

E & P H.

(1947) Department.

MS. SERIES.

G.O. NO. MS.1047 Edn.

Dated 20-5-1947

[Despatch Abstract.]

Stationery - Essential Articles - Control of Supply and prices and
Delegation of powers - Notifications issued.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Articles Control and Requisitioning

Issued
26/11

Temporary Provisional Order, 1946. Measures for control

Memo No 64613 C2/461 Edn. d. 26.10.46

The attention of the Sgs is invited to the G.O. Road
#179 (S) above notifying certain stationary articles as essential
articles under the Madras Essential Articles Control and
Requisitioning (Temporary Provisions) Act, 1946, and he is
#3 of (S) informed that under Sec 3 of the Act an order has to be
issued providing for the regulation of the production, supply,
distribution and ^{prices} ~~transport~~ of ^{those} essential articles ~~entitled~~
~~and commerce therein~~. He is requested to submit
at a very early date ^{control} proposals in this behalf.

20/10/46

The Sgs
Confidential
Rd. 19.11.46

25/10/46

Wia
26.10.46

26.10.46

No. E. 4.2615/46.

Dated: 13/11/46.

Sir,

Stationery - Essential articles - Notification -
Education and Public Health Department memorandum
No. 64613 C2/46-1 Education dated 26-10-46.

In my letter No. B. 1.2840/46 dated 22-10-46 I have recommended that the restrictions regarding the sale, etc, of duplicators may be confined to hand-feed models only. Orders are awaited. *Secured - D. S. G. 12*

Rough annual requirements of the articles declared essential will be as follows:-

1. Duplicators (Hand feed model)	--	--	--	40
2. Sable hair brushes crow	--	--	--	45 doz.
3. " " " duck	--	--	--	32 doz.
4. " " " goose	--	--	--	38 doz.
5. Camel hair brushes round of sizes.	--	--	--	30 doz.
6. Camel hair brushes flat 1 1/2"	--	--	--	15 doz.
7. " " " flat 3"	--	--	--	10 doz.
8. Canvass cloth for fancy needle work.	--	--	--	400 yards.
9. Superior drawing pencils (Kohinoor) variety) of different grades.	--	--	--	111 gross.

It may be notified that stocks held at present by ^{any} dealer, and those that may hereafter be imported should be reported to the Superintendent of Stationery, who may be authorised to release for sale to the public any quantity of the above mentioned articles, after the requirements of this Government are secured. I have no information regarding the current prices of these articles. However, as the articles are of foreign manufacture, I suggest that the prices fixed for them by the Central Government (Department of Industries and Civil Supplies) may be adopted.

A. Karanamuttu
18/11/46

SUPERINTENDENT OF STATIONERY.

PK.14/11.

15/11

Read: G.O.No. 1924 Edn. dated 7-10-46.
G.O.No. 2153 " " 11-11-46.
From the Supdt. of Sty., letter No. B.4.2615/46
dated 13-11-46.

G.O./MS. NO. 1047 EDN. DATED 20.5.47

The following notifications will be published in
the Fort St. George Gazette:-

NOTIFICATION I.

In exercise of the powers conferred by section
3(1) and (2)(b), (c) and (h) of the Madras Essential
Articles Control and Requisitioning (Temporary Powers)
Act, 1946 (Madras Act XIV of 1946), His Excellency
the Governor of ~~Madras~~ Madras hereby makes the following
order:-

ORDER

1. This order applies to the following articles
(which have been notified as essential articles under
the Act) namely, -

- (1) Rotary Duplicators - Hand-feed model.
- (2) Sable and Camel hair brushes.
- (3) Canvas cloth for needle work.
- (4) Superior drawing pencils (Kohinoor variety)
of different grades.

2. Every dealer in any such article or articles
shall, within fourteen days of the commencement of
this Order, furnish to the ~~Supdt. of Sty.~~ ^{Superintendent of Stationery} Madras
(hereinafter referred to as the Superintendent), a
statement showing the stocks of each such article in
his possession or under his control on that date.

3. Every such dealer shall, from time to time,
furnish to the Superintendent, the stocks of ~~any~~ such
article imported by him after the commencement of this
order, within fourteen days of the import.

by dealer, as may remain after meeting all the
ments of the Provincial Government.

(2) The dealer shall not sell ~~any~~ such article to
the public or offer it for sale to the public, unless it
forms part of a quantity released for sale under sub-clause(1).

5. No dealer shall sell any article mentioned in
clause 1 at a price exceeding that fixed from time to
time by the Superintendent.

NOTIFICATION II.

In exercise of the powers conferred by section
8(1) of the Madras Essential Articles Control and Requisi-
tioning (Temporary Powers) Act, 1946, (Madras Act XIV of
1946) His Excellency the Governor of Madras hereby authori-
ses the ~~Supdt. of Sty.~~ ^{Superintendent of Stationery,} Madras to exercise the powers of
the Provincial Govt. under section 2(a) of the said Act
in respect of articles of Stationery.

To the S.G.P. (for publ.
of the notfn. in the
F.St.George Gazette.)
To the Sundt. of Sty.,
Madras.

Subject

Stationery-Essential Articles-Control of supply and prices and
Delegation of powers-Orders issued.

G.O./Ms.

Edn.

The following notifications will be published in the Fort St.
George Gazette:-

Notification I.

In exercise of the powers conferred by Sections 3 (1) and 3 (2), (b), (e)
and (h) of the Madras Essential Articles Control and Requisitioning (Tem-
porary Powers) Act, 1946, (Madras Act XIV of 1946), H.E. the Governor of
Madras hereby makes the following order:-

Order

1. Stocks of the stationery articles mentioned in the margin (which
have been notified as essential articles in the Education Department Noti-
fication dated the 7th October 1946, published at page 788 of Part II of the
Fort St. George Gazette, dated the 8th October 1946, as subsequently amended),
held on the date of this order by any dealer and those that may hereafter
be imported by them shall be reported to the Superintendent of Stationery.

2. The Superintendent of Stationery shall release for sale to
the public such quantity of the above mentioned articles as remain after
his requirements are secured.

3. The prices at which the above mentioned articles may be sold
shall be those fixed for them by the Govt. of India (Dept. of Industries
and Civil Supplies)

Notification II.

In exercise of the powers conferred by section 8 (1) of the
Madras Essential Articles Control and Requisitioning (Temporary Powers)
Act, 1946, (Madras Act XIV of 1946) H.E. the Governor of Madras hereby au-
thorises the Superintendent of Stationery to exercise the powers vested
in the Provincial Govt. under sections 3 of the Act

To
The S.G.P. for publication
of the notifications in
the Fort St. George Gazette
" The Supdt. of Sty.

11/12/46

12/12/46 S. H. H. H.

Legal Department.

Edm P. H. 13/12/46
No-646132/46-2 Edm
10354

Notification I. Clause 1 does not provide for the time limit within which the reports required by that clause should be made to the Superintendent of Stationery. (The prescription of a time limit is essential) A fortnight's time may perhaps be allowed. The draft notification may be recast as follows:--

ASSISTANT SECRETARY
14 DEC 1946
LEGAL DEPARTMENT.

"In exercise of the powers conferred by section 3(1) and (2)(b), (e) and (h) of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1946 (Madras Act XIV of 1946), His Excellency the Governor of Madras hereby makes the following Order:--

Order.

1. This Order applies to the following articles (which have been notified as essential articles under the Act) namely, -

- (1) Rotary Duplicators - Hand-feed model.
- (2) Sable and Camel hair brushes.
- (3) Canvas cloth for needle work.
- (4) Superior drawing pencils (Kohinoor variety) of different grades.

2. Every dealer in any ^{such} article or articles mentioned ~~xxxxxx~~ shall, within fourteen days of the commencement of this Order, furnish to the Superintendent of Stationery, Madras (hereinafter referred to as the Superintendent), a statement showing the stocks of each such article in his possession or under his control on that date.

3. Every such dealer shall, from time to time, furnish to the Superintendent, the stocks of any ^{such} article ~~mentioned in xxxxxxxx~~ imported by him after the commencement of this Order, within fourteen days of the ^{import.} ~~date on which they were imported~~

quantity of any of the aforesaid articles stocked by a dealer, as may remain after meeting all the requirements of the Provincial Government.

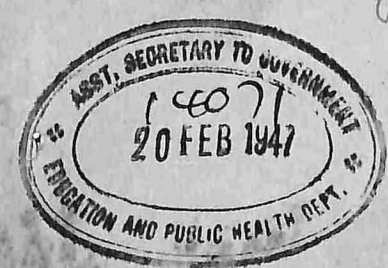
(2) The dealer shall not sell any such article to the public or offer it for sale to the public, unless it forms part of a quantity released for sale under sub-clause (1).

5. No dealer shall sell any article mentioned in clause 1 at a price exceeding that fixed from time to time by the Superintendent."

Notification II. This seeks to delegate to the Superintendent of Stationery powers under section 3. The necessity for such delegation in addition to the provisions of the Order in draft Notification I is not clear. If the intention is that powers other than those specified in Notification I should be delegated to the Superintendent, the powers to be delegated may be specified in clear and specific terms.

[It was not possible to attend to this file earlier on account of the pressure of special and very urgent legislative work. nle 17/12/46]

leg no 10354
17.2.47



SB 20/2

11/12/47 D.S. NVR
17/12/47

E. P. H. Dept

C2.

Please see para 5 of Notification I as recast by Legal. The Sgs suggested that the prices to be fixed for the articles by the Central Govt (Dept of Industries and Civil Supplies) may be adopted. Every dealer will have a copy of the control prices fixed for articles dealt with by them by the Central Govt. Legal may be requested to state whether it is necessary for the Supt to fix the prices of articles ~~mentioned~~ mentioned on p2 and from time to time as he will only be intimating the prices fixed by the Central Govt which the firms already know. As regards Notification II, the idea was to do

But every time an article has to be added to or omitted from the list. Legal may be requested to suitably reconst. Notification II to provide for this intention.

3. The case may be sent to Legal Dept.

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Legal Department.

It is only when an order has been issued under section 3(2) of Madras Act XIV of 1946 controlling the prices at which an essential article may be sold, that a dealer selling at a price higher than that fixed in the order will be punishable under section 12 of the Act. The prices fixed by the Central Government cannot be regarded as prices fixed by an order under section 3(2) of the Act. It is therefore necessary that a provision for controlling prices should be made in the order itself as in clause 5 of the draft. Under that clause, the Superintendent of Stationery will be competent to fix the prices at the same rates as those fixed by the Central Government.

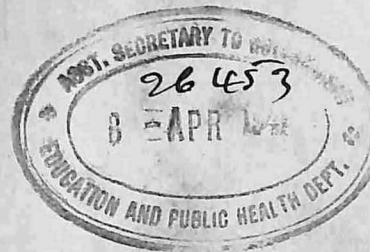
"A" above. The list of articles mentioned in clause 1 at page 2 ante are articles which have been notified as essential articles under section 2(a) of the Madras Act XIV of 1946. If the intention is that the Superintendent of Stationery should have power to add to or omit from that list, any article of stationery, powers under section 2(a) will have to be delegated to him. Draft Notification II may therefore run as follows:-

"In exercise of the powers conferred by section 8(1) of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1946, (Madras Act XIV of 1946), His Excellency the Governor of Madras hereby authorises the Superintendent of Stationery, Madras, to exercise the powers of the

E. A. P. 11

No. 64613 G/46-3
26/3/47

26/3



Leg. 3377-1
1.4.47

17.5.47

Provincial Government under section 2(a) of the said Act in respect of articles of stationery."

If the delegation should be subject to any restrictions or conditions they should also be incorporated in the draft.

29/3/47 E. A. P. 11

E. A. P. 11
C2

The draft notifications as received by Legal in their notes on pp 2-3 and 4-5 above are submitted. They may now be issued with ref to 'B' above, no restriction or conditions need be specified. The draft notifications may 9/5/47. now issue.

14/5/47

17/5/47
19.5.47



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Fig 2

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