



THE
CEYLON GOVERNMENT
GAZETTE

EXTRAORDINARY.

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PART I.—GENERAL.

PROCLAMATIONS BY THE GOVERNOR.

L. D.—B 276/40

1/7/9 (FSO)

Customs Notification (General) No. 42/2.

BY HIS EXCELLENCY THE GOVERNOR.

A PROCLAMATION.

A. CALDECOTT.

KNOW Ye that, by virtue of the powers vested in me by section 67 of the Customs Ordinance (Chapter 185), I, Andrew Caldecott, Governor of Ceylon, do by this Proclamation make the regulations set out hereunder.

By His Excellency's command,

E. R. SUDBURY,

Colombo, January 29, 1942.

Secretary to the Governor.

GOD SAVE THE KING.

Regulations.

1. Subject to the provisions of regulation 13, no master of any vessel of less than 15 tons tonnage shall use such vessel for the conveyance of goods coastwise except on a licence issued in that behalf by the Collector of the port or place where such vessel is ordinarily stationed or based.

2. No licence shall be issued under regulation 1 in respect of any vessel, unless—

- (a) the Collector of the port or place where that vessel is ordinarily stationed or based considers that vessel to be seaworthy;
- (b) the name of that vessel and the name of the port or place where that vessel is ordinarily stationed or based are conspicuously painted on the stern of that vessel; and
- (c) the tonnage and registered number of that vessel are cut or indelibly inscribed on one of the main beams of that vessel.

3. Every licence issued under regulation 1 in respect of any vessel shall—

- (a) contain the name or registered number, the tonnage and dimensions, the name and address of the owner, and the name of the master, of that vessel;

(b) cease to be in force on the thirty-first day of December in the year in which such licence is issued; and

(c) become invalid when a change of the owner or master of that vessel occurs, unless the name of the new owner or the new master is endorsed on such licence by the Collector of the port or place where that vessel is ordinarily stationed or based.

4. Subject to the provisions of regulation 13, no business relating to any vessel of less than 15 tons tonnage or to the cargo of such vessel shall be permitted to be transacted at any custom house, unless the master of such vessel produces a licence which has been issued under regulation 1 in respect of such vessel and which has not ceased to be in force or become invalid under regulation 3.

5 (1) Subject to the provisions of regulation 13, no master of any vessel shall, at any port or place, receive any goods on board that vessel except on a sufferance issued in that behalf by the Collector of that port or place.

(2) No sufferance shall be issued under paragraph (1) to the master of any vessel at any port or place, unless such master delivers to the Collector of that port or place an entry outwards as required by section 58 of the Customs Ordinance.

6. Where a sufferance is issued under regulation 5 to the master of any vessel, he shall record on such sufferance—

- (i) the number and description of all packages received on board that vessel under the authority of such sufferance;
- (ii) the quantities, description, value and the names of the ports or places of delivery, of the goods in each such package; and
- (iii) a specification of—
 - (a) goods produced or manufactured in Ceylon;
 - (b) imported goods on which duty has been paid;
 - (c) dutiable imported goods allowed to be removed under a bond previous to payment of duty; and
 - (d) non-dutiable imported goods.

7. No master of any vessel shall, under the authority of a sufferance issued under regulation 5, receive on board that vessel any dutiable imported goods other than those allowed to be removed under a bond previous to payment of duty, unless satisfactory proof of the payment of duty on such goods is furnished by him to the Collector who issued the sufferance.

8. No certificate of clearance shall be granted to the master of any vessel, unless he produces a surrence issued under regulation 5 in respect of that vessel and containing a record of the particulars required by regulation 6 and signed by him.

9. Subject to the provisions of regulation 13, no master of any vessel shall, at any place where no Customs Officer is stationed, receive any goods on board that vessel or discharge any goods therefrom except—

- (a) under the authority of a coastwise permit issued by the Collector within whose jurisdiction such place is situated; and
- (b) under the supervision of a village headman of such place or any person authorised in writing in that behalf by such Collector, or, if those goods consist of timber or firewood only, under the supervision of a forest officer.

10. Where a coastwise permit is issued under regulation 9 to the master of any vessel, such master shall produce such permit to the person whose supervision of the shipping or landing of goods under the authority of such permit is required by that regulation, and such person shall record on such permit whether the provisions thereof were observed by such master.

11. Where, at any place at which no Customs Officer is stationed, any goods are shipped or landed without the authority of a coastwise permit, such goods may be detained by a village headman of such place, and such detention shall be reported by such headman to the nearest Collector.

12. (1) The details of all stores received on board any vessel shall be entered on the certificate of clearance or coastwise permit issued to the master of that vessel.

(2) No master of any vessel shall, at any port or place, receive as stores on board that vessel any quantity of arrack exceeding—

- (a) two gallons, if the tonnage of that vessel does not exceed 100 tons, or
- (b) the quantity permitted by the Collector of that port or place, if the tonnage of that vessel exceeds 100 tons.

13. The Collector in each province may, at his discretion, exempt from the application of regulations 1, 4, 5, and 9 the master of any vessel plying solely on any lagoon, canal, or river within that province; and where the master of any such vessel is so exempted, the provisions of those regulations shall not apply to him.

14. For the purpose of these regulations, the tonnage of any vessel shall be ascertained in the manner set out in the Schedule hereto.

15. The master of any vessel who commits a breach of any of these regulations shall be liable to a penalty of fifty rupees.

16. In these regulations—

“forest officer” has the same meaning as in the Forest Ordinance; “vessel” means any vessel used for the purpose of conveying goods coastwise, and includes any schooner, boat, or catamaran, which is used for such purpose.

17. The regulations relating to the carrying of goods coastwise and published in *Gazette* No. 7,183 of June 17, 1921, are hereby rescinded.

Schedule

Measure the length of the vessel from the afterpart of stem to the forepart of sternpost at a point level with the upper edge of the upper strake of outside plank; then if the length is 50 feet or under, divide it into four equal parts; or if above 50 feet, into six equal parts; and at each of the divisions take the depth from a line stretched across the upper edge of upper strake or gunwale to the ceiling or bottom plank on top of the frames amidships. Divide each depth into four equal parts, and at each of the three points of division take the horizontal breadth from lining plank on one side to lining plank on the other, also the horizontal breadth at the upper and lower points of the depth; number the upper breadth 1, and so on, down to the lowest breadth, which would be 5, multiply the second and fourth breadth by 4, and the third by 2; add these products together, and to the sum add the first breadth and the fifth; multiply the quantity thus obtained by one-third of the common interval between the breadths, and the product shall be deemed the transverse area.

Having thus ascertained the transverse area at each point of division of the length of the vessel, proceed to ascertain the tonnage in the following manner. Number the areas successively 1, 2, 3, &c., No. 1 being at the extreme limit of the length at the bow and the last number at the extreme limit of the length at the stern, then, whether the length be divided into four or six parts, multiply the second and every even numbered area by 4, and the third and every odd numbered area (except the first and last) by 2; add these products together, and to the sum add the first and last if they yield anything. Multiply the quantity thus obtained by one-third of the common interval between the areas, and the product will be the cubical contents of the internal space under the upper edge of the upper strake or gunwale; divide this product by 100, and the quotient shall be deemed the tonnage of the vessel.

GOVERNMENT NOTIFICATIONS.

HONOURS.

R 45

IT is hereby notified that a despatch has been received from the Secretary of State for the Colonies intimating that HIS MAJESTY THE KING has been pleased to give directions for the appointment of Messrs. Manikku Wadumestri Hendrick de Silva and Namasisvayam Nadarajah to be of His Majesty's Counsel for the Island of Ceylon.

By His Excellency's command,

Governor's Office,
Colombo, January 30, 1942.

E. R. SUDBURY,
Secretary to the Governor.

L. D.—B 276/40

Customs Notification (General) No. 42/3.

THE CUSTOMS ORDINANCE

REGULATIONS made by the Governor by virtue of the powers vested in him by section 101 (1) of the Customs Ordinance (Chapter 185).

By His Excellency's command,

H J HUXHAM,
Financial Secretary.

Colombo, January 29, 1942.

Regulations.

Part I.

1 In the regulations in this part—

“Collector” means the Principal Collector of Customs, the Deputy Collector of Customs, the Landing Surveyor, or an Assistant Collector of Customs, of the port of Colombo;

“harbour” means the water area of the customs premises in Colombo exclusive of the Harbour canal leading to Beira Lake;

“licensee” means a person to whom a licence is issued under regulation 2.

2. (1) No person shall, for the purpose of trade, bring or cause the bringing of any article into the harbour except on a licence issued in that behalf by the Collector.

(2) The issue of any licence under this regulation shall be at the discretion of the Collector.

3. (1) Every person applying for a licence under regulation 2 shall send to the Collector—

- (a) a written application stating the nature of the articles in which that person intends to trade in the harbour, and
- (b) two unmounted copies of a photograph of that person which are about three inches in length and two inches in breadth.

(2) Every person whose application for a licence under regulation 2 is allowed by the Collector shall, before the issue of the licence—

(i) deposit as security with the Collector—

- (a) a sum of two hundred rupees, where the articles which the licensee is authorised to bring into the harbour for the purpose of trade include silk and jewellery, or
- (b) a sum of fifty rupees, where the licensee is not authorised to bring silk and jewellery into the harbour for the purpose of trade, and

(ii) sign a bond, in such form as may be provided by the Collector, declaring the sum so deposited liable to forfeiture at the discretion of the Collector—

- (a) if such person commits a breach of any of the conditions to which the licence is subject, or
- (b) if such person or any of his authorised assistants commits a breach of any rule or regulation made under the Customs Ordinance, or any rule relating to the port of Colombo, and made under the Masters Attendant Ordinance.

4. Every licence issued under regulation 2 shall—

(1) where the licensee is authorised to bring silk and jewellery into the harbour for the purpose of trade, contain a statement of such authorisation;

(2) expire on the thirty-first day of December in the year in which such licence is issued; and

(3) be subject to the following conditions:—

- (i) the licensee shall not, for the purpose of trade, enter the harbour before 6 A.M. or remain therein after 7 P.M. on any day;
- (ii) the licensee shall keep and maintain a day-book in which he shall enter on each day a detailed list of all the articles which he intends to bring or to cause to be brought into the harbour on that day for the purpose of trade;
- (iii) the licensee shall not be engaged in barter in the harbour;
- (iv) the licensee shall not on any day, for the purpose of trade, bring or cause the bringing of any of the following articles into the harbour:—
 - (a) any article which is not specified in the list of articles entered for that day in the licensee's day-book;
 - (b) any synthetic or imitation stone;
 - (c) any culture pearl;
 - (d) any article the export of which from Ceylon is prohibited by any written law;

(v) where by any written law the export of any article from Ceylon is restricted or any export duty is imposed on any article, the licensee shall not, for the purpose of trade, bring or cause the bringing of any such article (other than fresh coconuts) into the harbour, unless he obtains the written permission of the Collector and gives such guarantees as the Collector may require for the payment of all export duties leviable on such article and for the compliance with all legal requirements relating to the export of such article from Ceylon;

(vi) the licensee shall not, for the purpose of trade, bring or cause the bringing of any silk or jewellery into the harbour, unless he is authorised in that behalf by the Collector;

- (vii.) the licensee shall not, for the purpose of trading in the harbour, use or cause the use of any boat other than a bumboat which is licensed for such purpose under the provisions of the Masters Attendant Ordinance;
- (viii.) the licensee shall not on any day bring or cause the bringing of any article into the harbour for the purpose of trade, or bring or cause the bringing of any article ashore from any ship in the harbour, or remove or cause the removal of any article from the customs premises, unless, in the case of trading on board any ship in the harbour, a Charges Officer, or, in any other case, a Preventive Officer—
- examines that article,
 - inspects the licensee's day-book for the purpose of ascertaining whether that article is specified in the list of articles entered for that day in such book, and
 - initials and dates such book and records therein the time of such inspection, and permits that article to be so brought or removed;
- (ix.) the licensee shall not, for the purpose of trade, go or cause any person to go on board any ship in the harbour, unless the licensee is authorised in that behalf by a permit issued by the Collector;
- (x.) the licensee shall not, for the purpose of trading in the harbour, employ there—
- any assistant who is not authorised by a permit issued by the Collector under regulation 6, or
 - more than one assistant, where the licensee does not go on board any ship in the harbour for the purpose of trade, or
 - more than two assistants, where the licensee goes on board any ship in the harbour for the purpose of trade;
- (xi.) the licensee shall have in his possession the licence and the day-book when he is engaged in trade in the harbour, and shall produce the licence and the day-book for inspection whenever demanded by a customs or police officer;
- (xii.) a court of competent jurisdiction may, in addition to any other punishment that such court may impose on the licensee, cancel the licence on a second or subsequent conviction of the licensee by such court for breach—
- of any of the conditions to which the licence is subject, or
 - of any rule or regulation made under the Customs Ordinance, or
 - of any rule relating to the port of Colombo and made under the Masters Attendant Ordinance.
5. Except at the written request of the master, or the accredited agents of the owners of any ship in the harbour, the Collector shall not issue a permit to any licensee authorising him to go, alone or with any of his assistants, on board such ship for the purpose of trade.
6. (1) No person shall act in the harbour as an assistant to any licensee trading therein except on a permit issued in that behalf by the Collector.
- (2) No permit shall be issued to any person under paragraph (1) except—
- on the written application of the licensee who desires to employ that person, and
 - on the production of two unmounted copies of a photograph of that person which are about three inches in length and two inches in breadth.
7. Every permit issued under regulation 6 shall—
- expire on the thirty-first day of December in the year in which such permit is issued, and
 - be subject to the following conditions—
- the holder of the permit shall not, for the purpose of trade, enter the harbour before 6 A.M. or remain therein after 7 P.M. on any day;
 - the holder of the permit shall not trade in the harbour independently of the licensee at whose instance the permit was issued;
 - the holder of the permit shall have the permit in his possession when engaged in trade in the harbour, and shall produce the permit for inspection whenever demanded by a customs or police officer;
 - The Collector may cancel the permit when the holder of the permit commits a breach—
- of any condition to which the permit is subject, or
 - of any rule or regulation made under the Customs Ordinance, or
 - of any rule relating to the port of Colombo and made under the Masters Attendant Ordinance.
8. The regulations relating to licences to trade in the harbour of Colombo and published in *Gazette* No. 7,608 of September 30, 1927, are hereby rescinded.

Part II.

1. In the regulations in this Part—

“Collector” means the Collector of Customs of the port of Galle;
 “harbour” means the water area of the customs premises in Galle;
 “licensee” means a person to whom a licence is issued under regulation 2.

2. (1) No person shall, for the purpose of trade, bring or cause the bringing of any article into the harbour except on a licence issued in that behalf by the Collector.

(2) Every person applying for a licence under this regulation shall send to the Collector—

- a written application stating the nature of the articles in which that person intends to trade in the harbour, and
- two unmounted copies of a photograph of that person which are about three inches in length and two inches in breadth.

(3) The issue of any licence under this regulation shall be at the discretion of the Collector.

3. Every person whose application for a licence under regulation 2 is allowed by the Collector shall, before the issue of the licence—

- deposit a sum of ten rupees as security with the Collector, and
- sign a bond, in such form as may be provided by the Collector, declaring the sum so deposited liable to forfeiture at the discretion of the Collector in the event of a breach by such person—

- of any of the conditions to which the licence is subject, or
- of any rule or regulation made under the Customs Ordinance, or
- of any rule relating to the port of Galle and made under the Masters Attendant Ordinance.

4. Every licence issued under regulation 2 shall—

- expire on the thirty-first day of December in the year in which such licence is issued; and
- be subject to the following conditions—

(i.) the licensee shall not for the purpose of trade—

- enter or leave the harbour otherwise than through Jetty No. 1, or
- enter the harbour before 6 A.M. or remain therein after 7 P.M. on any day;

(ii.) the licensee shall keep and maintain a day-book in which he shall enter on each day a detailed list of all the articles which he intends to bring or to cause to be brought into the harbour on that day for the purpose of trade;

(iii.) the licensee shall not be engaged in barter in the harbour;

(iv.) the licensee shall not on any day, for the purpose of trade, bring or cause the bringing of any of the following articles into the harbour—

- any article which is not specified in the list of articles entered for that day in the licensee's day-book;
- any synthetic or imitation stone;
- any culture pearl;
- any article the export of which from Ceylon is prohibited by any written law;

(v.) where by any written law the export of any article from Ceylon is restricted or any export duty is imposed on any article, the licensee shall not, for the purpose of trade, bring or cause the bringing of any such article (other than fresh coconuts) into the harbour, unless he obtains the written permission of the Collector and gives such guarantees as the Collector may require for the payment of all export duties leviable on such article and for the compliance with all legal requirements relating to the export of such article from Ceylon;

(vi.) the licensee shall not on any day bring or cause the bringing of any article into the harbour for the purpose of trade, or bring or cause the bringing of any article ashore from any ship in the harbour, or remove or cause the removal of any article from the customs premises, unless the customs officer on duty at the shore end of the Jetty No 1—

- examines that article,
- inspects the licensee's day-book for the purpose of ascertaining whether that article is specified in the list of articles entered for that day in such book; and
- initials and dates such book and records therein the time of such inspection, and permits that article to be so brought or removed;

(vii.) the licensee shall have in his possession the licence and the day-book when he is engaged in trade in the harbour, and shall produce the licence and the day-book for inspection whenever demanded by a customs or police officer,

(viii.) a court of competent jurisdiction may, in addition to any other punishment that such court may impose on the licensee, cancel the licence on a second or subsequent conviction of the licensee by such court for breach—

- of any of the conditions to which the licence is subject, or
- of any rule or regulation made under the Customs Ordinance, or
- of any rule relating to the port of Galle and made under the Masters Attendant Ordinance.

5. The regulations relating to licences to trade in the harbour of Galle and published in *Gazette* No. 8,083 of October 12, 1934, are hereby rescinded.

L. D.—CF 42/41

THE EMERGENCY POWERS (DEFENCE) ACTS, 1939 AND 1940.

DEFENCE regulation made by the Governor by virtue of the powers vested in him by the Emergency Powers (Defence) Acts, 1939 and 1940, of the Imperial Parliament, as adapted, modified and extended to Ceylon by the Emergency Powers (Colonial Defence) Order in Council, 1939, and the Emergency Powers (Colonial Defence) (Amendment) Order in Council, 1940.

By His Excellency's command,

E. R. SUDBURY,

Colombo, January 30, 1942.

Secretary to the Governor.

Regulation.

The Defence (Miscellaneous) Regulations published in the *Supplement to Gazette* No. 8,533 of October 20, 1939, as amended by any subsequent defence regulation, are hereby further amended by the insertion, immediately after regulation 40 of those Regulations, of the following new regulations:—

Control of cultivation, with respect to the cultivation, management or use of agricultural land as he thinks necessary or expedient for the purpose of increasing or maintaining the production in Ceylon of articles essential to the life of the community, and such directions may be given either—

41. (1) The Governor may give such directions with respect to the cultivation, management or use of agricultural land as he thinks necessary or expedient for the purpose of increasing or maintaining the production in Ceylon of articles essential to the life of the community, and such directions may be given either—
- by Order relating to all agricultural land in Ceylon, or to all agricultural land of any class or description specified in the Order, or to agricultural land situated in an area defined in the Order, or to agricultural land of any class or description specified in the Order and situated in any area defined therein; or
 - by notice relating to the agricultural land specified therein served upon the person by whom the directions are to be complied with.

This paragraph shall apply in relation to any agricultural land notwithstanding that such land—

- is occupied together with a house; or
- is kept or preserved mainly or exclusively for the purpose of sport or recreation.

(2) The Governor may, by Order, provide for delegating, to such extent and subject to such restrictions as may be specified in the Order, to the Minister for Agriculture and Lands, the power to issue directions under paragraph (1) in the manner specified in sub-paragraph (b) of that paragraph.

(3) If the Minister for Agriculture and Lands is satisfied that any directions given under the preceding provisions of this regulation have been contravened or not complied with by a tenant of any agricultural land then (without prejudice to any proceedings in respect of the contravention or failure) the Minister may, by notice served on the tenant and on the landlord, terminate the tenancy on such date as may be specified in the notice.

(4) In this regulation, "agricultural land" means any land used or capable of being used for the production, by cultivation or otherwise, of any article of food, or of any material, substance or thing necessary for the manufacture, preparation or supply of any article essential to the life of the community.

Felling and sale of trees.

41A. (1) Without prejudice to his powers under any other of these regulations, the Governor may, by Order, provide for the prohibition, regulation or control of the felling of trees, and of the sale of growing trees for felling, and in particular for controlling the prices at which growing trees may be sold.

(2) Any such Order may be made so as to apply either to trees generally or to any specified description of trees, and so as to have effect either throughout Ceylon or in any particular area therein, may make different provision in relation to different descriptions of trees, and may prohibit the doing of anything regulated by the Order except under the authority of a licence granted by such authority or person as may be specified in the Order.

(3) Any person authorised by the Minister for Agriculture and Lands may—

- take such steps, whether by marking or otherwise, as the Minister considers necessary for identifying any trees to which such an Order as aforesaid or any licence thereunder relates; and
- if it appears to the Minister to be necessary so to do for maintaining supplies essential to the life of the community, cause any growing trees to be felled.

(4) The Minister for Agriculture and Lands may, to such extent and subject to such restrictions as he thinks proper, delegate all or any of his functions under sub-paragraphs (a) and (b) of paragraph (3) of this regulation to any officer of the Forest Department or to any other officer of Government.

L. D.—CF 42/41

THE DEFENCE (MISCELLANEOUS) REGULATIONS.

ORDER made by the Governor under Regulation 41 of the Defence (Miscellaneous) Regulations.

By His Excellency's command,

E. R. SUDBURY,

Colombo, January 30, 1942.

Secretary to the Governor.

The Food Production (Estates) Order, 1942.

1. This Order may be cited as the Food Production (Estates) Order, 1942.

2. (1) In this Order, unless the context otherwise requires—

"cultivated area", when used with reference to an estate, means the area which is actually cultivated;

"estate to which this Order applies" means any land of which not less than thirty-five acres are actually cultivated;

"foodstuffs" means paddy, kurakkan, thana, maize, amu, meneri, kambu, adlay, elvi, beans, cowpeas, green gram, soya beans, velvet beans, sword beans, dhall, avarai, yams of any description, cassava, manioc, sweet potato, arrowroot, tomatoes, melon, pineapple, papaw, plantain or sugar cane, and includes any other article of food which is declared by the Minister by notification published in the *Gazette*, to be foodstuffs for the purposes of this Order;

"Minister" means the Minister for Agriculture and Lands;

"proprietor" means the owner, lessee, usufructuary mortgagee, or other person lawfully in possession of and taking the produce of, an estate, and includes—

- where such proprietor is a company, the manager or superintendent of the estate;
- where such proprietor is absent from Ceylon, the duly accredited agent of such proprietor.

(2) For the purposes of this Order an estate or an area of land shall be deemed to be under permanent cultivation if such estate or area, as the case may be, is planted mainly with tea, rubber, coconut or cacao, or with any such other plant as may be specified in that behalf by the Minister by notification published in the *Gazette*.

3. (1) Subject to any exemption which may be granted under paragraph 4 or paragraph 5 of this Order, it shall be the duty of the proprietor of every estate to which this Order applies regularly to cultivate foodstuffs in accordance with the succeeding provisions of this paragraph.

(2) In the case of any estate under permanent cultivation, the proprietor shall, for the purpose of complying with the provisions of sub-paragraph (1), either—

- cultivate foodstuffs on that estate or on any other land, in an area not under permanent cultivation the extent of which must, if the estate is cultivated mainly with tea, not be less than 12 per centum of the total extent of the cultivated area of the estate, or, in any other case, not be less than 6 per centum of such total extent; or
- cultivate foodstuffs on that estate, in an area under permanent cultivation the extent of which must, where the estate is cultivated mainly with tea, not be less than 24 per centum of the total extent of the cultivated area of the estate, or, in any other case, not be less than 12 per centum of such total extent.

(3) In the case of any estate which is not under permanent cultivation, the proprietor shall, for the purpose of complying with the provisions of sub-paragraph (1), cultivate foodstuffs on that estate in an area the extent of which shall not be less than 6 per centum of the total extent of the cultivated area of that estate.

(4) The Minister, or any other officer acting under the authority of the Minister, may, by notice served on the proprietor of any estate to which this Order applies, specify the description of foodstuffs which must be cultivated by that proprietor and the period or periods during which such foodstuffs must be cultivated; and where any such notice is served on the proprietor of any such estate—

- the foodstuffs which must be cultivated by that proprietor for the purpose of complying with the provisions of sub-paragraph (1) shall be of the description specified in the notice;
- such foodstuffs must, for the purposes of such compliance, be cultivated during such period, if any, as may be specified in that behalf in the notice.

4. (1) The Minister, or any officer acting under the authority of the Minister, may, in his discretion, exempt any estate which is under permanent cultivation from the application of the provisions of paragraph 3 of this Order, if the Minister or such officer is satisfied that the proprietor of that estate has, whether before or after the date of the publication of this Order in the *Gazette*—

- invested in an approved company, or in two or more approved companies, a sum of money which must not be less than an amount (hereinafter referred to as "the minimum amount") calculated at the rate of ten rupees per acre of the total extent of the cultivated area of the estate; or
- contributed an amount, which must not be less than the minimum amount, towards the capital of any approved undertaking.

The Minister may at any time, by Order, revoke any exemption granted as hereinbefore provided, in respect of any estate, if he is satisfied that the amount for the time being invested in an approved company or in approved companies, by the proprietor of that estate, is less than the minimum amount, or, as the case may be, that the value of the share which that proprietor for the time being holds in the capital of an approved undertaking is less than the minimum amount.

(2) Any exemption granted under sub-paragraph (1) in relation to any estate shall be deemed to be revoked if the proprietor thereof sells or transfers the estate to any other person.

(3) In this paragraph—

"approved company" means any company which carries on, in Ceylon any undertaking for the purposes of food production and which is declared by the Minister, by notification published in the *Gazette*, to be an approved company for the purposes of this paragraph;

“approved undertaking” means any undertaking for the purposes of food production which—

- (a) is carried on in Ceylon by any partnership or other unincorporate body of persons, and
- (b) is approved by writing under the hand of the Minister for the purposes of this paragraph

5 The Minister, or any officer acting under the authority of the Minister, may, in his discretion, by writing under his hand exempt any estate wholly or to such extent and during such period as may be specified in such writing, from the application of the provisions of paragraph 3 of this Order, if the Minister or such officer is satisfied that the proprietor of that estate—

- (a) is engaged in the raising and breeding of live-stock, in poultry farming, in the cultivation of fruit trees or in any other agricultural undertaking for the production of foodstuffs; and
- (b) has expended, or is expending, in connexion with any of the purposes mentioned in sub-paragraph (a) such sums of money as may be deemed by the Minister or such officer to be a sufficient discharge of all or any of the obligations which would, but for such exemption, be imposed on that proprietor in relation to that estate by paragraph 3 of this Order.

6. (1) The proprietor of every estate to which this Order applies shall, before the expiry of a period of one month from the date of the publication of this Order in the *Gazette*, furnish to the Minister or to such officer as may be specified by the Minister by notification published in the *Gazette*, a return in respect of that estate containing such particulars as the Minister or such other officer may require for the purposes of this Order.

(2) Every person who, on any date subsequent to the publication of this Order in the *Gazette*, becomes the proprietor of an estate to which this Order applies shall, before the expiry of a period of one month from that date, furnish to the Minister or to such officer as may have been specified by notification under sub-paragraph (1), a return in respect of that estate containing such particulars as the Minister or such officer may require for the purposes of this Order.

(3) The proprietor of every estate to which this Order applies shall, in addition to the return required to be furnished by him under the preceding provisions of this paragraph, furnish to the Minister or to such officer as may have been specified by the Minister by notification under sub-paragraph (1) such returns and other information as the Minister or such officer may from time to time require for the purposes of this Order.

(4) Every return under this paragraph shall be made on such form as may be provided by the Minister for the purpose, and shall contain a declaration signed by the person making the return to the effect that the particulars contained therein are true and accurate; every such declaration shall be free of stamp duty.

7. Every application for exemption from the provisions of paragraph 3 of this Order shall be made to the Minister on such form as may be provided by the Minister for the purpose, and shall contain all such particulars as may be required to be set out on such form.

Every such application shall contain a declaration signed by the person making the application to the effect that the particulars contained therein are true and accurate; every such declaration shall be free of stamp duty.

THE DEFENCE (MISCELLANEOUS) REGULATIONS.

Order under Regulation 41A.

BY virtue of the powers vested in me by Regulation 41A of the Defence (Miscellaneous) Regulations, I, Andrew Caldecott, Governor of Ceylon, do by this order prohibit the felling, on any land in Ceylon, other than Crown land, of any tree of any description mentioned in the Schedule hereto.

A. CALDECOTT,
Governor.

January 30, 1942.

Schedule

- Jak tree (*Kos*)
- Breadfruit tree (*Gam-del* or *Rata-del*).

RICE.

THE CONTROL OF PRICES ORDINANCE, NO 39 OF 1939.

Order.

BY virtue of the powers vested in the Controller of Prices by section 3 of the Control of Prices Ordinance, No. 39 of 1939, I, Reginald Sydney Vernon Poulter, Controller of Prices, do by this Order—

- (i) rescind with effect from this date my Orders dated January 24, 1942, January 25, 1942, and January 29, 1942, and published in the *Ceylon Government Gazette* Nos. 8,852, 8,853 and 8,855 of January 24, 1942, January 26, 1942, and January 30, 1942, respectively, in so far as they relate to the maximum prices fixed in respect of rice of the description named and specified in column 1 of the First Schedule hereto;
- (ii) fix the prices specified in column 2 of the First Schedule hereto to be the maximum c.i.f. price per bag above which rice of the description and grade specified in column 1 of the First Schedule hereto shall not be sold;
- (iii) fix the prices specified in columns 3 and 4 of the First Schedule hereto to be, respectively, the importer's maximum wholesale price per bag and the maximum retail price per measure above which rice of the description and grade specified in the corresponding entry of column 1 of the First Schedule hereto shall not be sold within the Municipal Limits of Colombo;
- (iv) fix the prices specified in column 3 of the First Schedule hereto, increased by the amounts specified in column 2 of the Second Schedule hereto, to be the importer's maximum wholesale price per bag above which rice of the description and grade specified in the corresponding entry in column 1 of the First Schedule hereto shall not be sold within the areas specified in the corresponding entry in column 1 in the Second Schedule hereto;
- (v) direct that when rice of any description and grade specified in column 1 of the First Schedule hereto is sold by the bag the maximum price fixed by this Order shall include the price of the container in which such rice is sold;
- (vi) direct that no trader shall sell any rice of any description and grade mentioned in column 1 of the First Schedule hereto which is adulterated with any article or with rice of an inferior description or grade or quality, and
- (vii) direct that for the purposes of this Order—
 - (a) the maximum c.i.f. price shall apply to the sale of any rice lying in the Customs premises or in the Colombo Harbour (of the description and grade specified in column 1 of the First Schedule hereto) before such rice is cleared through the Customs and delivery thereof granted by the Collector of Customs or person authorised by him;
 - (b) the importer's maximum wholesale price shall apply to the sale by an importer of any rice of the description and grade specified in column 1 of the First Schedule hereto to the Food Controller, any Deputy Food Controller or any Assistant Food Controller;
 - (c) an “Importer” shall mean any person who at any time after the 31st day of July, 1941, has cleared any rice through the Customs in his name;
 - (d) a bag of rice other than Raw Rice shall contain not less than 80 measures;
 - (e) a bag of Raw Rice shall contain not less than 112 measures; and
 - (f) “measure” shall be deemed to be the standard quart dry measure, equivalent to one thirty-second part of a bushel.

Signed at Colombo, at 7 A.M., February 2, 1942.

R. S. V. POULTER,
Controller of Prices.

Column 1. Description and Grade.	First Schedule.		Column 3 Importer's Maximum Wholesale Price Per Bag within the Municipal Limits of Colombo. Rs. c.	Column 4. Maximum Retail Price Per Measure within the Municipal Limits of Colombo. Rs. c.
	Column 2. Maximum c.i.f. Price Per Bag Rs. c.	Column 3 Per Bag		
1. Rangoon Raw Extra	17 79	20 79	0 23	
2. Rangoon Raw No. 1	17 19	20 19	0 23	
3. Rangoon Raw No. 2	16 91	19 91	0 23	
4. Karachchi Raw No. 1	16 63	19 63	0 23	
5. Karachchi Raw No. 2	14 18	17 18	0 23	
6. Milchard, White No. 1	11 72	13 72	0 20	
7. Milchard, White No. 2	11 32	13 32	0 20	
8. Milchard, Red No. 1	11 7	13 7	0 20	
9. Milchard, Red No. 2	10 55	12 55	0 20	
10. Milchard, Red No. 3	10 35	12 35	0 20	
11. Milchard, Full Boiled	10 15	12 15	0 20	
12. Bassen	10 35	12 35	0 20	
13. Muttu Samba No. 1	—	16 75	0 24	
14. Muttu Samba No. 2	—	15 95	0 24	
15. Rangoon Samba	13 75	15 75	0 24	
16. Kaivarai Samba	—	14 65	0 20	

Column 1. Area. (Municipal limits, Urban Council limits or Sanitary Board limits, as the case may be).	Second Schedule.		
	Increase over the Importer's Maximum Wholesale Price per Bag within the Municipal limits of Colombo.		
	Column 2 For items 1, 2, 3, 4, and 5 of Column 1 of the First Schedule.	Column 2 For items 6, 7, 8, 9, 10, 11, 12, and 15 of Column 1 of the First Schedule.	Column 2 For items 13, 14, and 16 of Column 1 of the First Schedule.
	Rs. c.	Rs. c.	Rs. c.
1. Anuradhapura	1 40	1 0	1 0
2. Boruwala	0 63	0 45	0 45
3. Galle	—	—	0 80
4. Matara	0 77	0 55	1 35
5. Kegalla	1 0	0 70	0 70
6. Kurunegala	1 0	0 70	0 70
7. Rakwana	1 75	1 25	1 25
8. Kandy	1 12	0 80	0 80
9. Gampola	1 26	0 90	0 90
10. Ulapane	1 40	1 0	1 0
11. Hatton	1 82	1 30	1 30
12. Dikoya	1 82	1 30	1 30
13. Norwood	2 24	1 60	1 60
14. Maskeliya	2 66	1 90	1 90

PADDY (CEYLON GROWN)

THE CONTROL OF PRICES ORDINANCE, NO. 39 OF 1939.

Order.

BY virtue of the powers vested in the Controller of Prices by section 3 of the Control Prices Ordinance, No. 39 of 1939, I, Reginald Sydney Vernon Poulter, Controller of Prices, do by this Order rescind with effect from this date my Order dated January 14, 1942, published in the *Ceylon Government Gazette* No. 8,847 of January 15, 1942, fixing the price above which paddy (Ceylon grown) should not be sold by retail in any part of Ceylon.

R. S. V. POULTER,
Controller of Prices.

Signed at Colombo, at 6 P.M., January 30, 1942.

THE CONTROL OF PRICES ORDINANCE, NO. 39 OF 1939.

RICE.

Order.

BY virtue of the powers vested in the Deputy Controller of Prices by section 3, read with section 2 (3), of the Control of Prices Ordinance, I, Richard Montagu Gybbon-Monypenny, Deputy Controller of Prices, Puttalam-Chilaw Districts, do by this Order:—

- (i.) rescind with effect from this date my Order dated December 23, 1941, published in the *Ceylon Government Gazette Extraordinary* No. 8,839 of December 31, 1941, in so far as it relates to the maximum prices fixed in respect of rice of the description named and specified in column 1 of the Schedule hereto;
- (ii.) fix the prices specified in columns 2, 3, and 4 of the Second Schedule hereto to be the maximum wholesale or retail price per bag and per measure above which rice of the description and grade specified in the corresponding entry in column 1 of the Second Schedule hereto shall not be sold by retail, in respectively, the three areas specified in the First Schedule hereto;
- (iii.) direct that every trader who exposes for sale rice of any description and grade mentioned in column 1 of the Second Schedule hereto at any premises within the limits of any area mentioned in the First Schedule shall exhibit in a conspicuous position at those premises (1) a notice in which there shall be set out the maximum price fixed by this Order for rice of that description and grade, and (2) samples of rice of that description and grade in white transparent phials bearing labels in which there shall be set out the description and grade of the rice obtained therein;
- (iv.) direct that no trader shall sell rice of any description and grade mentioned in column 1 of the Second Schedule hereto which is adulterated with any article or with rice of an inferior description and grade or quality;
- (v.) prescribe that every trader who sells rice of any description and grade mentioned in column 1 of the Second Schedule hereto shall give to the purchaser of that rice a receipt in which there shall be set out—
 - (a) the description and grade of the rice;
 - (b) the quantity of rice sold;
 - (c) the price paid for the quantity of rice sold;
 - (d) the date of sale;
- (vi.) direct that every trader who has no stock of rice of any description and grade mentioned in column 1 of the Second Schedule hereto available for sale shall exhibit in a conspicuous position at his premises a notice to the effect that stocks of rice of such description and grade are not available for sale for the time being;
- (vii.) direct that for the purpose of this Order—
 - (a) a bag of any rice other than broken raw rice shall contain not less than 77 measures and 154 pounds;
 - (b) a bag of broken raw rice shall contain not less than 115 measures and 239 pounds;
 - (c) "measure" shall be deemed to be the standard quart dry measure, equivalent to one-thirty-second part of a bushel;
 - (d) "bushel" shall be deemed to be the equivalent of thirty-two measures;
 - (e) the maximum price which may be demanded within any area mentioned in the First Schedule hereto for a quantity of rice which is less than a bag but not less than one bushel shall be determined by reference to the maximum price per bag prescribed by this Order, in respect of that area, for rice of that description and grade;
 - (f) the maximum prices fixed by this Order for rice of any description and grade which is sold in a quantity of one bushel or more shall include the container in which such rice is sold.

R. MONYPENNY,

Deputy Controller of Prices, Puttalam-Chilaw Districts.

Signed at Puttalam, at 10 P.M., January 28, 1942.

First Schedule.

1. Chilaw District.
2. Puttalam Urban Council area and Puttalam pattu north and south within Puttalam pattu and Gravets Division;
3. Divisional Revenue Officers' Divisions of Kalpitiya and Demala hatpattu and Akkarai pattu and Rajakumarawanni pattu within Puttalam pattu division.

Column 1. Description and Grade of Rice.	Column 2. Maximum Price for Area No. 1.		Column 3. Maximum Price for Area No. 2.		Column 4. Maximum Price for Area No. 3.	
	Per Bag.	Per Measure.	Per Bag.	Per Measure.	Per Bag.	Per Measure.
	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.	Rs. c.
1. Rangoon Raw Extra	22 26	0 19½	22 45	0 20	22 62	0 20
2. Rangoon Raw No. 1	21 66	0 19	21 85	0 19½	22 2	0 19½
3. Rangoon Raw No. 2	21 26	0 18½	21 45	0 19	21 62	0 19
4. Karachchi Raw No. 1	21 6	0 19	21 25	0 19	21 42	0 19
5. Karachchi Raw No. 2	18 56	0 16½	18 75	0 16½	18 92	0 17
6. Milchard, White No. 1	13 59	0 18	13 72	0 18	13 84	0 18½
7. Milchard, White No. 2	13 22	0 17½	13 35	0 18	13 47	0 18
8. Milchard, Red No. 1	12 97	0 17	13 10	0 17	13 22	0 17½
9. Milchard, Red No. 2	12 47	0 16½	12 60	0 17	12 72	0 17
10. Milchard, Red No. 3	12 27	0 16	12 40	0 16½	12 52	0 17
11. Milchard, Full Boiled	12 9	0 16	12 22	0 16	12 34	0 16½
12. Bassein	12 27	0 16	12 40	0 16½	12 52	0 17
13. Muttusamba No. 1	16 12	0 21	16 25	0 21½	16 37	0 22
14. Muttusamba No. 2	15 37	0 20	15 50	0 20½	15 62	0 21
15. Kaivarai Samba	14 12	0 20	14 25	0 20	14 37	0 20½

Note.—These prices do not constitute fixed prices at which the above must be sold; but they are the MAXIMUM prices above which sale cannot take place.