last date for issue of licences. | October 31 | January 31 | April 30 | July 31 |
| (f) Orders to reach stockholders on or before | November 10 | February 10 | May 10 | August 10 |

- (g) Planning enquiries on producers to reach the Iron and Steel Controller, Calcutta, on or before
- | | | | | |
|--|----------|----------|-----|--------|
| | November | February | May | August |
| | 15 | 15 | 15 | 15 |
- (A) Supply of steel against licences.
- | | | | | |
|--|----------|----------|-----------|------------|
| | January | April to | July to | October to |
| | to March | June | September | December |

It will be noted from (c) above, that all the Quota-holders have been asked to issue licences for the major portion of their Quota before the middle of each licencing period, i.e.

| | | | |
|-----------|-----------|------------|-----------|
| Period I. | Period II | Period III | Period IV |
| September | December | March | June |
| 15th | 15th | 15th | 15th |

and to report probable balances to M.G.O. for re-allocation to other Quota-holders, if necessary. Therefore, all applicants for licences for steel should, as far as possible, submit their applications with the usual details, etc., before the following dates:—

| | | | |
|-----------|-----------|------------|-----------|
| Period I | Period II | Period III | Period IV |
| September | December | March | June |
| 1st. | 1st | 1st. | 1st. |

If any applications for Steel are received after the dates specified above, it may not be possible for this office to meet these demands during the required period.

**Directions to Departments on the working to
quota system.
(Not printed).**

Notes.

Press Note dated 19th August 1941, issued by the Government of India in the Supply Department *inter alia* states that no licences are necessary under the above Order for acquiring articles which contain or are made of any of the controlled types of iron and steel and it is not necessary to apply for licenses to acquire such articles as gramophones, safes, bottle openers, buckets, padlocks, bolts for fitting on doors etc. Nor is it necessary to apply for licenses to carry on business as a dealer in such articles. The Order also does not apply to the acquisition or disposal of finished manufactured articles of iron and steel.

IRON AND STEEL (EMERGENCY DISTRIBUTION) ORDER, 1942.

(This Order was issued on 3rd September 1942 by a notification of the Government of India in the Department of Supply No. 842 and was cancelled by a notification of the Government of India in the General Department No. 1002 dated 16th October 1942).

IRON AND STEEL (CONTROL OF MOVEMENT) ORDER, 1942.

(This Order was issued on 8rd September 1942 by a notification of the Government of India in the Department of Supply No. 841 and was superseded by two Orders named Iron and Steel (Movement by Rail) Order, 1942, and Iron and Steel (Movement by Road or River) Order, 1942 issued by the Government of India in the Department of Supply (No. 914 and 915 respectively) on 17th September 1942.)

IRON AND STEEL (MOVEMENT BY RAIL) ORDER, 1942.¹

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the Iron and Steel (Control of Movement) Order, 1942, the Central Government is pleased to make the following Order:—

1. (1) This order may be called the Iron and Steel (Movement by Rail) Order, 1942.
- (2) It shall come into force on 1st October, 1942.
- [1A. *Definition*—In this Order, unless there is anything repugnant in the subject or context, ‘Controller’ means the person appointed as Iron and Steel Controller by the Central Government and includes any person for the time being authorised to exercise all or any of the powers of the said Controller under the Iron and Steel (Control of Distribution) Order, 1941.]²
2. No person shall offer and no Railway shall accept for transport by Rail any iron or steel of the types described under the head “Iron or Steel—Division A-P/6”, “Iron or Steel—Division B-P/6” or “Iron or Steel—Division C-S/19” in the “general classification of goods” contained in the “Indian Railway Conference Association Goods Tariff No. 25” otherwise than in accordance with special or general instructions issued by the [Controller.]³
3. Nothing in this Order shall apply to consignments offered,
 - (a) With a Military Credit Note; or
 - [(b) (i) With a Railway Material Consignment Note; or
(ii) With an authority for despatch of railway material at railway concession rates in the form at P. 113 of the Indian Railway Conference Association Railways Material and Stores Tariff No. 5;] or
 - (c) With a Wagon Priority Certificate; or
 - [(d) With a copy of an order passed under sub-rule (i) of rule 49 of the Defence of India Rules requiring removal of the Iron or Steel from the area in which the station, goods yard or siding at which the Consignment is offered, is situated.]⁴

IRON AND STEEL (MOVEMENT BY ROAD OR RIVER) ORDER, 1942⁵

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the Iron

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1. Issued by the Govt. of India, Dept. of Supply No. 915, dated 17-9-1942.
 2. Inserted by Govt. of India, Dept. of Supply, No. 1222 dated 23-12-42.
 3. Substituted for “The Iron and Steel Controller” in the original order, *ibid*.
 4. Substituted by the Govt. of India, Dept. of Supply, No. 1078 dated 10th Nov. 1942 in place of original clause (b) “with a Rly. Material Credit note.”
 5. Inserted by Govt. of India, Dept. of Supply, No. 1038 dated 29-10-42.
 6. Issued by Govt. of India, Dept. of Supply No. 914, dated 17-9-42.

and Steel (Control of Movement) Order, 1942, the Central Government is pleased to make the following order:—

1. (1) This order may be called the Iron and Steel (Movement by Road or River) Order, 1942.
- (2) It shall come into force on 1st October, 1942.
- [1A. *Definition*—In the Order, unless there is anything repugnant in the subject or context, 'Controller' means the person appointed as the Iron and Steel Controller by the Central Government and includes any person for the time being authorised to exercise all or any of the powers of the said Controller under the Iron and Steel (Control of Distribution) Order, 1941].¹
2. No person shall move or attempt to move by road or river any iron or steel of any of the categories specified in the Second Schedule to the Iron and Steel (Control of Distribution) Order, 1941, outside the limits of the premises on which such iron or steel is for the time being situated otherwise than in accordance with a general or special order issued by the [Controller].²
3. Nothing in this Order shall apply to any Iron or Steel—
 - (a) acquired by any person from a producer or stock holder in accordance with the provisions of the Iron and Steel (Control of Distribution) Order, 1941, and in the course of transport from such producer or stock holder by such person to his own premises; or
 - (b) in the possession of the Central or a Provincial Government or by any Railway Administration; or
 - (c) being removed by any person to the station, goods depot or siding from which it is reasonable to book it for the purpose of being lawfully offered for transport by rail; or
 - [(d) being removed from a specified area in compliance with an order passed under sub-rule (1) of rule 49 of the Defence of India Rules].³

IRON AND STEEL (DEMAND FOR INFORMATION) ORDER, 1942.

Notification, Government of India, Department of Supply, No. 843 dated 3rd September, 1942—

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

1. This Order may be called the Iron and Steel (Demand for Information) Order, 1942.

1. Inserted by Govt. of India, Dept. of Supply, No. 1221 dated 23rd Dec. 1942.

2. Substituted for the "Iron and Steel Controller" in the Original Order, *ibid.*

3. Inserted by the Govt. of India, Dept. of Supply, No. 1037 date 29th October,

2. Any producer, stockholder or other person holding stocks in excess of one hundred-weight in all of iron or steel of any of the categories specified in the Second Schedule to the Iron and Steel (Control of Distribution) Order, 1941, shall within 14 days of the date of this Order submit to the Iron and Steel Controller and to the Controller of Supplies for the area in which the stocks are situated a statement showing the weight of the different sections of each category contained in such stocks.

IRON AND STEEL (SCRAP CONTROL) ORDER, 1943.

Notification, Government of India, Department of Supply, No. 221 dated 25th February, 1943—

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order namely :—

1. *Short title, extent and commencement* :—

- (1) This order may be called the Iron and Steel (Scrap Control) Order, 1943.
- (2) It extends to the whole of British India.
- (3) It shall come into force on the 1st March, 1943.

2. *Definitions* :—In this order unless there is anything repugnant in the subject or context :—

(a) “Controlled Source” means :—

- (i) A producer;
- (ii) a Railway Administration;
- (iii) any factory, local authority, scrap merchant or person declared by the Controller to be controlled source.

(b) “Controller” means the person appointed as Iron and Steel Controller by the Central Government and includes any person for the time being authorised to exercise all or any of the powers of the said Controller under the Iron and Steel (Control of Distribution) Order, 1941.

(c) “producer” means a person carrying on the business of manufacturing iron or steel;

(d) “factory” means a factory as defined in clause (j) of section 2 of the Factories Act, 1934 (XXV of 1934) other than a factory managed by a producer or a Railway Administration;

(e) “local authority” shall have the meaning assigned to it by sub-section (28) of section 3 of the General Clauses Act 1897 (X of 1897);

(f) “scrap” means all iron or steel material which is commonly known as scrap and includes defective iron or

steel material whether it is suitable only for rerolling or remelting or can be used for other purposes ;

- (g) "scrap merchant" means a person other than a producer who carries on the business of acquiring, sorting and classifying scrap for disposal.
3. *Acquisition of scrap* :—No producer shall acquire or agree to acquire any scrap except under the authority of and in accordance with the conditions contained or incorporated in a written order of the Controller, and no person or authority other than a producer shall acquire or agree to acquire any scrap from a controlled source save under the authority of and in accordance with the conditions contained or incorporated in a written order of the Controller.
 4. *Disposal of scrap* :—No person or authority having the management of a controlled source shall sell or otherwise dispose of any scrap save under the authority of and in accordance with the conditions contained or incorporated in a written order of the Controller.
 5. *Carriers, warehousemen and servants* :—For the purpose of clauses 4 and 5 any acquisition by or disposal to a carrier, warehouseman or servant acting in the ordinary course of his business or employment as such of any scrap shall be deemed to be only an acquisition by or disposal to the person on whose behalf or to whose order the carrier, warehouseman or servant so acquires that scrap ; and any acquisition from or disposal by a carrier, warehouseman or servant acting as aforesaid of any scrap shall be deemed to be only an acquisition from or disposal by the person on whose behalf or to whose order the carrier, warehouseman or servant so disposes of that scrap.
 6. *Regulation of controlled sources* :—The Controller may from time to time issue directions to the person or authority having the management of any controlled source requiring him ;
 - (a) to keep such books, accounts, and records relating to his business as the Controller may specify in the direction ;
 - (b) to produce to such person as may be mentioned in the direction such accounts and other documents as the Controller may specify in the direction ;
 - (c) to furnish to the Controller such estimates returns and other information relating to the business as may be mentioned in the direction ;
 - (d) to permit any person or persons of a class or description mentioned in the direction to enter and inspect with a view to securing compliance with this order any premises used for or in connection with the business ;

(e) to sort the scrap in his possession from time to time in accordance with such classification as may be mentioned in the direction.

7. *Declarations, written orders and directions :—*

- (1) Declarations under clause 2 (a) and directions under clause 6 shall be in writing and shall be delivered to the person or authority concerned personally or by registered post.
- (2) Written orders under clause 3 or clause 4 may be made by the Controller on application or of his own motion and shall be delivered to the person or authority concerned personally or by registered post.
- (3) The person or authority to whom a direction or written order is addressed shall comply with the same, and with any conditions contained or incorporated therein.
- (4) When a written order is revoked by the Controller the person or authority to whom it was addressed shall forthwith return it to the Controller.

8. *Controller's power to fix price :—*

- (1) The Controller shall from time to time with the approval of the Central Government publish by notification in the Official Gazette prices for different classes of scrap. Such prices may differ for scrap obtainable from different controlled sources, may specify buyers' and sellers' prices and may include allowances for contributions to any equalisation fund established by the Controller for equalising freight and other disadvantages.
- (2) For the purpose of applying the prices notified under sub-clause (1) of this clause, the Controller may himself classify any scrap, and, may if no appropriate price has been so notified fix such price as he considers appropriate.
- (3) When an accumulation of scrap contains heavy pieces which in the opinion of the Controller should be broken up before the scrap is disposed of, the Controller may direct the person or authority having the management of the controlled source concerned to break up the scrap to a suitable size, and may if his direction is not complied with reduce the price of the scrap so as to cover the cost to the purchaser of breaking it up.
- (4) No person or authority having the management of a controlled source shall sell or otherwise dispose of, and no person shall acquire from any controlled source, any scrap at price in excess of those notified or fixed by the Controller under this clause.

NON-FERROUS METALS CONTROL ORDER, 1942.

Notification, Government of India, Department of Supply, No. 1134, dated 25th November, 1942—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules and in supersession of the Non-Ferrous Metal Control Order, 1941, the Central Government is pleased to make the following Order, namely:—

1. This Order may be called the Non-Ferrous Metals Control Order, 1942.
2. In this Order, unless there is anything repugnant in the subject or context—
 - (a) "Controller" means the Director General of Munitions Production or an officer authorised by him to perform the duties assigned by this Order to the Controller;
 - (b) "control non-ferrous metal" includes tin, lead, zinc or spelter, and copper;
 - (c) [Deleted.]
 - (d) "tin" includes all forms of tin and its alloys such as tin ingot, block tin, tinfoil, soft solder, bearing metal (white metal), printing alloys, and their scrap, but excludes tin-plate in any form;
 - (e) "lead" includes all forms of lead and its alloys such as pig lead, lead ingot, antimonial lead, lead foil, soft solder, bearing metal (white metal), printing alloys, battery lead, and their scrap;
 - (f) "zinc" or "spelter" includes all commercial forms of zinc such as cake, sheet, strip, granulations, rod, and wire; alloys in which the percentage of zinc exceeds 85 per cent, and all scrap, clippings, dress, hard spelter, galvanisers' residues, and electro-zincing residues;
 - (g) "copper" includes—
 - (i) all forms of electrolytic or high conductivity copper; and
 - (ii) fire-refined copper in the ingot of unwrought form only;
 - (h) "stockholder" means any person who has in his possession or under his control not less than 1 cwt. of [processed zinc plate]¹ or tin or not less than one ton in aggregate in any one calendar month of any other controlled non-ferrous metal;
 - (i) "dealer" means any person including a stockholder who is habitually engaged in the business of selling controlled non-ferrous metals and whose transactions in such metals in any one calendar month exceeds 1 cwt.;
 - (j) "Form" means a form annexed to this Order.

1. Inserted by G. of I., S.D., Npt. No. 1123 dated 5-10-43.

3. No person shall be a stockholder or dealer except under, and in accordance with, the conditions of a licence in Form A, granted by the Controller.
4. No person shall engage in any undertaking which involves the use or consumption for the purpose of any manufacturing process of more than 50 lbs. of any of the other controlled non-ferrous metal in any one calendar month except under, and in accordance with, the conditions of a licence in Form B, granted by the Controller.
5. The Controller may at any time cancel or modify any licence granted under clause 3 or clause 4.
6. (1) No person shall acquire or agree to acquire, more than 1 lb. of tin or lead fuse wire, or 20 lbs. of copper wire, [or 10 lbs. of processed zinc plate]¹ or 1 cwt. of any other controlled non-ferrous metal in one calendar month, unless he has prior to such acquisition or agreement made an application in Form C to the Controller and has obtained a permit from the Controller in Form D.
(2) No dealer may sell more than 1 lb. of tin or lead fuse wire or 20 lbs. of copper wire [or 10 lbs. of processed zinc plate]¹ or 1 cwt. of any other controlled non-ferrous metal in any one calendar month to any buyer who is not in possession of a valid permit in Form D.
(3) No person acquiring any controlled non-ferrous metal in accordance with the terms of the permit in Form D shall use the metal for any purpose other than the purpose specified in the permit.
7. Any officer authorized by the Central Government in writing in this behalf may enter upon and inspect any premises in which he has reason to believe—
 - (a) that any controlled non-ferrous metal is stocked or sold ;
 - (b) that any undertaking of the nature described in clause 4 is carried on.
8. (1). Every person required to obtain a licence under clause 3 and every person engaged in an undertaking of the nature described in clause 4 shall—
 - (a). not later than the seventh day of each calendar month submit to the Controller, a true return in Form E of all quantities of controlled non-ferrous metals in his possession or under his control and of all purchases and sales effected during the previous month ;
 - (b) keep such books, accounts and other records relating to his stocks sales or undertakings, as the Controller may direct ;

1. See Supra.

- (c) produce to any officer authorised by the Controller in writing in this behalf such books, accounts or other records relating to his undertaking as may be demanded by the officer aforesaid.
- (2) Every person required to obtain a licence under clause 3 shall furnish to the Controller within two days of any sale, particulars of each such sale effected by him.
9. Notwithstanding the supersession of the Non-Ferrous Metals Control Order, 1941 (in this clause referred to as the said Order)—
- (a) any licence issued to stockholders or dealers under paragraph 3 of the said Order shall be deemed to be a licence under clause 3 of this Order;
- (b) any sale permit issued under paragraph 6 of the said Order shall be valid until December 31st, 1942, after which date all such permits shall be deemed to have been cancelled;
- (c) any offence under the said Order shall be triable and punishable as if the said Order were still in force.
- [10. None of the provisions of this Order shall apply to any Railway Administration.]¹

Forms.

(Not printed).

Notes.

The Order was originally issued on 12th July 1941 by Govt. of India Notification in the Department of Supply, No. 288, and was amended on 27th August 1941 and 8th January 1942. The above Order supersedes the original Order.

NON-FERROUS METALS (MOVEMENT BY RAIL) ORDER, 1943.

Notification, Government of India, Department of Supply, No. 430 dated 21st April 1943—

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

1. (1) This Order may be called the Non-Ferrous Metals (Movement by Rail) Order, 1943.
- (2) It shall come into force on May 10, 1943.
2. In this Order unless there is anything repugnant in the subject or context—
 - (a) "Controller" means the Officer appointed as the Controller under the Non-Ferrous Metals Control Order, 1942;
 - (b) "non-ferrous metals" means any of the metals specified in the Schedule to this Order.
3. No person shall offer, and no railway shall accept for transport by rail any consignment of non-ferrous metals other-

¹. Inserted by G. of I., S.D., Not. No. 1161 dated 14-10-43.

wise than in accordance with the general or special instructions issued by the Controller.

4. Nothing in this Order shall apply to consignments of non-ferrous metals offered—

(a) with a Military Credit Note; or (b) with a Railway Material consignment Note; or (c) with an authority for despatch of railway material at railway concession rates in the form at page 113 of the Indian Railway Conference Association—Railway Material and Stores Tariff No. 5; or (d) [with a priority by Rail class B certificate or under the Priority Order of the Controller of Railway Priorities or a Regional Controller of Railway Priorities]; or (e) with a copy of an order passed under sub-rule (1) of rule 49 of the Defence of India Rules; or (f) by the Metals Reserve Company of America.

| Metals. | Schedule. Types. | Classification in the "Indian Railway Conference Association- Goods Tariff No. 25." |
|------------------|--|---|
| Aluminium. | Ingots, sheets, slabs | 4. |
| " | Scrap | 3. |
| Copper. | Ingots, slabs | 2A. |
| " | Foil | 6A, 6. |
| " | Coil | 4A, 4. |
| " | Scrap (except domestic) | 2. |
| " | Wire | 4A, 4. |
| Lead. | Ingots, sheets, slabs | 2A. |
| " | Scrap | 2. |
| " | Pig | 2. |
| " | Tea Chest packing | 2. |
| " | Foil | 6A, 6. |
| " | Shots and bullets; wool and yarn | 4A, 4. |
| " | Tubes | 4A, 4. |
| " | Ware | 4A, 4. |
| " | Printing Metal | 4. |
| " | Solder | 6. |
| " | Alloys including bearing metal | Not classified. |
| Nickel. | Slabs, pig, shot, anodes | 8. |
| " | Scrap | 5. |
| " | Ware | 6A, 6. |
| " | Wire | 6A, 6. |
| " | Alloys (copper-nickel-zinc, copper nickel) | 8. |
| " | Alloys scrap (copper-nickel-zinc, copper-nickel) | 5. |
| " | Alloy ware | 6A, 6. |
| Tin. | Ingots, sheets, blocks, foil | 6, 6A. |
| " | Alloys including bearing metal | Not classified. |
| " | Alloys—solder | 6. |
| " | Alloy—whitemetal | 6. |
| " | Scrap | 2. |
| Zinc or Spelter. | Ingots, sheets, slabs | 2A. |
| " | Dust | 7, 6. |
| " | Foil | 6A, 6. |
| " | Ware | 4A, 4. |

PIPES CONTROL ORDER, 1942.

Notification, Government of India, Department of Supply, No. 1136 dated 25th November 1942—

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

1. This Order may be called the Pipes Control Order, 1942.
2. In this Order unless there is anything repugnant in the subject or context—
 - (a) "Controller" means the Director General of Munitions Production or an officer authorised by him to perform the duties assigned by this order to the Controller;
 - (b) "pipes" includes all pipes or tubes of $\frac{1}{8}$ " nominal bore and above for carrying water, gas or other substances, whether made of iron, steel, cement, asbestos or any combination of these materials but does not include non-ferrous metallic fabric, vitrified earthenware or flexible metallic pipes;
 - (c) "pressure pipes" includes all pipes which will withstand or may be used for a working pressure of 25 lbs. per square inch and above.
 - (d) "defective pipes" includes all pipes designed as pressure pipes but which are not able under test to withstand pressure of 25 lbs. per square inch;
 - (e) "producer" means any person carrying on the business of manufacturing pressure or defective pipes;
 - (f) "importer" means any person carrying on the business of importing pipes;
 - (g) "stockholder" means any person holding stocks of pressure pipes for sale or disposal;
 - (h) "Form" means a form annexed to this Order.
3. No producer, importer or stockholder shall sell or otherwise dispose of any pressure pipes except in accordance with the conditions of a written authorisation obtained from the Controller. The Controller may issue such authorisations in general or special terms and may include in them conditions—prescribing—
 - (a) the type, size and quality of pressure pipes whose sale or disposal is authorised;
 - (b) the person to whom or the purpose for which the sale or disposal is to be effected;
 - (c) the period of validity of the authorisations.
4. The Controller may at any time cancel or modify any authorisations granted under clause 3.
5. Any officer authorised by the Central Government in writing in this behalf may enter upon and inspect any premises in

which he has reason to believe that pipes are manufactured stocked or sold or the business of importing pipes is carried on.

6. (1) Every producer, importer or stockholder shall—
 - (i) not later than the seventh day of each calendar month submit to the Controller a true Return in Form A by different sizes of—
 - (a) all quantities of pressure pipes and defective pipes in his possession or under his control;
 - (b) the footage of unexecuted orders for pressure pipes placed on him;
 - (c) sales or disposals of defective pipes made by him in the preceding month;
 - (ii) keep such books, accounts or other records relating to his stocks, sales, disposals or undertaking as the Controller may direct;
 - (iii) produce to any officer authorised by the Controller in writing in this behalf such books, accounts or other records relating to his undertaking as may be demanded by the officer aforesaid;
 - (iv) submit to the Controller such returns as he may from time to time, prescribe for the purpose of giving effect to the provisions of this Order.
 - (2) Every producer shall submit to the Controller on or before the 15 of January and July each year a true return in Form B of the different sizes of pressure pipes which he expects to manufacture in each of the six months commencing 1st January and 1st July respectively, and which he manufactured, sold or otherwise disposed of in each of the six calendar months July to December, and January to June respectively, immediately preceding the date of the return.
7. The Controller may, where he is satisfied that such action is necessary in order to co-ordinate the production of pressure pipes to the demand for such pipes—
 - (a) prohibit with effect from such date as he may specify, the manufacture by any producer of pressure pipes, otherwise than in accordance with any general or special directions issued by him;
 - (b) require with effect from such date and with reference to such period as the Controller may specify the producer to obtain approval to his programme of manufacture of any class of pressure pipes;
 - (c) require with effect from such date as the Controller may specify any producer to manufacture pipes of such categories as he is capable of manufacturing, in accordance either with the programme of production approved under sub-clause (b) or with special instructions issued by the Controller.

CHAPTER XII.
MILL-GIN

**SISAL AND ALOE FIBRE PRODUCTION CONTROL
ORDER, 1943.**

Notification, Government of India, Department of Supply,
No. SS/229, dated 10th September, 1943.

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

1. *Short title and extent.*—

(1) This Order may be called the Sisal and Aloe Fibre Products Control, 1943.

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

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

(a) “aloe” means any grade of aloe fibre ;

(b) “articles to which this Order applies” means ropes, cordages, twines and any other goods made of Sisal or of Aloe or of both Sisal and Aloe ;

(c) “Controller” means the officer appointed by the Central Government to be the Controller for the purposes of this Order ;

(d) “Form” means a form appended to this Order ;

(e) “manufacturer” means a person who manufactures for sale any of the articles to which this Order applies ;

(f) “Sisal” means sisal fibre of any grade.

3. *Control of manufacture and sale.*—On and after the 15th October 1943—

(a) no person other than a manufacturer registered under clause 4 shall manufacture for sale any of the articles to which this Order applies ;

(b) no manufacturer registered as aforesaid shall sell or otherwise dispose of any such articles except under and in accordance with a sales licence issued to him under clause 4.

4. *Registration of manufacturers and issue of sales licences.*—

(1) Any person who wishes to manufacture for sale any of the articles to which this Order applies shall on or before the 15th October 1943 make an application to the Controller in Form I giving all the details required therein ;

- and the Controller, in his discretion, grant such person a registration certificate and sales licence in Form II.
- (2) The Controller may at any time by order in writing communicated to the licence-holder by registered post alter or cancel the sales licence issued to him under sub-clause (1).
5. *Returns.*—Any manufacturer shall on being required so to do by the Controller furnish true returns as to the quantities which he expects to manufacture of all or any of the articles to which this Order applies, and the quantities which he expects to be available for sale during any specified period.
6. *Supplementary.*—The Controller, and any other officer nominated in this behalf by the Controller or by the Central Government may, if he has reason to believe that any person has contravened, is contravening, or is likely to contravene, the provisions of clause 3—
- (a) require any person to give such information in his possession with respect to any business carried on by that or any other person as he may demand;
- (b) inspect or cause to be inspected any books or documents belonging to, or under the control of any person;
- (c) enter and search any premises.

FORM I

(See Clause 4).

SISAL/ALOE/SISAL AND ALOE.

Application for registration as a manufacturer of Sisal/Aloe/Sisal and Aloe articles.

(To be submitted in duplicate to the Director General of Supply, Textiles Directorate, New Delhi.)

| | No. | Date. | Quantity. | | | |
|---|-----|-------|-----------|-------|------|------|
| | | | Tons. | Cwts. | Qrs. | Lbs. |
| 1. Name and address of applicant. | | | | | | |
| 2. Stock held on date of application. | | | | | | |
| 3. Estimated quantity of Sisal/Aloe/Sisal and Aloe articles which the applicant expects to manufacture and make available for sale during the period. | | | | | | |
| 4. Names and addresses of persons to whom supply is intended. | | | | | | |
| 5. Purpose for which the article/s is/are required. | | | | | | |

(Signed)
Date.

FORM II

(See Clause 4)

SISAL/ALOE/SISAL AND ALOE.

Registration Certificate.

(Not Printed).

STARCH CONTROL ORDER, 1943.

Notification, Government of India, Department of Industries and Civil Supplies, No. 134IDC(1)/43, dated the 15th May 1943.

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

1. (1) This Order may be called the Starch Control Order, 1943.
- (2) It extends to the whole of British India.
- (3) It shall come into force at once.
2. In this Order—
 - (i) "Starch" include derivatives of starch and any modified form of starch made from wheat, rice, tapioca, maize, jowar or any other foodgrain, or from potatoes]§.
 - (ii) "Starch Controller" means [any officer]¹ appointed by the Central Government to perform all or any of the functions of the Starch Controller under this Order [or any officer authorised by him in this behalf]².
3. No person shall use wheat [rice or potato]§ in any form for the manufacture of starch except with the permission in writing of the Starch Controller and in accordance with such terms as may be laid down by him in this behalf.
4. No person shall sell or otherwise dispose of, or purchase or otherwise acquire starch except against a valid [license]³ granted by the Starch Controller, or in pursuance of a direction given under clause 6 of this Order.
5. Any person desiring to purchase or otherwise acquire starch shall apply to the Starch Controller in triplicate in [such form as may be prescribed by the Starch Controller]§.
6. The Starch Controller may by order in writing require any dealer in starch to sell [at rates not exceeding those which for the time being have been fixed under clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules, and in the absence of any such rates, the current market rates]⁴ to such person as may be specified in order, such quantities of starch as may be so specified, and the dealer shall comply with the order.
7. (1) The Starch Controller may, if he has reason to believe that any person has contravened, is contravening, or is likely to contravene any of the provisions of this Order,—

1. Substituted by G. of I., I. & C.S.D., Not. No. 59-Tex/43 dated 26-6-43.

2. Inserted, *ibid.*

3. Substituted by G. of I., S. D., Not. No. 59-Tex(3)/43 dated 18-9-43.

4. Inserted, *ibid.*

4. Inserted, *ibid.*

- (a) require any person to give such information in his possession with respect to any business carried on by that or any other person as the Starch Controller may demand,
 - (b) inspect or cause to be inspected any books or documents belonging to, or under the control of, any person,
 - (c) enter and search, or authorise a police officer not below the rank of a sub-inspector to enter and search, any premises,
- [(2) No person shall with intent to evade the provisions of this Ordrr refuse to give any information lawfully demanded from him under sub-clause (1), or conceal, destroy, mutilate or deface any books of accounts or other documents relating to his business,]§
- [8. Any person, if required so to do by the Starch Controller shall submit a return, in such form as the said Starch Controller may prescribe, giving details of his stocks.]⁴
- 9, [Deleted by G. of I., S. D., Not. No. 59-Tex(8)/43 dated 18-9-43.]

Notes.

The Deputy Director General, Cotton Textiles Directorate, Bombay is appointed on 15th May 1943 to perform ex-officio all functions of the Starch Controller.

§. Substituted by G. of I., S.D., Not. No. 59-Tex (8)/43 dated 18-9-43
 5. Inserted, Ibid.

CHAPTER XIII.

MOTOR

MOTOR SPIRIT RATIONING ORDER, 1941.

Notification, Government of India, Department of Commerce, No. P.R.—8/41 dated the 1st August 1941.

In exercise of the powers conferred by Rule 81 of the Defence of India Rules, 1939, the Central Government is pleased, to make the following Order:—

1. *Short title.*—

- (i) This order may be called the Motor Spirit Rationing Order, 1941.
- (ii) It extends to the whole of British India.
- (iii) It shall come into force on the fifteenth day of August 1941, except clauses 2, 8, 9, 10, 11, 12, 15, 16, 17, 20 and 21 and the first and second schedules which shall come into force at once.

2. *Interpretation.*—In this order, unless there is anything repugnant in the subject or context,—

- [(a) “Allied Forces” means all or any of the forces (other than His Majesty’s Forces) mentioned in Section 2 of Ordinance 41 of 1942 to which the provisions in regard to His Majesty’s Forces in clauses 3 and 34 are intended to be extended;]¹
- [(aa)]² “Area Rationing Authority” means an Area Rationing Authority appointed under clause 21; [and includes a Provincial Rationing Authority when exercising the functions of an Area Rationing Authority in pursuance of an authorisation under clause 21A;]³
- (b) “clause” means a clause of this Order;
- (c) “coupon” means a coupon issued by an Area Rationing Authority authorising the supply of a unit or fraction of a unit or number of units of motor spirit, and “special coupon,” “ordinary coupon” and “supplementary coupon” mean, respectively, a coupon which is so described in clause 9;
- (d) “dealer” means a supplier carrying on the business of supplying motor spirit as a retail business, and includes a person having charge of a supply of motor spirit con-

1. Inserted by G. of I., W.T.D. Not. No. P.R. 402(27)/42 dated 29-30-3-43.

2. Re-lettered, *ibid.*

3. Inserted by G. of I., C.D., Not. No. P.R.-79(1)/41 dated 15-9-41.

- trolled by Government from which any person is furnished with motor spirit for private use ;
- (e) "licence" means a licence granted by the Director of Civil Aviation or the Provincial Rationing Authority, as the case may be, authorising the supply of motor spirit under clause 6 ;
- (f) "motor spirit" means any liquid hydro-carbon or admixture of liquid hydro-carbon with any other liquid, having a [flashing-point (as defined in Section 2 of the Petroleum Act, 1934)]⁴ below 76°F and capable of providing motive power to any form of internal combustion engine ;
- (g) "motor vehicle" means any mechanically propelled vehicle constructed or adapted for use on roads ;
- (h) "producer" means a person who produces motor spirit ; and includes a person who by mixing motor spirit (whether produced by himself or not) with power alcohol or other substance not included in the definition of motor spirit produces a mixture which itself falls within the definition of motor spirit ;
- (i) "Provincial Rationing Authority" means the Provincial Rationing Authority appointed under clause 20 ;
- (j) "quarter" means a period of three months ending on 31st January, 30th April, 31st July or 31st October ;
- (k) "receipt" means the receipt referred to in clause 6 which the holder of a licence is required to surrender when supplied with motor spirit by a supplier⁵ ;
- (l) "special receipt" means the special receipt issued under clause 8 for use in acquiring motor spirit under clause 3 ;
- (m) "supplier" means a person carrying on the business of supplying motor spirit ;
- (n) "unit" means one gallon of motor spirit, or such other quantity of motor spirit as the Central Government may by notification in the Official Gazette from time to time direct^{5A} ;
- (o) a coupon is said to be "valid" when it authorises the supply at the time at which such supply is furnished of a quantity of motor spirit not less than the quantity supplied and except in the case of special coupons has upon it or attached to it with the authority of the Area Rationing Authority a number of description appli-

4. Inserted substituting the word "flash point" by G. of I., C.D., Not. No. P.R.-69(1)/41 dated 11-10-41.

5. Words "or dealer" subsequently following in the original clause are omitted by G. of I., C.D., Not. No. P.R.-52(1)/41 dated 30-8-41.

5A. On and from 1st May 1942, the word "unit" wherever used in this Order means 1 gallon of motor spirit as notified by G. of I., Com.D., Not. No. P.R. 304(3)/42 dated 11-4-42.

cable to the vehicle or class of vehicles to which the supply is furnished;

(p) "vehicle" means a motor vehicle or a motor boat.

Methods of obtaining Supplies of Motor Spirit.

3. *Supply of motor spirit for defence and internal security purposes.*—Motor spirit required for aircraft, vehicles or machinery employed by the Central or a Provincial Government in or in the maintenance of His Majesty's Forces [or Allied Forces]⁶ or for defence or internal security purposes, or required by railway administrations for purposes other than the supply to the public of facilities for the carriage of goods or passengers, [or required for the maintenance or protection of civil aerodromes]⁷ when not obtained from stocks under the direct control of the Government concerned, shall be furnished or acquired only against the surrender to a supplier at the time of supply of special receipts.
4. *Supply of motor spirit for administrative purposes.*—Motor spirit required for—
 - (a) vehicles not covered by clause 3 employed by the Central or a Provincial Government for any administrative purpose other than public transport,
 - (b) vehicles employed by local authorities for any administrative purpose other than public transport,
 - (c) vehicles used as ambulances, travelling dispensaries or school buses, shall be furnished or acquired only against the surrender to a supplier at the time of supply of valid special coupons or of valid supplementary coupons, and only in accordance with any conditions or instructions appearing on or attached to such coupons.
5. *Supply of motor spirit for vehicles not covered by clauses 3 and 4.*—Motor spirit required for any vehicle not covered by clause 3 or clause 4 shall be furnished or acquired only against the surrender to a supplier at the time of supply of valid ordinary coupons or of valid supplementary coupons and only in accordance with any conditions or instructions appearing on or attached to such coupons.
6. *Supply of motor spirit for purposes not covered by clauses 3, 4, 5.*—Motor spirit required for any purpose not covered by clause 3, clause 4 or clause 5 shall be furnished or acquired only under the authority of and in accordance with the conditions contained in or attached to a licence in Form F as set out in the First Schedule, and only against the surrender to a supplier at the time of supply of a receipt in Form B as set out in the First Schedule for the quantity supplied.

6. Inserted by G. of I., W.T.D., Not. No. F.R. 402(27)/42 dated 29-30-3-43.

7. Inserted by G. of I., C.D., Not. No. 110/41 dated 4-10-41.

7. *Coupons and licences effective throughout British India.*— Unless it is otherwise provided by a condition or instruction appearing on or attached to a coupon or contained in or attached to a licence, a coupon or licence wherever issued may be used any where within British India.

Special Receipts, Coupons and Licences for the Supply of Motor Spirit.

8. *Issue of special receipts.*—The Central or a Provincial Government, or any authority authorised in this behalf by the Central or a Provincial Government, may issue to such persons and for such purposes as it thinks fit special receipts in Form A as set out in the First Schedule for use in acquiring supplies of motor spirit under clause 3.
9. *Classes of coupons and particulars attached thereto.*—
- (1) There shall be three classes of coupons, special, ordinary and supplementary.
 - (2) A special coupon shall have attached to it the name of the person to whom it is issued and shall be valid only to authorise the supply of motor spirit to or on behalf of that person.
 - (3) An ordinary coupon shall have attached to it the name of the person to whom it is issued and the registration or other identifying mark of the Vehicle in respect of which it is issued or, where issued in respect of a service of stage carriages covered by a permit issued under section 48 of the Motor Vehicles Act, 1939, the number of that permit; and the coupon shall, save as provided in clause 13 or in sub-clause (d) of clause 26 be valid only to authorise the supply of motor spirit to or on behalf of that person and in respect of that vehicle or a vehicle included in the service of stage carriages covered by that permit.
 - (4) A supplementary coupon authorising the supply to a person of motor spirit in excess of the quantity covered by special coupons or ordinary coupons already issued to him shall have attached to it the same particulars and shall be valid only in the same manner and subject to the same limitations as the special or ordinary coupon which it is issued to supplement.
- [(4A) Notwithstanding anything contained in sub-clauses (3) and (4), where the Provincial Rationing Authority is satisfied that any person to whom ordinary or supplementary coupons have been issued, may require a supply of motor spirit for use in the performance of essential professional, business or official duties in a place other than that in which he ordinarily resides, the Provincial

Rationing Authority may, be a certificate in Form N, validate the coupons to authorise the supply in any such other place of motor spirit to such person for use in a vehicle other than that in respect of which the coupons were issued.]^a

- (5) All coupons shall have attach to them a statement that they authorise the supply of motor spirit during a named month or months, and shall be valid only if presented within that month or those months. In the case of a supplementary coupon one month only shall be named. In the case of a special or ordinary coupon the months named shall be successive, and shall be months included within a single quarter.
 - (6) All coupons shall contain expressed in units the amount of motor spirit for the supply of which the coupon is an authority.
 - (7) Coupons shall be issued in books on the cover of which shall be entered the details required by this clause to be attached to all coupons, and shall not be valid unless presented in and not detached from the book.
10. *Method of obtaining coupons.*—
- (1) Any person, wishing to obtain coupons authorising the supply of motor spirit for a vehicle or vehicles, shall make an application in Form G, H, I, J, K or L, as set out in the First Schedule as the case may require, to the Area Rationing Authority having jurisdiction in respect of the vehicle or vehicles in connection with which the coupons are required. The application shall give full particulars of the vehicle or vehicles or service of stage carriages for which the motor spirit is required.
 - (2) An Area Rationing Authority may, before sanctioning the issue of any coupons in connection with any vehicle, require to be satisfied by the applicant that in the case of a motor vehicle it is registered under the Motor Vehicles Act, 1939, or in the case of a motor boat that it has where necessary a certificate of survey under the Inland Steam Vessels Act, 1917, or the corresponding law in force in the Province of Madras, and that all taxes due in respect of the vehicle at the beginning of the period during which the coupons authorise supply, have been paid.
 - (3) The authority by which any coupons are issued in connection with a vehicle shall cause the fact of such issue and the date thereof to be entered on the *Certificate of registration* of the vehicle when the vehicle is not a stage carriage or on part A of the *permit* issued under the

8. Inserted by G. of I., C.D., Not. No. P.R.-78(1)/41 dated 27-9-41.

Motor Vehicles Act, 1939, in connection with the vehicle when the vehicle is a *stage* carriage.

[10A. *Special provision for defence, internal security or other emergent purposes.*—

- (1) Notwithstanding anything contained in clause 10, the Central Government, or any authority authorised in this behalf by the Central Government, may issue to any person supplementary coupons sufficient to enable him to carry out any such defence or internal security or other emergent purpose as the said Government or authority, as the case may be, may consider necessary.
 - (2) A person obtaining a supply of motor spirit under this clause shall be responsible for the custody of supplementary coupons issued to him, and shall, on the completion of the purpose for which the coupons were issued or, where the purpose is a continuing one, at the end of each month, report to the Central Government or issuing authority, as the case may be, the number of units for which coupons have been surrendered by him]⁹:
11. *Special provision for Civil and Military officers.*—
- (1) Notwithstanding anything contained in clause 10, the Provincial Government may direct an Area Rationing Authority to issue, to any civil or military officer nominated by the Provincial Government supplementary coupons sufficient to ensure a supply to him of motor spirit adequate for the performance of his official duties.
 - (2) An officer obtaining a supply of motor spirit under this clause shall be responsible for the custody of supplementary coupons issued to him, and shall report at the end of each month to the Area Rationing Authority the number of units for which coupons have been surrendered by him.
12. *Power to attach conditions or instructions to coupons.*—An Area Rationing Authority may when issuing coupons to any person attach conditions or instructions thereto or may communicate in writing to such person the conditions or instructions governing the use of the coupons.
13. *Transfer of ordinary coupons.*—A person in whose name a motor vehicle is for the time being registered under the Motor Vehicles Act, 1939, or who is the owner of a motor boat may, if he transfers the vehicle to another person, transfer to that other person ordinary coupons issued to him in connection with the vehicle, and any ordinary coupon so transferred shall be valid in the hands of that other person in

respect of the transferred vehicle as it was valid in the hands of the transferor.

14. *Coupons which are no longer valid to be delivered up.*—A person to whom coupons have been issued, or to whom coupons have been transferred under clause 13, shall, within seven days, deliver up at the officer or place from which the coupons were obtained all coupons which have not been surrendered by him to a supplier upon the supply of motor spirit, if—
- (a) the period during which the coupons authorised the supply of motor spirit has expired, or
 - (b) the use of the vehicle in respect of which the coupons were issued has, by reason of failure to comply with any conditions imposed by law on its use, become unlawful, or
 - (c) the purpose for which the coupons were issued has ceased to apply.
15. *Method of obtaining licences.*—Any person wishing to obtain a licence shall make an application in Form M as set out in the First Schedule to the Director of Civil Aviation if the motor spirit is required for use in an aircraft and to the Provincial Rationing Authority in all other cases. The application shall give full particulars of the purpose or purposes for which the motor spirit is required.
16. *Particulars to be expressed in licence.*—
- (1) Every licence shall state the person to whom and the object for which it authorises the supply of motor spirit, the period for which the licence remains valid, and the amount of motor spirit of which it authorises the supply either—
 - (a) during the whole period of the validity of the licence, or
 - (b) during stated periods within that period of validity, or both such amounts.
 - (2) A licence shall ordinarily be expressed as being valid for one year, but the Director of Civil Aviation or the Provincial Rationing Authority, as the case may be, may issue licences having validity for any shorter period.
17. *Conditions implicit in or attached to licence.*—
- (1) Every licence shall be deemed to be granted subject to the condition that a supplier¹⁰ furnishing motor spirit on the authority of the licence shall endorse on the licence the quantity furnished on each occasion, and that the holder of the licence shall give the supplier¹⁰ a receipt for the quantity supplied.

¹⁰ Words "or dealer" following the word "supplier" in the original clause omitted by G. of I., C.D., Not. No. P.R.-52(1), 41 dated 30-3-41.

- (2) The Director of Civil Aviation or the Provincial Rationing Authority, as the case may be, when granting a licence may attach to it such conditions as he or it thinks fit, and the holder of the licence shall comply with any conditions contained in or attached to the licence.
18. *Power to rescind, vary or amend licences.*—The Director of Civil Aviation or the Provincial Rationing Authority, as the case may be, may at any time rescind, vary or amend any licence.
19. *Licence which is no longer valid, to be delivered up.*— When a licence is rescinded, or otherwise ceases to be valid, the holder shall forthwith deliver up the licence to the Director of Civil Aviation or the Provincial Rationing Authority, as the case may be.

Appointment and functions of Rationing Authorities.

20. Provincial Rationing Authority—

- (1) The Central Government shall have power to give directions to a Provincial Government as to the extent to which the consumption of motor spirit in the Province shall be reduced and as to the manner in which the provisions of this Order shall be carried out.
- (2) The Provincial Government shall appoint a Provincial Rationing Authority having jurisdiction throughout the Province.
- (3) The Provincial Rationing Authority shall, subject to the direction and control of the Provincial Government, exercise general control over the working of the system of rationing motor spirit established by this Order.
- (4) The Provincial Rationing Authority may issue instructions to all or any Area Rationing Authorities as to the extent to which in issuing coupons for the supply of motor spirit to any person for any purpose the Area Rationing Authority shall aim at effecting a reduction of the amount of motor spirit consumed in normal conditions by that person for that purpose.
- (5) The Provincial Rationing Authority shall have power to revise any decision or order made by an Area Rationing Authority.
- (6) The Director of Civil Aviation or the Provincial Rationing Authority, as the case may be, shall decide the amount of motor spirit for which, in any case covered by clause 6, a licence may be issued, and shall issue or authorise the issue of all licences.

21. Area Rationing Authorities—

- (1) The Provincial Government may appoint such Area Rationing Authorities, as it thinks fit, having jurisdic-

tion in such areas and in respect of such vehicles or such class or classes of vehicles as may be specified in each case by the Provincial Government.

- (2) An Area Rationing Authority shall, subject to any instructions issued in this behalf by the Provincial Rationing Authority and to the standards specified in the Second Schedule, decide in respect of any vehicle for the time being within its jurisdictional area the amount of motor spirit for which coupons may be granted and shall authorise the issue of all coupons.
- (3) Any person dissatisfied with the decision or order of an Area Rationing Authority may apply to the Provincial Rationing Authority for revision of the decision or order. The Provincial Rationing Authority shall dispose of the application as it thinks fit, and shall not be bound to accord the applicant a hearing.

[21A. *Combination of functions in certain cases.*—

- (1) Notwithstanding anything contained in sub-clause (1) of clause 21, the Central Government may, by notification in the official Gazette, authorise the Provincial Rationing Authority in any Chief Commissioner's Province to exercise all or any of the functions of an Area Rationing Authority under this Order in respect of such classes of vehicles as may be specified in the said notification.
- (2) In respect of any decision or order made by a Provincial Rationing Authority when exercising the functions of an Area Rationing Authority in pursuance of an authorisation under sub-clause (1), the references to the Provincial Rationing Authority in sub-clause (5) of clause 20 and sub-clause (3) of clause 21 shall be construed as references to the Central Government in the Department of Commerce.]¹¹

Restrictions on supply and use of motor spirit, and dealings with receipts and coupons.

22. *Motor spirit to be obtained only in accordance with this Order.*—No person shall furnish or acquire a supply of motor spirit otherwise than in accordance with the provisions contained in this Order.
23. *Motor spirit to be obtained only from supplier.*—No person other than a supplier shall furnish, and no person shall acquire otherwise than from a supplier, a supply of motor spirit.
24. *Use by producer of motor spirit for private purpose.*—Except under the authority of a licence or unless the motor spirit has been obtained upon the surrender of coupons, no pro-

11. Inserted by G. of I., C.D., Not. No. P.R.-79(1)/41 dated 15-9-41.

ducer shall use or permit the use of motor spirit produced by him for the purpose of supplying motive power to a motor vehicle registered in his name under the Motor Vehicles Act, 1939, or to any aircraft or motor boat owned by him.

25. *Economy in consumption of motor spirit.*—No person shall use or permit the use of motor spirit save in such manner as will effect all reasonable economy in his consumption and will prevent any waste thereof.
26. *Use of motor spirit for a purpose other than that authorised.*—No person shall use or permit the use of motor spirit acquired by him against the surrender of special receipts or coupons or under the authority of a licence—
- (a) for a purpose other than that to which the special receipts, coupons or licence relates, or for a purpose other than that for which the special receipts were issued to him or than that which was specified in any application in response to which the coupons were issued or the licence was granted; or
 - (b) save in accordance with any conditions or instructions appearing on or attached to the coupons or otherwise communicated in writing to the person to whom the coupons were issued, or
 - (c) for any particular purpose where a supply has been made for more than one purpose, of a quantity thereof which exceeds the quantity acquired by him for that particular purpose, or
 - (d) in a case in which the coupons have been issued in respect of a particular vehicle, in any other vehicle except a vehicle of the same class owned by the person to whom the coupons have been issued, [or except under a certificate issued under sub-clause (4A) of clause 9,]¹² or
 - (e) in a case in which the coupons have been issued in respect of a class of vehicle, in any other class of vehicle.
27. *Receipts and coupons to be surrendered only at time of supply of motor spirit.*—No person shall surrender to a supplier and no supplier shall accept special receipts or coupons or receipts at a time other than the time at which the supply of motor spirit authorised by the special receipts or coupons or acknowledged by the receipts is furnished.
- [27A. *Proof of supply.*—When motor spirit is furnished against the surrender of one or more coupons, the supplier shall immediately endorse, or cause to be endorsed, on each coupon so surrendered the registration or other identifying mark of the vehicle to which the motor spirit is furnished.]¹³

12. Inserted by G. of L., G.D., Not. No. P.R.-78(1)/41 dated 27-9-51.

13. Inserted by G. of L., Com.D., Not. No. P.R.321(1)/42 dated 6-4-42.

28. *Use of coupons for purpose other than that authorised.*—No person shall use or permit the use of coupons—
- (a) for a purpose other than that to which the coupons relate or other than that specified in any application in response to which the coupons were issued, or
 - (b) save in accordance with any conditions or instructions appearing on or attached to the coupons or otherwise communicated in writing to the person to whom the coupons were issued.
29. *Transfer of coupons.*—Save as provided in clause 13 no person shall transfer to any other person coupons issued to himself.
30. *Obtaining coupons while possessed of coupons.*—No person shall, while in possession of coupons obtained from an Area Rationing Authority in respect of a particular vehicle, or vehicles, obtain or attempt to obtain coupons from that or any other Area Rationing Authority in respect of the same vehicle or vehicles without disclosing full particulars of the coupons in his possession.

Supplementary Provisions.

31. *Preservation of special receipts, coupons and receipts.*—A supplier other than a dealer shall retain all special receipts, coupons and receipts received by him, and a dealer shall retain all special receipts, coupons and receipts received by him, except such as he surrenders to a supplier when himself obtaining a stock of motor spirit until the Provincial Rationing Authority authorises their destruction.
32. *Keeping of accounts and records and furnishing returns.*—A supplier shall, if so required by a general or special direction issued by the Central Government, keep such books, accounts and records, and furnish such returns at such times and to such authorities as may be specified in the direction.
33. *Powers of supervision and inspection.*—
- (1) A supplier, and a person employed in connection with the business of a supplier, shall, if requested so to do by or on behalf of the Provincial Rationing Authority :—
 - (a) produce to any person mentioned in the request such books, accounts or other documents relating to the business (including the coupons, special receipts, receipts received by him) as may be mentioned in the request,
 - (b) furnish to any person mentioned in the request such estimates, returns or information relating to the business as may be mentioned in the request, and
 - (c) permit any person authorised by the Provincial

Rationing Authority in that behalf to enter and inspect any premises used for or in connection with the business.

- (2) The powers exercisable under this clause shall not be exercised except for the purpose of securing compliance with the provisions of this Order.

[34. *Exemptions.*—Nothing in this Order shall apply to—

- (a) the supply of motor spirit to a dealer by a supplier—
- (i) on not more than one occasion within one month either of the coming into force of this Order, or in the case of a dealer commencing business as such after the coming into force of this Order, of the commencement of such business, or
 - (ii) against surrender by the dealer to the supplier of special receipts, coupons, receipts or the signed statements referred to in sub-clauses (f) and (g), indicating the previous supply by the dealer of a quantity of motor spirit not less than 98 per cent. in the case of deliveries made in cans or barrels outside the municipal limits of a depot town, or of deliveries by a bulk lorry from a depot on the plains to a petrol pump in the hills, or not less than 99 per cent. in all other cases, of the quantity thereof supplied to the dealer, or
 - (iii) in making up a quantity of motor spirit which the supplier is satisfied has been short delivered to the dealer; or
- (b) the transfer of motor spirit from a supplier to a supplier who is not a dealer or
- (c) the supply of motor spirit by a producer thereof to a supplier who is not a dealer; or
- (d) the supply from stocks under the direct control of the Government concerned of motor spirit for use in—
- (i) vehicles employed by the Central or a Provincial Government for defence or internal security purposes, or
 - (ii) vehicles, aircraft and machinery employed in or in the maintenance of His Majesty's Forces; or Allied Forces;
- (e) the supply of motor spirit by a producer or supplier thereof to such stocks as are referred to in sub-clause (d); or
- (f) the supply of motor spirit by a producer or supplier for the refuelling of any aircraft employed in or in the maintenance of His Majesty's Forces or Allied Forces, on the pilot of such aircraft furnishing a signed statement showing his name, rank and designation, the

number of the aircraft, and the quantity of motor spirit obtained ; or

- (g) the supply of motor spirit by a producer or supplier for the emergent refuelling of any vehicle employed in or in the maintenance, of His Majesty's Forces or Allied Forces on the officer in charge of such vehicle furnishing a signed statement declaring his name, rank and designation, quantity of motor spirit obtained, the total number of vehicles refuelled together with the registration numbers of any non-military vehicles involved and the fact that no special receipts were in his possession.]¹⁴

35. *Reciprocal arrangements with Indian States.*—If the Central Government is satisfied that the Government of an Indian State has made within the State provision for the rationing of motor spirit which is substantially the same as that made in this Order, and that the Government of that Indian State will accept as effective within the State, special receipts, coupons, [certificates,]¹⁵ licenses and receipts issued in British India, the Central Government may by notification in the official Gazette, direct that so long as the notification remains in force special receipts, coupons, [certificates,]¹⁶ licenses and receipts issued by or under the authority of the Government of that Indian State shall be effective in British India as though they had been issued in British India.¹⁶
36. *Restriction on bringing motor spirit into British India.*—No person other than a supplier [who is not a dealer]¹⁷ shall bring into British India motor spirit obtained outside British India, unless,
- (i) he has acquired it against the surrender of a special receipt coupon or receipt accepted as effective within an Indian State in respect of which a notification under clause 35 has been issued and is in force ; or
 - (ii) the motor spirit is in the ordinary fuel tank of a motor vehicle or aircraft travelling into British India.
37. *Special provision for persons temporarily visiting British India.*—Notwithstanding anything contained in this Order when a person temporarily visiting British India applies to an Area Rationing Authority for coupons under clause 10, the Area Rationing Authority may instead of issuing ordinary coupons, issue supplementary coupons for such number of units as it thinks reasonable in all the circum-

14. The original clause 34 was amended by G. of I., C.D., Not. No. P.R.-42-(1)/41 dated 30-8-41, G. of I., C.D., Not. No. 110/41 dated 4-10-41, G. of I., W.T.D., Not. No. 402(8)/42 dated 29-7-42 and G. of I., W.T.D., Not. No. 291(15)/42 dated 8-10-42, and was finally substituted by the present clause by G. of I., W.T.D., Not. No. P.R.-402(27)/42 dated 29-30-8-43.

15. Inserted by G. of I., C.D., Not. No. P.R.-171(1)/41 dated 12-12-41.

16. This clause is to be omitted in respect of those areas to which this Order is made applicable by G. of I., P.D., No. 227-IB dated 1-9-1941.

17. Inserted by G. of I., C.D., Not. No. P.R.-52(1)/41 dated 30-8-41.

stances of the case. Such supplementary coupons shall be stamped with the word "visitor."

The First Schedule.

Forms A to N.

(Not printed).

The Second Schedule.

THE SECOND SCHEDULE.

[See clause 21 (2).]

Standards for Area Rationing Authorities.

- | | |
|--|--|
| <p>Class of Vehicles.</p> | <p>Standard to which an Area Rationing Authority shall have regard in deciding the amount of motor spirit for which Coupons other than supplementary coupons are to be granted.</p> |
| <p>1. Vehicles not covered by clause 3 which are employed by the Central or a Provincial Government for any administrative purposes than public transport.</p> | <p>A. The minimum requirements as stated by the authority responsible to the Government concerned for the operation of the vehicle.</p> |
| <p>2. (a) Vehicles employed by the local authorities for any administrative purposes other than public transport. (b) Vehicles used as ambulances, travelling dispensaries, or school buses.</p> | <p>The minimum required for the maintenance of essential services as estimated by the Area Rationing Authority, after summary enquiry, and after consideration of— (a) the consumption of motor spirit in normal circumstances of the vehicle, (b) the possibility of reverting to animal drawn transport, (c) the possibility of effecting economy of consumption by a rearrangement of routes, and (d) any other factor the Area Rationing Authority deems relevant.</p> |
| <p>3. Transport vehicles and Motor Boats used for public transport.</p> | <p>The minimum, in relation to the required reduction of total consumption estimated by the Rationing Authority to be necessary to enable the transport vehicle or motor boat to satisfy local needs, with regard to local conditions and to the existing and potential capacity of rail-borne, water-borne and other transport facilities.</p> |
| <p>4. Motor vehicle in the possession of a dealer or distributor, the use of which is authorised by trade or general numbers issued in accordance with rules made under clause (K) of Section 41 (2) of the Motor Vehicle Act, 1939.</p> | <p>The minimum requirements of the dealer or distributor as estimated by the Area Rationing Authority, subject to a limit of 10 units per month for each trade or general number issued to him.</p> |
| <p>5. Vehicles not included in items 1, 2, 3 and 4.</p> | <p>Where the horse power (as entered in the certificate of registration in the case of a motor vehicle or as stated in the manufacturer's specification in the case of a motor boat)—</p> |

Number of units to be allotted for a quarter if application is made. Exceeds but does not exceed. in or prior to in the 2nd month in the third the 1st mon- of the quarter. month of the th of the Quarter. quarter.

| | | | | |
|---------|---------|----|---|---|
| | 3 H.P. | 2 | 2 | 1 |
| 3 H.P. | 4 H.P. | 3 | 2 | 1 |
| 4 H.P. | 7 H.P. | 5 | 4 | 2 |
| 7 H.P. | 9 H.P. | 6 | 4 | 3 |
| 9 H.P. | 12 H.P. | 8 | 6 | 3 |
| 12 H.P. | 15 H.P. | 9 | 6 | 3 |
| 15 H.P. | 19 H.P. | 10 | 7 | 4 |
| 19 H.P. | | 12 | 8 | 4 |

All vehicles in respect of which supplementary coupons are required.

The minimum requirements in each case as determined by the Area Rationing Authority.

Notes.

By a notification of the Government of India in the Political Department No. 277-IB. dated 1st September 1941, this Order was applied subject to certain amendments to certain administered Areas in some Indian States, Railway and Cantonment Areas, Railway Lands and certain States as specified in the Second Schedule thereto. (See Page 1237A of the Bombay Govt. Gazette Part IV-C of 1941.)

Reciprocal arrangements under clause 35 of this Order have been made with specified Indian States as per the Notification of the Government of India in the Department of Commerce No. P. R.-68/41 dated 4th October 1941 (See Page 1477 of the Bombay Govt. Gazette Part IV-C of 1941), amended from time to time by G. of I., C.D., Not. No. P.R.-68(1)/41 dated 28-10-41 (Page 1567 Ibid.), G. of I., C.D., Not. No. P.R.-68(3)/41 dated 15-1-42 (Page 253 of the Bombay Govt. Gazette Part IV-C of 1942), G. of I., Com. D., Not. No. P. R. 68(4)/41 dated 18-3-42 (Page 772 Ibid.) and G. of I., Com. D., Not. No. P. R. 68(5)/41 dated 27-4-42 (Page 949 Ibid.).

MOTOR VEHICLES (KEROSENE PROHIBITION) ORDER, 1942.

Notification, Government of India, Department of Communications, No. P.R.353(1)/42 dated the 26th May 1942.

Whereas it appears to the Central Government that the use, on an increasing scale, of Kerosene and similar oils known under other names as motor fuel in contravention of the Motor Spirit Rationing Order, 1941, and the Excise Law, is prejudicial to the efficient prosecution of the war and to the maintenance of supply and services essential to the life of the community :

Now, therefore, in exercise of the powers conferred by rule 81 of the Defence of India Rules, the Central Government is pleased to make the following Order, namely:—

- (1) This Order may be called the Motor Vehicle (Kerosene Prohibition) Order, 1942.
- (2) It shall come into force on the first of June 1942.
2. In this Order, unless there is anything repugnant in the subject or context—

- (a) "petroleum" means any liquid hydrocarbon or mixture of hydrocarbons, and any inflammable mixture (liquid, viscous or solid) containing any liquid hydrocarbon;
 - (b) "dangerous petroleum" means petroleum having its flashing-point below seventy-six degrees Fahrenheit;
 - (c) "flashing point" of any petroleum means the lowest temperature at which it yields a vapour which will give a momentary flash when ignited, determined in accordance with the provisions of section 2 of the Petroleum Act, 1934;
 - (d) "authorised person" means any person authorised by the Central or Provincial Government for carrying out all or any of the provisions of this Order;
 - (e) "motor vehicle" has the meaning assigned to it in clause (18) of section 2 of the Motor Vehicles Act, 1939.
 - [(f) "tractor" has the meaning assigned to it in clause (3) of section 2 of the Motor Vehicles Act, 1939].¹
3. No person shall use in a motor vehicle [other than a tractor]² for supplying motive power thereto, or possess or sell or otherwise supply for such use, any petroleum not being dangerous petroleum having its flashing point below 150°F., either alone or admixed in any proportion with any other petroleum or other substance.
 4. Where any authorised person has reason to believe that any petroleum or admixture thereof is being used in a motor vehicle or possessed, sold or otherwise supplied in contravention of this Order, such person may—
 - (a) examine any such motor vehicle;
 - (b) enter, and inspect any premises on which any petroleum or admixture thereof is believed to be kept; and
 - (c) require the person in possession of any such motor vehicle and the occupier of such premises, or a person employed therein by the occupier, to give him on demand samples of any petroleum and of any admixtures thereof found in such motor vehicle or on such premises; and the person in possession of such motor vehicle or the occupier of such premises as the case may be, or his agents or servants shall furnish the means required by such authorised person for entry, inspection and examination.
 5. If any person is convicted of an offence against this Order, in addition to any penalty to which he may be liable, the whole of the petroleum or admixture thereof in respect of which the offence was committed shall be confiscated.

1. Inserted by Govt. of India, War Transport Dept. No. P.R.-503(2)/42, dated 4th Aug. 42.

2. Ibid.

COLOURED MOTOR SPIRIT CONTROL ORDER, 1942.

Notification, Government of India, Defence Department No. 1215, dated 11th July 1942.

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

1. (1) This Order may be called the Coloured Motor Spirit Control Order, 1942.
- (2) It extends to the whole of British India.
- (3) It shall come into force at once.
2. In this Order,—
 - (i) "Motor Spirit" means any liquid hydro-carbon or admixture of hydro-carbon with any other liquid, having a flashing point (as defined in section 2 of the Petroleum Act, 1934) below 76 degrees Fahrenheit and capable of providing motive power to any form of internal combustion engine,
 - (ii) "Coloured motor spirit" means motor spirit which is coloured red, blue or green, or any other colour that may be notified in this behalf by the Central Government.
3. No person shall produce, buy, sell, store, or transport coloured motor spirit save in accordance with the conditions of a written permit issued to him in this behalf by any of the undermentioned authorities:—

Director of Civil Aviation in India (in respect of aviation spirit required for use in civil aircraft).
 General Officers Commanding-in-Chief, Armies and Central Command.
 [Corps Commanders]¹.
 District Commanders.
 Divisional Commanders.
 Area Commanders.
 Brigade Commanders.
 Fortress Commanders.
4. No person shall use, or have in his possession, any coloured motor spirit unless such use or possession—
 - (i) is by, or of, a member of His Majesty's or allied forces or other servant of the Crown, in the course of his duty as such member or servant, or
 - (ii) is for the purpose of any production, storage or transport permitted under clause 3, or
 - (iii) is specially authorised by any of the authorities mentioned in clause 3.
5. Nothing in this Order shall apply in relation to the storage, transport or use of coloured motor spirit in any vehicle or

1. Inserted by G. of I., W.D., Not. No. 1555, dated 26-9-42.

aircraft belonging to the Defence Department of the Government of India.

6. In any case in which a contravention of this Order has been committed, any Court exercising original, appellate or revisional jurisdiction in the case may, without prejudice to any punishment that may be imposed under sub-rule (4) of rule 81 of the Defence of India Rules, direct that the motor spirit in respect of which the offence has been committed shall, together with the receptacles in which it is contained be confiscated and placed at the disposal of the Defence Department of the Government of India.

THE FUEL ALCOHOL ORDER, 1943.

Notification, Government of India, Department of Commerce, No. 230-I.C. (61)/42, dated the 20th February, 1943.

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

1. *Short title and commencement.*—

(1) This Order may be called the Fuel Alcohol Order, 1943.

(2) It shall come into force at once:

Provided that clause 3 to 14 (both inclusive) shall not take effect in any Province unless the Provincial Government by notification in the official Gazette so directs. Such a direction may be made in respect of all or any of the said clauses.

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

(a) “molasses” means the final residual by-product obtained in the manufacture of sugar at a factory as defined in clause (j) of section 2 of the Factories Act, 1934;

(b) “petrol” means dangerous petroleum as defined in clause (b) of section 2 of the Petroleum Act, 1934;

(c) “petroleum” has the meaning assigned to it in clause (a) of section 2 of the Petroleum Act, 1934;

(d) “anhydrous power alcohol” means alcohol containing not less than 99.5 per cent. by volume of ethyl alcohol measured at sixty degrees Fahrenheit corresponding to 74.4 over-proof strength;

(e) “rectified spirit” means alcohol containing not less than 95 per cent. of ethyl alcohol by volume;

(f) “sale” includes exchange, barter and offering and exposing for sale;

(g) “Provincial Government” shall be deemed to include a Chief Commissioner;

- (h) "distiller" means a person who has been granted a licence to produce fuel alcohol in accordance with the provisions of a Provincial Excise law ;
- (i) "fuel alcohol" means anhydrous power alcohol or rectified spirit which is capable of being used as motor fuel.

Conditions of sale of petrol.—

- (1) Save as otherwise provided in this Order, no person shall sell petrol except with an admixture as provided in sub-clause (2) of anhydrous power alcohol or rectified spirit which has been supplied by the Provincial Government, if that Government has issued a notification under paragraph (i) of such-clause (1), or which has been supplied by any other person in accordance with this Order if such notification has not been issued.
- (2) The proportion of anhydrous power alcohol or rectified spirit in such mixture shall not be less than such as may be notified by the Provincial Government from time to time, and different proportions may be notified for different areas or for mixtures destined for different purposes:
 Provided that the proportion so notified of anhydrous power alcohol in such mixtures destined for use by the Defence Services shall be determined in consultation with the War Department of the Central Government.
- (3) Nothing in this Order shall bar the use of neat denatured anhydrous power alcohol or of neat denatured rectified spirit for providing motive power in motor vehicles.

Persons prohibited from using petrol without admixture of fuel alcohol.—

- (1) Save as otherwise provided by or under this Order, no person shall use petrol for providing motive power for any motor vehicle without admixture as provided in sub-clause (2) of clause 3 with anhydrous power alcohol or rectified spirit ;
 Provided that petrol which is brought from any place in which the provisions of this clause and clause 3 are not in force and which is contained in any fuel tank incorporated in any motor vehicle or attached to the engine of such vehicle may be used for providing motive power for such vehicle without being admixed with anhydrous power alcohol or rectified spirit.
- (2) The Provincial Government may be notification in the official Gazette prescribe areas in which no liquid fuel other than fuel alcohol shall be used to provide motive power for any vehicle other than aircraft, and if such notification has been issued, no person shall use any

liquid fuel other than neat fuel alcohol to provide motive power for such vehicle in those areas :

Provided that nothing in this sub-clause shall bar the use of producer gas for providing motive power in any motorvehicle.

5. *Conditions of use of petrol without admixture of fuel alcohol :—* Notwithstanding anything contained in clauses 3 and 4, when for any cause there is a failure or any apprehension of immediate failure in supply of petrol with the notified admixture of fuel alcohol in any district, the Collector may, subject to any regulations that may be made by the Provincial Government in this behalf, authorise the sale and use within his jurisdiction, of petrol without such admixture for such period as he may deem fit and may at any time withdraw or modify such authority or from time to time extend the period of such authority.
6. *Conditions of manufacture and sale of fuel alcohol :—*
 - (1) The Provincial Government may provide by notification in the official Gazette,—
 - (i) that distillers shall not sell fuel alcohol in the Province except to the Provincial Government ;
 - (ii) for the price at which fuel alcohol may be sold within the province whether to the Provincial Government or otherwise.
 - (2) The Provincial Government may by order in writing fix the maximum or minimum quantities (or both) of fuel alcohol which a distiller may manufacture : Provided that an authority authorised by the Provincial Government in this behalf may, subject to any regulations made by the Provincial Government, permit such variations in the quantities so fixed as it may deem expedient.
 - (3) For a contravention of any notification or order under the clause, the licence of a distiller shall, in addition to any other punishment to which he may be liable and notwithstanding anything contained in any other law, be liable to be cancelled by order of the Provincial Government.
7. *Provision regarding supply of molasses :—*The Provincial Government may by notification in the official Gazette, provide,—
 - (i) for specifying for a distiller one or more areas from which he may draw supplies of molasses for use in the production of fuel alcohol ;
 - (ii) for the fixing of the maximum prices at which molasses of any specified description produced in any such area shall be sold to the distiller ;

- (iii) for providing that molasses of any specified description shall be exempted from the operation of this order.
8. *Condition of sale of molasses* :—When any notification has been issued under sub-clause (i) of clause 7 for any area, no person possessing molasses in that area who is not himself a distiller, shall sell molasses produced by him in the area, to any person other than the distiller for whom that area has been specified, except with the written permission of an authority, not below the rank of Collector, appointed by the Provincial Government in this behalf; and that authority shall not grant such permission unless it is satisfied that the supplies of molasses left in the area are and will be sufficient for the distiller for whom the area has been specified to enable him to provide the amount of fuel alcohol fixed for him under sub-clause (2) of clause 6.
9. *Additional conditions of manufacture and sale of fuel alcohol* :—Licences for the manufacture of fuel alcohol granted by the Provincial Government in accordance with the provisions of the Provincial Excise law, may, besides containing particulars that may be necessary under the provisions of that law or this Order, contain conditions regarding :—
- (a) the price at which anhydrous power alcohol or rectified spirit capable of being used as motor fuel shall be sold by the manufacturer to the Provincial Government or to any other person in accordance with the provisions of clause 6 ;
- (b) the maximum and minimum quantities of anhydrous alcohol or rectified spirit which shall be manufactured by the licensee and the spread over of such production during the period of the license, subject to the power of any authority authorised by the Provincial Government to alter such quantity in accordance with such regulations as the Provincial Government may make in this behalf.
10. *Addition of denaturants to fuel alcohol* :—Every manufacturer of fuel alcohol shall add to it denaturant of such specification and in such proportions as may be notified by the Provincial Government from time to time and different denaturants, and different proportions may be so notified for anhydrous power alcohol or rectified spirit destined for different purposes.
11. *Sale or custody of fuel alcohol prohibited except under licence* :—No person shall sell, or keep for sale, any fuel alcohol except under the authority of a licence and subject to such terms and conditions contained therein as the Provincial Government may by regulations prescribe.

12. *Licence to sell neat petrol*:—

- (1) Notwithstanding anything contained in clause 3, the Provincial Government may authorise any officer, not below the rank of Collector, to grant a licence to any person to sell petrol without an admixture of fuel alcohol for use in aircraft or for such purpose other than that of affording motive power for any motor vehicle as may be notified by the Central Government.
- (2) Such licence shall be in such form, and subject to such terms and conditions as may be prescribed by regulations made by the Provincial Government.

13. *Preparation and distribution of mixtures of fuel alcohol and petrol prohibited except under a licence*:—No person shall carry on the operation of mixing fuel alcohol with petrol or petroleum or the distribution of fuel alcohol or a mixture thereof with petrol except under the authority and subject to the terms and conditions of a licence granted by an authority appointed in that behalf by the Provincial Government.

14. *Fixation of price of mixture of fuel alcohol and petrol*:—The Provincial Government may fix, by notification in the official Gazette, the price at which any mixture of fuel alcohol and petrol may be sold for use as motor fuel, and when such price has been notified, no person shall sell such mixture at any other price.

15. *Administration of these orders to be done by Provincial Government*:—The Provincial Government may, by notification in the official Gazette, make regulations for the purpose of giving effect to the provisions of this Order.

16. *Certain other laws not prejudiced by this Order*:—This Order shall apply without prejudice to the provisions of—

- (i) The United Provinces Power Alcohol Act, 1940.
- (ii) The Bihar Power Alcohol Act, 1942.
- (iii) The Bombay Power Alcohol and Petroleum Act, 1942.

TYRE RATIONING ORDER, 1942

Notification, Government of India, Department of Supply, No. SS 63(2)/42 dated 13th June 1942.

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

1. *Short title, extent and commencement*:—

- (1) This Order may be called the Tyre Rationing Order, 1942.
- (2) It extends to the whole of British India.
- (3) It shall come into force on the 15th day of June 1942.

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

- (i) "Area Rationing Authority" means an Area Rationing Authority appointed under clause 4;
- (ii) "clause" means a clause of this Order.;
- (iii) "fleet-owner" means a person owning or operating six or more transport vehicles (as defined in section 2 of the Motor Vehicles Act, 1939, but not including motor cabs);
- (iv) "Form" means a Form appended to this Order;
- (v) "giant tyre" or "tube" means a tyre or tube with a cross-section of not less than five inches intended for use on a heavy transport vehicle or light transport vehicle as defined in section 2 of the Motor Vehicles Act, 1939;
- (vi) "manufacturer" means a person carrying on the business of manufacturing tyres or tubes, and includes a recognised representative of any such person;
- (vii) "new tyre" or "tube" means a tyre or tube which has not been used, if at all, for more than 1,000 miles;
- (viii) "Provincial Rationing Authority" means a Provincial Rationing Authority appointed under clause 3;
- (ix) "reclaim manufacturer" means a person carrying on the business of producing reclaim rubber;
- (x) "recognised" means recognised for the purposes of this Order by general or special order of the Central Government;
- (xi) "retreaded tyre" means a tyre which has been reconditioned by retreading, and which after such retreading has not been used, if at all, for more than 1,000 miles;
- (xii) "retreader" means a person carrying on the business of retreading used tyres;
- (xiii) "retreading" means the process of renewing the entire tread of a used tyre by the addition to it of rubber or rubber compound, and includes re-capping, re-soleing, re-moulding and any other similar method of re-conditioning;
- (xiv) "supplier" means a person carrying on the business of supplying tyres, tubes or retreaded tyres, and includes a manufacturer and a retreader who carries on such business;
- (xv) "tube" means the inner tube of a pneumatic rubber tyre intended for use on the wheel of a vehicle;
- (xvi) "tyre" means the outer cover of a pneumatic rubber tyre intended for use on the wheel of a vehicle;

- (xvii) "unserviceable tyre" means a tyre which is irreparably damaged, or which is worn out and cannot be retreaded;
- (xviii) "unserviceable tube" means a tube which is irreparably damaged or worn out;
- (xix) "used tyre" or "tube" means a tyre or tube which is neither new nor unserviceable;
- (xx) "vehicle" means a mechanically propelled vehicle, animal-drawn vehicle, or hand-cart, constructed or adapted for use on roads.
3. *Provincial Rationing Authority* :—
- (1) The Provincial Government shall appoint a Provincial Rationing Authority having jurisdiction throughout the Province.
 - (2) The Provincial Rationing Authority shall, subject to the direction and control of the Provincial Government, exercise general control over the working of this Order in the Province.
 - (3) The Provincial Rationing Authority may issue instructions to all or any Area Rationing Authorities as to the extent to which permits for new tyres or tubes or retreaded tyres or for retreading tyres may be granted and as to the manner in which the provisions of this Order shall be carried out.
 - (4) The Provincial Rationing Authority shall have power to revise any decision or order made by an Area Rationing Authority.
4. *Area Rationing Authorities* :—The Provincial Government may appoint such Area Rationing Authorities as it thinks fit, having jurisdiction in such areas and in respect of such vehicles or such class or classes of vehicles as may be specified in each case by the Provincial Government.
5. *Return of stocks* :—Every supplier other than a manufacturer, and every fleet-owner, shall submit a true return in duplicate in Form 1, of his stocks of new tyres and tubes and retreaded tyres as at the close of business on the 14th day of June 1942 so as to reach the Controller of Rubber Manufactures, Department of Supply, Shahajahan Road, New Delhi not later than the 24th day of June 1942.
6. *Supply of new tyres, etc. only on permits* :—New tyres and tubes and retreaded tyres shall be supplied or acquired only against the surrender to the supplier of a valid permit in Form 2 issued under the provisions of this Order, and only in accordance with any conditions or instructions appearing on such permit:
- Provided that nothing in this clause shall apply to—
- (i)¹ the supply or acquisition of tyres or tubes fitted to a

1. The original (i) was deleted by G. of I., S.D., Not. No. 53/68(2)/42 dated 31-10-42.

motor vehicle and sold with it as part of its normal equipment ;

- (ii) the supply or acquisition of new tyres or tubes or re-treaded tyres under any general or special order of the Central Government, or of any Provincial Government [or of Controller or Deputy Controller of Rubber Manufactures]² or in pursuance of a contract entered into with the supplier by the Chief Controller of Purchase (Supply); or
 - (iii) the supply or acquisition of retreaded giant tyres ;
 - [(iv) Release of new tyres and new tubes by any person to the manufacturer from whom the tyres and tubes were originally obtained.]³
7. *Applications for permits in Form 2 :—*
- (1) Any person wishing to obtain a permit for the supply of a new tyre or tube or retreaded tyre shall make an application in Form 3 to the Area Rationing Authority having jurisdiction in respect of the vehicle for which the tyre or tube is required. A separate application shall be made in respect of each such vehicle.
 - (2) The applicant shall, after completing the application, have the form of certificate appended thereto completed by the supplier from whom he proposes to obtain the tyre or tube, and then submit the application to the Area Rationing Authority, together with the certificate of registration, if any, of the vehicle for which the tyre or tube is required :
Provided that where the applicant is a fleet-owner, he need not have the form of certificate completed.
8. *Permits for retreaded tyres instead of new tyres :—*Notwithstanding that an application is for a permit to acquire new tyres, an Area Rationing Authority may in its discretion grant a permit to acquire retreaded tyres only.
9. *Permits to authorise supply by recognised suppliers :—*No permit in Form 2 shall authorise the supply of new tyres or tubes or retreaded tyres by any person other than a recognised supplier.
10. *Period of validity :—*A permit shall be valid only for the period specified therein.
11. *Issue of permits without Part II :—*An Area Rationing Authority may in its discretion issue a permit in Form 2 after detaching Part II thereof, in which case it shall endorse that fact on Part I of the permit.

². Inserted by Govt. of India, Dept. of Supply, Not. No. SS/63(7)/42, dated 24th Sept. 42.

³. Inserted, Ibid.

12. Procedure for supply of new tyres, etc., on permits :—

- (1) A person to whom a permit in Form 2 has been granted by the Area Rationing Authority (hereinafter referred to as the "permit-holder") shall hand over the permit to the supplier named therein, and shall also before taking delivery of the tyres or tubes specified in the permit, surrender to the supplier the old tyres or tubes for the replacement of which the permit has been granted.
- (2) If the supplier is unable to supply from stock the tyres or tubes specified in the permit, or wishes to replenish his stocks and Part II of the permit has not been detached by the Area Rationing Authority under clause 9, he shall detach Part II of the permit and send it with his indent to the manufacturer.
- (3) Any manufacturer furnishing a supplier with tyres or tubes on an indent made under sub-clause (2) shall endorse on the back of Part II of the permit the manufacturer's serial numbers of the tyres so furnished, if any, and send the document to the Area Rationing Authority which issued the permit.
- (4) The supplier shall, within seven days of delivering the tyres or tubes specified in the permit to the permit-holder,—
 - (a) endorse on Part I of the permit the manufacturer's serial numbers of the tyres supplied by him and of the old tyres surrendered to him under sub-clause (1) and send the document to the Area Rationing Authority;
 - (b) deliver or despatch to the reclaim manufacturer mentioned on the back of Part I of the permit, the old tyres or tubes surrendered under sub-clause (1).
- (5) The permit-holder shall be entitled to receive from the supplier for the old tyres or tubes surrendered by him under sub-clause (1) prices at such rates as may be fixed by the Central Government in this behalf, and the supplier shall be entitled to receive [the same amount increased by 10%]⁴ from the reclaim manufacturer to whom he has delivered or despatched them under sub-clause (4).

13. Retreading by recognised retreaders only :—No person other than a recognised retreader shall retread any used tyre.

14. Permit for retreading tyres :—No person shall retread, or undertake to retread, any used tyre belonging to another person, unless that other person is in possession of a valid permit in Form 4 authorising such retreading and surrenders

⁴. Substituted by Govt. of India, Dept. of Supply, Not. No.SS-63(2)/42, dated 25th June, 42.

it to the retreader at the time of delivering the used tyre for retreading:

Provided that nothing in this clause shall apply to the retreading of any used tyre—

- (i) under a general or special order of the Central Government or of any Provincial Government, [or the Controller or Deputy Controller, of Rubber Manufactures.]^a
 - (ii) in pursuance of a contract entered into with the Chief Controller of Purchase (Supply);
 - (iii) which is the property of the Central Government or of any Provincial Government;
 - (iv) which is a giant tyre.
15. *Applications for permits in Form 4 :—*
- (1) Any person wishing to obtain a permit for the retreading of his used tyres shall, after completing an application in Form 4, have the form of certificate appended thereto completed by the supplier or retreader to whom he proposes to entrust the work, and then submit the application to the Area Rationing Authority having jurisdiction in respect of the vehicle on which those tyres are used.
 - (2) A separate application shall be made in respect of each such vehicle.
16. *Endorsement and return of permits in Form 4 :—*The retreader to whom a permit in Form 4 is surrendered in accordance with the provisions of clause 14 shall, after endorsing thereon the manufacturer's serial numbers of the tyres given to him for retreading, return the permit to the Area Rationing Authority issuing it.
17. *Prohibition of supply of new tyres, etc., in contravention of this Order :—*No person shall supply or acquire any new tyre or tube or retreaded tyre otherwise than in accordance with the provisions of this Order.
18. *Prohibitions of transfer of permits :—*No person shall transfer to any other person any permit issued to himself under the provisions of this Order.
19. *Prohibitions as to possession, etc., of unserviceable tyres and tubes :—*No person other than a recognised reclaim manufacturer—
- (a) shall have in his possession any unserviceable tyre or tube for more than ten days after the tyre or tube became unserviceable;
 - (b) shall use for any purpose, or destroy, any unserviceable tyre or tube;
 - (c) shall sell, or otherwise dispose of, any unserviceable tyre or tube except to a recognised supplier or reclaim manufacturer.

^a. Inserted by G. of L., S.D., Not. No. SS/68(2)/42, dated 24-9-42.

- [19A *Fixing of prices of unserviceable tyres and tubes* :—Any person selling unserviceable tyres or tubes to a recognised supplier shall be entitled to receive therefor prices at the rates fixed under sub-clause (5) of clause 12 and a recognised supplier selling such tyres or tubes to a recognised reclaim manufacturer shall be entitled to receive therefor prices at the aforesaid rates increased by ten per cent.]^a
20. *Production of vehicles for inspection of tyres and tubes* :—An Area Rationing Authority may require an applicant for a permit under this Order to produce the vehicle in respect of which the application is made for an examination of its tyres and tubes, and may issue such directions concerning the replacement or retreading of tyres as it thinks fit; and the applicant shall comply with such directions.
21. *Furnishing of information regarding stocks of dealers, etc.* :—Any supplier, retreader, or fleet-owner shall, on being required so to do by the Area Rationing Authority, furnish such information regarding the sale, use or disposal of his stocks of tyres and tubes as that Authority may demand, and shall allow that Authority to inspect those stocks.
22. *Making false statements, etc., in connection with applications for permits* :—
- (1) If a person applying for a permit under this Order makes any false statement in his application, then, without prejudice to any action that may be taken against him under rule 117 of the Defence of India Rules, the Area Rationing Authority may reject that and any subsequent application for a permit under this Order made by or on behalf of that person.
 - (2) If a supplier or retreader makes a false statement or gives a false certificate in connection with any application for a permit under this Order, then, without prejudice to any action that may be taken against him under rule 117 of the Defence of India Rules, the Area Rationing Authority may refuse to grant any permit authorising the supply of new tyres or tubes or retreaded tyres by such supplier, or as the case may be the retreading of any used tyres by such retreader.

FORM I

(See Clause 5)

THE TYRE RATIONING ORDER, 1942

Return of stocks of new tyres, tubes and retreaded tyres.

Name of person making the return.....
 Full Address.....

^a Inserted by Govt. of India, Dept. of Supply, Not. No. DSS-63(2)/42 dated 25th June, 1942.

I/We declare that I am/we are a supplier(s)/retreader(s)/fleet owner(s) and that my/our stocks in hand and in transit* at the close of business on the 14th June, 1942 were as follows :—

| | Quantity of | | Quantity of | | Quantity of | |
|--|-------------|---|-----------------------------------|-----------------------------------|-------------|--------------------------|
| | Tyres | Size of new tyres in stock or in transit. | new tubes in stock or in transit. | new tubes in stock or in transit. | retreaded | retreaded or in transit. |
| | 1 | 2 | 3 | 4 | 5 | 6 |
| **1. Motor Vehicles | | | | | | |
| a. Giants | | | | | | |
| Total | | | | | | |
| b. Others | | | | | | |
| 2. Animal Drawn Vehicles and Hand carts | | | | | | |
| Total | | | | | | |

Signature

Date

* The return should include goods in transit in respect of which an invoice has been received.

** Quantities should be shown separately size by size.

(Other Forms not printed).

Notes.

(1) The Dunlop Rubber Co. (India), Ltd., Banaspati Station, E. I. Ry., Distt. Hooghli, Bengal and (2) the Fyrestone Tyre and Rubber Co. of India, Ltd., HayBunder Road, Sewri, Bombay are recognised as reclaim manufacturers.

TYRES (TEMPORARY PROHIBITION OF DISPOSAL) ORDER, 1942

(This Order was issued on 25th April 1942 by the Central Government in the Department of Supply by a notification No. SS. 63/42. It was a temporary order and by a subsequent amendment kept alive till 15th June 1942);

MOTOR TRUCK CONTROL ORDER, 1941

(This Order was issued on 19th April 1941 by the Central Government in the Defence Department by a notification No. 665, and was cancelled on 2nd May 1941 by the same Department by a notification No. 708-A.)

MOTOR VEHICLE SPARE PARTS CONTROL ORDER, 1943

Notification, Government of India, War Transport Department, No. LP. 17(4)/43, dated 16th September 1943.

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

1. (1) This Order may be called the Motor Vehicle Spare Parts Control Order, 1943.
- (2) It extends to the whole of British India.
2. In this Order,
 - (a) "the Act" means the Motor Vehicle Act, 1939 (IV of 1939);
 - (b) "approved sub-dealer" means a person appointed as such under clause 3 of this Order;
 - (c) "controlled spare parts" means spare parts commonly referred to in the trade as "fast-moving" spare parts (including those specified in the First Schedule) which are made for, or adapted for use on, the makes of motor vehicles specified in the Second Schedule;
 - (d) "essential motor vehicle" means a motor vehicle declared to be essential in accordance with the provisions of clause 5 of this Order;
 - (e) "fleet-owner" means a person owning or operating twenty or more transport vehicles not including motor cabs;
 - (f) "goods vehicle" and "transport vehicle" have the meaning respectively assigned to them in the Act;
 - (g) "Provincial Motor Transport Controller" means the Officer appointed as such by the Provincial Government;
 - (h) "registered dealer" means a person for the time being specified in the Third Schedule;
 - (i) "schedule distributor" means a person for the time being specified in the Fourth Schedule;
 - (j) "spare part" means a counterpart of any component or regular accessory of a motor vehicle other than—
 - (i) the body or any part thereof;
 - (ii) pneumatic tyres and tubes, and
 - (iii) valves, and parts of valves, of pneumatic tubes.
3. (1) The Provincial Motor Transport Controller may by order in writing appoint such person as he deems fit to be approved sub-dealers in respect of such descriptions or categories of controlled spare parts as he may specify, and may at any time by order in writing revoke or modify any such appointment.
- (2) All orders made under sub-clause (1) shall be communicated without delay to the persons concerned.
- (3) Any person aggrieved by an order made under sub-clause (1) may within one month of the date on which the order is communicated to him appeal to the Central Government, whose decision thereon shall be final.
- (4) The Provincial Motor Transport Controller shall as soon as may be after the commencement of this Order

publish in the official gazette of the Province a list of all approved sub-dealers carrying on business within the Province, and shall thereafter similarly publish from time to time any alterations requiring to be made in the list by reason of orders made under the preceding provisions of this clause.

4. (1) Every scheduled distributor shall by such date as the Central Government may specify furnish to the Central Government, every Provincial Motor Transport Controller, and every registered dealer and approved sub-dealer authorised to sell controlled spare parts distributed by the schedule distributor, a list of all such parts, together with a statement of the retail price of each, and may, from time to time, by notice in writing to all the authorities and persons mentioned above, make such additions to or alterations in the list and statements as may be necessary.
- (2) Any spare part specifically or generally described in a list furnished under sub-clause (1) shall, unless the contrary is proved, be presumed to be a controlled spare part for the purposes of this Order.
5. (1) The Provincial Motor Transport Controller may, having regard to the use, actual or anticipated of the vehicle, declare any motor vehicle to be an essential motor vehicle for the purposes of this Order by endorsing on the certificate of registration of the vehicle the words "Essential motor vehicle for purposes of the Motor Vehicle Spare Parts Control Order, 1943. This endorsement is valid up to the 194 only."
- (2) Endorsements under sub-clause (1) shall be made valid for a period not exceeding 3 months, but their validity may be extended by the Provincial Motor Transport Controller from time to time for any period not exceeding 3 months.
- (3) The Provincial Motor Transport Controller may by order in writing for reasons to be recorded authorise the registered owner of any motor vehicle to obtain from a registered dealer or approved sub-dealer such controlled spare parts as may be specified in the order.
- (4) The powers conferred on the Provincial Motor Transport Controller by this clause shall also be exercisable by such other persons as he may by order in writing authorise in this behalf.
6. (1) The Provincial Motor Transport Controller, or such other person as may be authorised by him in his behalf, shall, upon application by or on behalf of the registered owner,

issue a Parts Record Sheet in the form set out in the Fifth Schedule—

- (a) in respect of any essential motor vehicle being a transport vehicle, if he is satisfied that it is or will shortly be necessary that controlled spare parts should be obtained for the repair of that vehicle ;
 - (b) in respect of any essential motor vehicle not being a transport vehicle, if he is satisfied that the number of controlled spare parts required, or likely to be required for the repair of the vehicle, is such that particulars of the same cannot conveniently be entered on the certificate of registration of the vehicle.
- (2) The authority issuing a Parts Record Sheet in respect of any vehicle under sub-clause (1) shall endorse upon the certificate of registration of the vehicle over his signature and designation the serial number of the Parts Records Sheet and the date of issue.
 - (3) The registered owner of any motor vehicle in respect of which a Parts Record Sheet has been issued shall maintain it in a legible manner and shall produce it for inspection at any time on demand by the Provincial Motor Transport Controller or by any other officer authorised by him in this behalf or by a police officer not below the rank of sub-Inspector.
 - (4) A scheduled distributor, a registered dealer, an approved sub-dealer, a repairer of motor vehicles or a fleet owner shall, at the time of selling, using or otherwise disposing of any controlled spare part not less than three rupees in value for use on any specific motor vehicle, enter particulars thereof in the certificate of registration of, or the spare Parts Record Sheet appertaining to, the vehicle in respect of which the spare part is supplied : Provided that in relation to a transaction by a scheduled distributor the Central Government, and in relation to any other transaction the Provincial Motor Transport Controller, may by a general or special order exempt any transactions or class of transactions from provisions of this sub-clause.
 - (5) The value of any controlled spare part for the purposes of sub-clause (4) shall be the value stated in the list furnished under clause 4 or, if the value is not stated in any such list, the price actually charged in the transaction.
 - (6) Notwithstanding anything contained in sub-clause (4) it shall not until the first day of November 1943 be necessary for the registered owner or other person in charge of a motor vehicle to produce a Parts Record

declare them if the stocks held by him in any one or more capacities mentioned in the notifications exceed the declarable limit.

CHAPTER XIV

Paper Control Order, 1942.

An amendment issued on about 21 January 1944 prohibits printing of invitation cards exceeding 12 square inches in size and visiting exceeding 6 square inches in size.

CHAPTER XV

Bombay Rent Restriction Order, 1943.

Notification No. 3259/33 of the General Department dated 4th January 1944 directs that the "Explanation" to clause 8 shall be deleted and the following clause 8-A shall be added.

"8-A. (1) Notwithstanding anything to the contrary in any law for the time being in force, when a tenant sub-lets any portion of his premises to a sub-tenant, he shall forthwith intimate in writing to his landlord the fact of his having so sub-let the premises and also the rent at which they have been sub-let.

(2) Where the rent charged to a sub-tenant is in excess of the standard rent, it shall be a satisfactory cause within the meaning of the proviso to clause 8."

5th January 1944 which came into force as from 9th January 1944).

Export of onions exceeding 5 seers in quantity from the Province of Bombay without the permission of the appropriate authority is prohibited. (Notification No. 44/50272/IV, F. D. (Supply), dated 6-1-1944).

In the Schedule to the Essential Articles Restricted Acquisition Order, 1943, (see page 120), add the entry—"5. Barley, (including barley in the husk) and barley-flour." (Notification No. C. R.-52, F. D. (Supply), dated 8-1-1944).

The City of Bombay Rationing Regulations, 1943, are further amended on 8-1-1944.

The rationing of barley commenced in the City of Bombay on 9-1-1944.

The Bombay Hay Trade Licensing Order, 1944 appears on page 37 of the Bombay Government Gazette Extraordinary Part I dated 10th January 1944.

The Notification regarding Bullocks' and Cows (see page 292) is amended on 10-1-1944. (Page 39 of Bombay Government Gazette, Part 1).

Export of fluid milk in excess of 2 seers kept as personal luggage from the City of Bombay and the Bombay Suburban District is prohibited except with the permission of the appropriate authorities. (Notification No. 57/g/IV dated 12-1-1944).

The Bombay Bread (Control and Maximum Prices) Order 1944 supersedes the Notification dated 6th March 1943 (see page 124) and appears on page 80 of the Bombay Government Gazette, Part I dated 15-1-1944.

In Notification dated 25th March 1943 (see page 101) add the words "kerosene oil" at the end. (Notification No. C. R. 68(b), F. D. (Supply) dated 17-1-44).

The Notifications requiring the declaration of stocks are amended on 23-1-44 and now it is incumbent on a person holding stocks in Bombay City or the Bombay Suburban District to

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 Cotton Cloth and Yarn (Contracts) Ordinance, 1944.

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

(3) It shall come into force at once.

2. *Sales in pursuance of contracts*:—(1) Where after the making of any contract for the sale of cotton cloth or cotton yarn by the wholesale dealer to another or by a wholesale dealer to a retail dealer the maximum prices ex-factory and retail at which such cloth or yarn may be sold have been fixed by an order made under the Cotton Cloth and Yarn (Control) Order, 1943 then notwithstanding anything to the contrary in such contract, when any delivery takes place in pursuance of that contract on or after the date of the said order, the maximum price which may be charged for such cloth or yarn shall not in any case exceed the maximum retail price fixed by the said order, nor shall it in the case of a first or any subsequent sale after delivery from the manufacturer exceed by more than a percentage to be fixed in this behalf of the Textile Commissioner the price paid on the occasion of the last preceding transfer, or, if the said order has fixed a maximum price in respect of such sale, that maximum price; and where, in pursuance of any such contract, the buyer has paid a price exceeding that laid down in this section, whether voluntarily or in execution of a decree passed by a Court or otherwise, he shall be entitled to receive from the seller any sum so paid in excess.

(2) The provisions of this section apply to contracts made whether before or after the commencement of this Ordinance, and to sales made in pursuance of any such contract on or after the 15th day of August 1943.

CHAPTER VII

In Notification No. 11/7-II dated 3rd July 1943 (see page 80), after the words "rice products," add the words "barley, barley in the husk, barley-flour, barley bran," and in Notification No. 383-II of the same date (see page 83) insert in Schedule II the entry "(1-A). Barley, barley in the husk, barley-flour or barley-bran;". (Notifications Nos. 11/7-II and 353-II respectively dated

Supplement to "War-Time Restrictions"

CHAPTER IV

Cotton Cloth and Yarn (Control) Order, 1943.

In para 1 of the Notification dated 7th July 1943 (see page 41) after the words "cotton cloth and yarn" add the words "but not Standard Cloth". (Notification No. 34-Tex(15)43 dated 29-7-1943).

In the Notes given on page 41, add the following: "If any dealer obtains a reduction in the price on account of the Government Notification, he shall not charge his purchaser more than the usual margin of profit and in any event shall not sell it at a price higher than the controlled price." (Notification No. 34 Tex. (15)/2/43 dated 7-10-43).

In the Notification dated 12th October 1943 (see page 282), after the words "Circle Inspector" add the words "Officers of the Police and". (Notification No. 34-Tex. A(15) 3/43 dated 23-12-1943).

In the Notification dated 23rd November 1943 (see page 282), in paragraph 3, (a) after the word "in December 1943" add the words "and onwards" and (b) for the words "1st January 1944" substitute the words "1st March 1944." (Notification No. 34-Tex A(15)-2/43 dated 28-12-43).

In Notification dated 7th July 1943 (see page 41), (a) in clause 1, after the word "Printer" add the word "Embroiderer" (b) omit clause 5 and renumber clause 6 as 5 and (c) add clause 6 as under: "Nothing in this notification shall apply to handloom cloth." Notification No. 34-Tex. (15)/43 dated 8-1-1944).

Cotton Cloth and Yarn (Contracts) Ordinance, 1944.

New Delhi, the 13th January 1944.

ORDINANCE No. II OF 1944.

ORDINANCE

Whereas an emergency has arisen which makes it necessary to regulate the prices which may be charged in sales of cotton cloth and yarn under contracts;

Sheet at the time of obtaining any controlled spare part, but the particulars of any controlled spare parts supplied shall be endorsed by the supplier—

- (a) on the certificate of registration or on a paper firmly attached to it; or
- (b) on a separate sheet, a note of the fact of supply and of the total value of the parts supplied being endorsed on the certificate of registration or on a paper firmly attached to it.

No Scheduled distributor shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled spare part except—

- (a) to a registered dealer; or
 - (b) for the immediate repair of an essential motor vehicle owned and used by him in the course of his business as a scheduled distributor; or
 - (c) for the immediate repair of an essential motor vehicle in the course of his business as a repairer of motor vehicles; or
 - (d) to an officer of the Central Government authorised by the Central Government in this behalf; or
 - (e) to an officer of a Provincial Government authorised by the Provincial Motor Transport Controller in this behalf; or
 - (f) in accordance with a special order of the Central Government.
- (1) No registered dealer shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled spare part, except—
- (a) to an approved sub-dealer; or
 - (b) for the immediate repair of an essential motor vehicle in the course of his business as a repairer of motor vehicles; or
 - (c) to the owner of an essential motor vehicle for necessary repairs thereto; or
 - (d) to the owner of a motor vehicle in accordance with an order made by the Provincial Motor Transport Controller under sub-clause (3) of clause 5; or
 - (e) to a repairer of motor vehicles for necessary repairs to an essential motor vehicle; or
 - (f) to a fleet owner in accordance with a general or special order of the Central Government; or
 - (g) to an officer of the Central Government authorised by the Central Government in this behalf; or
 - (h) to an officer of the Provincial Government authorised by the Provincial Motor Transport Controller in this behalf; or

WAR-TIME RESTRICTIONS

- (i) in accordance with a special order of the Central Government or the Provincial Motor Transport Controller.
- (2) A registered dealer may before selling or otherwise disposing of any controlled spare part to the owner of an essential motor vehicle or to a repairer of motor vehicles call upon such owner or repairer to produce the certificate of registration of the essential motor vehicle and the Parts Record Sheet, if any, pertaining thereto, and to give him an opportunity to inspect the vehicle with a view to satisfy himself that the controlled spare parts demanded by the owner or repairer are in fact necessary for repairing the vehicle.
- (3) No registered dealer shall in the absence of a valid endorsement or authorisation under clause 5 issue any controlled spare part in respect of any motor vehicle.
- (4) Notwithstanding anything contained in the preceding sub-clause a registered dealer may up to and including the 31st day of October, 1943, issue controlled spare parts for the repair of a motor vehicle—
 - (a) on being satisfied that the motor vehicle—
 - (i) is Crown property; or
 - (ii) is under contract of hire to the Central Government or to a Provincial Government for a period not less than one month; or
 - (iii) being a goods vehicle is fitted with a gas producer plant; or
 - (iv) was granted during the preceding month a ration under the Motor Spirit Rationing Order, 1941, of not less than 50 gallons of motor spirit in the case of transport vehicle, or in the case of any other vehicle a supplementary ration of not less than two-thirds of the basic ration for the quarter in which that month fell; or
 - (b) on the production of a special order in writing signed by the District Magistrate or the District Superintendent of Police, or in a Presidency town, by the Commissioner or a Deputy Commissioner of Police authorising such issue.
- 9. No approved sub-dealer shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled spare part except—
 - (a) for the immediate repair of an essential motor vehicle in the course of his business as a repairer of motor vehicles; or
 - (b) to the owner of an essential motor vehicle for necessary repairs thereto; or

- (c) to the owner of a motor vehicle in accordance with an order made by the Provincial Motor Transport Controller under sub-clause (3) of clause 5 ; or
 - (d) to a repairer of motor vehicles for necessary repairs to an essential motor vehicle.
10. (1) Where a scheduled distributor, registered dealer or approved sub-dealer is also a fleet-owner, he shall not appropriate any controlled spare parts towards his business as a fleet-owner except in accordance with a general or special order in writing,—
- (a) in the case of a scheduled distributor or registered dealer, of the Central Government, and
 - (b) in the case of an approved sub-dealer, of the Provincial Motor Transport Controller.
- (2) No fleet-owner shall use or otherwise dispose of any controlled spare part except for necessary repairs to a motor vehicle belonging to or operated by him, and where such motor vehicle is not an essential motor vehicle, except with written permission of the Provincial Motor Transport Controller.
11. (1) The Central Government may from time to time issue such instructions as it thinks fit to scheduled distributors, registered dealers and approved sub-dealers regulating the price at which and the conditions subject to which the controlled spare parts may be sold or disposed of by them under the provisions of this Order ; and different prices may be fixed in such instructions for different classes of transactions.
- (2) In respect of scheduled distributors and registered dealers the Central Government, and in respect of approved sub-dealers within a Province the Provincial Motor Transport Controller may from time to time, issue instructions regulating—
- (a) the classes and quality of controlled spare parts which may be issued by them for the repair of motor vehicles or sold or otherwise disposed of by them.
 - (b) the supply by them of controlled spare parts to other persons in accordance with the provisions of this Order, including the priority to be given by them in such supply.
 - (c) the accounts and records to be maintained, and returns to be submitted, by them in regard to their transactions in controlled spare parts.
12. Every scheduled distributor, registered dealer, and approved sub-dealer shall—
- (a) comply with all instructions issued to him under clause 11.

- (b) permit any officer authorised by the Central Government or by the Provincial Motor Transport Controller in this behalf to enter and inspect any premises in which spare parts are kept with a view to check the stocks.
13. (1) Every scheduled distributor, registered dealer and approved sub-dealer shall, at the time of selling or otherwise disposing of any controlled spare part, issue to the transferee an invoice, bill or cash memo, setting out the name and address of the transferee and the particulars and price of the controlled spare parts transferred, and shall keep a copy thereof, which copy he shall make available for inspection by any authorised officer of Government at any time during a period of one year from the date of such sale or disposal.
- (2) Every scheduled distributor, registered dealer and approved sub-dealer who at the time of selling or otherwise disposing of any controlled spare part is required under the provisions of this Order to enter the particulars thereof upon the Parts Record Sheet or the certificate of registration of the motor vehicle concerned, shall enter upon the original and the copy of the invoice bill or cash memo, the registration mark of the motor vehicle for use on which the spare part has been issued.
- (3) An officer of Government who obtains for official use controlled spare parts under the provisions of this Order shall keep a record of the particulars of the motor vehicle, for use on which any such spare parts are issued and enter the particulars of the spare parts issued on the Parts Record Sheet or the certificate of registration of the motor vehicle concerned.
14. Every registered dealer and approved sub-dealer shall maintain up to date the list of prices furnished to him under clause 4 in a clean and legible condition available for inspection at any time on demand by any customer and shall exhibit on his premises, in such form as the Provincial Motor Transport Controller may require, notice indicating that the price list is available for such inspection.
15. (1) No scheduled distributor shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled spare part at a price exceeding the price which may from time to time be specified by the Central Government by order in writing to the scheduled distributor.
- (2) No registered dealer and no approved sub-dealer shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, any controlled spare part at a price exceeding the price specified in the list furnished by the scheduled distributor under clause 4.

- (8) No registered dealer and no approved sub-dealer shall without reasonable cause refuse to deliver any controlled spare part on tender of proper price by any person lawfully entitled under the provisions of this Order to demand the spare part.
16. The Central Government may, without prejudice to any other action that may be taken against him, direct the removal of any person's name from the Third or the Fourth Schedule if in the opinion of the Central Government that person has
- (a) contravened any of the provisions of this Order; or
 - (b) made any false declaration or statement in relation to any transaction in controlled spare parts; or
 - (c) committed a breach of the terms of any contract with the Central Government or a Provincial Government relating to the operation or maintenance of transport vehicles; or
 - (d) been declared an insolvent; or
 - (e) otherwise shown himself unfit to continue as a schedule distributor, or, as the case may be, a registered dealer under the provisions of this Order;
- and the Provincial Motor Transport Controller may for like reasons cancel the appointment of any person as an approved sub-dealer.
17. Any court trying a contravention of the provisions of this Order may direct that any spare parts in respect of which the court is satisfied that any such provision has been contravened shall be forfeited to His Majesty.
18. The Provincial Government, may by notification in the Official Gazette appoint Regional or District Controllers to perform such of the functions of the Provincial Motor Transport Controller under this Order as may be specified in the notification.

THE FIRST SCHEDULE.

(See clause 2 (c).)

Illustrative list of "fast-moving" spare parts.

Engine Parts—

Pistons.
Piston pins.
Piston rings.
Crank shafts.
Crank shaft bearings.
Cylinder heads.
Valves and all valve parts.
Connecting rods, bearings and small parts.
All engine and manifold gaskets.

Fuel pump parts and assemblies.—
All fuel pump parts and assemblies.

Transmission.—

Gears.
All ball and roller bearings.
Shift forks.

Brakes.—

Brake fluids.
Brake hose.
Brake lining.

Clutch—

Clutch springs.
Disc with facings.
Pressure plate.
Release bearing.

Cooling system—

Water pump and components.
Radiator assembly and core.
Radiator hose.
Fan belts (all makes).
Oil pump and parts.

Electrical parts—

Generator and its components.
Cut-out relay.
Voltage regulator.
Batteries (all makes).

Ignition and Distributor parts—

(a) Ignition coil.
(b) Breaker points.
(c) Condenser.
(d) Rotor.
(e) Distributor cap.
Spark plugs (all makes).
Wiring harness.
All light bulbs.

Carburettor and parts.—

All carburettor parts.

Master cylinder assembly and parts.
Wheel cylinder assembly and parts.
Brakeshoe springs.
Cables.

Rear axle.—

Ring gear and pinion.
All ball and roller bearings.
Propeller shaft and parts.
Hub.
Brakedrums.
Wheel bearings.
Wheel bearing oil seal.
Axle shaft.
U joint and parts.

Front axle—

Hub, brakedrum and parts.
King pins and bushes.
King pin thrust bearing.
Steering arms.
Tie rod ends.
Stub axles.
Wheel bearings.

THE SECOND SCHEDULE.

(See clause 2(c).)

Makes of motor vehicles, certain spare parts for which are controlled.

Transport Vehicles.

1. Chevrolet.
2. "G.M.C."
3. Oldsmobile.
4. Bedford.
5. Ford.

Other Vehicles.

1. Chevrolet.
2. Vauxhall.
3. Ford.—
Other than motor cars of 8 and 10 H. P.

THE THIRD SCHEDULE.

(See Clause 2(h).)

Registered Dealers.

| Province in which the Regd. Dealer has a trading area. | Serial No. | Name of Registered Dealer. | Locality. | Description of controlled parts to be dealt in A—Parts for the following makes of. |
|--|------------|----------------------------|-----------|--|
| 1. | 2. | 3. | 4. | 5. 6. |

Transport Vehicles. Other Vehicles.

1. 2. 3. 4. 5. 6.

| | | | | |
|---------|-----------------------------------|------------|----------------------|---------------------|
| Bombay. | 1. Bombay Garage. | Bombay. | Chevrolet. | Chevrolet & Vauxhal |
| | 2. Bombay Garage (Ahmedabad) Ltd. | Ahmedabad. | " | " |
| | 3. Deccan Motor Service. | Poona. | " | " |
| | 4. F. P. Wadia Bros. | Ahmedabad. | G.M.C. & Oldsmobile. | " |
| | 5. India Garage, Ltd. | Bombay. | " | " |
| | 6. Triangular Motors, Ltd. | Bombay. | Bedford. | Ford. |
| | 7. B. E. Nicum & Co. | Surat. | Ford. | " |
| | 8. G. H. Devi & Co. Ltd. | Satara. | Ford. | " |
| | 9. Ideals Motors, Ltd. | Ahmedabad. | " | " |
| | 10. R. B. Shirke Bros. | Ratnagiri | " | " |
| | 11. Regional Motors. | Nasik | " | " |
| | 11. R. B. Bhartiya. | Dhulia. | " | " |
| | 13. Silver Jubilee Motors, Ltd. | Poona. | " | " |
| | 14. Sutaria Automobiles, Ltd | Belgaum. | " | " |
| | 15. United Motors (India) Ltd. | Bombay. | " | " |

N.B. The above list is only for Bombay. (Names for other Provinces —not printed).

THE FOURTH SCHEDULE.

(See clause 2 (i)).

Schedule Distributors.

1. General Motors India Limited, Bombay.
2. The Ford Motor Company of India, Limited, Bombay, Madras and Calcutta.

THE FIFTH SCHEDULE.

(See clause 6).

Parts Record Sheet.

(Issued under the Motor Vehicle Spare Parts Control Order, 1943).
 Vehicle Registration Mark.....
 Serial No. of Parts.....
 Record Sheet issued for the vehicle.....
 Date of issue.....Singnautre and designation of authority.....

(Entries to be made, in ink, by registered dealer or approved sub-dealer supplying the parts. No entry for any part below the value of Rs. 3.)

| Date. | Quantity. | Part No. | Name of Part. | Supplied by. |
|-------|-----------|----------|---------------|--------------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

THE BOMBAY UNREGISTERED MOTOR VEHICLES (CONTROL OF DISPOSAL) ORDER, 1943.

Notification, Home Department, No. 4596/4 dated 15th April 1943.—

Whereas it appears to the Government of Bombay to be necessary for securing the efficient prosecution of the War and

for maintaining supplies and services essential to the life of the community to regulate the sale of unused motor vehicles ;

Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to make the following Order, namely :—

1. (1) This Order may be called the Bombay Unregistered Motor Vehicles (Control of Disposal) Order, 1943.

(2) It extends to the whole of the Province of Bombay.

2. In this Order “unregistered motor vehicle” means a motor vehicle which is not registered under the provisions of Chapter III of the Motor Vehicles Act, 1939.

3. No person shall sell or otherwise dispose of, and no person shall purchase or otherwise take delivery of, any unregistered motor vehicle except with the previous permission in writing of the Provincial Motor Transport Controller :

Provided that this prohibition shall not apply to the sale or purchase of an unregistered motor vehicle to or by the Central Government or any Provincial Government, or to the sale or purchase of an unregistered motor vehicle released for sale by the original importer of the vehicle in accordance with the orders of the Central Government in the Department of War Transport.

4. No person shall remove, or cause to be removed, from the Province of Bombay any unregistered motor vehicle except with the previous permission in writing of the Provincial Motor Transport Controller.

5. If any authority empowered to register motor vehicles under Chapter III of the Motor Vehicles Act, 1939, has reason to believe that the motor vehicle sought to be registered has been sold in contravention of clause 3 or is sought to be registered with a view to evading the provisions of this Order that authority shall withhold registration and submit a report to the Provincial Motor Transport Controller.

CHAPTER XIV.

PAPER

NEWSPAPER CONTROL ORDER, 1942.

Notification, Government of India, Department of Commerce, No. 104-I.C.(3)/42, dated 16th May 1942.

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of the Order published with the notification of the Government of India in the Department of Commerce, No. 104-Ind.(28)/41, dated the 29th January 1942, the Central Government is pleased to make the following Order, namely:—

1. (1) This Order may be called the Newspaper Control Order, 1942.

(2) It shall come into force on the 1st June 1942.

2. In this Order—

(a) "newspaper" means any periodical publication containing public news or comments on public news, printed wholly or in part on newsprint and published at intervals of not more than fifteen days;

(b) "newsprint" has the same meaning as in the Newsprint Control Order, 1941;

(c) "schedule" means a Schedule to this Order;

(d) "week" means a period of seven days beginning with a Monday.

3. For the purposes of this Order a newspaper shall be classified—

(a) as a daily, tri-weekly, bi-weekly¹ or weekly according as the normal number of publications of the newspaper in a week is not less than six, is less than six but not less than three, is two or is one, and as a fortnightly if the newspaper is normally published once in two weeks; and

(b) as Class A, Class B or [Class C, Class D or Class E,]¹ according as the area of a page of the newspaper, including margins and other spaces clear of print, is not less than 336 square inches, less than 336 but [not less than 200 square inches, less than 200 but not less than 150 square inches, less than 150 but not less than 75 square inches, or is less than 75 square inches].²

1. Substituted by G. of I., C.O., Not. No. 104-I.C.(5)/42 dated 14-11-42.

2. Substituted, *ibid.*

[Provided that where the page of a newspaper varies in size, the largest size shall be taken into account for the purposes of this sub-clause.]³

4. If any dispute arises as to whether a publication is or is not a newspaper for the purposes of this Order or as to the classification of a newspaper under clause 3, it shall be referred to the Central Government and the decision of the Central Government thereon shall be final.

5. (1) The total number of pages in all the issues of a daily newspaper published during a week shall not exceed the quota assigned in Schedule I to a newspaper of that class and price.

(2) [On or after the 1st March, 1943, no person shall print, make or publish on the same day more than one edition of any daily newspaper for circulation in the same locality except with the permission of the Central Government previously obtained and when so permitted every such edition shall be deemed to be a separate issue for the purposes of this clause.]⁴

6. The total number of pages in all the issues of a tri-weekly or bi-weekly newspaper published during any period of two weeks shall not exceed the quota assigned in Schedule II to a newspaper of that class and price.

7. The total number of pages in all the issues of a weekly or fortnightly newspaper published during any period of four weeks shall not exceed the quota assigned in Schedule III to a newspaper of that class and price.

[Provided that where a daily newspaper and a weekly newspaper, belonging to the same class, are published by the same person, the quota applicable to the weekly newspaper during any period of four weeks shall be increased by the unused portions, not exceeding one-seventh part of the total, of the quotas applicable to the daily newspaper during that period.]⁵

8. [The price of a newspaper for the purposes of clauses 5, 6 and 7 shall, in the following cases, be deemed respectively to be—

(1) where different issues of the newspaper are sold at different prices, the lowest price at which any normal issue of the newspaper is sold;

(2) where on payment in advance of subscriptions for the supply of issues of the newspaper during a specified period of time, the newspaper is sold at a concessional rate or different concessional rates to the subscribers,

(a) if the concessional rate most favourable to the subscribers does not fall short of the aggregate price of single issues

3. Inserted by Govt. of India, Dept. of Commerce, Not. No. 104-I.C.(3)/42 dated 18th July 1942.

4. This clause was substituted for the original by the Govt. of India, Dept. of Commerce, Not. No. 104-I.C.(5)/52 dated 27th Feb. 1943.

5. Inserted by the Govt. of India, Dept. of Commerce, Not. No. 104-I.C.(3)/42 dated 25th May, 1942.

during the period to which the subscription relates by a percentage greater than that which obtained in the case of the newspaper before the commencement of this Order, or if the newspaper was not then in existence, than that approved of by the Central Government on application made in that behalf,—the lowest price at which any normal issue of the newspaper is sold, or

(b) if neither of the above conditions is fulfilled, the amount obtained by dividing the rate most favourable to subscribers by the number of issues of the newspaper during the period to which the subscription relates;

(3) where the newspaper is not sold in single issues but only on payment of subscriptions at one or more rates for the supply of a number of issues of the newspaper during a specified period of time,—the amount obtained by dividing the rate most favourable to subscribers by the number of issues of the newspaper during the period to which the subscription relates.]⁶.

9. No person shall [print, make or] publish a newspaper in contravention of the provisions of clauses 5, 6 and 7 [except with the special permission of the Central Government previously obtained.]⁷

10. No person shall publish a newspaper any page of which, including margins and other spaces clear of print, exceeds 432 square inches in area.

[10-A. No person shall publish a newspaper any page of which, including margins and spaces clear of print, exceeds in area a page of a normal issue of the newspaper immediately before the 10th November 1942.]⁸

[10-B. No person shall print or make or publish, except under the authority in writing of the Central Government, any newspaper that was not both printed or made in British India and] ⁹ [regularly published therein during the month preceding the 18th February, 1943.]¹⁰

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

Provided that this prohibition shall not apply to—

(a) the sale or disposal of any unsold copies of any newspaper as wastepaper or as packing or wrapping paper; or

6. This clause was substituted for the original by the Govt. of India, Dept. of Commerce, Not. No. 104-I.C.(4)/42 dated 1st Aug. 42.

7. Inserted by the Govt. of India, Dept. of Commerce, Not. No. 104-I.C.(5)/42, dated 27th Feb. 1943.

8. Inserted by Govt. of India, Dept. of Commerce Not. No. 104-I.C.(8)/42 dated 20th June, 1942.

9. Inserted by G. of I. C.D., Not. No. 104-I.C.(5)/42 dated 14-11-42.

10. Inserted by Govt. of India, Dept. of Commerce Not. No. 104-I.C.(5)/42 dated 18th Feb. 1942.

11. Amended by Govt. of India, I. & C.S.D. Not. No. 104-I.C.(5)/42, dated 10th July, 1943.

(b) the return of any copies which could not be sold owing to enemy action.]¹².

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

(2) No person shall on or after the 1st April 1943, print, make or publish any newspaper of a type specified in the first column of Schedule IV appended to this Order, in which the percentage of space used or assigned for advertising matter (including any loose advertising matter which may be inserted therein) exceeds the percentage specified opposite that description in the second column of that Schedule of the total space used or assigned for matter of any sort in the aggregate of the number of consecutive issues so specified in the third column of that Schedule.]¹³

[SCHEDULE I].¹⁴

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

(See clause 5).

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

[SCHEDULE II]¹⁴.

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

(See clause 6).

| Price in Annas. | Quota of pages for two weeks. | | | | | | | | | |
|---|-------------------------------|--------|--------|--------|--------|------------|--------|--------|--------|--------|
| | Tri-Weekly. | | | | | Bi-Weekly. | | | | |
| | Cl. A. | Cl. B. | Cl. C. | Cl. D. | Cl. E. | Cl. A. | Cl. B. | Cl. C. | Cl. D. | Cl. E. |
| Less than $\frac{1}{2}$ | ... | ... | ... | ... | 18 | ... | ... | ... | ... | 12 |
| Not less than $\frac{1}{2}$ but less than 1. | ... | 12 | 18 | 36 | ... | ... | 8 | 12 | 24 | 48 |
| Not less than 1 but less than $1\frac{1}{2}$ | 12 | 18 | 24 | 36 | 72 | 8 | 12 | 16 | 24 | 48 |
| Not less than $1\frac{1}{2}$ but less than 2 | 18 | 26 | 36 | 54 | 108 | 12 | 18 | 24 | 36 | 72 |
| Not less than 2. | 24 | 36 | 48 | 72 | 144 | 16 | 24 | 32 | 48 | 96 |

12. This clause was substituted for the original by Govt. of India, Dept. of Commerce, Not. No. 104-I.C.(5)/42, dated 27-2-43.

13. Inserted by Govt. of India, Dept. of Commerce, Not. No. 104-I.C.(5)/42 dated 27th Feb. 1943.

14. The Schedules I, II and III are substituted by G. of I., C.D., Not. No. 104-I.C.(5)/42 dated 27-2-43.

[SCHEDULE III.]¹⁴.

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

(See clause 7.)

| Price in Annas. | Quota of pages for four weeks | | | | | | | | | |
|--|-------------------------------|--------|--------|--------|--------|--------------|--------|--------|--------|--------|
| | Weekly. | | | | | Fortnightly. | | | | |
| | Cl. A. | Cl. B. | Cl. C. | Cl. D. | Cl. E. | Cl. A. | Cl. B. | Cl. C. | Cl. D. | Cl. E. |
| Less than $\frac{1}{2}$ | ... | ... | ... | 8 | 12 | ... | ... | ... | 4 | 6 |
| Not less than $\frac{1}{2}$ but less than 1 | ... | ... | 8 | 12 | 24 | ... | ... | 4 | 6 | 12 |
| Not less than 1 but less than $1\frac{1}{2}$ | 8 | 12 | 16 | 24 | 48 | 4 | 6 | 8 | 12 | 24 |
| Not less than $1\frac{1}{2}$ but less than 2. | 12 | 18 | 24 | 36 | 72 | 6 | 8 | 12 | 18 | 36 |
| Not less than 2 but less than $2\frac{1}{2}$. | 16 | 24 | 32 | 48 | 96 | 8 | 12 | 16 | 24 | 48 |
| Not less than $2\frac{1}{2}$ but less than 3. | 20 | 30 | 40 | 60 | 120 | 10 | 14 | 20 | 30 | 60 |
| Not less than 3 but less than $3\frac{1}{2}$. | 24 | 36 | 48 | 72 | 144 | 12 | 18 | 24 | 36 | 72 |
| Not less than $3\frac{1}{2}$ but less than 4. | 28 | 42 | 56 | 84 | 168 | 14 | 20 | 28 | 42 | 84 |
| Not less than 4 but less than $4\frac{1}{2}$. | 32 | 48 | 64 | 96 | 192 | 16 | 24 | 32 | 48 | 96 |
| Not less than $4\frac{1}{2}$ but less than 5. | 36 | 54 | 72 | 108 | 216 | 18 | 26 | 36 | 54 | 108 |
| Not less than 5 but less than $5\frac{1}{2}$. | 40 | 60 | 80 | 120 | 240 | 20 | 30 | 40 | 60 | 120 |
| Not less than $5\frac{1}{2}$ but less than 6. | 44 | 66 | 88 | 132 | 264 | 22 | 32 | 44 | 66 | 132 |
| Not less than 6 | 48 | 72 | 96 | 144 | 288 | 24 | 36 | 48 | 72 | 144 |

[SCHEDULE IV.]¹⁵.

| Column I. Type of newspaper. | Column II. Max. percentage of total space to be reserved or assigned for Advertisement matter. | Column III. No. of consecutive issues for which such percentage is to be assigned. |
|--|---|---|
| Daily newspaper. | 50% | 14 |
| Weekly, Bi-weekly or Tri-weekly Newspaper. | 55% | 24 |
| Fortnightly newspaper. | 55% | 12 |

Notes.

The Newspaper Control Order, 1942 was first issued by a Notification of the Department of Commerce of the Government of India, No. 104-Ind. (28)/41, dated 20th January, 1942 in exercise of the powers conferred on the Central Govt. by Rule 81(2) of the Defence of India Rules. It was amended by a Notification of the same Dept. No. 104-I.C.(2)/42 dated 12-3-42. The whole Order was however superceded by the Order published above by Notification No. 104-I.C.(3)/42 dated 16th May, 1942.

NEWSPAPER CONTROL ORDER, 1941.

Notification, Government of India, Department of Commerce, No. 104-Ind.(4)/41 dated 31st May 1941.

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

1. *Short Title.*—This Order may be called the Newsprint Control Order, 1941.

14. See Supra.

15. Added, ibid.

2. *Definitions.*—In this Order,—

- (a) “Form” means a Form appended to this Order;
 (b) “newsprint” means white printing paper, in reels or in sheets, the fibre content of which comprises not less than 70 per cent. of mechanical wood pulp [and which weighs not less than 40 grammes per square metre.]¹

[(c) “Quota Allotment Certificate” means a certificate issued by the Chief Controller of Imports to the proprietor of a newspaper, allotting to him a quota for the import of newsprint.]²

[3. *Restriction on sale, purchase and use of newsprint.*—

(1) No person shall sell newsprint to any one who is not the proprietor of a newspaper except under an Open General Permit issued by the Central Government or under a permit in Form I granted by the Central Government or by an officer authorised by the Central Government in this behalf.

(2) No person shall sell or otherwise dispose of newsprint to the proprietor of a newspaper except to the extent to which such proprietor is authorised to purchase or acquire under the provisions of this clause.

(3) No proprietor of a newspaper shall after the 10th April 1943, purchase or otherwise acquire newsprint from any person in India except under and in accordance with the conditions of a permit issued to such proprietor after the 31st March 1943.

(4) No proprietor of a newspaper shall, during any period after the 10th April 1943, use newsprint in excess of the quantity which he is authorised to use during that period under a permit issued to him in this behalf.

(5) No proprietor of a newspaper or a newspaper press shall use newsprint for any purpose other than the printing of newspapers except under an Open General Permit issued by the Central Government or under a permit in Form II granted by the Central Government or by an officer authorised by the Central Government in this behalf.

Explanation.—In this sub-clause ‘newspaper’ includes any supplement or annual edition of a newspaper, but does not include a poster.

3A. *Power to require sale of newsprint.*—The Central Government may, if it considers it necessary or expedient, direct any person to sell or otherwise transfer any newsprint in his possession or under his control to such other person as may be specified in the direction, and thereupon the first named person shall comply with the direction.

¹ Inserted by G. of I., D.C., Not. No. 104-Ind.(33)/41 dated 5-1-42.

² Inserted by G. of I., D.C., Not. No. 104-I.C.(5)/42 dated 18-2-48.

3B. *Submission of returns by importers of newsprint.*—Every proprietor of a newspaper who imports or otherwise acquires newsprint from outside India shall within three days of such import or acquisition send an intimation in writing to the Chief Controller of Imports giving full details as to the quantity of newsprint so imported or acquired and the source from which it was so imported or acquired.]³

4. *Submission of returns by proprietors of newspaper presses.*—Every proprietor of a newspaper press shall submit to the Secretary to the Government of India in the Department of Commerce—

(a) not later than the 30th June 1941, a true return in Form III, in respect of each newspaper printed at his press, and

(b) on or before the 15th day of every month commencing with the 15th June 1941, a true return in Form IV of the amounts of newsprint held, acquired, consumed and otherwise disposed of by him during the preceding [calendar]⁴ month.

[5. *Submission of returns by proprietor of newspapers.*—Every proprietor of a newspaper shall submit to the Chief Controller of Imports, Imperial Secretariat, New Delhi, on or before the 15th day of every month commencing with the 15th September 1941, a true return in Form IV of the amounts of newsprint held, acquired, consumed and otherwise disposed of by him during the preceding calendar month.

6. *Submission of returns by proprietors of newspapers first published in 1941.*—Every proprietor of a newspaper first published in 1941 shall submit to the Chief Controller of Imports, Imperial Secretariat, New Delhi, not later than the 30th September 1941, a true return in Form III-A in respect of each such newspaper.]⁵

7.⁶ *Submission of returns by other persons.*—Every person, other than the proprietor of a newspaper press [or of a newspaper]⁷, carrying on any undertaking which involves the sale, storage or distribution of newsprint, shall, on or before the 15th day of every month commencing with the 15th June 1941, submit to the Secretary to the Government of India in the Department of Commerce—

³ Substituted for the original clause 3 by G. of I., D.C., Not. No. 104-I.C.(5)/42 dated 27-2-43 and took effect from 11-4-43. The original clause was amended from time to time by G. of I., D.C., Not. No. 104-Ind.(19)/42 dated 6-9-41, G. of I., D.C., Not. No. 104-I.C.(5)/42 dated 16-2-43, G. of I., D.C., Not. No. 104-I.C.(5)/42 dated 6-3-43 and G. of I., D.C., Not. No. 104-I.C.(5)/42 dated 17-3-43.

⁴ Inserted by G. of I., D.C., Not. No. 104-Ind.(9)/42 dated 19-7-41.

⁵ Inserted by G. of I., D.C., Not. No. 104-Ind.(19)/41 dated 6-9-41.

⁶ The original clause 5 was re-numbered 7 by G. of I. D. C., Not. No. 104Ind.(19)/41 dated 6-9-41.

⁷ Inserted, *Ibid.*

[(a) a true return in Form V of sales of newsprint effected by him during the preceding calendar month].⁸

(b) a true return in Form VI of the stocks of newsprint held, acquired and disposed of by him during the preceding [calendar]⁹ month.

[8. The returns required by clause (b) of paragraph 4 and by paragraph (7)¹⁰ shall, after the 19th July 1941, be submitted to the Chief Controller of Imports, Imperial Secretariat, New Delhi.]¹¹

Form I.
Newsprint Control Order, 1941.
(Paragraph 3).

Permit to sell newsprint.
(Not printed).

Form II.
Newsprint Control Order, 1941.
(Paragraph 3).

Permit to use newsprint for other purposes than the printing of newsprint.
(Not printed.)

Form III.
Newsprint Control Order, 1941.
(Paragraph 4(a).)

Name of the newspaper press
Full address

I/We declare that the following is a true account in respect of the
(name of newspaper).

1. Consumption of newsprint during the year ending December 1940.

| | |
|----------------------------|--------------|
| (a) In reels (No.)..... | In tons..... |
| (b) In sheets (Reams)..... | In tons..... |
2. Size of the page of newspaper.....
3. Average number of pages of the newspaper in 1940.....
4. Number of issues of the newspaper in the year 1940.....

Date Signature.

[Note :—A separate return should be made in this Form in respect of each newspaper.]¹².

Form III-A.
The Newsprint Control Order, 1941.
(Paragraph 6).

Name of the newspaper
Full address

I/We declare that the following is a true account in respect of
(name of newspaper).

1. Date on which the newspaper was started...
2. Consumption of newsprint from the date of first issue to 31st August 1941 :—

⁸ The original sub-clause (a) was omitted by G. of I., D.C., Not No. 104-Ind.(4)/41 dated 27-12-41; the sub-clause as above was inserted by G. of I., D.C., Not No. 104-Ind (5)/42 dated 18-2-43.

⁹ Inserted by G. of I., D.C., Not No. 104-Ind.(9)/41 dated 19-7-41.

¹⁰ Substituted for figure 5 by G. of I., D.C., Not. No. 104-Ind.(19)/41 dated 6-9-41.

¹¹ Originally inserted as clause 6 by G. of I., D.C., Not. No. 104-Ind.(9)/41 dated 19-7-41; subsequently re-numbered as clause 8 by G. of I., D.C., Not. No. 104-Ind.(19)/41 dated 6-9-41.

¹² Inserted by G. of I., D.C., Not. Not. 104-Ind.(9)/41 dated 19-7-41.

- (a) In reels (No.).....In tons.....
- (b) In sheets (No. of reams).....In tons.....
- 3. Size of the page of [news]¹³ paper.....
- 4. Average number of pages per issue of the newspaper from the date of first issue to the 31st August 1941.....
- 5. Number of issues of the newspaper from the date of first issue to the 31st August 1941.....
- 6. Name of press in which newspaper is printed.

Note:—A separate return should be made in this Form in respect of each newspaper.

Date

Signature.

[Form IV]¹⁴.

The Newsprint Control Order, 1941.
(Paragraph 4(b).)

Return of Consumption of newsprint for the month of 194 . . .
Name of the newspaper press [or newspaper].¹⁵
Full address

I/We declare that the following is a true account of the stock of newsprint held, acquired, consumed and otherwise disposed of by me/us during the month 194 .

| | Newsprint in reels. | | Newsprint in Sheets. | |
|---|---------------------|-----------------|----------------------|-----------------|
| | No. of reels. | Weight in tons. | No. of reams | Weight in tons. |
| 1. Amount of stock in hand at the end of the last preceding month ... | | | | |
| 2. Amount of stock acquired during the month from | | | | |
| 3. Total of items 1 and 2 | | | | |
| 4. Amount of stock consumed during the month in the production of newspaper. | | | | |
| 5. Amount of stock otherwise disposed of during the month To (a) | | | | |
| 6. Total of items 4 and 5 | | | | |
| 7. Amount under item 3 less amount under item 6, being amount in stock at the end of the month | | | | |

N.B.—(a) Here enter names of persons or proprietors of newspaper presses [or newspapers].¹⁶

Date.

Signature.

[Form V.]¹⁶

The Newsprint Control Order, 1941.
(Paragraph 7(a)).

Return of sales of newsprint for the month of 194 . . .
Name
Full address

¹³ Inserted by G. of I., D.C., Not. No. 104-Ind.(19)/41 dated 23-9-41.
¹⁴ Substituted by G. of I., D.C., Not. No. 104-Ind.(a)/41 dated 19-7-41.
¹⁵ Inserted by G. of I., D.C., Not. No. 104-Ind.(19)/41 dated 6-9-41.
¹⁶ Substituted by G. of I., D.C., Not. No. 104-I.C.(5)/43 dated 18-2-48.

WAR-TIME RESTRICTIONS

I/We declare that the following is a true account of the sales of newsprint effected by me/us during the month of 194 .

| To whom sold (with full address). | 1. In the case of a proprietor of a newspaper, the number and date of Quota Allotment Certificate issued to him. 2. In the case of a person other than the proprietor of a newspaper, number and date of permit issued to him. | Quantity in reels. | | Quantity in Sheets. | | Price per lb. |
|-----------------------------------|---|--------------------|-----------------|---------------------|------------------|---------------|
| | | No. of reel | Weight tons lbs | No. of ream | Weight tons lbs. | Rs.a.p. |
| | | | | | | |

Date.

Signature.

[Form VI.]¹⁷
The Newsprint Control Order, 1941.
[Paragraph [7]¹⁸ (b)].

Return of stocks of newsprint for the month of 194 .

Name
Full Address.

I/We declare that the following is a true account of the stocks of newsprint held, acquired and disposed of by me/us during the month of 194 .

| | Newsprint in reels | | Newsprint in Sheet | |
|---|--------------------|----------------|--------------------|----------------|
| | No. of reels | Weight in tons | No. of reams | Weight in tons |
| 1. Amount of stock in hand at the end of the last preceding month. | | | | |
| 2. Amount of stock acquired during the month. | | | | |
| 3. Total of items 1 and 2. | | | | |
| 4. Amount of stocks disposed of during the month. | | | | |
| 5. Amount under item 3 less amount under item 4, being amount in stock at the end of the month. | | | | |

Date

Signature.

Notes.

The Chief Controller of Imports is authorised to grant permits for the purposes of paragraph 8 of the Newsprint Control Order, 1941.

Open General Permit No. 3.¹⁹

Notification, Government of India, Department of Commerce,
No. 19-I.T.C./42 dated 7th March 1942—

17 Substituted by G. of I., D.C., Not. No. 104-Ind.(19)/41 dated 19-7-41.

18. Substituted by G. of I., D.C., Not. No. 104-Ind.(19) dated 6-9-41

19. This Permit Supersedes Permits Nos. 1 and 2.

In pursuance of paragraph 3 of the Newsprint Control Order, 1941, the Central Government gives general permission to any proprietor of a newspaper press or of a newspaper who employs machines using newsprint in reels and/or machines using newsprint in flat reams:—

- (a) for the purpose of printing newspapers, or
- (b) in accordance with a permit in Form II appended to the Newsprint Control Order, 1941, for the purpose of printing on newsprint otherwise than in the production of newspapers,

to sell to any person, or to use for any purpose, newsprint in the form of reel ends and clippings being waste newsprint produced in the employment of a machine using newsprint in reels or a machine using newsprint in flat reams for the above-mentioned purposes:

Provided that the total amount of newsprint sold or used in accordance with this Permit by any person during any calendar month shall not exceed three per cent. of the amount of newsprint used, by that person in the case of machines using newsprint in reels or one and a half per cent. in the case of machines using newsprint in reams, for the abovementioned purposes during the preceding calendar month.

PAPER CONTROL ORDER, 1942.

Notification, Government of India, Department of Commerce, No. 301-I.C.(5)/52 dated 7th November 1942.

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

1. (1) This Order may be called the Paper Control Order, 1942.

(2) It shall come into force on the 7th November 1942.

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

(a) "advertising circular" means anything composed of or containing paper and distributed in substantially identical form to more than 12 persons for purposes of advertising but shall be deemed not to include any diary containing advertising matter on not more than 8 pages thereof;

(b) "ounce" means ounce avoirdupois and "lb" means pound avoirdupois;

(c) "paper" includes all descriptions (whether homogeneous or laminated and whether coated or uncoated) of paper, paperboard, pulpboard, wallboard, fire board, cellulose Wadding, cellulose film and other similar materials, which are manu-

factured wholly or mainly either from vegetable fibres or a pulp thereof or both from such fibres and such pulp ;

(d) "print or make" includes making by handwriting or by means of the silkscreen process or by any other means and "printed or made" shall be construed accordingly.

3. No person shall—

(a) print or make or publish, except under the authority in writing of the Central Government, any newspaper, news bulletin, magazine or periodical that was not both printed or made in British India and [regularly published therein during the period immediately preceding]¹ the coming into force of this Order ;

(b) publish any newspaper, news bulletin, magazine or periodical—

(i) which before the coming into force of this Order was being published at regular intervals, at more frequent intervals than those intervals, or

(ii) which before the coming into force of this Order, was not being published at regular intervals, more frequently than once in any calendar month ;

(c) use or consume in printing, making or publishing any newspaper, news bulletin, magazine or periodical, a larger quantity of paper than may be prescribed by the Central Government either by general or special direction for use or consumption in printing, making or publishing such newspaper, news bulletin, magazine or periodical :

Provided that nothing in this clause shall apply to a newspaper as defined in the Newspaper Control Order, 1942.

Explanation.—For the purposes of sub-clause (c) the size of any issue of a newspaper, news bulletin, magazine or periodical shall be the product of the total number of pages in the issue and the area, including margins and other spaces clear of print, of each page.

4. No person shall—

(a) print or make or publish any directory, [who's who, year-book, annual, almanac, or any publication containing a substantial amount of advertising matter, and]* entries in which are made in return for a payment in money or for a promise to purchase [the publication]* except under the authority in writing of the Central Government ;

(b) print or make or publish any district, city, town or other local guide book.

¹ Inserted by the Govt. of India, Dept. of Ind. & civil Supplies, Not. No. 801-LC-(A) (14)/1943, dated 10-7-43.

* Inserted in October 1943.

5. No person shall—

(a) print or make any poster exceeding 1,200 square inches in area;

(b) exhibit any poster exceeding 1,200 square inches in area unless that poster was printed or made before the coming into force of this Order;

(c) affix any poster within 100 feet of any other poster displaying identical or substantially identical advertising matter unless each poster is affixed within or at any entrance to any premises and the matter displayed on each poster relates to services rendered in those premises;

(d) exhibit any poster printed after the coming into force of this Order and advertising or relating to the sale of any newspaper, bulletin, magazine or periodical; or

(e) exhibit at one time more than ten posters the contents of which relate to any one programme of entertainment to be given at any theatre, cinema, dance-room, sports-ground, race-course or other place of private or public entertainment; or

(f) print or make any poster or exhibit any poster advertising or relating to—

(i) the business of any money lender, book-maker or commission agent for bets, or

(ii) any pool, competition or fixed odds betting scheme.

6. (1) No person shall—

(a) gratuitously distribute or cause to be distributed any advertising circular of any description relating to the sale of any goods or to any profession, trade or business, unless that circular was printed or made before the coming into force of this Order provided that nothing in this sub-paragraph shall apply to any advertising circular relating solely to the sale or loan of books;

(b) in any calendar month after the coming into force of this Order, gratuitously distribute or cause to be so distributed advertising circular of any description, the aggregate weight of which exceeds 50 lbs. except under the authority in writing of the Central Government;

(c) print or make and gratuitously distribute or cause to be so distributed any advertising circular of any description relating to:—

(i) the business of any money lender book-maker or commission agent for bets, or

(ii) any pool or competition, or

(d) gratuitously distribute or cause to be so distributed any coupon or entry form relating to any pool or competition.

(2) Nothing in this clause shall prevent the gratuitous distribution of

(a) circulars relating to sales by auction;

- (b) circular relating to the letting or sale of premises;
- (c) trade catalogues dispatched to whole-salers or retailers of the goods advertised therein;
- (d) insurance particulars;
- (e) lists of stocks and shares unless issued by a stock-broker or other dealer in stocks or shares;
- (f) circulars relating to seeds, plants or fertilizers.

7. (1) No person shall in wrapping or packing any article in connection with or for the purposes of any sale or the rendering of any service for remuneration insert inside any wrapping or packing or carton or container any advertising matter provided that the expression "advertising matter" shall not include instructions for the use of any article.

(2) Notwithstanding the provisions of sub-clause (1), any retailer may insert inside any wrapping or packing or carton or container any circular which under clause 6 he is entitled gratuitously to distribute or cause to be so distributed.

[7-A. (1) No person who in any premises in British India carries on the business of selling goods by retail, shall provide any paper other than old newspaper for the packing or wrapping of those goods except in the case of foodstuffs or of an article which he has agreed to deliver at some place other than in or about those premises.

(2) No person shall, in connection with, or for purposes of, any sale by retail or any delivery otherwise than in the case of wholesale distribution—

(a) wrap or pack with paper any article which does not reasonably require any such packing or wrapping for its protection; or

(b) use in the wrapping or packing of any article any greater quantity of paper wrapping or packing than is reasonably required for the protection of the article (including such as is reasonably required for its safe transit if the article is to be sent by post, or otherwise despatched to, or to the order of the customer.)]²

8. No person shall produce or print from paper or wood pulp—

(a) any view card or picture postcard or greeting card or other greeting intended to be exposed or offered for sale by retail;

(b) any calendar containing a greater weight of paper than 4 ounces;

(c) any envelope for gramophone records having a substance greater than 20" x 30", 40 lbs. 480 or 500; or

(d) any advertising show card, advertising novelty, counter display or window display device, unless such card, novelty,

² Inserted the Govt. of India, Dept. of Commerce, No. 301-L.D.C. (5)/42, dated 10th April, 1943.

display or device has an area not exceeding 100 square inches or any programme relating to any entertainment or race or sports or athletic meeting and having a total area (measured on one side of each of its sheets including any cover) greater than 80 square inches.

9. (1) The provisions of clauses 3 to 8 shall not apply to any act necessarily performed for the purpose of fulfilling any contract made with the Crown.

(2) Notwithstanding the provisions of clauses 3 to 8, the Central Government [or such authority as the Central Government may empower in this behalf][§] may, if it is satisfied that special circumstances exist, by special order authorise the doing of any act which would otherwise be prohibited by those provisions, and may attach to the authorisation such directions as it thinks fit in regard to the manner in which such act may be done.

PAPER (PACKING OF COTTON TEXTILES) CONTROL ORDER, 1943.

Paper (Packing of Cotton Textiles) Control Order, 1943.
Notification, Government of India, Department of Industries and Civil Supplies, No. 94/Tex./43, dated 12th June 1943—

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

1. (1) This Order may be called the Paper (Packing of Cotton Textiles) Control Order, 1943.

(2) It shall come into force at once.

2. In this Order—

(a) "label" means any piece of paper or cardboard bearing upon it any name or other embellishment or device;§

(b) "strawboard" means any kind of cardboard or other stiffened paper made from pulp.

3. (1) Except as provided in sub-clause (2), no manufacturer of, and no dealer in, cotton cloth or yarn shall use paper or strawboards for the packing of cotton cloth or yarn.

(2) Paper may be used for the packing of—

(a) unbleached cotton cloth not coarser than 60s warp or weft, or bleached or dyed cotton cloth, provided that not less than five pieces of such cloth are packed together;

(b) bleached yarn.

§ Remaining part of the sentence deleted by G. of I. I & C. S. D., Not. No. 94—Tex/43 dated 30-10-43.

§ Inserted by the Govt. of India, Dept. of Ind. & Civil Supplies Not. No. 80-1-I.C. (A) (20)/43, dated 10th July, 1943.

4. No manufacturer shall attach or cause to be attached any label to cotton cloth, and no person shall make any label for such use.

5. A manufacturer of, or a dealer in, cotton cloth, or yarn shall, if required by order in writing so to do by the [Textile Commissioner]¹, Cotton Textiles, Bombay, make a true declaration within the time and in the form specified in the Order, of his existing stocks of paper, strawboards and labels.

6. [The Textile Commissioner,]² Cotton Textiles, Bombay, may, if he has reason to believe that any person has contravened or is likelt to contravene any provision of this Order,—

(a) require any person to give any information in his possession with respect to any business carried on by that or any other person;

(b) inspect or cause to be inspected any books or other documents belonging to or under the control of any person;

(c) enter and search, or authorise any police officer not below the rank of Sub-Inspector, to enter and search, any premises.

7. If any person with the intent that any provision of this Order may be evaded refuses to give any information lawfully demanded from him under clause 6, or conceals, destroys, mutilates or defaces any books or other document, he shall be deemed to have contravened the provisions of this Order.

8. The functions of the [Textile Commissioner]³, Cotton Textiles, Bombay, under this Order, may be exercised by any other officer authorised in writing by him or by the Central Government in this behalf.

9. Nothing in this Order shall apply to—

(a) special packing in compliance with the terms of any contract with Government;

(b) packing of cotton cloth or yarn for despatch out of India;

(c) use of existing stocks of strawboards and labels in respect of which a declaration has been made in pursuance of an order under clause 5.

DECLARATION OF STOCK OF PAPER IN BOMBAY.

Notification, Finance Department (Supply) No. 37/2 dated 16th April 1943—

In exercise of the powers conferred by rule 116 of the Defence of India Rules and in partial supersession of the Order issued in Government Notification, Finance Department (Supply), No. 383-II (b), dated the 6th March 1943, *i.e.* is so far as

¹ Substituted by G. of I., I. & C.S.D., No. 176-YTex/43 dated 7-8-43.

² *Ibid.*

³ *Ibid.*

it relates to paper and pulp boards, the Government of Bombay is pleased to order that every person in the City of Bombay and Bombay Suburban District shall, before the 5th day of every month, furnish to the Provincial Paper Controller, Government Central Press, Charni Road Gardens, Bombay, a full and correct statement in the form specified in the schedule hereto appended of the stocks of all grades of paper and pulp boards whether manufactured in India or not held by him on his account or on account of, or in partnership with, any other person on the last day of the preceding month if such stocks amount to one ton or more.

Schedule.
Form.

1. Article.
2. Full name of the person.
3. Address.
4. The exact location of the godown or godowns, or any other place or places where the stocks are stored.
- 5 (1) The quantity of stock held—
 - (a) on his own account.
 - (b) on account of other persons.
 - (c) in partnership with any other persons.
- (2) Full names and addresses of persons on account of whom stocks are held and quantity of stocks held on account of each such person.
- (3) Full names and addresses of persons in partnership with whom stocks are held and the quantity of stock held in partnership with each such person.

**EXPORT OF WASTE PAPER FROM BOMBAY
PROVINCE PROHIBITED.**

Notification, Finance Department (Supply), No. 37/1 dated 5th March 1943—

In exercise of the powers conferred by clause (a) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that with effect from the 6th March 1943, no person shall remove waste paper, paper cuttings, rags, hemp or jute from any place within the limits of the Province of Bombay to any place in India outside the limits of the said Province except under a license granted in the City of Bombay and the Bombay Suburban District by the Director of Civil Supplies, Bombay, or the Controller of Prices, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay, and elsewhere by the District Magistrate concerned.

CHAPTER XV.

RENT

THE BOMBAY RENT RESTRICTION ACT, 1939.

L. A. BILL No. XVIII OF 1939

(This Bill has received the sanction of the Governor of Bombay under section 299 (3) of the Government of India Act, 1935.)

A Bill to restrict the increase of rent of certain premises in consequence of the levy of the urban immoveable property tax in the Province of Bombay.

WHEREAS it is expedient to restrict the increase of rents of certain premises in consequence of the levy of the urban immoveable property tax in the Province of Bombay ; It is hereby enacted as follows :—

1. *Short title, extent and operation.*—(1) This Act may be called the Bombay Rent Restriction Act, 1939.

(2) It shall extend to—

- (i) the City of Bombay,
- (ii) the limits of the municipal boroughs of Thana, Kurla, Bandra and Ahmedabad,
- (iii) the limits of the municipal districts of Ville Parle, Ghatkopar-Kirol and Juhu in the Bombay Suburban District,
- (iv) the notified areas of Malad, Kandivali, Borivali, Chembur and Mulund in the Bombay Suburban District, Bhayandar in the District of Thana and Sabarmati in the District of Ahmedabad, and
- (v) the limits of the Cantonment of Ahmedabad.

(3) It shall remain in force upto and inclusive of the 31st day of March [1944 :]¹

Provided that the expiration of this Act shall not render irrecoverable any rent which during the continuance thereof was irrecoverable or affect the right of a tenant to recover any sum which during the continuance thereof was under this Act recoverable by him.

2. *Application of the Act.*—The provisions of this Act shall apply to premises, the standard rent of which does not exceed rupees eighty per month :

Provided that the Provincial Government may direct that

1. Amended by Bom. 4 of 1943, section 2.

all or any of the provisions of this Act shall not apply to any particular premises or class of such premises.

3. *Court competent to decide questions under the Act*—When under the provisions of this Act, any question arises for the determination of a Court or any order is to be made by a Court, such question shall be determined or such order made by the Court having cognizance of the suit or proceeding, if any, in relation to which such question arises or such order is to be made.

4. *Definition*.—In this Act unless there is anything repugnant in the subject or context,—

(1) The expression "landlord" means any person for the time being entitled to receive rent in respect of any premises whether on his own account or on account or on behalf or for the benefit of any other person or as a trustee, guardian or receiver for any other person. It includes a tenant who sub-lets any premises and every person from time to time deriving title under a landlord.

(2) The expression "premises" means—

(a) any building or part of a building let separately for any purpose whatever, including any land let therewith, or

(b) any land let separately for the purpose of being used principally for business or trade,

but does not include a room in a hotel or a boarding house.

(3) The expression "standard rent" in relation to any premises means—

(a) the rent at which the premises were let on the first day of January 1939; or

(b) where they were not let on the first day of January 1939 the rent at which they were last let before that date; or

(c) where they were or shall be first let after the first day of January 1939, the rent at which they were or shall be first let; or

(d) in any of the cases specified in section 15 the rent fixed by the Court.

(4) The expression "tenant" means any person by whom or on whose account rent is payable for any premises, and includes every person from time to time deriving title under a tenant.

5. *Restriction on raising rent*.—(1) Subject to the provisions of this Act, where the rent of any premises has been or is hereafter during the continuance of this Act, increased above the standard rent, the amount by which the rent payable exceeds the amount which would have been payable had the increase not been made shall, notwithstanding any agreement to the contrary, be irrecoverable:

Provided that nothing in this section shall apply—

- (a) to any rent which accrued due before the first day of January 1939,
- (b) to any periodical increment of rent accruing due under any agreement entered into before the first day of January 1939, or
- (c) to rent payable under any lease entered into before the first day of January 1939, which has not expired on the said date.

(2) For the purposes of this section the rent shall be deemed to have accrued from day to day.

6. *Increase of rent on account of improvements excepted.*—

Where the landlord has since the first day of January 1939, incurred, or during the continuance of this Act incurs expenditure on any improvement or structural alterations of any premises, (not including expenditure on decoration or ordinary repairs) an increase of rent at a rate not exceeding 6 per centum per annum on the amount so expended shall not be deemed to be an increase for the purposes of section 5.

7. *Cases where rent to be deemed and not to be deemed to be increased.*—(1) Where, as the result of any alteration in the terms of the tenancy, the terms on which any premises are held are on the whole less favourable to the tenant than the previous terms, the rent shall be deemed to be increased for the purposes of this Act, whether the sum payable as rent is increased or not.

(2) Where, as the result of any alteration of the terms of the tenancy, the terms on which any premises are held are not on the whole less favourable to the tenant than the previous terms, the rent shall not be deemed to be increased for the purposes of this Act, whether the sum payable as rent is increased or not.

8. *Increase of rent on account of payment of rates excepted.*—Where a landlord pays any municipal rate, cess, or tax in respect of any premises, any increase of the rent thereof shall not be deemed to be an increase for the purposes of section 5, if the amount of the increase does not exceed any increase in the amount for the time being payable by the landlord in respect of such rate, cess or tax over the amount paid in the period of assessment which included the first day of January 1939.

9. *Rent not to be increased on account of payment of urban immoveable property tax.*—Notwithstanding anything contained in section 8 or any law for the time being in force, or any contract, no landlord shall recover from his tenant the amount of the urban immoveable property tax or any portion thereof levied under section 22 of the Bombay Finance Act, 1932, in respect of any premises occupied by such tenant by any increase in the amount of the rent payable or otherwise.

10. *Fine or premium not to be charged for grant, renewal or continuance of tenancy.*—(1) It shall not be lawful for any person, in consideration of the grant, renewal or continuance of a tenancy of any premises, to require the payment of any fine, premium or any other like sum in addition to the rent.

(2) Where any such payment has been made after the first day of January 1939, the amount shall be recoverable by the tenant by whom it was made from the landlord, and may without prejudice to any other method of recovery be deducted from any rent payable by him to the landlord.

(3) Nothing in this section shall apply to any payment under any agreement entered into before the first day of January 1939.

11. *No order for ejectment ordinarily to be made if rent paid at allowable rate.*—(1) No order for the recovery of possession of any premises shall be made so long as the tenant pays or is ready and willing to pay rent to the full extent allowable by this Act and performs the other conditions of the tenancy :

Provided that nothing in this section shall apply where the tenant has committed any act contrary to the provisions of clause (o) or clause (p) of section 108 of the Transfer of Property Act, 1882, or has been guilty of conduct which is a nuisance or an annoyance to any adjoining or neighbouring occupiers, or where the premises are reasonably and *bona fide* required by the landlord either for the erection of buildings or for his own occupation or for the occupation of any person for whose benefit the premises are held, or where the landlord can show any cause which may be deemed satisfactory by the court.

(2) Where any order of the kind mentioned in sub-section (1), has been made on or after the first day of January 1939 but not executed before the commencement of this Act, the court by which the order was made may, if it is of opinion that the order would not have been made if this Act had been in operation at the date of the making of the order, rescind or vary the order in such manner as the court may think fit for the purpose of giving effect to this Act.

12. *Consequences of non-user or non-occupation of premises of which possession has been restored to landlord.*—

When any order for the recovery of possession of any premises has been made under the proviso to sub-section (1) of section 11 on the ground that the premises are reasonably and *bona fide* required by the landlord either for the erection of buildings or for his own occupation or for the occupation of any person for whose benefit the premises are held and the premises are not used for the erection of buildings or occupied by the aforesaid persons within three months of the date when possession has been obtained or are relet within the same period to any person other than the original tenant, the court by which the

order was made may on an application of the original tenant made within six months of such date place him in occupation of the premises on the original terms and conditions and if in the opinion of the court the premises were not reasonably and *bona fide* required by the landlord for the aforesaid purposes, direct payment to him by the landlord of such compensation as the court may think fit.

13. *In City of Bombay distress warrants barred.*— No distress warrant shall be issued under chapter VIII of the Presidency Small Cause Courts Act, 1882,

- (a) for any rent which is under the provisions of this Act irrecoverable, or,
- (b) unless the person applying for a warrant under the said chapter of the said Act shall, when making his application for the same, swear or affirm that none of the rent, in respect of which the warrant is applied for, is irrecoverable under this Act.

14. *Rent which should not have been paid may be recovered.*—(1) Where any sum has, whether before or after the commencement of this Act, been paid on account of rent, being a sum which is by reason of the provisions of this Act irrecoverable, such sum shall at any time within a period of six months after the date of the payment, or, in the case of a payment made before the commencement of this Act, within six months after the commencement thereof be recoverable by the tenant by whom it was paid from the landlord who received the payment or his legal representative, and may without prejudice to any other method of recovery be deducted by such tenant from any rent payable within such six months by him to such landlord.

(2) In this section the expression "legal representative" has the same meaning as in the Code of Civil Procedure, 1908, and includes also, in the case of joint family property, the joint family of which the deceased person was a member.

15. *Court may determine standard rent in certain cases.*— (1) In any of the following cases the Court may fix the standard rent at such amount as, having regard to the provisions of this Act and the circumstances of the case, it deems just—

- (a) where, by reason of any premises having been let at one time as a whole and at another time in parts, or where a tenant has sub-let or sub-lets a part of any premises let to him, or where for any reason any difficulty arises in giving effect to this Act; or
- (b) where, in the case of any premises let furnished, it is necessary to distinguish, for the purpose of giving effect to this Act, the amount payable as rent from the amount payable as hire of furniture; or

(c) where any premises have been or are let rent-free or at a nominal rent or for some consideration in addition to rent.

(2) In the case of any such sub-letting as is referred to in clause (a) of sub-section (1), the Court shall have regard to the standard rent of the premises a part of which has been or is sublet.

[15A. The provisions of this Act shall continue to extend to any areas specified in clause (iv) of sub-section (2) of section 1 notwithstanding such area ceasing to be a notified area and being declared to be a municipal district under section 4 of the Bombay District Municipal Act, 1901, or a village under section 4 of the Bombay Village Panchayats Act, 1933.]*

16. *Rules.*—(1) The Provincial Government may, by notification in the Official Gazette, make rules for the purpose of carrying out the provisions of this Act.

(2) Rules made under this section shall be subject to the condition of previous publication.

BOMBAY RENT RESTRICTION ORDER, 1942

Notification, General Department, No. 3259/33, dated the 22nd April 1942.

In exercise of the powers conferred by clauses (bb) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to make the following Order:—

1. *Short title, extent and commencement:*—

(1) This Order may be called the Bombay Rent Restriction Order, 1942.

(2) It shall extend to the City of Bombay and such other areas as the Government of Bombay may order by notification.

(3) It shall come into force at once.

[2. *Application of the Order.*—The provisions of this Order shall apply—

(a) to premises the standard rent of which exceeds Rs. 80 per mensem⁽¹⁾ in areas to which the Bombay Rent Restriction Act, 1939, is applicable, and

[(b) to all premises in other areas.]*².

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

(1) “Controller” means the person appointed as such by the Government of Bombay for the purposes of this Order;

(2) “landlord” means any person for the time being entitled to receive rent in respect of any premises whether on

* Inserted by Bom. 5 of 1941, Section 3.

1. Deleted by G. D. Not. No. 3259/33 dated 15-2-43.

2. Substituted, *Ibid.*

3. Inserted, *Ibid.*

his own account or on account or on behalf or for the benefit of any other person or as a trustee, guardian or receiver for any other person. It includes a tenant who sub-lets any premises and every person from time to time deriving title under a landlord;

(3) "premises" means [in the City of Bombay any building or part of a building let for any purpose other than storage of goods and elsewhere]⁴ any building or part of a building let for the purpose of 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;

(4) "standard rent" in relation to any premises means

(a) the rent at which the premises were let on the first day of September 1940, or

(b) where they were not let on the first day of September 1940, the rent at which they were last let before that date, or

(c) where they are first let after the first day of September 1940, the rent at which they are first let, or

(d) in any of the cases specified in clause 11 the rent fixed by the Controller;

(5) "tenant" means any person by whom or on whose account rent is payable for any premises; and includes every person from time to time deriving title under a tenant.

4. *Restriction on raising rent.*—

(1) Subject to the provisions of this Order, where the rent of any premises is increased, whether before or after the date of this Order, above the standard rent, the amount by which the rent payable exceeds the amount which would have been payable, had the increase not been made, shall, notwithstanding any agreement to the contrary, be irrecoverable:

Provided that nothing in this clause shall apply—

(a) to any rent which accrued due before the commencement of this Order,

[(aa) to any rent which accrued due after the commencement of this Order but before the 15th February 1943 in respect of premises the standard rent of which exceeds Rs. 250/- per mensem.]⁵

[(ab) to any rent which accrued due after the commencement of this Order but before the 16th June 1943 in respect of premises in the City of Bombay let for any purpose other than residence.]⁶

(b) to any periodical increment of rent accruing due under any agreement entered into before the first day of September 1940, and

4. Inserted by G. D. Not. No. 3259/33, dated 16-6-43.

5. Inserted by G. D. Not. No. 3259-33, dated 15-2-43.

6. Inserted by G. D. Not. No. 3259-33 dated, 16-6-43.

(c) to rent payable under any lease entered into before the first day of September 1940, which has not expired on the said date.

(2) For the purpose of this clause the rent shall be deemed to have accrued from day to day.

5. *Cases where rent to be deemed and not to be deemed to be increased.*—

(1) Where, as a result of any alteration in the terms of the tenancy, the terms on which any premises are held are on the whole less favourable to the tenant than the previous terms, the rent shall be deemed to be increased for the purposes of this Order, whether the sum payable as rent is increased or not.

(2) Where, as a result of any alteration of the terms of the tenancy, the terms on which any premises are held are not on the whole less favourable to the tenant than the previous terms, the rent shall not be deemed to be increased for the purposes of this Order, whether the sum payable as rent is increased or not.

6. *Increase of rent on account of payment of rate excepted.*—Where a landlord pays any municipal rate, cess or tax in respect of any premises, any increase of the rent thereof shall not be deemed to be an increase for the purposes of clause 4, if the amount of the increase does not exceed any increase in the amount for the time being payable by the landlord in respect of such rate, cess or tax over the amount paid in the period of assessment which included the first day of September 1940.

7. *Fine or premium not to be charged for grant, renewal or continuance of tenancy.*—

(1) No landlord shall in consideration of the grant, renewal or continuance of a tenancy of any premises require the payment of any fine, premium or any other like sum in addition to the rent.

(2) Where any such payment has been made the amount shall be recoverable by the tenant by whom it was made from the landlord, and may, without prejudice to any other method of recovery, be deducted from any rent payable by him to the landlord.

(3) Nothing in this clause shall apply to any payment under any agreement entered into before the first day of September 1940.

8. *No ejectment ordinarily to be made if rent paid at allowable rate.*—The landlord shall not be entitled to the recovery of possession of any premises so long as the tenant pays, or is ready and willing to pay rent to the full extent allowable by this Order and performs the other conditions of the tenancy:

Provided that nothing in this clause shall apply where the landlord has obtained a certificate from the Controller certifying that the tenant has committed any act contrary to the provisions of clause (o) or clause (p) of section 108 of the Transfer of Property Act, 1882, or has been guilty of conduct which is

a nuisance or an annoyance to any adjoining or neighbouring occupiers, or that the premises are reasonably and *bona fide* required by the landlord either for his own occupation or for the occupation of any person for whose benefit the premises are held or for any other cause which may be deemed satisfactory by the Controller.

[Explanation.—The fact that a tenant has after 13th September 1943 sub-let the premises without the written permission of his landlords shall, notwithstanding anything contained in any law for the time being in force, be deemed to be a satisfactory cause within the meaning of the proviso to this clause].

9. *Consequences of non-user or non-occupation of premises of which possession has been restored to landlord.*—When any certificate for the recovery of possession of any premises has been obtained under the proviso to clause 8, on the ground that the premises are reasonably and *bona fide* required by the landlord either for his own occupation or for the occupation of any person for whose benefit the premises are held, and the premises are not occupied by the aforesaid person within 15 days of the date when possession has been obtained or are re-let within three months of the said date to any person other than the original tenant, the Controller may, on an application of the original tenant made within six months of such date direct landlord to place him in occupation of the premises on the original terms and conditions, and if in the opinion of the Controller the premises are not reasonably and *bona fide* required by the landlord for the aforesaid purposes, direct the landlord to pay the tenant such compensation as the Controller may think fit.

10. *Rent which should not have been paid may be recovered.*—

(1) Where any sum has been paid on account of rent, being a sum which is by reason of the provisions of this Order irrecoverable, such sum shall, at any time within a period of six months after the date of the payment, be recoverable by the tenant by whom it was paid from the landlord who received the payment or his legal representative, and may, without prejudice to any other method of recovery, be deducted from any rent payable within the said period by the tenant to the landlord.

(2) In this clause the expression "legal representative" has the same meaning as in the Code of Civil Procedure, 1908, and includes also, in the case of joint family property, the joint family of which the deceased person was a member.

11. *Controller may determine standard rent in certain cases.*—

(1) In any of the following cases the Controller may fix the standard rent at such amount as, having regard to the pro-

visions of this Order, and the circumstances of the case, he deems just —

- (a) where, any premises are first let after the first day of September 1940 and the rent at which they are first let is in the opinion of the Controller excessive;
- (b) where, by reason of any premises having been let at one time as a whole and at another time in parts, or by reason of a tenant having sub-let a part of any premises let to him, or for any other reason, any difficulty arises in giving effect to this Order; or
- (c) where, in the case of any premises let furnished, it is necessary to distinguish, for the purpose of giving effect to this Order, the amount payable as rent from the amount payable as hire of furniture.

12. *Appeal*.—(1) Any person aggrieved by an order passed by the Controller under the provisions of this Order [(including an order granting a certificate under the proviso to clause 8)]¹ may, within fifteen days from the date on which the order is communicated to him, present an appeal in writing to the Collector.

(2) The Collector shall then call for the record of the Controller and after examining the 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 Collector, and subject only to such decision, the order of the Controller shall be final.

Notes

On 18th June 1942, the Order was extended to (1) The Poona City Municipal area (2) The Poona Suburban Municipal area and (3) The Ahmedabad Area.

On 20th July 1942, it was extended to Ahmedabad Cantonment Area.

On 27th November 1943, it was extended to Poona Cantonment Area.

BOMBAY STORAGE ACCOMODATION RENT RESTRICTION ORDER, 1942

Notification, General Department, No. 3259/33, dated 1st May 1942.

In exercise of the powers conferred by clauses (ba) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to make the following Order:

1. *Short title, application and commencement*.—

(1) This Order may be called the Bombay Storage Accommodation Rent Restriction Order, 1942.

(2) It shall come into force at once in the City of Bombay and the Provincial Government may direct that it shall come into force in such other areas and on such dates as it may by notification in the Official Gazette appoint in this behalf.

¹ Inserted by G. D. Not. No. 3259/33 (b) dated 3-7-42.

2. *Application of the Order.*—The provisions of this Order shall apply—

- (a) to premises used or intended to be used for the storage of goods and for ancillary purposes and the standard rent of which exceeds Rs. 80 per mensem in areas to which the Bombay Rent Restriction Act, 1939, is applicable, and
- (b) to all premises used or intended to be used for the storage of goods and for ancillary purposes in other areas.]

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

(1) “Controller” means the person appointed as such by the Government of Bombay for the purposes of this Order;

(2) “landlord” means any person for the time being entitled to receive rent in respect of any premises whether on his own account or on account or on behalf or for the benefit of any other person or as a trustee, guardian or receiver for any other person. It includes a tenant who sub-lets any premises and every person from time to time deriving title under a landlord;

(3) “premises” means any building or part of a building let or intended to be let for the purpose of storage of goods and includes—

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

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

(3A) “rent” includes payment for hire of storage accommodation whether calculated with reference to floor area or cubic contents of the space hired, or with reference to specific goods or packages stored or in any other way whatsoever;

(4) “standard rent” in relation to any premises means—

(a) the rent at which the premises were let on the first day of September 1940, or

(b) where they were not let on the first day of September 1940, the rent at which they were last let before that date, or

(c) where they are first let after the first day of September 1940, the rent at which they are first let, or

(d) in any of the cases specified in clause 9 the rent fixed by the Controller;

(5) “tenant” means any person by whom or on whose account rent is payable for any premises, and includes every person from time to time deriving title under a tenant.

4. *Restriction on raising rent.*—

(1) Subject to the provisions of this Order, where the rent of any premises is increased, whether before or after the date

of this Order, above the standard rent, the amount by which the rent payable exceeds the amount which would have been payable, had the increase not been made, shall notwithstanding any agreement to the contrary, be irrecoverable:

Provided that nothing in this clause shall apply—

- (a) to any rent which accrued due before the commencement of this Order,
 - (b) to any periodical increment of rent accruing due under any agreement entered into before the first day of September 1940, and
 - (c) to rent payable under any lease entered into before the first day of September 1940, which has not expired on the said date.
- (2) For the purposes of this clause the rent shall be deemed to have accrued from day to day.

5. *Cases where rent to be deemed and not to be deemed to be increased.*—

(1) Where, as the result of any alteration in the terms of the tenancy, the terms on which any premises are held are on the whole less favourable to the tenant than the previous terms, the rent shall be deemed to be increased for the purposes of this Order, whether the sum payable as rent is increased or not.

(2) Where as the result of any alteration of the terms of the tenancy, the terms on which any premises are held are not on the whole less favourable to the tenant than the previous terms, the rent shall not be deemed to be increased for the purposes of this Order, whether the sum payable as rent is increased or not.

6. *Increase of rent on account of payment of rate excepted.*—Where a landlord pays any municipal rate, cess or tax in respect of any premises, any increase of the rent thereof shall not be deemed to be an increase for the purposes of clause 4, if the amount of the increase does not exceed any increase in the amount for the time being payable by the landlord in respect of such rate, cess or tax over the amount paid in the period of assessment which included the first day of September 1940.

7. *Fine or premium not to be charged for grant, renewal or continuance of tenancy.*—

(1) No landlord shall in consideration of the grant, renewal or continuance of a tenancy of any premises require the payment of any fine, premium or any other like sum in addition to the rent.

(2) Where any such payment has been made after the date of this Order the amount shall be recoverable by the tenant by whom it was made from the landlord, and may, without prejudice to any other method of recovery, be deducted from any rent payable by him to the landlord.

(3) Nothing in this clause shall apply to any payment

under any agreement entered into before the first day of September 1940.

[7A. *No ejectment ordinarily to be made if rent paid at allowable rate.*—The landlord shall not be entitled to the recovery of possession of any premises so long as the tenant pays, or is ready and willing to pay rent to the full extent allowable by this Order and performs the other conditions of the tenancy :

Provided that nothing in this clause shall apply where the landlord has obtained a certificate from the Controller certifying that the tenant has committed any act contrary to provisions of clause (o) or clause (p) of section 108 of the Transfer of Property Act, 1882, or has been guilty of conduct which is a nuisance or annoyance to any adjoining or neighbouring occupiers, or that the premises are reasonably and *bona fide* required by the landlord either for his own occupation or for the occupation of any person for whose benefit the premises are held or for any other cause which may be deemed satisfactory by the Controller.

7B. *Consequences of non-user or non-occupation of premises of which possession has been restored to landlord.*—When any certificate for the recovery of possession of any premises has been obtained under the proviso to clause 7A, on the ground that the premises are reasonably and *bona fide* required by the landlord either for his occupation or for the occupation of any person for whose benefit the premises are held and the premises are not occupied by the aforesaid person within fifteen days of the date when possession has been obtained or are re-let within three months of the said date to any person other than the original tenant, the Controller may, on an application of the original tenant made within six months of such date, direct the landlord to place him in occupation of the premises on the original terms and conditions, and, if in the opinion of the Controller the premises are not reasonably and *bona fide* required by the landlord for the aforesaid purposes, direct the landlord to pay the tenant such compensation as the Controller may think fit.]²

8. *Rent which should not have been paid may be recovered.*—

(1) Where any sum has been paid on account of rent, being a sum which is by reason of the provisions of this Order irrecoverable, such sum shall, at any time within a period of six months after the date of the payment, be recoverable by the tenant by whom it was paid from the landlord who received the payment or his legal representative, and may, without prejudice to any other method of recovery, be deducted from any rent payable within the said period by the tenant to the landlord.

(2) In this clause the expression "legal representative"

has the same meaning as in the Code of Civil Procedure, 1908, and includes also, in the case of joint family property, the joint family of which the deceased person was a member.

9. *Controller may determine standard rent in certain cases.*—

(1) In any of the following cases the Controller may fix the standard rent at such amount as, having regard to the provisions of this Order, and circumstances of the case, he deems just—

- (a) where, any premises are first let after the first day of September 1940 and the rent at which they are first let is in the opinion of the Controller excessive;
- (b) where, by reason of any premises having been let at one time as a whole and at another time in parts, or by reason of a tenant having sub-let a part of any premises let to him, or for any other reason, any difficulty arises in giving effect to this Order; or
- (c) where in the case of any premises let with furniture or equipment it is necessary, to distinguish, for the purpose of giving effect to this Order, the amount payable as rent from the amount payable as hire of furniture or equipment.

10. *Appeal:*—

(1) Any person aggrieved by an order passed by the Controller under the provisions of this Order [including an order granting a certificate under the proviso to clause 7A] may, within fifteen days from the date on which the order is communicated to him, present an appeal in writing to the Collector.

(2) The Collector shall then call for the record of the Controller and after examining the 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 Collector, and subject only to such decision, the order of the Controller shall be final.

THE HOTELS AND LODGING HOUSES CONTROL ORDER, 1942.

Notification, General Department, No. 3259/32 dated 16th May 1942—

In exercise of the powers conferred by clauses (bb) and (f) of sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to make the following Order:—

1. (1) This Order may be called the Hotels and Lodging Houses Control Order, 1942.

(2) It shall come into force at once in the City of Bombay and the limits of the Lonavla Municipal borough including the

Khandala area, and the Provincial Government may direct that it shall come into force in such other areas and on such dates as it may by notification in the Official Gazette appoint in this behalf.

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

(1) "Controller" means a person appointed as such by the Government of Bombay for the purposes of this Order;

(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 receives 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 upon 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 the lodging house.

5. In determining the fair rate under clause 6, 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 immediately preceding the 1st September 1940 and to any general increase in the cost of living after that date.

6. (1) When the Controller has determined the fair rate of charges—

(a) the manager of the hotel, or the 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 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.

(2) Nothing in sub-clause (1) shall debar the Controller, in determining the fair rate of charges, from directing that his order shall have effect from a specified date being a date after the commencement of this Order and that the manager of the hotel or owner of the lodging house as the case may be, shall not be liable to refund any sum paid in excess of such fair rate before that date.

7. Where under clause 6 the Controller has determined the fair rate, a notice of the fair rate shall be displayed in a conspicuous manner in the hotel or lodging house concerned in the accommodation to which the fair rate appertains.

8. (1) A lodger in respect of whose accommodation a complaint has been made under clause 5 or an order has been made under clause 6 shall be entitled to retain possession of the accommodation provided he pays charges according to the fair rate determined under clause 6 and performs the other conditions of his agreement.

(2) Nothing in this clause shall apply where the manager of an hotel or owner of a lodging house has obtained a certificate from the Controller certifying that—

(a) the lodger has been guilty of conduct which is a nuisance or an annoyance to any adjoining or neighbouring occupiers; or

(b) the accommodation is reasonably and *bonafide* required by the owner of the hotel or the lodging house as the case may be either for his own occupation or for the occupation of any person for whose benefit the accommodation is held, or for any other cause which may be deemed satisfactory by the Controller.

9. (1) Any person aggrieved by an order of the Controller may, within 15 days from the date of which the order has been communicated to him, present an appeal in writing to the Collector.

(2) The Collector shall then call for the record of the Controller, and, after examining the record and after making such further enquiry as he deems fit, either personally or through the Controller shall decide the appeal.

(3) The decision of the Collector, and subject only to such decision, the Order of the Controller, shall be final.

10. Notwithstanding any thing contained in this Order, the Collector may exempt any hotel or lodging house, or any class of hotels or lodging houses from the provisions of this Order, and vary or cancel such exemption.

CHAPTER XVI.

RUBBER

RUBBER MANUFACTURERS CONTROL ORDER, 1942.

Notification, Government of India, Department of Supply,
No. SS-109/42 dated 26th August 1942—

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

1. *Short title and commencement.*—

(i) This Order may be called the Rubber Manufacturers Control Order, 1942 ;

(ii) It shall come into force on 1st September 1942.

2. *Interpretation.*—In this Order, “rubber” means any crude rubber or liquid latex or gutta percha or balata whether crude, waste or reclaimed. [or any manufactured or partly manufactured compound containing rubber or liquid latex or gutta percha or balata whether crude, waste or reclaimed].¹

3. *Prohibition of production of certain articles.*—No person shall produce any article of any of the descriptions specified in the first schedule to this Order, any component part of any such article, if such article or component part contains any rubber :

Provided that this clause shall not apply to the production of any article or component part of any article produced under a special or general direction issued by the Central Government in the Department of Supply.

4. *Restriction of production of certain articles.*—No person shall produce any article of the description specified in the second schedule to this Order, or any component part of any such article, if such article or component part contains any rubber, except under the authority of and in accordance with a licence granted, or a special or general direction issued, by the Controller of Rubber Manufactures, Directorate General of Supply, Department of Supply.

5. *Application for and grant of licences.*—(i) All applications for permission to produce any of the articles detailed in the second schedule to this Order shall be made to the Controller of Rubber Manufactures, Directorate General of Supply, New Delhi, in Form A appended to this Order.

(ii) The Controller of Rubber Manufactures shall pass such orders on each application as he thinks fit and shall either inform

1. Inserted by G of I, S. D., Not. No. 53/109 dated 6-9-42.

the applicant that his application has been rejected or shall issue a licence in Form B for all or any of the articles covered by the application.

(iii) The holder of any licence shall comply with the terms thereof.

The First Schedule.

(Articles, the production of which is prohibited).

| Classes. | Descriptions. |
|---|---|
| 1. Flooring, mats, paving, etc. | (a) Flooring. (b) Mats or mattings. (c) Stair nosing, risers of trends. (d) Goving. (e) Blocks (road or paving.) (f) Traffic lines and studs other than reflector studs. |
| 2. Miscellaneous household requisites, etc. | (g) Wall covering. (a) Blind cord acorns. (b) Bags (hat shaper). (c) Buttons. (d) Carpet binders. (e) Chairleg pads. (f) Confectionery moulds. (g) Castor Cups. (h) Cistern pulls. (i) Collets (Suspender or other). (j) Deer stops. (k) Draught excluders. (l) Flyswatters. (m) Laundry bags. (n) Nails (rubber-headed). (o) Hat-making rings. (p) Umbrella rings. (q) Sink protectors or swillers. (r) Trays (soap, ice or other). (s) Teapot stands. (t) Window wedges. (u) Sponges. (v) Table top coverings. (w) Straps or carriers. (x) Curtain rails. (y) Hair and shaving brushes. (z) Nail brushes. |
| 3. Clothing, etc. | (a) Bathing caps. (b) Dress Shields. (c) Dressing capes. (d) Elbow pads. (e) Paddlers. (f) Aprons other than industrial (g) Gloves household. (h) Hair grips. (i) Hair nets. |
| 4. Sundries. | (a) Combs. (b) Needles (knitting or netting) (c) Number plates. (d) Pluches (tobacco). (e) Truncheons. (f) Hammers or mallets. |

5. Rubber-proofed materials. (a) Fancy rubberised fabrics.
(b) Rubberised felts for carpet underlay or automobile trade.
6. Sports Goods. (a) Toys.
(b) Balloons (toy).
(c) Balls (other than golf, hockey, tennis, lacrosse or squash racquets.)
(d) Catapult strip.
(e) Cricket sheet (spiked).
(f) Dog biscuits, bones, etc.
(g) Gold ball cleaners.
(h) Gold tees.
(i) Jig-saw puzzles.
(j) Li-los.
(k) Rings (quiet and tenkeit).
(l) Grips or handles.
(m) Strips grips.
(n) Table tennis shooting.
(o) Badminton shuttles.
All types.]²
- [7. Sole crepe.

[THE SECOND SCHEDULE.]²*(Articles, the production of which is restricted).*

1. Sports Goods. (a) Balls (golf, hockey, tennis, lacrosse or squash racquets).
(b) Billiard table cushions or strips.
(c) Bladders for footballs, netballs, water pole balls, punch balls etc.,
(d) Gold ball tape or thread.
2. Miscellaneous. (a) Gear box covers.
(b) Handle bar grips.
(c) Hot water bottles.
(d) Ice caps.
(e) Air cushions
(f) Balloons (meteorological).
(g) Corks and stoppers.
(h) Mudguards.
(i) Solid tyreing comprising—
(i) Carriage and Rickshaw tyreing.
(ii) Pram tyreing. (iii) Trolley or truck tyres.
(j) Cycle and Motor pump connections.
(k) Cycle pedal fittings.
(l) Rubberised fabrics of all types.
(m) Contraceptives.
(n) Gloves (surgical and industrial).
(o) Nipples, teats and valves for feeding bottles.
(p) Battery Boxes.
3. Footwear. (a) Soles, heels or tips.
(b) Any type of footwear having rubber soles, heels or tips.
4. Sheetings. (a) Solid rubber sheeting.
(b) Sponge rubber sheeting.
(c) Insertion rubber sheeting.

2. See Supra.

3. See Supra.

- 5. Hose. All types.
- 6. Belting. (a) V Belts.
(b) Fan belts.
(c) Transmission belting of all kinds.
- 7. Tyre & tube repair materials. (a) Tread and cushion compounds.
(b) Vulcanizing compounds of all kinds.
(c) Rubber solution of all kinds.

FORM A.

Rubber Manufacture Control Order, 1943.

(Clause 5)

(Application from a manufacturer for permission to manufacture any of the articles detailed in the second schedule to be submitted in duplicate to the Controller of Rubber Manufactures, Directorate General of Supply, New Delhi.)

Application.

- 1. Name and address of applicant.....
- 2. Class and description of article(s) to be manufactured:—

| Class. | Description. | Amount of Rubber required. | | | State if manufacture is against Government Contract or for what purposes. |
|--------|--------------|----------------------------|-------|------|---|
| | | Tons. | Cwts. | Lbs. | |
| | | | | | |

3. Amount of Rubber held on date of application.

| Tons. | Cwts. | Lbs. |
|-------|-------|------|
| | | |

Dated _____

Signature. _____
Applicant.

Form B.
License.
(Not printed).

RUBBER STOCKS CONTROL ORDER, 1943.

Notification, Government of India, Commerce Department, No. 278(1)-Tr.(I.E.R.)/42(i), dated 20th February 1942.

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

- 1. Short title.—This Order may be called the Rubber Stocks Control Order, 1942.

2. *Definitions*—In this Order—

(a) “dealer” means any person who deals in rubber (not being goods manufactured from rubber) or holds stocks thereof;

(b) “estate” means an area administered as one unit which contain land planted with rubber plants;

(c) “factory” means any premises for the manufacture of articles containing rubber;

(d) “form” means a form appended to this Order;

(e) “owner” includes any agent of an owner;

(f) “rubber” means—

(i) crude rubber, that is to say, rubber prepared from the leaves, bark or latex of any rubber plant;

(ii) the latex of any rubber plant, whether fluid or coagulated, in any stage of the treatment to which it is subjected during the process of conversion in a rubber; and

(iii) latex in any state of concentration.

3. *Submission of returns of stocks*.—Every owner of an estate or factory and every dealer shall submit to the Central Government in the Supply Department or to an authority appointed by the Central Government in this behalf—

(a) within fourteen days from the date of the issue of this Order a true return in duplicate in Form I in respect of the stocks of all grades of rubber in hand on the said date;

(b) on or before the 15th day of every month commencing with the 15th March 1942, a true return in duplicate in Form II of the amounts of all grades of rubber acquired and utilised or disposed of by him during the preceding month and in his possession on the last day of the preceding month.

[3-A. *Submission of returns of rubber manufactures*.—Every owner of a factory shall, on or before the 15th day of every month, submit to the Controller of Rubber Manufactures (Supply Department, Government of India, New Delhi), a true return, in duplicate, in Form III in respect of all articles (including component parts of articles and vulcanised articles) manufactured, whether wholly or partly, of rubber in the factory during the preceding month].

4. *Maintenance of accounts of stocks and provisions for inspection*.—Every owner of an estate or factory and every dealer shall—

(a) maintain proper books, accounts and other records relating to stocks of all grades of rubber, including such information as the Central Government may direct to be compiled;

(b) produce to an officer authorised by the Central Government in writing in this behalf such books, accounts or other records relating to his business as may be demanded by the said officer;

(c) permit any officer authorised by the Central Government in writing in this behalf to enter upon and inspect any premises used for or in connection with his business.

FORM I.

Serial No.....

Rubber Stocks Control Order, 1942.

(Paragraph 3(a))

Name of the Estate/Factory/Dealer*.....

Full address

*I/We declare that the following is a true account in respect of.....

...../my business.....
(name of the Estate/Factory)*...(for dealer).....

* (1) Area.....acres.

(2) Stocks of all grades of rubber as on.....(the date on which the Notification is issued.)—

Tons. Cwts. Qrs. Lbs.

Date. Signature of the *owner of the estate/factory.

* Strike out as necessary. Dealer.

FORM II.

Serial No.....

Rubber Stocks Control Order, 1942.

(Paragraph 3(b))

Name of the Estate/Factory/Dealer.....

Full address.....

I/We declare that the following is a true account in respect of.....

(Name of the Estate/Factory)/my business.....
(for dealer).

I. II. III. IV.

Stocks of all grades of rubber as shown in the last return. Stocks acquired during. Stocks utilised or disposed of during. Balance of stock at the end of.

Tons. Cwts. Qrs. lbs. Tons. Cwts. Qrs. lbs. Tons. Cwts. Qrs. lbs. Tons. Cwts. Qrs. lbs.

Date Signature of the owner of the estate factory

§ Name of the month to which the report relates. Dealer.

WAR-TIME RESTRICTIONS

FORM III.

Serial No.....

Rubber Stocks Control Order, 1942.

(Paragraph 3-A).

Name of the Factory.

Full address

I/We declare that the following is a true account in respect of my/our
rubber manufactures for the month of 194

| List of items manufactured. | Number of quan- tity of each item. | Quantity of rubber utilised for each item. | | | |
|--------------------------------|---------------------------------------|---|-------|------|------|
| | | Tons. | Cwts. | Qrs. | Lbs. |
| | | | | | |

Station.

Date

194

Signature of the owner.

Notes.

By notification No. 278(I)-Tr.(I.E.R.)/42(ii) dated 20-2-42, the Central Government has appointed the Controller, Indian Rubber Licensing Committee, as the authority to which returns under paragraph 3 shall be submitted by dealers and owners of estates.

CHAPTER XVII.

WIRELESS AND ELECTRICITY

THE ELECTRICAL APPARATUS (DEALINGS) ORDER, 1941.

Notification, the Government of India, Department of Communications, No. W.16 (22)/40-I, dated 10th September 1941.

In exercise of the powers conferred by 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 Electrical Apparatus (Dealings) Order, 1941.

(2) It shall come into force on 1st November, 1941.

2. Except under the authority of a permit granted by the Director General of Posts and Telegraphs in this behalf, no person shall sell, purchase, let, hire, supply, dispose of, acquire or distribute any of the following articles, namely :—

(a) articles intended for use as parts of wireless transmitters, namely : high frequency inductors, variable capacitors (condensers), spark coils, quenched and rotary spark gaps ;

(b) any wireless receiving apparatus which is designed to be used also as a wireless transmitter or which can be adapted for such use by the operation of a switch or by the changing of screwed or plug connections ;

(c) high frequency equipment (being equipment which generates or uses high frequency current at frequencies greater than 10,000 cycles per second and having a maximum output exceeding 10 watts), including such equipment intended for use in connection with furnaces and medical apparatus ;

(d) electronic valves capable of an anode dissipation exceeding 20 watts, either as independent items or as component parts of any apparatus ;

(e) line carrier telegraph equipment or line carrier telephone equipment ;

(f) piezo electric quartz plates or piezo electric tourmaline plates cut to oscillate at any specified frequency.

3. Applications for permits under paragraph 2 shall be made to the Electrical Engineer-in-Chief, Telegraph Store Yard, Alipore, Calcutta, through the District Magistrate or Commissioner of Police within whose jurisdiction the applicant is residing, on forms obtainable at any Head Post Office or from the Electrical Engineer-in-Chief, stating full particulars of the

article concerned, the purpose for which it is required, and the name, address and occupation of the person wishing to obtain it and of the person from whom it is desired to obtain it. Only one application is required in respect of any one transaction.

4. Any person carrying on the business of selling any such article as is specified in paragraph 2 (hereinafter called the vendor) shall maintain a register showing (a) the details of all such articles in his possession together with the dates on which the articles came into his possession and the sources from which he obtained them and (b) in respect of any sale, the article sold, the person to whom it was sold and the number of the relevant permit; and any person authorised in this behalf by the Director General of Posts and Telegraphs may at any time inspect such register and examine the stock of the vendor for the purpose of verifying the entries therein, and may enter the premises of the vendor for the purposes aforesaid.

THE WIRELESS TELEGRAPHY APPARATUS (POSSESSION) ORDER, 1941.

Notification, Government of India, Department of Communications, No. W.16(22)/40-II, dated 10th September, 1941.

In exercise of the powers conferred by sub-rule (2) of rule 16 of the Defence of India Rules, the Central Government is pleased to make the following Order:—

1. This Order may be called the Wireless Telegraphy Apparatus (Possession) Order, 1941.

2. This Order shall not apply in relation to any apparatus acquired by virtue of a permit under the Electrical Apparatus (Dealings) Order, 1941.

3. On and after the 1st November 1941 no person shall, except under the authority of a permit granted by the Director General of Posts and Telegraphs, in this behalf, have in his possession or under his control any of the following apparatus, namely:—

(a) wireless apparatus components capable of being assembled to form a wireless transmitter;

(b) any wireless receiving apparatus which is designed to be used also as a wireless transmitter or which can be adapted for such use by the operation of a switch or by the changing of screwed or plug connections.

4. Applications for permits shall be made to the Electrical Engineer-in-Chief, Telegraph Store Yard, Alipore, Calcutta, through the District Magistrate or Commissioner of Police within whose jurisdiction the applicant is residing, on forms obtainable at any Head Post Office or from the Electrical Engineer-in-Chief, stating full particulars of the apparatus concern-

ed, the purpose for which it is required, and the name, address and occupation of the person in whose possession or under whose control the apparatus is to be retained.

ORDER.

Notification No. W-16(22)/40-III, dated 10th September, 1941, issued by the Government of India.

In exercise of the powers conferred by rule 37A of the Defence of India Rules, the Central Government is pleased to make the following Order :—

1. This Order applies to apparatus that generates or uses, and has a maximum power output exceeding ten watts of, electrical energy at a frequency exceeding ten thousand cycles per second, not being wireless transmitting apparatus.

2. Any person in the case of whom either of the following conditions is satisfied, namely :—

(a) that on the 10th day of September 1941 he has in his possession or under his control any apparatus to which this Order applied; or

(b) that, not having had any such apparatus in his possession or under his control on the said day, there comes into his possession or under his control after the said day, any such apparatus; shall forthwith report that fact, to the District Magistrate or in a Presidency Town to the Commissioner of Police.

CHAPTER XVIII.

MISCELLANEOUS

CIGARETTES

Notification, Government of India, Department of Commerce, No. 131-I.C.(1)/42, dated 1st August 1942—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Central Government is pleased to direct that no person shall manufacture or cause to be manufactured any cigarette which contains American tobacco in the cigarette:

Provided that the Central Government may, where it is satisfied that special circumstances exist, exempt any person from this prohibition, subject to any conditions that it may deem fit to impose.

CONTROL OF NON-POSTAL COMMUNICATIONS ORDER, 1940

Notification, Government of India, Defence Co-ordination Department, No. 375-OR/1/40 dated 16th November 1940.

In exercise of the powers conferred by sub-rule (2) of rule 22 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 Non-postal Communications Order, 1940.

2. In this Order, the expression "prohibited article" means:—

(i) any newspaper, book, or other printed manuscript or typescript publication, or cuttings or portions from any of the above.

(ii) any map, plan, sketch, drawing, print, photograph or other description or pictorial representation, or literature for the blind;

(iii) any postage or revenue stamps;

(iv) any official seal as defined in clause (c) of sub-rule (1) of rule 47 of the Defence of India Rules;

(v) any letters or memoranda;

(v-a) [any gramophone record];¹

1. Inserted by Govt. of India, Defence Co-ordination Dept. No. 375 OR/1/40, dated 5-4-41.

(vi) any other article whatsoever recording information by words, signs or otherwise.

3. No person shall send otherwise than by post, or have in his possession for the purpose of sending otherwise than by post, to any destination outside British India, and no person shall convey or have in his possession for the purpose of conveying out of or into British India, any prohibited article;

Provided that the provisions of this paragraph shall not apply to:—

(a) any prohibited article as to which the appropriate officer is satisfied that it is being sent or conveyed from British India to any of the following places into British India:—

any Indian State, any tribal area, any part of His Majesty's Dominions, any British Protectorate or Mandated Territory, or any other territory which is under His Majesty's protection or suzerainty;

(b) any prohibited article in respect of which the person sending it or conveying it, or having it in his possession for the purpose of sending or conveying it, has previously obtained a permit for the purpose issued by or on behalf of the Chief Censor, India, and has complied with any condition subject to which the permit has been granted;

(c) any prohibited article in transit which has been submitted voluntarily at the places of arrival and departure for examination by a censor, and has been approved for further transit in compliance with any conditions subject to which such approval has been given;

(d) any prohibited article being conveyed into or out of British India which has been submitted voluntarily at the places of arrival or departure, as the case may be, for examination by the appropriate officer and has been approved by him for further conveyance in compliance with any conditions subject to which such approval has been given;

(e) any prohibited article which is a document required by law to be carried on a vessel or aircraft, or is a document relating to the cargo, charter or other business of the vessel or aircraft on which it has to be conveyed, or of the owner of such vessel or aircraft, and is necessary for the proper conduct of such business, provided that such document:—

(i) is submitted to the appropriate officer for examination and approval at the postor place of departure from British India, if he so requires;

(ii) is kept in the personal custody of the master of the vessel or the pilot of the aircraft, as the case may be;

(f) any prohibited article for the time being exempted from the requirements of this Order by general or special order of the Central Government, provided that such prohibited article is submitted to the appropriate officer for examination and ap-

proval at the port or place of departure from British India, if he so required;

(g) any prohibited article which is being conveyed or sent by a person or firm for sale on a ship or aircraft, provided the person or firm has previously obtained a permit for the purpose issued by or on behalf of the Chief Censor and has complied with any conditions subject to which the permit has been granted.

COTTON BALING HOOPS (CONTROL OF MOVEMENT) ORDER, 1943.

Notification, Government of India, Department of Supply, No. 1150, dated the 13th October, 1943.

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

1. (1) This Order may be called the Cotton Baling Hoops (Control of Movement) Order, 1943.

(2) It shall come into force at once.

2. In this Order "Controller" has the meaning assigned to it in the Iron and Steel (Control of Distribution) Order, 1943.

3. No person shall move or attempt to move by road, river, sea or air any used or defective cotton baling hoops beyond the limits of the premises on which such baling hoops are for the time being situated, otherwise than in accordance with a general or special order issued by the Controller.

4. Nothing in this Order shall apply to any movement of baling hoops:—

(a) by any person to the station, goods depot or siding from which it is reasonable to book them for the purpose of being lawfully offered for transport by rail; or

(b) from a specified area in compliance with an Order made under sub-rule (1) of rule 49 of the Defence of India Rules.

HOARDING AND PROFITEERING PREVENTION ORDINANCE, 1943.

ORDINANCE No. XXXV OF 1943.

An
Ordinance

to provide for the prevention of hoarding and profiteering.

Whereas an emergency has arisen which makes it necessary to provide for the prevention of hoarding and profiteering;

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 Hoarding and Profiteering Prevention Ordinance, 1943.

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

(3) It shall come into force at once.

2. *Interpretation.*—In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) “article” includes any article or thing, except food-grains, which has not by notification in the official Gazette, been declared by the Central Government to be an article or thing to which this Ordinance does not apply;

(b) “dealer” means a person carrying on the business of selling any article, whether wholesale or retail;

(c) “Controller General” means the Controller General of Civil Supplies appointed by the Central Government and includes the Deputy Controller General or Assistant Controller General of Civil Supplies so appointed;

(d) “inspector” means an inspector appointed for the purposes of this Ordinance by the Central or by the Provincial Government;

(e) “producer” includes a manufacturer;

(f) an article shall be deemed to be in the possession of a person—

(i) when it is held on behalf of that person by another person;

(ii) notwithstanding that it is mortgaged to another person.

3. *Fixing of maximum quantities which may be held or sold and maximum prices.*—

(1) The Central Government may, by notification in the Official Gazette, fix in respect of any article—

(a) the maximum quantity which may at any one time be possessed by a dealer or producer;

(b) the maximum quantity which may in any one transaction be sold to any person;

(c) the maximum price or rate which may be charged by a dealer or producer.

(2) The quantities and prices or rates fixed in respect of any article under this section may be different in different localities.

4. *Restrictions on possession and sale by dealers and producers where maximum is fixed under section 3.*—No dealer or producer shall—

(a) have in his possession at any one time a quantity of any article exceeding the maximum fixed by notification under clause (a) of sub-section (1) of section 3; or

(b) sell or offer for sale to any person in any one transaction a quantity of any article exceeding the maximum fixed by notification under clause (b) of sub-section (1) of section 3; or

(c) sell or offer for sale to any person any article for a price or at a rate exceeding the maximum fixed by notification under clause (c) of sub-section (1) of section 2.

5. *Restrictions on possession by dealers or producers where no maximum is fixed under section 3.*—Where no maximum has been fixed by notification under clause (a) of sub-section (1) of section 3,—

(a) no dealer shall have in his possession at any one time a quantity of any article exceeding one-quarter of the total quantity of that article held by him in the course of the year 1939, or as the case may be, exceeding the quantity which the Controller General or other officer empowered in this behalf by the Central or the Provincial Government may intimate to him as the maximum quantity of that article which he may have in his possession at any one time; and

(b) no producer shall have in his possession at any one time a quantity of any article exceeding one-quarter of his total production of that article during that one of the three years 1940, 1941 and 1942 in which his production was greatest, or, as the case may be, exceeding the quantity which the Controller General or other officer empowered in this behalf by the Central or the Provincial Government may intimate to him as the maximum quantity of that article which he may have in his possession at any one time.

6. *Restriction on price where no maximum is fixed under section 3.*—(1) Where no maximum has been fixed by notification under clause (c) of sub-section (1) of section 3, no dealer or producer shall sell or offer for sale or otherwise dispose of an article for a consideration which is unreasonable.

(2) For the purposes of this section a consideration is unreasonable if, whether it is exclusively in money or not, it exceeds the amount represented by an addition of twenty per cent or the addition allowed by normal trade practice whichever is less to—

(a) the cost landed of the article in the case of an imported article;

(b) the cost of production of the article in the case of an article which is not imported, or if as a condition of sale the purchaser is required to purchase at the same time any other article.

(3) The Controller General may, by order published in the official Gazette, vary in respect of any specified article or class of articles the figure of twenty per cent referred to in Sub-section (2), and if he does so that Sub-section shall have effect accordingly.

7. *General limitation on quantity to be possessed at one time.*—

(1) No person shall have in his possession at any one time a greater quantity of any article to which this section applies than the quantity necessary for the reasonable needs of himself and his family for a period of three months or such longer period as may for special reasons in his particular circumstances be considered a reasonable period for which to make provision.

(2) For the purposes of Sub-section (1), the expression "reasonable needs" includes the fulfilment of social or religious or other customary obligations.

(3) Nothing in this section shall apply to a dealer or producer in respect of any article sold by or produced by him.

(4) This section shall apply only to such articles as the Controller General may by order published in the official Gazette specify for the purpose.

8. *Duty to declare possession of excess stocks.*—Any person having in his possession a quantity of any article exceeding that permitted by or under this Ordinance shall forthwith report the fact to the Controller General or other officer empowered in this behalf by the Central or the Provincial Government, and shall take such action as to the storage, distribution or disposal of the excess quantity as the Controller General or such officer may direct.

9. *Refusal to sell.*—No dealer or producer shall, unless previously authorized to do so by the Controller General or other officer empowered in this behalf by the Central or the Provincial Government, without sufficient cause refuse to sell to any person any article within the limits as to quantity imposed by this Ordinance.

Explanation.—The possibility or expectation of obtaining a higher price for an article at a later date shall not be deemed to be a sufficient cause for the purposes of this section.

10. *Cash memorandum to be given of certain sales.*—(1) Every dealer or producer when selling any article for cash shall, if the amount of the purchase is ten rupees or more, in all cases, and, if the amount of the purchase is less than ten rupees, when so requested by the purchaser, give to the purchaser a cash memorandum containing particulars of the transaction.

(2) The Central Government may, by notification in the official Gazette, prescribe the particulars to be contained in any such cash memorandum.

(3) The Central Government or the Provincial Government may, by notification in the official Gazette, exempt specific areas, classes of dealers or producers, or commodities from the operation of this section.

11. *Marking of prices and exhibiting price list.*—(1) The Controller General may direct any dealer or producer to mark articles exposed or intended for sale with the sale prices or to

exhibit on his premises a price list of articles held by him for sale, and may further give directions as to the manner in which any such direction as aforesaid is to be carried out.

(2) No dealer shall destroy, efface or alter any label or mark affixed to an article and indicating the price marked by a producer.

12. *Powers of Controller General, Inspectors, etc.*—(1) The Controller General or an inspector or an officer empowered in this behalf by the Central or the Provincial Government may—

(a) direct a dealer or producer to maintain records of all sale and purchase transactions ;

(b) direct a dealer or producer to furnish any information he may require as to the business carried on by such dealer or producer ;

(c) direct a dealer or producer to furnish any information possessed by such dealer or producer as to the business carried on by any other person ;

(d) inspect or cause to be inspected any books or other documents belonging to or under the control of any dealer or producer ;

(e) enter and search or authorize any person not below the status of a gazetted officer to enter and search any premises ;

(f) seize or authorize the seizure of any article in respect of which he suspects that an offence under this Ordinance has been committed, and thereafter take or authorize the taking of all measures necessary for securing the production of the article in a Court.

(2) The Controller General may, by order published in the official Gazette, issue to all dealers or producers of a specified class a direction such as is referred to in clause (a) or clause (b) of sub-section (1).

13. *Penalties.*—(1) Whoever contravenes any of the provisions of this Ordinance shall be punishable with imprisonment for a term which may extend to five years, or with fine or with both.

(2) Whoever fails to comply with any direction made under authority conferred by this Ordinance shall be punishable with imprisonment for a term which may extend to three years, or with fine or with both.

(3) A Court convicting any person of an offence punishable under this Ordinance may order any article, in respect of which the offence was committed, to be forfeited to His Majesty.

14. *Procedure.*—No prosecution for any offence punishable under this Ordinance shall be instituted except with the previous sanction of the Central or the Provincial Government, or of an officer not below the rank of a District Magistrate empowered by the Central or the Provincial Government to grant such sanction.

15. *Certain officers to be deemed public servants.*—The Controller General, an inspector and any officer empowered for the purposes of section 5, 8, 9 or 12 by the Central or the Provincial Government shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (XLV of 1860).

16. *Bar of legal proceedings.*—No suit, prosecution or other legal proceeding shall lie against any person for anything done or in good faith intended to be done under this Ordinance.

17. *Saving of other laws.*—The provisions of this Ordinance shall be in addition to and not in derogation of any other law for the time being in force regulating the keeping, storage, distribution, disposal, or price of articles.

ORDERS ISSUED BY THE CONTROLLER-GENERAL.

I. Notification, Government of India, Department of Industries and Civil Supplies, No. D/3A-C.G. (C.S.), dated the 21st October, 1943 :—

In exercise of the powers conferred upon me by sub-section (2) of section 12 of the Hoarding and Profiteering Prevention Ordinance, 1943 (Ordinance No. XXXV of 1943), I hereby direct all producers of vegetable ghee to maintain records of all sale transactions and to submit to the Office of the Controller General of Civil Supplies, New Delhi, information regarding stocks held by them as on the 25th October 1943, so as to reach the said office on or before the 1st November 1943, in accordance with the following instructions :—

1. The records of all sale transactions shall be maintained with effect from the 25th October 1943. There shall be separate records for wholesale sales and for retail sales. The records shall state, among other things, date of transaction, description of article, name of seller, price at which sale was made and whether delivery has been made.

2. The information should separately state what the cost of production is and how it has been arrived at, what is the margin of profit made on sales and whether it would be possible for the producer to mark on each tin of ghee the cost of production in order that the consumer may know what the ceiling price should be under section 6 of the Ordinance.

3. The information should also state what the trade mark of the producer is for the brands of vegetable ghee placed by him on the market.

II. Notification, Government of India, Department of Industries and Civil Supplies, No. D/3B-C.G. (C.S.), dated the 21st October 1943 :—

In exercise of the powers conferred upon me by sub-section (2) of section 12 of the Hoarding and Profiteering Prevention Ordinance, 1943 (Ordinance No. XXXV of 1943), I hereby direct all dealers or producers of the classes specified in the schedule annexed hereto—

(1) to maintain records of all sale and purchase transactions, and

(2) to submit to the Office of the Controller General of Civil Supplies, New Delhi, information regarding stocks held by them as on the 25th October 1943, so as to reach the said office on or before the 1st November 1943, in accordance with the following instructions:—

1. The records of all sale and purchase transactions shall be maintained with effect from the 25th October 1943. There shall be separate records for sales and for purchases. The records shall state, among other things, date of transaction, description of article, name of seller or purchaser, as the case may be, price at which sale or purchase was made and whether delivery was made or taken.

2. While submitting the information regarding stocks, the person should state clearly whether the information is as regards the business done by him as a dealer or as a purchaser.

Schedule

1. Bicycles.
2. Imported shoes, boots and footwear of all kinds.

III. Notification, Government of India, Department of Industries and Civil Supplies, No. D/3C.G. (C.S.), dated 21st October 1943:—

In exercise of the powers conferred upon me by section 12 of the Hoarding and Profiteering Prevention Ordinance, 1943 (Ordinance No. XXXV of 1943), I hereby direct all dealers including importers of the classes specified in the schedule annexed hereto to submit to the Office of the Controller General of Civil Supplies, New Delhi, information regarding

(1) stocks held by them as on the 25th October 1943, so as to reach the said office on or before the 1st November 1943, and

(2) landed cost, in accordance with the following instructions:—

1. While submitting the information regarding stocks, the person should state clearly whether the information is as regards the business done by him as a dealer or as an importer.

2. If he is an importer, he shall state when and where the article was imported, what the landed cost was, what customs duty was paid and to whom the article was sold.

3. Separate information should be given for separate varieties together with their recognised trade marks or names.

Schedule.

1. Fountain pens.
2. Optical lenses.
3. Imported surgical instruments.
4. Razor blades.
5. Toilet articles, such as shaving stocks, safety razors and tooth pastes.
6. Woollen Cloth and hosiery of other than Indian Manufacture.
7. Imported foodstuffs.
8. All imported silk goods.

IV. Notification, Government of India, Department of Industries and Civil Supplies, No. F.22(8)-CS/(C)/43, dated the 6th November 1943.

In pursuance of clause (a) of section 2 of the Hoarding and Profiteering Prevention Ordinance, 1943 (Ordinance No. XXXV of 1943), the Central Government is hereby pleased to declare the articles and things specified in the schedule annexed hereto, to be articles or things to which the said Ordinance does not apply :—

Schedule.

Aviation Spirit.
 Motor Spirit.
 Solvent Oil.
 Mineral Turpentine.
 Kerosene.
 Jute Batching Oil.
 High Speet Diesel Oil.
 "Black Oils" i.e. Diesel oil, Marine Diesel oil and Furnace oil.
 Lubricating Oils, Motor Oils and greases.
 Candles.
 Wax.
 Stearine.
 Sheltox.
 Bitumen.
 [Gold.
 Silver.
 Coffee, raw, roasted, roasted and ground.]¹
 [Cotton]²
 [Colzaoil.
 Quenching, Cutting and Soluble Oils.
 Petrolatums.]³

1. Inserted by G. of I. I. and C. S. D., Not. No. F. 22 (9)—C.S. (c)/43 dated 20-11-43.

2. Inserted by G. of I. I. and C. S. D., Not. No. F 22 (21)—C.S. (c)/43 dated 4-12-43.

3. Inserted by G. of I. I. and C. S. D., Not. No. F. 22(8)—C.S. (c)/43 dated 21-12-43.

V. Notification, Government of India, Department of Industries and Civil Supplies, No. 1/2/43-C.G. (C.S.), dated the 3rd November 1943:

In exercise of the powers conferred upon me by section 12 of the Hoarding and Profiteering Prevention Ordinance, 1943 (Ordinance No. XXXV of 1943), I hereby direct all dealers including importers of the classes specified in the schedule annexed hereto to submit to the office of the Controller General of Civil Supplies, New Delhi, information regarding—

(i) stocks held by them as on the 15th November, 1943, so as to reach the said office on or before the 1st December, 1943 and

(ii) landed cost, in accordance with the following instructions:—

1. While submitting the information regarding stocks, the person should state clearly whether the information is as regards the business done by him as a dealer or as an importer. If he is a dealer, he should state whether he is a wholesaler or a retailer.

2. If he is an importer, he should state when and where and whence the article was imported, what the landed cost was, what customs duty was paid and to whom the article was sold and at what price; true copies of shipping documents together with clearing agents bill and receipts must be submitted.

3. If he is not an importer, he should state the source of the article, i.e. the importer or other merchant from whom he obtained his stocks, what price was paid and when the transaction took place.

4. Records of all sale and purchase transactions should be maintained with effect from the 15th November 1943. There shall be separate records for sales and for purchases. The records shall state, among other things, date of transaction, description of article, name of seller or purchaser (bulk transactions only), price at which sale or purchase was made and whether delivery was made or taken.

Schedule.

1. Boot polishes (imported).
2. Crockery (imported.)
3. Cutlery (imported).

APPENDIX I.

SOME RULES FROM THE DEFENCE OF INDIA RULES

[45A. If the Central Government certifies that the disclosure—

(1) of any matter required by sub-section (1) of section 93 of the Indian Companies Act, 1913, to be stated in a prospectus issued by or on behalf of a company or by or on behalf of any person who is or has been engaged or interested in the formation of the company, or

(2) of the contents of a contract for the inspection of which or of a copy of which a time and place is required by clause (1) of the said sub-section to be stated in the prospectus would be prejudicial to the defence of British India; the public safety, the maintenance of public order or the efficient prosecution of war or to the maintenance of supplies and services essential for the life of the community, the requirements of the said sub-section (including the requirements of the said sub-section read with sub-section (2) of section 96 of the said Act) shall be deemed to have been complied with by the annexing to the prospectus of a copy of the certificate, and no matter to which the certificate relates shall be stated in the prospectus, nor shall any contract to which the certificate relates or any copy thereof be made available for inspection.]¹

76B. [(1) In this rule, "building" includes a compound wall, a concrete road inside private premises and any other structure in which stone, lime, sand, brick, cement, steel, or timber is used.]²

(2) The Central Government or the Provincial Government, if in its opinion it is necessary so to do for the purpose of maintaining supplies and services essential to the life of the community, may by order direct that, within such area as may be specified in the order, no building, or no building of such class as may be so specified, shall be erected, re-erected, constructed or altered except under the authority of a written permit granted by or on behalf of that Government.

[(3) Every authority granting permits in pursuance of an order made under sub-rule (2) shall have power to impose on the permit-holder such conditions as that authority thinks

1. Inserted by D. C. Dept. Not. No. 430-OR/40, dated 23-7-40.

2. Inserted by G. of L., D. D. Not. No. 1620-OR/43, dated 20-12-42.

fit for conserving essential building materials, and to revoke or modify the terms of, any permit granted by it.]^a

(4) If any person contravenes any order made [under sub-rule (2) or fails to comply with any condition imposed under sub-rule (3),]^a he shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

81. (1) In this rule [any reference to article shall be construed as including a reference to electrical energy, and]^a the expression "undertaking" means any undertaking by way of any trade or business [and includes the occupation of handling, loading or unloading goods in the course of transport.]^a

(2) The Central Government [or the Provincial Government]^a, 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 [and in particular for prohibiting the withholding from sale, either generally or to specified persons or classes of persons, or articles or things kept for sale, and for requiring articles or things kept for sale to be sold either generally or to specified persons or classes of persons or in specified circumstances :]^a

[(aa) for collecting any information or statistics with a view to the rationing of any article essential to the life of the Community ;]^a

[(ab) for controlling the rates at which any vessel registered in British India may be hired and the rates at which persons or goods may be carried in or on any such vessel ;]^a

(b) for controlling the prices [or rates]^a at which articles or things of any description whatsoever may be sold [or hired]^a [and for relaxing any maximum or minimum limits otherwise imposed on such prices or rates]^a

[(ba) Deleted by No. 5—DC(11)/43 dated 27-2-43].

[(bb) for regulating the letting and sub-letting [of any accommodation, or class of accommodation whether residential

1. Inserted by D. C. Dept., Not. No. 694-OR/42, dated 5-4-41.
 2. Inserted by D. C. Dept., Not. No. 581-OR/40, dated 19-9-42.
 3. Inserted by D. C. Dept., Not. No. 699-SM/41, dated 29-11-41.
 4. Inserted by D. C. Dept., Not. No. 366-OR/40, dated 8-6-40.
 5. Inserted by 5-DC(12)/43, dated 7-4-43.
 6. Inserted by D. C. Dept., Not. No. 570-OR/40, dated 21-9-40.
 7. Inserted by D. C. Dept., Not. No. 662-OR/41 dated 21-1-41.
 8. Ibid.
 9. Inserted by D. C. Dept., Not. No. 187-OR/42, dated 11-4-42.

or non-residential]¹⁰, whether furnished or unfurnished and whether with or without board, and in particular—

(i) for controlling the rents for such accommodation [either generally or when let to specified persons or classes of persons or in specified circumstances;]¹¹

(ii) for preventing the unreasonable eviction of tenants and sub-tenants from such accommodation, and

(iii) for requiring such accommodation to be let either generally, or to specified persons or classes of persons, or in specified circumstances;]¹²

(bc) for requiring any employers or class of employers to supply to all or any class of their employees and to all or any class of dependents of such employees food or foodstuffs in such quantities and at such prices as may be specified in the order and to provide such accommodation and other facilities for taking meals at or near the place of employment as may be so specified;

[(c) for regulating the carrying on of any undertaking engaged in, or capable of doing, work appearing to the Central Government [or the Provincial Government]¹³ essential to any of the abovementioned purposes, and, in particular—

(i) for requiring work to be done by an undertaking;

(ii) for determining the order of priority in which, and the period or periods within which work shall be done by an undertaking;

(iii) for controlling or fixing the charges which may be made by the undertakers in respect of the doing of any work by them;

(iv) for requiring, regulating or prohibiting the engagement in the undertaking of any [employee]¹⁴ or any class or classes of [employees;]¹⁵

[(v) for requiring the undertaking to provide adequate safeguards against sabotage;]¹⁶]

(d) for requiring persons carrying on any undertaking to keep such books, accounts and records relating to the undertaking, [and to employ such accounting and auditing staff],¹⁷ as may be specified in the order;

(e) for requiring persons carrying on, or employed in connection 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 authorities as may be specified in the

10. Substituted by No. 5-DC(11)/43, dated 27-2-43.

11. Inserted by D. D. No. 1327-OR/42, dated, 31-7-42.

12. Substituted by D. C. Dept., Not. No. 860-OR/41, dated 2-8-41.

13. Inserted by D. C. Dept., Not. No. 899-SM/41, dated 29-11-41.

14. Substituted by D. C. Dept., Not. No. 972-OR/41, dated 20-9-41.

15. Ibid.

16. Inserted by Ibid.

17. Substituted by D. C. Dept., Not. No. 734-OR/41, dated 8-3-41.

18. Inserted by Ibid.

order, such estimates, returns or other information relating to the undertaking as may be specified in the order or demanded thereunder;

[*(ee)* deleted.]

(*f*) for any incidental and supplementary matters for which the Central Government [or the Provincial Government]¹⁹ thinks it expedient for the purposes of the order to provide, including, in particular, the entering [search]²⁰ and inspection of premises to which the order relates with a view to securing compliances with the order [the seizure subject to the provisions of sub-rule (3*c*), by a person authorised to make such search of any articles in respect of which such person has reason to believe that a contravention of the order has been, is being or is about to be committed]²¹ [the grant or issue of licences, permits, certificates and other documents, and the charging of fees therefor]²²; and an order under this rule...²³ may be made so as to apply either to persons or undertakings generally or to any particular person or undertaking or class of person 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.

[(Provided that no order made, whether before or after the 1st May 1943, in exercise of the powers conferred by clause (*a*) of this sub-rule on a Provincial Government, shall have effect so as to prohibit or restrict the export from any place in the Province to any place outside India of any articles or things.]²⁴

[(2A) Any orders made, and any action taken, under or in relation to clause (*ba*) of sub-rule (2) before the 15th March 1943 shall be deemed to have been taken under or in relation to clause (*bb*) of that sub-rule as amended with effect from that date.]²⁴

[(3) If it appears to the Central Government [or the Provincial Government]²⁵ that 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, it is necessary to exercise control over the whole or any part of an existing undertaking, [that Government may]²⁶ by order authorise any person (hereinafter referred to as an authorised controller), to exercise, with respect to the undertaking or any part thereof specified in the order, such functions of control as may be provided by the order; and so long as an order made under this sub-rule is in force with respect to any undertaking or part of an undertaking—

19. Inserted by D. C. Dept., Not. No. 899-SM/41, dated 29-11-41.

20. Inserted by

21. Inserted by D. D., Not. No. 1641-OR/42, dated 21-11-42.

22. Deleted by *Ibid.*

23. Inserted by D. D., Not. No. 5-DC(19)/43, dated 1-5-43.

24. Inserted by D. D., Not. No. 5-DC(11)/43, dated 27-2-43.

25. Inserted by D. C. D., Not. No. 899-SM/41, dated 29-11-41.

(a) the authorised controller shall exercise his functions in accordance with any instructions given to him by the Central Government [or the Provincial Government]²⁶, so, however, that he shall not have power to give any directions inconsistent with the provisions of any Act or other instrument determining the functions of the undertakers except in so far as may be specifically provided by the order; and

(b) the undertaking or part shall be carried on in accordance with any directions given by the authorised controller in accordance with the provisions of the order, and any person having any functions of management in relation to the undertaking or part shall comply with any such directions].²⁶

[(3A) The Central Government, so far as it 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 direct the employment of persons subject to the Indian Army Act, 1911, or the Indian Air Force Act, 1932, in any undertaking or part thereof—

(i) which is being carried on by the Central or a Provincial Government, or

(ii) which, in the opinion of the Central Government, is engaged in any trade or business essential to the life of the community, or

(iii) with respect to which an order made under sub-rule (3) is in force;

and thereupon it shall be the duty of every person so subject to obey any command given by any superior officer in relation to such employment and every such command shall be deemed to be a lawful command within the meaning and for the purpose of the Indian Army Act, 1911, or the Indian Air Force Act, 1932, as the case may be.

(3b) A direction under sub-rule (3A) may be made with or without the consent of the person carrying on the undertaking or part thereof to which the direction relates but if made without his consent shall be communicated to such person who shall thereupon be deemed to have contravened an order made under this rule if he obstructs or fails to facilitate the employment of persons subject to the Indian Army Act, 1911, or the Indian Air Force Act, 1932, in pursuance of the direction].²⁷

[(3C) Any articles seized under the authority of any order made under clause (f) of sub-rule (2) shall be conveyed without delay before a Magistrate who may give such directions as to their temporary custody as he thinks fit, so however, that where no prosecution is instituted for a contravention of the order in

26. Substituted by D. C. D., Not. No. 709-OR/41, dated 14-6-41.

27. Inserted by D. D., Not. No. 531-OR/40, dated 21-8-42.

respect of the articles seized within a period in his opinion reasonable, the Magistrate shall direct their return to the person from whom they were seized; and subject to the foregoing provisions of this sub-rule, the provisions of the Code of Criminal Procedure, 1898, shall so far as they may be applicable, apply to any search or seizure under the authority of any such order as they apply to any search or seizure under Chapter VII of that Code.]²⁸

4. If any person contravenes [any order made under this rule]²⁹, he shall be punishable with imprisonment for a term which may extend to three years [or with five or with both :]³⁰ [and, if the Order so provides, any Court trying such contravention may direct that any property in respect of which the Court is satisfied that the Order has been contravened shall be forfeited to His Majesty.]³¹

90. [(1) In this rule,—

(i) the expression “coin” means coin which is legal tender under the Indian Coinage Act, 1906;

(ii) the expression “note” means a Reserve Bank of India note, a currency note of the Government of India, or a Government of India one rupee note issued under the Currency Ordinance, 1940]¹.

[(iii) the expression “small coin” means any coin other than a rupee.]²

(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 [note]³; or

(b) Accept or offer to accept, in payment of a debt or otherwise, any [³] coin or note for an amount other than its face value [or;

(c) refuse to accept, in payment of a debt or otherwise, any [³] coin or note]⁴; [or;

(d) acquire coin to an amount in excess of his personal or business requirements for the time being which, in the case of an acquisition of coin from any Currency Officer, Treasury, Sub-Treasury or branch of the Imperial Bank of India doing treasury business, shall be determined by the officer in charge of such Currency Office, Treasury, Sub-Treasury or branch whose determination shall be final and shall not be called in question in any legal proceedings.]⁵

28. Inserted by

29. Substituted by G. of I., D. C. D., Not. No. 1500-OR/42, dated 18-7-42.

30. Substituted by G. of I., D. C. D., Not. No. 701-OR/41, dated 15-2-41.

31. Inserted by G. of I., D. D., Not. No. 5-DC(9)/43, dated 5-2-43.

1. Substituted by D. C. Dept., Not. No. 494-OR/40, dated 31-8-40.

2. Inserted by D. C. Dept., Not. No. 5-DC(00)/43, dated, 17-4-43.

3. Omitted by D. C. Dept., Not. No. 494-OR/40, dated 31-8-40.

4. Inserted by D. C. Dept., Not. No. 494-OR/40, dated 10-6-40.

5. Inserted by D. C. Dept., Not. No. 494-OR/40, dated 25-6-40.

[(e) possess small coin to an amount in excess of his personal or business requirements for the time being.]⁶

(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 or with fine or with both.

[94B. Power to prohibit advances against specified commodities.—

(1) The Central Government may, if it appears to it to be necessary or expedient for securing the efficient prosecution of war or for maintaining supplies and services essential to the life of the community, by notified order—

(i) prohibit or restrict, either generally or in respect of any specified class or persons or any specified class of transactions, the making of advances of money on the security of such commodities (including bullion) as may be specified in the order, and

(ii) require the repayment of any such advances outstanding on the date of the order within a specified period.

(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, or with fine, or with both]⁷.

116. (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 an imprisonment for a term which may extend to three years [or with fine or with both]⁸.

6. Inserted by D. C. Dept., Not. No. 8-DC(00)/43, dated 17-4-43.

7. Inserted by G. of I., D. D., Not. No. 8-DC(37)43 dated 17-7-43.

8. substituted by D. C. Dept., Not. No. 701-OR 41 dated 15-2-41.

APPENDIX II

WEIGHTS AND MEASURES

| | | | |
|----|---------------|---|----------------------------|
| 13 | Bombay paylee | = | 1 Bengal maund (approx). |
| 1 | „ | = | 6 to 6½ lbs. (approx). |
| 1 | bag | = | More than 2 Bengal maunds. |

ADDENDA

(All Orders and amendments to Orders which could not be included in the main text are printed here).

CHAPTER I.

The Brick (Control of Distribution) Order, 1942, was issued by the Home Department (Political) of the Government of Bombay on 27th July 1942 by a notification bearing No. 378-(1).

CHAPTER II.

Drugs Control Order, 1943.

Notification, Government of India, Department of Industries and Civil Supplies, No. 475 C.S. (B) (1) /43 dated 11th November 1943.

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

1. *Short title, extent and commencement.*—(1) This Order may be called the Drugs Control Order, 1943.

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

(3) It shall come into force at once, [but clause 6 shall not have effect until the 1st January 1944 and clauses 4, 5, 7, 8, 10¹ and sub-clauses (a), (b) and (c) of clause 13 shall not have effect until the 15th January 1944.

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

“drug” means any of the pharmaceutical chemicals, patent medicines and other articles specified in Schedule A;

“Form” means a Form appended to this Order;

“Importer” means a person who carries on the business of importing drugs for sale;

“licensing authority” means any authority appointed by the Provincial Government under clause 3;

“manufacturer” means a person who manufactures any drugs for sale;

“retailer” means a person other than a manufacturer or importer who carries on the business of selling any drugs otherwise than for the purpose of resale;

“Schedule” means a Schedule to this Order.

1. Inserted by G. of I., I. & C. S. D., Not. No. 475 C.S. (D) (1)/43 dated 25-12-43.

“wholesaler” means a person other than a manufacturer or importer, who carries on the business of selling any drugs for the purpose of resale.

3. *Licensing authorities.*—The Provincial Government shall appoint one or more licensing authorities having jurisdiction in such areas within the Province, and in relation to such of the purposes of this Order, as may be specified in each case by the Provincial Government.

4. *Manufacturers', importers', wholesalers', and retailers' licences.*—No person shall carry on the business of a manufacturer, importer, wholesaler or retailer, except under and in accordance with the conditions of a valid licence in Form A.

5. *Licences to purchase from manufacturers, importers or wholesalers.*—(1) No person shall purchase from a manufacturer, importer or wholesaler any drug except under and in accordance with the conditions of a valid licence in Form B.

(2) No manufacturer, importer or wholesaler shall sell or offer to sell any drug except to persons holding valid licences in Form B.

(3) Nothing in this clause shall apply to the purchase of any drug by, or the sale of any drug to, any person for his personal use or for the use of members of his household.

6. *Issue of licences.*—(1) Applications for licences shall be made to the appropriate licensing authority in Forms C or D according as the licence applied for is to be in Forms A or B and shall be accompanied by such fee as the Central Government may by notification in the official Gazette fix in this behalf. [Provided that the Provincial Government may exempt any person or class of persons from the payment of any such fee as aforesaid.]²

(2) No wholesalers' or retailers' licence in Form A shall be granted to any person who in the opinion of the licensing authority has not been carrying on business as a wholesaler or, as the case may be, a retailer, continuously throughout the years 1941, 1942 and 1943:

Provided that the Provincial Government may for special reasons direct the issue of a wholesalers' or retailers' licence in Form A to any such person.

(3) The licensing authority may for reason to be recorded in writing reject any application for licence, whereupon the applicant shall be entitled to a refund of the fee remitted by him under sub-clause (1).

7. *Conditions of licences.*—The licensing authority may specify in the licence the conditions, if any, subject to which it is issued, and the licensee shall comply with those conditions.

8. *Cancellation or suspension of licences.*—The licensing authority may at any time for reasons to be recorded cancel or suspend any licence issued by it.

2. Inserted, *ibid.*

9. *Price Control.*—No wholesaler or retailer shall sell or offer to sell any drug at a price higher than that specified in the appropriate column of Schedule A against that drug.

10. *Marking of certain drugs.*—No manufacturer, importer, wholesaler or retailer shall sell any drug which is not marked in the manner specified in Schedule B unless the drug is indicated in Schedule A with an asterisk.

11. *Prohibition of refusal to sell.*—No manufacturer, importer, wholesaler or retailer shall refuse to sell any drug without reasonable cause.

Explanation.—The expectation or possibility of obtaining a higher price at some future date shall not be deemed reasonable cause for the purposes of this provision.

12. *Prohibition of possession in excess of normal requirements.*—No person other than a manufacturer, importer, wholesaler or retailer shall at any time have in his possession or under his control any drugs in excess of his normal requirements; and no wholesaler or retailer shall have in his possession or under his control at any time any drugs in excess of the quantity reasonably required to be held by him for the purposes of his business.

13. *Control of retailers.*—Every retailer shall—

(a) display prominently outside the premises where he carries on business a sign-board bearing the sign or inscription specified in Schedule B;

(b) exhibit in a conspicuous place in his shop a true copy of Schedule A as amended up-to-date;

(c) display the licence issued to him by the licensing authority under this Order; and

(d) if so required by a purchaser of drugs, give him a duly authenticated cash memo, specifying the drugs sold and their quantity and the price charged for each drug.

14. *Powers of inspection, search, etc.*—Any licensing authority or any other officer appointed in this behalf by the Central Government or the Provincial Government may, if he has reason to believe that any person has contravened any provisions of this Order,—

(a) require any person to give any information in his possession in respect to any business carried on by that or any other person;

(b) inspect or cause to be inspected any books or other documents belonging to or under the control of any person;

(c) enter and search, or authorise any person to enter and search, any premises and seize, or authorise any person to seize, any article in respect of which he has reason to believe that a contravention of this Order has been committed.

15. *Evasion of provisions.*—No person shall with the intent to evade any of the provisions of this Order, refuse to give any

3. Omitted, *ibid.*

information lawfully demanded from him under clause 14, or cancel, destroy, mutilate or deface any book or other document.

16. *Sanction for prosecutions.*—No prosecution for any contravention of the provisions of this Order shall be instituted without the previous sanction of the Provincial Government.

17. *Forfeiture of drugs.*—Any Court trying a contravention of the provisions of this Order may direct that any drugs in respect of which the court is satisfied that the Order has been contravened, shall be forfeited to His Majesty.

18. *Power to give exemptions.*—The Central Government may by special or general order exempt any person or class of persons from all or any of the provisions of this Order.

(Forms and Schedules not printed).

Zinc Chloride Control Order, 1943.

This order is issued by the Government of India; Department of Industries and Civil Supplies, by a notification No. 200 Tex (B)/43—(i) dated 9th October 1943 and appears at page 1047 of the Bom. Govt. Gazette, Part IV C of 1943.

CHAPTER IV.

Cotton Cloth and Yarn Control Order, 1943.

I. On 12th August 1943, officers of Revenue Department not below the rank of Circle Inspector, officers of the Excise Department not below the rank of Sub-Inspector and Inspectors appointed under the Bombay Weights and Measures Act, 1932 were authorised to exercise the functions of the Textile Commissioner under clause 19 of the above Order within their respective jurisdiction.

II. Notification, Government of India, Department of Industries and Civil Supplies, No. 34-Tex.A(15)-2/43 dated 23rd November 1943—

In pursuance of clause 10 of the Cotton Cloth and Yarn (Control) Order, 1943, I hereby direct that all cloth or yarn originally contracted for delivery in December 1943 and onwards, which is delivered by a manufacturer after the 30th November 1943, shall be stamped in figures and letters not less than half an inch in height with—

(a) the ex-mill maximum prices fixed under the said clause or the actual price charged for the cloth or yarn, whichever is less; and

(b) the maximum retail price which shall be determined by adding 20 per cent. to the ex-mill or the actual price as the case may be.

In the case of yarn the prices should be stamped on the Texmark label prescribed in my Notification No. 84-Tex (15)/43, dated the 7th July 1943.

2. Nothing in this Notification shall apply to:

- (1) Handloom cloth;
- (2) Handspun yarn;
- (3) cloth and yarn manufactured for export and not for sale in India;
- (4) Cloth and yarn, including Standard Cloth, purchased directly by the Government from a manufacturer;
- (5) Fents and other short pieces of cloth not exceeding 5 yards in length.

3. Nothing in this Notification shall apply to cloth or yarn originally contracted for delivery in December 1943 and delivered after the 30th November 1943 but before the 1st January 1944 by—

- (i) a manufacturer who only carries out processes subsequent to the process of weaving, or
- (ii) a hand dyer, or
- (iii) a hand printer, or
- (iv) a power loom unit consisting of not more than 25 power looms.]¹

Textile Commissioner.

III. A notification of the Finance Department (Supply) No. 651-VII dated 6th December 1943 directed every dealer in cloth and yarn holding stocks of cloth and yarn in any capacity which was other than that which was stamped Texmark to declare the same to the Director of Industries, Old Customs House, Bombay, on or before the 20th December 1943.

IV. Notification, Government of India, Department of Industries and Civil Supplies, No. 34-Tex.Q (15)/43 dated 8th December 1943—

In exercise of the powers conferred on me by clause 15 of the Cotton Cloth and Yarn (Control) Order, 1943, I hereby exempt the following classes of cloth from the provisions of sub-clause (1) (b) of clause 14 of that Order upto the 30th June 1944:

- Fine Mills.
- Summertex.
- Dorias.
- Mosquito netting.
- Umbrella cloth.

V. Notification, Government of India, Department of Industries and Civil Supplies, No. 34-Tex.A(15)/43 dated 30th December 1943.

1. Inserted by G. of I., I. & C. S. D., Not. No. 34-Tex. A (15)-2/43 dated 2-12-43

In pursuance of clause 14(1) (b) of the Cotton Cloth and Yarn Control Order, 1943, I hereby authorise all dealers and persons holding on behalf of dealers to keep cloth manufactured before the 1st August 1943 provided that such cloth is stamped in accordance with the Directions issued in this behalf by the Provincial Government.

Cotton Cloth Movements Control Order, 1943.

Notification, Government of India, No. 265-Tex/43 dated 11th December 1943 amends the General Permit No. 1 issued under the above Order as under:—

In sub-clause (b) of clause 2, after the word "Karachi" insert the words "and Sukkur."

Cotton Textiles Sizing and Filling Control Order, 1943.

In pursuance of clause 5 of the above Order, the Central Government has prescribed tests and authorities which appear on P. 1186 of Part I of the Government of India Gazette dated 30th October 1943 and is amended on P. 1354 of the same Gazette dated 18th December 1943.

CHAPTER V.

Notification, Government of India, Finance Department, No. D. 3568-E.C. 1/43 dated 2nd September 1943.

In exercise of the powers conferred by sub-rule (4A) of Rule 94A of the Defence of India Rules, the Central Government hereby condones every contravention of sub-rule (2) or sub-rule (3) of the Said Rule that may have occurred by reason of the issue of shares subscribed for in the Memorandum of Association of a Company registered in British India between the 17th May 1943 and the 23rd June 1943.

CHAPTER VI.

Cotton Movements Control Order, 1942.

I. A notification of the Government of India in the Department of Industries and Civil Supplies No. 71-Tex (3)/43 dated 2nd October 1943 states that in clause 3(b) (iii) after the words "Secretary" the words "or Deputy Secretary" shall be added.

II. A notification of the Government of India in the Department of Industries and Civil Supplies No. 71-Tex(3)/43 dated 27th November 1943 amends the General Permit No. 1 issued on 19th November 1943 as under:—

Under the heading "West Zone" after the words "including all those stations" add the words "except Khandwa which will be in the Central Free Area."

CHAPTER VII.

Foodgrains Control Order, 1943.

I. Notification, General Department, No. 80-M dated 19th August 1942—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person in the Province of Bombay holding a license issued under the Food Grains Control Order, 1942, shall sell any of the cereals mentioned in the First Schedule to that Order to any retail dealer in cereals in the Bombay Suburban District who does not hold a license issued under the Bombay Retail Trade Control and Licensing Order, 1942, with effect from 1st September, 1942.

Explanation :—"Retail dealer" means a person who engages in any undertaking which involves the sale, or storage for sale in retail quantities as defined in clause 2 (c) of the Bombay Retail Trade Control and Licensing Order, 1942 of any of the cereals mentioned in the First Schedule to the said Order.

II. Notification, Government of India, Department of Food, No. CG. 611/12 dated 12th August 1943—

In exercise of the powers conferred by Rule 94-B of the Defence of India Rules, the Central Government is pleased to prohibit the making of advances of money to any person on the security of any foodgrain as defined in clause 2 of the Foodgrains Control Order, 1942, unless—

(a) that person is a holder of the license issued or deemed to be issued under the said Order, or

(b) the advance is to be made to that person on the security of the foodgrain produced by himself or his tenant, or

[(c) the advance is to be made by a Co-operative Bank to a Co-operative Society on the security of foodgrains previously pledged to the Co-operative Society by a person under clause (a) or clause (b).]¹

Gur Control Order, 1943.

Notification, Government of India, Department of Food, No. 11-SC(9)/43, dated 22nd October 1943—

In exercise of the powers conferred by Clause 7 of the Gur Control Order, 1943, and in supersession of the Notification

1. Substituted by F. D. (Supply), Not. No. 425-IV, dated 24-12-43.

of the Government of India in the Department of Food No. 11-SC(9)/43, dated the 4th September 1943, I hereby direct that save as provided in the proviso to the said Clause, no *gur* shall be offered for transport by railway by a consignee, or accepted by a railway or transported otherwise by land or river from any place in any Province specified in the first column of the Schedule hereto annexed to a place outside the area specified in the corresponding entry in the second column of the said Schedule except under a permit issued by the *Gur* Controller of India.

| Province | Schedule. | Area |
|------------|-----------|---|
| 2. Bombay. | | Bombay, the Gujarat States, the Deccan States, the States of Idar, Radhanpur and Vijayanagar and the Portuguese Settlements in India. |

(The list of other Provinces is not printed here).

This Notification shall come into force from the 1st November 1943.

Sugar and Sugar Products Control Order, 1943.

Notification, Government of India, Department of Industries and Civil Supplies, No. 38SC(1)/43 dated 13th November 1943.

In pursuance of Clause 5 of the Sugar and Sugar Products Control Order, 1943; the Sugar Controller for India hereby notifies the following directions in connection with the filling of sugar for sale in bags or containers by the producer:—

Sugar falling under the Government of India Department of Food Notification No. 20-SC(14)/43, dated the 10th November 1943 produced on or after the 1st December 1943, by a producer in any place in British India, shall be packed in bags containing 2 maunds 30 seers each by weight of sugar.

Provided, that the Controller may exempt any producer either generally or for a special period from the operation of the above rule.

Bombay Rationing Order, 1943.

A notification of the Finance Department (Supply) No. C.R. 68 dated 30th November 1943 amends the Bombay Rationing Order, 1943:

In clause 13 (a), for the words "or on behalf of the person in respect of whom it is issued" substitute the words "the person in respect of whom it is issued or on his behalf by any person other than such wholesale dealer, retail dealer or person in charge of an establishment as is not authorised under the provisions of clause 3c."

The City of Bombay Rationing Regulations, 1943.

(The above Regulations are amended too frequently and it has not been possible to reproduce the following amendments here. We merely give the dates and pages number of the Bombay Government Gazette Part I of 1943 and the clauses which are amended).

| Date. | Page. | Clauses. |
|---------------|-------|---|
| (1) 2-11-43. | 2504 | 30-A, 41, 42, 43 and 51. |
| (2) 4-11-43. | 2507 | 12, 13A, 13C, 14(a) and 15. |
| (3) 9-11-43. | 2516A | 4A, 4B, 4D, 5C, 6A (1), 6B (1) and 7. |
| (4) 13-11-43. | 2562 | 5B. |
| (5) 15-11-43. | 2564 | 5. |
| (6) 19-11-43. | 2610 | 18A. |
| (7) 29-11-43. | 2702 | Schedule C. |
| (8) 8-12-43. | 2749 | 6A (2), 6B (2), 12, 13 BB, 14 (aa) and Schedule D. |
| (9) 24-12-43. | 2855 | 6A. |

Miscellaneous Orders.

Cocoonut Oil, Copra etc.

Notification, Finance Department (Supply), No. 54-IV dated 6th November 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that with effect from the 6th November 1943 no person shall remove any cocoonut oil or copra or copra cake by rail, road or sea from any place within the limits of the area comprising the City of Bombay and the Bombay Suburban District to any place in India outside the said limits except under and in accordance with the conditions of a licence granted by the Director of Civil Supplies, Bombay, or the Controller of Prices, Bombay, or the Licensing Officer in the office of the Supply Commissioner, Bombay.

Provided that no such licence shall be necessary for the carrying of cocoonut oil or copra not exceeding 5 lbs. in weights each as part of his personal luggage by a *bona fide* traveller.

Cocoonut oil, Copra etc.

Notification, Finance Department (Supply), No. 54-IV dated 6th November 1943—

In exercise of the powers conferred by rule 116 of the Defence of India Rules, the Government of Bombay is pleased to direct that every person shall, on every Monday, beginning with 8th November 1943 furnish to the Director of Civil Supplies, (Statistical Section), Bombay, a full and correct statement in

the form specified in Schedule I hereto appended of the stocks of any of the articles specified in column 1 of Schedule II hereto appended, held by him in the City of Bombay and the Bombay Suburban District on his own account or on account of or in partnership with any other person on the Saturday immediately preceding such Monday, if the stocks of such articles amount to the quantities specified against them in column 2 of the said Schedule II.

Schedule I.

Form.

(See page 71).

Schedule II.

| Article. | 1. | 2. | Quality. |
|------------------|-----------|-----------------------|----------|
| 1. Copra | 15 maunds | (of 82 2/7 lbs. each) | or more. |
| 2. Cocoanut oil. | 10 maunds | (of 82 2/7 lbs. each) | or more. |
| 3. Copra cake. | 5 maunds | (of 82 2/7 lbs. each) | or more. |

Cocoanut Oil, Copra.

Notification, Finance Department (Supply), No. 54-IV dated 9th November 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person holding on his own account, or on account of, or in partnership with any other person, any stocks of copra or cocoanut oil exceeding the quantities specified below at any godown or other place of storage in the City of Bombay or in the Bombay Suburban District, shall remove from the said godown or place or dispose of the said stocks or any portion thereof without the written permission of the Government of Bombay.

| Article. | Quantity. |
|------------------|----------------------------------|
| 1. Copra | 15 maunds (of 82 2/7 lbs. each.) |
| 2. Cocoanut oil. | 10 maunds (of 82 2/7 lbs. each.) |

Hessian.

Notification, Finance Department (Supply), No. 425-IV, dated 10th November 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that with effect from the 11th November 1943, no person shall remove any [new] empty jute gunnies by rail, road or sea from any place within the limit of the area comprising the City of Bombay and the Bombay Suburban District to any place in India outside the said limits except under a license

granted by the Director of Civil Supplies, Bombay, or the Controller of Prices, Bombay, or the Licensing Officer in the office of the Supply Commissioner, Bombay.

Cakes, etc. (Wheat).

Notification, Finance Department (Supply), No. 370-I dated 15th November 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, and in supersession of the Order issued in Government Notification, Finance Department (Supply) No. 370, dated the 26th December 1943, the Government of Bombay is pleased to direct that, except under and in accordance with the conditions of a license granted by the Director of Civil Supplies, Bombay, or by a person authorised by him in that behalf,—

(a) no person within the limits of the City of Bombay and the Bombay Suburban District shall use wheat flour or any other wheat product for the preparation of cakes, pastry or any kind of sweetmeats whatever, for sale or service in any club or public place, and

(b) no baker or confectioner within the said limits shall prepare, save for the personal consumption of his own household, cakes, pastry or any kind of sweetmeats whatever, out of the wheat flour or any other wheat product:

Provided that nothing contained in clause (a) of this Order shall apply to the use of wheat flour or any other wheat product for the preparation of cakes, pastry or any kind of sweetmeats whatever, for sale or service to a resident member of a club in his room.

Oilcakes.

Notification, Finance Department (Supply), No. 45-S dated 20th November 1943—

In exercise of the powers conferred by rule 116 of the Defence of India Rules, the Government of Bombay is pleased to direct that every person shall, on every Monday beginning with the 22nd November, 1943, furnish to the Director of Civil Supplies (Statistical Section), Bombay, a full and correct statement in the form appended hereto of the stocks of oilcakes other than copra cakes held by him in the City of Bombay and the Bombay Suburban District, on his own account or on account of or in partnership with any other person, on the Saturday immediately preceding such Monday, if such stocks amount to 5 Bengal maunds or more.

Form.

(Same as Schedule I on page 71).

Sago.

Notification, Finance Department (Supply), No. 644-A dated 24th November 1943.

In exercise of the powers conferred by rule 116 of the Defence of India Rules, the Government of Bombay is pleased to order that every person shall on every Monday, beginning with the 29th November 1943, furnish to the Director of Civil Supplies (Statistical Section), Bombay, in the form hereto appended a full and correct statement of the stocks of sago, held by him in the City of Bombay and the Bombay Suburban District on his own account or on account of or in partnership with any other person on Saturday immediately preceding such Monday, if such stock amounts to 1 Bengal maund or more.

Form.

(Same as Schedule I on page 71).

Sago.

Notification, Finance Department (Supply), No. 644-B dated 24th November 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, no person shall remove sago by rail, road or sea from any place within the limits of the City of Bombay and the Bombay Suburban District to any place in India outside the said limits except under a licence granted by the Director of Civil Supplies, Bombay, or the Controller of Prices, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay :

Provided that no such licence shall be necessary for the removal of sago not exceeding 5 lbs. in weight as part of his personal luggage by a *bona fide* traveller.

Groundnut Oil.

Notification, Finance Department (Supply), No. 48-IV dated 24th November 1943.

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 26th November 1943, no person shall remove groundnut oil by rail, road or sea from any place within the limits of the Province of Bombay to any place in India outside the limits of the said Province except under and in accordance with the conditions of a licence granted by the Director of Civil Supplies, Bombay, or the Controller of Prices, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay :

Provided that no such licence shall be necessary for the carrying of groundnut oil not exceeding 10 lbs. in weight as part of his personal luggage by a *bona fide* traveller.

Bombay Rice Mills Licensing Order, 1943.

A notification of the Finance Department (Supply) No. 98-II dated 30th November 1943 authorises the following persons for the purposes of clause 6 of the Bombay Rice Mills Licensing Order, 1943.

- (1) The Assistant Director of Civil Supplies (Licenses), Bombay.
- (2) The Assistant Director of Civil Supplies (Inspectorate),
- (3) Senior Inspectors and Inspectors under the Assistant Director of Civil Supplies, (Licenses), Bombay,
- (4) Senior Inspectors and Inspectors under the Assistant Director of Civil Supplies (Inspectorate), Bombay.

Gur.

A notification of the Finance Department (Supply) No. 31 dated 1st December 1943 states that the following para shall be added to the Notification No. 31 dated 24th February 1943 of the same Department :

“If any person contravenes the provisions of this Order, any Court trying the offence may order that any stocks of gur (jaggery), together with the packages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to His Majesty.”

Sugar.

A notification of the Finance Department (Supply), No. 476 dated 1st December 1943 states that the following para shall be added to the Notification No. 476 dated 3rd July 1943 of the same Department :

“If any person contravenes the provisions of this Order, any Court trying the offence may order that any stocks of crystal sugar, crushed sugar, lissa sugar, burra sugar or sugarcandy, together with the packages and coverings thereof, in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to His Majesty.”

Sugar.

A notification of the Finance Department (Supply) No. 287 dated 1st December 1943 states that the following para shall be added to the Notification No. 30/3 dated 11th June 1942 of the General Department :

“If any person contravenes the provisions of this Order, any Court trying the offence may order that any stocks of sugar, together with the packages and coverings thereof, in respect

of which the Court is satisfied that the offence has been committed, shall be forfeited to His Majesty."

Ghee.

Notification, Finance Department (Supply), No. 364-IV dated 8th December 1943—

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that, with effect from the 10th December 1943, no person shall remove ghee by rail, road or sea from any place within the limits of the Province of Bombay to any place in India outside the limits of the said Province except under and in accordance with the conditions of a licence granted by the Director of Civil Supplies, Bombay, or the Controller of Prices, Bombay, or the Licensing Officer in the Office of the Supply Commissioner, Bombay:

Provided that no such licence shall be necessary for the carrying of ghee not exceeding 5 lbs. in weight as part of his personal luggage by a *bona fide* traveller.

Bullocks and Cows.

Notification, Revenue Department, No. 9257/24 dated 20th December 1943.

In exercise of the powers conferred by rule 81 of the Defence of India Rules, the Government of Bombay is pleased to order that draft bullocks physically fit and below the age of ten years, cows in milk and cows in calf, shall not be slaughtered or acquired or transported for purposes of slaughter.

2. If any person contravenes the provisions of this Order, any Court trying the offence may order that animal in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty.

Groundnut Oil Cakes.

Notification, Finance Department (Supply), No. 45-A dated 31st December 1943.

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that no person in charge of an oil mill run on power machinery (i.e. expellers and rotaries) holding whether on his own account or on account of the mill or on account or in partnership with any other person, any stocks of groundnut oilcake in quantities exceeding 25 Bengal maunds at any godown or other place of storage within the limits of the Province of Bombay excluding the area comprising the City of Bombay and the Bombay Suburban District, shall remove from the said godown or place or dispose of the said stocks or any portion thereof except under a permit issued by the Deputy Director of Agriculture in charge or, the Division in which the stocks are held.

Notification Finance Department (Supply), No. 45-B, dated 31st December 1943.

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to order that, with effect from the 1st January 1944, groundnut oilcake shall not be sold by any oil mill run on power machinery (i.e. expellers and rotaries) in the Province of Bombay at a price exceeding Rs. 75 per ton ex-godown of the mill.

Notification, Finance Department (Supply), No. 45-C, dated 31st December 1943.

In exercise of the powers conferred by sub-rule (2) of rule 81 of the Defence of India Rules, the Government of Bombay is pleased to direct that every person in charge of an oil mill run on power machinery (i.e. expellers and rotaries) shall, on every Monday beginning with the 3rd January 1944, furnish to the Deputy Director of Agriculture of the Division in which the stocks are held a full and correct statement in the form appended hereto of the stocks of groundnut oilcakes held by him in the Province of Bombay, excluding the area comprising the City of Bombay and the Bombay Suburban District, whether on his own account or on account of the mill or on account of or in partnership with any other person, on the Saturday immediately preceding such Monday, if such stocks amount to 5 Bengal maunds or more.

(Form not printed).

CHAPTER X.

Ferro-Alloys Control Order, 1943.

This Order was issued by the Government of India in the Department of Supply by a notification No. 1122 dated 4th October 1943 and appears on P. 1104 of Part I of Government of India Gazette, 1943.

CHAPTER XII.

Textile Industry (Miscellaneous Articles) Control Order, 1943.

Notification, Government of India, Department of Industries and Civil Supplies, No. 78-Tex.(B)/43—(1), dated 4th December 1943.

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

1. (1) This Order may be called the Textile Industry (Miscellaneous Articles) Control Order, 1943.
- (2) It extends to the whole of British India.

(3) It shall come into force at once.

2. (1) This Order shall apply to the articles enumerated in Schedule I annexed hereto.

(2) The Control Orders specified in Schedule II shall be cancelled.

3. In this Order, "Controller" means the Textile Commissioner, Bombay, and includes any other officer appointed by him or by the Central Government to perform all or any of the functions of the Controller under this Order.

4. No person shall sell or otherwise dispose of, or purchase or otherwise acquire any articles to which this Order applies, except under and in accordance with the terms of a general permit or a special licence issued or granted by the Controller or in pursuance of a direction given under clause 6.

5. (1) Any person who desires to purchase or otherwise acquire any of the articles to which this Order applies and who is not expressly authorised to do so by any general permit issued under clause 4 shall apply to the Controller for a special licence.

(2) Any person who desires to sell or otherwise dispose of any of the articles to which this Order applies and of which the purchase but not the sale has been expressly authorised by any general permit issued under clause 4, shall apply to the Controller for a special licence.

(3) Applications under sub-clauses (1) and (2) shall be made in triplicate in such form as may be required by the Controller.

6. Any person if directed by the Controller to sell or otherwise dispose of any article to which this Order applies, to a particular person, shall comply with such direction.

7. Any person, if required so to do by the Controller, shall submit a return in such form as he may prescribe giving details of his stocks.

8. The Controller may, if he has reason to believe that any person has contravened, is contravening, or is likely to contravene, any of the provisions of this Order,—

(a) require any person to give such information in his possession with respect to any business carried on by that or any other person as he may demand,

(b) inspect or cause to be inspected any books or documents belonging to, or under the control of, any person,

(c) enter and search, or authorise a police officer not below the rank of a Sub-Inspector to enter and search any premises.

9. (1) No person shall refuse to give any information duly demanded from him under clause 8.

(2) No person with intent to evade the provisions of this Order, conceal, destroy, mutilate or deface any books or other document.

SCHEDULE I.

- Cotton Card Clothing and Card Clothing Sundries.

For Flat Cards :—

1. Cylinder Fillet.
2. Doffer Fillet.
3. Sets of Tops.
4. Stripping Fillet.
5. Burnishing Fillet.
6. Hand Stripping Cards.
7. Waltons Brushes.
8. Spiral Strips.
9. Philipsons sheets.
10. Philipsons Top Clearer Strips
11. Ashworths Top Clearer Strips
12. Ashworths Diet Roller Fillet.
13. Rhodes Stripping Fillet.
14. Lickerin Wire.
15. Blued Steel Wire for Roving Waste Openers.
16. Card Tacks.
17. Raising Fillet.

For Waste and Wadding Cards :—

18. Cylinder Fillet.
19. Doffer Fillet.
20. Roller Fillet.
21. Clearer Fillet.
22. Fancy Fillet.
23. Under Clearer Fillet.
24. Fancy Stripper Fillet.
25. Humbug Fillet.
26. Feed Roller Fillet.
27. Lickerin Fillet.
28. All other Card Clothing and Sundries.

Healds and Reeds, for use on Textile Looms other than Jute and Hemp.

- (1) Cotton Healds.
- (2) Wire Healds.
- (3) Reeds.

Shuttles for use in Textile Looms other than Jute and Hemp.

- (1) Shuttles for Looms (Ordinary).
- (2) Shuttles for Looms (Automatic).

Bobbins for use on Textile Machines other than Jute and Hemp.

- (1) Slubbing tubes.
- (2) Roving tubes.
- (3) Ring Rabbeth.
- (4) Ring Weft Pirns (including Universal and Wadia Pirns).
- (5) Ring doubler bobbins.

- (6) Warper bobbins.
- (7) Paper tubes and Cones.

Ring Traveller.

Ring Travellers of all types used by the Textile Industry other than Jute and Hemp.

SCHEDULE II.

1. The Cotton Card Clothing and all Card Clothing Sundries Control Order, 1942.
2. The Healds and Reeds Control Order, 1942.
3. The Shuttles Control Order, 1942.
4. The Bobbins Control Order, 1943.
5. The Ring Traveller Control Order, 1943.

ORDER.

New Delhi, the 4th December, 1943.

No. 78-Tex (B)/43(ii)—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 powers conferred on it by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules shall, in respect of all the articles to which the Cotton Textiles (Miscellaneous Articles) Control Order, 1943, applies be exercisable also by the Textile Commissioner, Bombay.

Starch Control Order, 1943.

A Notification of the Government of India in the Department of Industries and Civil Supplies No. 59-Tex(B)/43 (i) dated 27th November 1943 amends the Starch Control Order, 1943 as under:—

1. For the words "against a valid licence," substitute the words "Under and in accordance with the terms of a general permit or a special licence issued or".

2. Substitute clause 5 as under—

"5(1) Any person who desires to purchase or otherwise acquire starch and is not expressly issued under clause 5, shall apply to the Starch Controller for a special licence.

(2) Any person who desires to sell or otherwise dispose of starch of which the purchase but not the sale has been expressly authorised in any general permit issued under clause 4, shall apply to the Starch Controller for a special licence.

(3) Applications under sub-clauses (1) and (2) shall be made in the triplicate in such form as may be required by the Starch Controller."

General Permit Under the Starch Control Order, 1943.
 Notification, Government of India, Department of Industries and Civil Supplies, No. 59-Tex(B)/43(ii) dated 27th November 1943—

In pursuance of clause 4 of the Starch Control Order, 1943, owners and managers of cotton, woollen or silk textile mills, handloom weavers and persons engaged in any cottage industry are hereby permitted to purchase, or otherwise acquire starch for purposes of their business.

(Note :—The above-mentioned classes of persons need not hereafter apply for special licence to purchase starch).

CHAPTER XIII.

Coloured Motor Spirits Control Order, 1942.

In clause 2 (ii), the words "red, yellow," shall be omitted.

CHAPTER XIV.

Newsprint Control Order, 1941.

A Notification of the Government of India in the Department of Industries and Civil Supplies No. N-171-43 dated 27th November 1943 amends the Newsprint Control Order, 1941 as under :—

1. In paras 4 and 7, for the words "the 15th day of every month commencing with the 15th June 1941" substitute the words "the 7th day of every month commencing with the 7th December 1943."

2. In para 5, for the words "the 15th day of every month commencing with the 15th September 1941" substitute the words "the 7th day of every month commencing with the 7th December 1943."

4. Add para 10 as under—

"The Central Government may in any special case, authorise in writing the doing of any act which would otherwise be prohibited by this Order."

CHAPTER XVII.

Wireless Sets Control Order, 1943.

This Order is issued by the Government of India in the Department of Industries and Civil Supplies, by a notification No. 457-S.C.(B) (8)/43 dated 9th October 1943 and was amended by another notification of the Department of Civil Supplies, No. 457 (8) C.S. (B)/43 dated 18th December 1943.

- (6) Warper bobbins.
- (7) Paper tubes and Cones.

Ring Traveller.

Ring Travellers of all types used by the Textile Industry other than Jute and Hemp.

SCHEDULE II.

- 1. The Cotton Card Clothing and all Card Clothing Sundries Control Order, 1942.
- 2. The Healds and Reeds Control Order, 1942.
- 3. The Shuttles Control Order, 1942.
- 4. The Bobbins Control Order, 1943.
- 5. The Ring Traveller Control Order, 1943.

ORDER.

New Delhi, the 4th December, 1943.

No. 78-Tex (B)/43(ii)—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 powers conferred on it by clause (b) of sub-rule (2) of rule 81 of the Defence of India Rules shall, in respect of all the articles to which the Cotton Textiles (Miscellaneous Articles) Control Order, 1943, applies be exercisable also by the Textile Commissioner, Bombay.

Starch Control Order, 1943.

A Notification of the Government of India in the Department of Industries and Civil Supplies No. 59-Tex(B)/43 (i) dated 27th November 1943 amends the Starch Control Order, 1943 as under:—

1. For the words "against a valid licence," substitute the words "Under and in accordance with the terms of a general permit or a special licence issued or".

2. Substitute clause 5 as under—

"5(1) Any person who desires to purchase or otherwise acquire starch and is not expressly issued under clause 5, shall apply to the Starch Controller for a special licence.

(2) Any person who desires to sell or otherwise dispose of starch of which the purchase but not the sale has been expressly authorised in any general permit issued under clause 4, shall apply to the Starch Controller for a special licence.

(3) Applications under sub-clauses (1) and (2) shall be made in the triplicate in such form as may be required by the Starch Controller."

General Permit Under the Starch Control Order, 1943.
Notification, Government of India, Department of Industries and Civil Supplies, No. 59-Tex(B)/43(ii) dated 27th November 1943—

In pursuance of clause 4 of the Starch Control Order, 1943, owners and managers of cotton, woollen or silk textile mills, handloom weavers and persons engaged in any cottage industry are hereby permitted to purchase, or otherwise acquire starch for purposes of their business.

(Note :—The above-mentioned classes of persons need not hereafter apply for special licence to purchase starch).

CHAPTER XIII.

Coloured Motor Spirits Control Order, 1942.

In clause 2 (ii), the words "red, yellow," shall be omitted.

CHAPTER XIV.

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A Notification of the Government of India in the Department of Industries and Civil Supplies No. N-171-43 dated 27th November 1943 amends the Newsprint Control Order, 1941 as under :—

1. In paras 4 and 7, for the words "the 15th day of every month commencing with the 15th June 1941" substitute the words "the 7th day of every month commencing with the 7th December 1943."

2. In para 5, for the words "the 15th day of every month commencing with the 15th September 1941" substitute the words "the 7th day of every month commencing with the 7th December 1943."

4. Add para 10 as under—

"The Central Government may in any special case, authorise in writing the doing of any act which would otherwise be prohibited by this Order."

CHAPTER XVII.

Wireless Sets Control Order, 1943.

This Order is issued by the Government of India in the Department of Industries and Civil Supplies, by a notification No. 457-S.C.(B) (8)/43 dated 9th October 1943 and was amended by another notification of the Department of Civil Supplies, No. 457 (8) C.S. (B)/43 dated 18th December 1943.

CHAPTER XVIII.

Hoarding and Profiteering Prevention Ordinance 1943.

Orders issued by the Controller General.

I. Notification, Government of India, Department of Industries and Civil Supplies, No. 1/2/43—C.G. (C.S.) dated 9th Novem ber1943.

In exercise of the powers conferred upon me by sub-section (2) of section 12 of the Hoarding and Profiteering Prevention Ordinance, 1943 (Ordinance No. XXXV of 1943), I hereby direct all producers of cigarettes to maintain records of all sale transactions and to submit to the office of the Controller General of Civil Supplies, New Delhi, information regarding stocks held by them as on the 30th November 1943, so as to reach the said office on or before the 15th December 1943, in accordance with the following:—

1. The records of all sale transactions shall be maintained with effect from the 1st December 1943. There shall be separate records for wholesale sales and for retail sales. The records shall state, among other things, date of transaction, description of article, name of seller, price at which sale was made and whether delivery has been made.

2. The information should separately state what the cost of production is and how it has been arrived at, what is the margin of profit made on sales and whether it would be possible for the producer to mark on each tin of cigarettes the cost of production in order that the consumer may know what the ceiling price should be under Section 6 of the Ordinance.

3. The information should also state what the trade mark of the producer is for the brands of cigarettes placed by him on the market.

II. Notification, Government of India, Department of Industries and Civil Supplies, No. 1/2/43-CG (CS) dated 22nd November. 1943—

In exercise of the powers conferred upon me by section 12 of Hoarding and Profiteering-Prevention Ordinance, 1943 (Ordinance XXXV of 1943), I hereby call upon all *importers* of goods detailed in the schedule below to supply information so as to reach the Office of the Controller General of Civil Supplies, new Delhi, on or before the 10th December 1943, in accordance with the following instructions:—

1. Name of the importer ;
2. Name of the articles imported ;
3. licence number together with date of import licence in virtue of which the commodity is being imported ;
4. quantities which arrived since 1st January 1943 up to date ;

5. quantities which are expected to arrive during the next six months;

6. Names of—
 (a) wholesalers
 (b) retailers

to whom the articles imported up to date have been sold and the price at which they have been sold;

7. whether the sales which have taken place since the 16th October 1943 have been in compliance with the provisions of the Hoarding and Profiteering Prevention Ordinance;

8. landed cost after making allowance for C.I.F. price and customs duty;

9. normal profit margin on same or similar commodity immediately before the war in 1939; and

10. Profit margin now charged or claimed, giving reasons in support, in case the profit margin claimed exceeds $7\frac{1}{2}$ per cent.

2. Importers are also hereby called upon to submit to the office of the Controller General of Civil Supplies once a month a statement of wholesale transactions in the imported commodities included in the schedule below, the name of the person to whom the article is sold, the price at which the article is sold and the date on which the delivery is made.

3. Importers are hereby required to maintain records of all sale and purchase transactions in respect of the imported commodities.

Schedule.

1. Bicycles and cycle parts.
2. Fountain pens.
3. All varieties of woollen cloth and garments:
4. All varieties of silk cloth and garments, including artificial silk.
5. Crockery.
6. Cutlery.
7. Razor blades.
8. Canned foodstuffs.
9. Toilet articles.
10. Surgical instruments.
11. Footwear of all kinds.
12. Thermoses.
13. Infant foods, such as Horlicks
14. Hats.
15. Spectacle frames.
16. Stationery items.
17. Chemicals other than those governed by specific controls.
18. Boot polishes.
19. Cigarettes.

20. Motor spare parts other than those controlled by the War Transport Department.

21. Agricultural implements.

III. Notification, Government of India, Department of Industries and Civil Supplies, No. 1/2/43-C.G. (C.S.) dated 1st December 1943—

In exercise of the powers conferred upon me by section 12 of the Hoarding and Profiteering Prevention Ordinance, 1943, I hereby direct all manufacturers of woollen cloth, including mills and power looms but not including handlooms, to supply to the office of the Controller General of Civil Supplies, New Dehli, on or before the 18th December 1943 the following information :—

1. Name of the manufacturing firm.
 2. Place where the manufacture is carried on and address of the firm.
 3. Articles and varieties manufactured.
 4. Cost of production of each of the varieties manufactured.
 5. Profit margin between ex-factory price and retail price in respect of these varieties before the war, and the profit margin claimed under section 6 of the Ordinance in the prevailing conditions of to-day.
 6. Whether it will be possible for the manufacturer to mark the retail selling price of each piece of cloth as in the manner laid down for the mark of retail prices of cotton cloth by the cotton mills.
 7. Whether the manufacturer also sells retail or only wholesale.
 8. The wholesalers and retailers to whom the manufacturer normally sells his goods together with their addresses.
2. This order applies to the manufacture of woollen cloth other than that purchased by the Government of India, Department of Supply..

IV. Notification, Government of India, Department of Industries and Civil Supplies, No. 1/2/43-C.G. (C.S.) dated 1st December 1943—

In exercise of the powers conferred upon me by sub-section (4) of section 7 of the Hoarding and Profiteering Prevention Ordinance, 1943, (Ordinance No. XXXV of 1943), I hereby specify the following articles for the purposes of the said section :—

1. Cigarettes.
2. Foodstuffs (other than foodgrains), including tinned provisions, bottled and infant foods.
3. Cooking fats.
4. Ghee.
5. Vegetable Ghee.
6. Vegetable oils (groundnut, cocoanut and other oils).

7. Spices, chillies and tamarind.
8. Salt.
9. Tea.
10. Tobacco.
11. Wines, Spirits and potable liquors.
12. Agricultural implements.
13. Fertilisers.
14. Cement.
15. Coir and coir products.
16. Cutlery.
17. Dyes and other chemicals.
18. Electric bulbs.
19. Leather and leather goods.
20. Matches.
21. Paints and varnishes.
22. Timber.
23. Motor vehicle spare parts and accessories.

V. Notification, Government of India, Department of Industries and Civil Supplies, No. 1/2/43-C.G. (C.S.) dated 1st December 1943—

In exercise of the powers conferred upon me by section 11 of the Hoarding and Profiteering Prevention Ordinance, 1943, I hereby direct all dealers in woollen cloth, articles and goods in all district headquarter towns of all British Indian Provinces to mark woollen articles exposed or intended for sale with the sale prices, or, where the marking of articles is not feasible, to exhibit on the premises a price list of articles held by such dealer for sale in accordance with the following instructions, within 15 days of the publication of this order in the official Gazette:—

1. Prices once marked shall not be altered except with the previous consent of the Controller-General.

2. Printed or typewritten list in duplicate must be submitted to the Controller-General of Civil Supplies. One copy will be returned counter-signed which must be displayed in a prominent place in the shop.

3. The prices shall be so marked as to comply with the provisions of the Ordinance.

4. No sale will be refused if a purchaser is willing to purchase an article at the price marked, unless the dealer has good reasons to believe that the purchaser is wanting to purchase the article for sale.

5. The prices will be marked in blue or black ink if the article is of Indian manufacture, and in red ink if the article is of foreign manufacture.

6. This order shall be displayed prominently in the shop, preferably as near the seat of the Manager of the shop as possible.

VI. Notification, Government of India, Department of Industries and Civil Supplies, No. 1/2/43-CQ (C.S.) dated 7th December 1943.

In exercise of the powers conferred upon me by section 12 of the Hoarding and Profiteering Prevention Ordinance, 1943, (Ordinance No. XXXV of 1943), I hereby direct all producers of tooth paste in British India to furnish to the Office of the Controller General of Civil Supplies, New Delhi, on or before the 25th of December 1943, the following information—

1. Monthly capacity in tubes (a) at present and (b) if all raw materials can be made available;
2. Cost of production, with a tabular statement of cost of—
 - (a) tubes,
 - (b) chalk,
 - (c) glycerine,
 - (d) soap,
 - (e) saccharine soluble,
 - (f) flavour,
 - (g) paper, and
 - (h) other elements of cost;
3. Size of the tubes produced;
4. Names of the varieties;
5. Retail selling prices at which the producer expects each variety to be sold in the market; and
6. The margin between the cost of production and the retail selling price and reasons justifying the margin in case it exceeds 20 per cent.

VII. Notification, Government of India, Department of Industries and Civil Supplies, No. 1/2/43-C.G. (C.S.) dated 13th December 1943.

In exercise of the powers conferred upon me by section 11 of the Hoarding and Profiteering Prevention Ordinance, 1943 (XXXV of 1943), I hereby direct all dealers in watches including clocks, time-pieces, their spare parts and tools, to mark prices on all the watches, clocks and time-pieces exhibited or intended for sale, in accordance with the following conditions:—

1. All importers and wholesalers shall print retail price lists for their watches, clocks, and time-pieces (*vide* condition 6 *infra*) and shall supply a copy of such price-list to each retailer who obtains or who used to obtain his stock from such importer or wholesaler. Six copies of such price-list as amended from time to time shall be sent by the importer or wholesaler to the Office of the Controller-General of Civil Supplies, New Delhi, for record in his office. Compliance should be made within a month of the date of publication of this order in the official gazette.

2. Each retailer shall exhibit the printed price list received from the importer or wholesaler at a prominent place in his shop and shall certify on the list on the first of each month that the said list is the latest list issued by the importer or wholesaler.

3. Each retailer shall mark in English or the court language of the locality the selling price on each watch, clock or time-piece exposed or exhibited for sale. Such marking shall be completed within six weeks of the publication of this Order in the official gazette.

4. No dealer shall refuse to sell any watch, clock or time-piece at the price marked on it so long as there are stocks in his possession provided that it will be open to a retailer to refuse to sell these articles if he has sufficient cause to suspect that the purchase is being made for re-sale.

5. No importer or wholesaler while making a sale to a retailer will appropriate to himself from the total profit margin allowed by the Controller-General under Section 6 of the Ordinance, a portion in excess of the pre-war trade custom.

6. The retail selling price shall not exceed the landed cost of any watch, clock, time-piece, spare part or tool plus the permitted increase of 115 per cent in Roskopf watches and 100 per cent in all other watches.

7. An importer or wholesaler shall confine his retail business to such proportion of his stocks as was earmarked for retail sale before the war, unless permitted otherwise by the Controller-General.

VIII. Notification, Government of India, Department of Industries and Civil Supplies, No. 1/2/43-C.G. (C.S.) dated 16th December 1943.

In exercise of the powers conferred upon me by sub-section (4) of Section 7 of the Hoarding and Profiteering Prevention Ordinance, 1943 (XXXV of 1943), I hereby specify the following additional articles for the purposes of the said section:—

1. Charcoal, coke and firewood.
2. Toilet articles, viz. soap, razor blades, tooth-paste, tooth-powder and tooth-brush.
3. Boot polish.
4. Torch lights and batteries.
5. Writing paper and other stationery items.
6. Washing soap and washing soda.
7. Oil cakes.
8. Cashew nuts, areca nuts and betel nuts.

IX. Notification, Government of India, Department of Industries and Civil Supplies, No. 1/2/43-C.G. (C.S.) dated 20th December 1943.

In exercise of the powers conferred upon me by section 12 of the Hoarding and Profiteering Prevention Ordinance, 1943,

(XXXV of 1943), I hereby direct all dealers in (1) tennis balls (2) pingpong balls (3) golf balls and (4) squash balls to furnish, within 15 days of the publication of this notification in the Official Gazette, the following information to the Office of the Controller General of Civil Supplies, New Delhi:—

(a) Existing stocks in dozens;

(b) Landed cost, in case any of the dealers is also an importer of these articles, at the time when the last consignment was imported; and

(c) Cost of acquisition of present stock in case it is not directly imported but has been purchased locally.

2. I further direct that an account shall be kept of all sales of these articles with effect from one week after the publication of this notification in the Official Gazette.

X. Notification, Finance Department (Supply), No. 367/IV dated 29th November 1943—

In pursuance of Sections 5, 8, 9 and 12 of the Hoarding and Profiteering Prevention Ordinance, 1943, (Ordinance No. XXXV of 1943), the Government of Bombay is pleased to empower within the City of Bombay and the Bombay Suburban District, the Controller of Prices, Bombay, and elsewhere the District Magistrate within the limits of his jurisdiction for the purposes of the said section.

Hides (Movement Control) Order, 1943.

This Order is issued by the Government of India in the Department of Supply by a notification No. 1381 dated 2nd December 1943.

Jute Industry Essential Stores Control Order, 1943.

This Order is issued by the Government of India in the Department of Industries and Civil Supplies by a notification No. SS/226 dated 30th September 1943.

Surgical Ligature Control Order, 1943.

This Order is issued by the Government of India, Department of Education, Health and Lands by a Notification No. D. 10-H (c)/43 dated 23rd February 1943.