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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 4th June, 1958 :—

Issue No.	No. and date	Issued by	Subject
78	G.S.R. 434, dated the 1st June 1958.	Ministry of Finance .	Exemption of tea, when exported, from so much of customs duty as in excess of two rupees per one hundred pounds.
	G.S.R. 435, dated the 1st June 1958.	Ditto .	Exemption of 'Tea not otherwise specified' from so much of customs duty as in excess of six pies per lb. net.
80	G. S. R. 442, dated the 3rd June 1958.	Ditto .	Draft of the Customs and Central Excise Duties Drawback (Sparking Plugs) Rules, 1958.
	G. S. R. 443, dated the 3rd June 1958.	Ditto . .	Draft of the Customs and Central Excise Duties Drawback (Paints) Rules, 1958.
	G.S.R. 444, dated the 3rd June 1958.	Ditto . .	Amendments made in the Customs and Excise Duties Drawback (Crown Cork) Rules, 1958.
81	G.S.R. 445, dated the 3rd June 1958.	Ministry of Law .	All contracts and assurances of property shall be executed on behalf of the President by Shri H. Dayal *Charge d' Affairs* of India in U.S.A.
82	G.S.R. 465, dated the 4th June 1958.	Ministry of Food and Agriculture.	Order regarding controlling the rise in prices and preventing the hoarding of wheat in the State of Madhya Pradesh.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF LAW

New Delhi, the 5th June 1958

G.S.R. 469.—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the following further amendments shall be made in the notification of the Government of India in the Ministry of Law, No. S.R.O. 3442, dated the 2nd November, 1955, relating to the execution of contracts and assurances of property, namely:—

In the said notification—

1. In Part X, in item 1, under head 'B' which relates to the Indian Research Institutes, for entry (xvi), the following entry shall be substituted, namely:—

"(xvi) Contracts and other instruments relating to the Desert Afforestation and Soil Conservation Station, Jodhpur; *by the Chief Research Officer, Desert Afforestation and Soil Conservation Station, Jodhpur*".

2. In Part XXII which relates to the Ministry of Works, Housing and Supply, under head 'C' after item 2, the following item shall be added, namely:—

"3. Leases of houses, land or other immovable property situated within their respective jurisdiction; *by the Officer on Special Duty (Estate) Nagpur, Gwalior, Jaipur or Mussoorie*".

[No. F.44(1)/57-J.]

New Delhi, the 6th June 1958

G.S.R. 470.—In exercise of the powers conferred by clause (1) of article 299 of the Constitution and in supersession of the notification of the Government of India in the Ministry of Law No. SRO 1141, dated the 15th June 1953, the President hereby directs that all agreements relating to payment of compensation for property requisitioned or acquired by or on behalf of the Central Government under the Requisitioning and Acquisition of Immovable Property Act, 1952 (XXX of 1952) shall be executed on his behalf as indicated in the Schedule hereto annexed.

SCHEDULE

1. In the States of Andhra Pradesh, Assam, Bihar, Kerala, Madhya Pradesh, Madras, Mysore, Orissa, Punjab, Rajasthan and Uttar Pradesh; *by the Collector or the Deputy Commissioner or the District Magistrate, as the case may be in respect of property situated within his jurisdiction.*

2. In the State of Bombay—

(a) *by the Special Land Acquisition Officer, Nasik, in respect of property situated in Nasik;*

(b) *elsewhere by a Collector in respect of property situated within his Jurisdiction.*

3. In the State of West Bengal—

(a) *by the Collector in the district of 24 Parganas in respect of property situated in that district;*

(b) *by the First Land Acquisition Collector, Calcutta, in respect of property situated in Calcutta;*

(c) *by the Deputy Commissioner, Jalpaiguri or the Deputy Commissioner, Darjeeling or the Deputy Commissioner, Cooch-Bihar, as the case may be, in respect of property situated within his jurisdiction;*

(d) *by the Land Acquisition Officers of Calcutta and of other districts who are functioning as Collectors under the Land Acquisition Act, 1894 (1 of 1894) in respect of property situated within their respective jurisdiction; and*

(e) *elsewhere by a Collector in respect of property situated within his jurisdiction.*

4. In the Union territories of Delhi, Manipur and Tripura; *by the Chief Commissioner in respect of property situated within his jurisdiction.*

[No. F.27-III/53-L.]

New Delhi, the 10th June 1958

G.S.R. 471 Contract/Am.(29).—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Law No. S.R.O. 3442, dated the 2nd November, 1955, relating to the execution of contracts and assurances of property, namely:—

In Part XXII of the said notification, under head 'B' which relates to the Printing and Stationery Department, in clause (b) of item 1, after the words "Controller of Printing, New Delhi", the words "Assistant Controller, Printing, New Delhi," shall be inserted.

[No. F.44(1)/75-J.]

P. K. BOSE, Dy. Secy.

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 5th June 1958

G.S.R. 472.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, hereby directs that the following further amendments shall be made in the Fundamental Rules, namely:—

(1) In rule 11 of the said Rules, for the words "or from the revenues of an Indian State" the words "or from the funds of a body corporate owned or controlled by the Government" shall be substituted.

(2) At the end of sub-rule (a) of rule 110 of the said Rules, the following proviso shall be inserted, namely:—

"Provided that this sub-rule shall not apply to the transfer of a Government servant to the service of a body corporate owned or controlled by the Government".

[No. F.1(11)-E.IV/57.]

New Delhi, the 7th June 1958

G.S.R. 473.—In exercise of the powers conferred by the proviso to article 309, and, in relation to persons serving in the Indian Audit and Accounts Department, also by clause (5) of article 148, of the Constitution, the President, after consultation with the Comptroller and Auditor General as regards the persons referred to above, hereby directs that the following further amendment shall be made in the Fundamental Rules, namely:—

For rule 18 of the said rules, the following rule shall be substituted namely:—

"18. (1) No Government servant shall be granted leave of any kind for a continuous period exceeding five years.

(2) Where a Government servant does not resume duty after remaining on leave for a continuous period of five years, or where a Government servant after the expiry of his leave remains absent from duty, otherwise than on foreign service or on account of suspension, for any period which, together with the period of the leave granted to

him exceeds five years, he shall, unless the President, in view of the exceptional circumstances of the case, otherwise determines, be deemed to have resigned and shall accordingly cease to be in Government employ".

[No. F.7(80)-Est.IV/58-I.]

G.S.R. 474.—In exercise of the powers conferred by the proviso to article 309, and, in relation to persons serving in the Indian Audit and Accounts Department, also by clause (5) of article 148, of the Constitution, the President, after consultation with the Comptroller and Auditor General as regards the persons referred to above, hereby directs that the following further amendment shall be made in the Revised Rules, 1933, namely:—

For rule 5 of the said rules, the following rule shall be substituted, namely:—

"5. (1) No Government servant shall be granted leave of any kind for a continuous period exceeding five years.

(2) Where a Government servant does not resume duty after remaining on leave for a continuous period of five years, or where a Government servant after the expiry of his leave remains absent from duty, otherwise than on foreign service or on account of suspension, for any period which together with the period of the leave granted to him exceeds five years, he shall, unless the President in view of the exceptional circumstances of the case otherwise determines, be deemed to have resigned and shall accordingly cease to be in Government employ."

[No. F.7(80)-Est.IV/58-II.]

C. B. GULATI, Dy. Secy.

(Department of Expenditure)

New Delhi, the 6th June 1958

G.S.R. 475.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit & Accounts Department, the President hereby directs that the following further amendment shall be made in the Revised Leave Rules, 1933, namely:—

In rule 2 of the said Rules, for the words "Civil Services (Classification, Control and Appeal) Rules", the words "Central Civil Services (Classification, Control and Appeal) Rules, 1957" shall be substituted.

[No. F.7(114)-Est.IV/57.]

V. K. SUBRAMANIAN, Under Secy.

(Department of Revenue)

INCOME-TAX

New Delhi, the 31st May 1958

G.S.R. 476.—The following draft of certain amendments in the Indian Income-tax (Provident Fund Relief) Rules, which the Central Government proposes to make in exercise of the powers conferred by sub-section (2) of section 58-L of the Indian Income-tax Act, 1922 (11 of 1922), is published as required by sub-section (1) of the said section read with sub-section (4) of section 59 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th September, 1958.

Any objection or suggestion that may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendments

(A) In rule 4 of the said rules:—

(a) For clause (a) of sub-rule (3), the following clause shall be substituted, namely:—

"(a) Except for the purpose specified in clause (d) of sub-rule (1), no withdrawal shall exceed (1) the pay of the employee for three months, or, in the case of withdrawal in connection with marriages as specified under clause (c) of the said sub-rule or for the purpose specified in clause (e) of said sub-rule, six months, at the time when the advance is granted, or (2) the total of the accumulation of exempted contributions and exempted interest contained in the balance to the credit of the employee, whichever is less."

(b) In sub-rule (3), after clause (c), the following clause shall be inserted, namely:—

"(d) The withdrawal for the purpose specified in clause (d) of sub-rule (1) shall be permitted upto one-half of the amount standing to the employees' credit or the actual cost of the house and/or site, whichever is less. It shall, however, be subject to the following conditions:—

(i) that the employee should have completed 25 years of service or is due to retire before another 5 years;

(ii) that the construction of the house should be commenced within 6 months of the withdrawal and should be completed within one year from the date of commencement of construction. If the advance is taken for repayment of loan previously raised for the purpose, the repayment of the loan should be made within three months of the withdrawal of the advance;

(iii) that in the case of construction of a house, withdrawal should be permitted only in two or more equal instalments (not exceeding 4), one instalment being permitted only after verification by the company or the trustees about the actual utilisation of the earlier withdrawal;

(iv) that the advance shall be payable only if the house site and/or house is free from encumbrances. No advance shall be payable for purchasing a share in a joint property or building or house or land whose ownership is divided."

(B) In rule 5 of the said rules, to sub-rule (2), the following proviso shall be added, namely:—

"Provided that the withdrawal in connection with marriages as specified in clause (c) of sub-rule (1) of rule 4 shall be repaid in not more than forty-eight equal monthly instalments."

[No. 54.]

P. N. DAS GUPTA, Dy. Secy.

(Department of Revenue)

CUSTOMS

New Delhi, the 14th June 1958

G.S.R. 477.—The following draft of certain amendments in the Customs Duties Drawback (Radio Receivers) Rules, 1957, which the Central Government proposes to make in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, is published as required by sub-section (3) of the said section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th July, 1958.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the said rules.—

(1) in rule 2, sub-rule (b), the words "of the description specified in the Schedule" shall be omitted;

(2) for the existing rule 4, the following shall be substituted, namely:—

"4. *Rate of drawback.* (1) The rate of drawback admissible under these rules on the shipment of the goods shall be the average customs duty paid on the imported materials used in the manufacture of the goods.

(2) Such rate shall be determined by the Central Government (hereinafter in this sub-rule referred to as the Government) at such intervals as the Government may consider necessary on the basis of information furnished by the manufacturer of the goods and varified by the Government in respect of the duty paid on imported materials during such period as in the opinion of the Government is relevant for the purpose."

(3) the Schedule shall be deleted.

[No. 190]

G.S.R. 478.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the Customs Duties Drawback (Roofing Felt) Rules, 1957, the same having been previously published as required under the said sub-section (3), namely:—

Amendment

For rule 4 of the said Rules, the following shall be substituted, namely:—

"4 *Rate of drawback.*—The rate of drawback admissible under these rules on the shipment of the goods shall be as follows:—

Variety of Roofing Felt	Rate of drawback per ton of goods shipped
Roofing felt:—	
(i) 3-ply	Rupees one hundred and eighty-one.
(ii) 2-ply	Rupees one hundred and eighty-five.
(iii) underlay	Rupees two hundred and ninety-four."

[No. 191]

M. A. RANGASWAMY, Deputy Secy.

MINISTRY OF HEALTH

New Delhi, the 3rd June 1958

G.S.R. 479.—In exercise of the powers conferred by sub-section (1) of section 56 of the Delhi Development Act, 1957 (61 of 1957) read with clauses (b), (c) and (i) of sub-section (2) of that section, the Central Government hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Delhi Development Authority Rules, 1958.

(2) They shall come into force at once

2. **Definitions.**—In these rules, "Authority" means the Delhi Development Authority and "Advisory Council" means the Advisory Council of the Delhi Development Authority.

3. **Qualifications for being chosen as Members of the Delhi Development Authority or the Advisory Council. [Section 56(2)(b)].**—(1) A person shall be disqualified for being chosen as, or for being, a member of the Authority or the Advisory Council.

(a) if he is of unsound mind and stands so declared by a competent court;

(b) if he is an undischarged insolvent;

(c) if he is not a citizen of India, or has voluntarily acquired the citizenship of a foreign State, or is under any acknowledgment of allegiance or adherence to a foreign State;

(d) if he is a licensed architect, draughtsman, engineer, plumber, surveyor or town planner or is a partner or employee of a firm of which any such licensed persons is also a partner;

(e) if he is interested, directly or indirectly, in any business of development of land in Delhi;

(f) if he is interested in any subsisting contract made with, or any work being done for, the Authority except as a share-holder (other than a director) in an incorporated company or as a member of a co-operative society;

(g) if he is retained or employed in any professional capacity either personally or in the name of a firm of which he is a partner or with which he is engaged in a professional capacity, in connection with any cause or proceeding in which the Authority is interested or concerned;

(h) if he, having held any office under the Government, has been dismissed for corruption or disloyalty to the State unless a period of four years has elapsed since his dismissal or the disqualification has been removed by the Central Government;

(i) if he fails to pay any arrear of any kind due by him, otherwise then as an agent, receiver, trustee or an executor, to the Authority within three months after a notice in this behalf has been served upon him.

(2) Notwithstanding anything contained in sub-rule (1), a person shall not be deemed to have any interest in a contract or work such as is referred to in clause (e) of that sub-rule by reason only of his having a share or interest in—

(i) any lease, sale, exchange or purchase of immovable property or any agreement for the same; or

(ii) any agreement for the loan of money or any security for the payment of money only; or

(iii) any newspaper in which any advertisement relating to the affairs of the Authority is inserted; or

(iv) the sale to the Authority or to any officer or other employee of the Authority on behalf of the Authority, of any article in which he regularly trades or the purchase from the Authority or from any officer or other employee on behalf of the Authority, of any article of a value in either case not exceeding five thousand rupees in the aggregate in any year during the period of the contract or work; or

(v) the letting out on hire to the Authority or the hiring from the Authority of any article of a value not exceeding two thousand rupees in the aggregate in any year during the period of the contract or work.

4. **Salaries, Allowances etc. of whole time paid Members [Section 56(2)(c)].**—The salaries, allowances and conditions of service of the whole time paid members of the Authority shall be such as may be determined by the Central Government at the time of their appointment:

Provided that as respects any matter which is not specifically so determined by the Central Government, the rules applicable to the other staff of the Authority shall also apply to the whole time members of the Authority.

5. **Time to be taken by Collector in disposal of cases for determination of compensation [Section 56(2)(i)].**—Cases referred to the Collector under sub-section (3) of section 16 of the Act for determination of compensation shall be disposed of by him within one year, or within such extended time as the Central Government may allow.

[No. F.12-197/57-L.S.G.]

A. V. VENKATASUBBAN, Dy. Secy.

MINISTRY OF WORKS, HOUSING & SUPPLY

New Delhi, the 3rd June 1958

G.S.R. 480.—The following draft of an amendment to the Rules Regulating the Handling of Explosives in the Port of Bombay, published with the notification of the Government of India in the late Department of Works, Mines and Power No. P-103, dated the 11th March, 1947, which the Central Government proposes to make in exercise of the powers conferred by section 5 of Indian Explosives Act, 1884, (4 of 1884), is published as required by section 18 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 16th June, 1958.

Any objection or suggestion, which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the Note to sub rule (1) of rule 4 of the said rules, the words "or to ships carrying explosives and/or ammunition to or from the Butcher Island" shall be omitted.

[No. S&PII-3(6)/58.]

M. N. KALE, Under Secy.

(Central Boilers Board)

New Delhi, the 4th June 1958

G.S.R. 481.—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), the Central Boilers Board hereby makes the following further amendment in the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

In the said Regulations, for sub-regulation (2) of regulation 3, the following sub-regulation shall be substituted, namely:—

"(2) Notwithstanding anything contained in sub-regulation (1), the Chief Inspector may, subject to the provisions of Regulations 7 and 8, register a boiler and order the issue of a certificate authorising the use thereof, under any of the following circumstances, namely—

(i) When the material used in the construction of a boiler, steam pipe, economiser or super-heater is not in conformity with the Indian Boiler Regulations but is known to be commonly used in other countries as being suitable for use in the construction of boilers and steam pipes, provided that such material is not specifically prohibited by the Regulations;

(ii) when the constructional feature of a boiler, steam pipe, economiser or superheater are not in conformity with the Regulations but are not considered by the Board to be inferior in strength to those prescribed in the Regulations and form part of the usual manufacturing practice of boilers and steam pipes in other countries;

(iii) when a boiler, steam pipe, economiser or superheater has obviously been built in conformity with the regulations but no certificate as required under the regulations is forthcoming.

M. N. KALE,

Secretary, Central Boilers Board.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 5th June 1958

G.S.R.—482.—In exercise of the powers conferred by sub-section (1) of section 7 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central

Government hereby makes the following further amendment in the Employees' Provident Funds Scheme, 1952, namely:—

In the said Scheme, in clause (kkk) of paragraph 2, after the word "pepper" the words "or a coffee curing establishment" shall be inserted.

2. This amendment shall be deemed to have come into force on the 30th day of November, 1957

[No PF.II/7(4)/58.]

P. D. GAIHA, Under Secy.

IndiaCode

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