

*Enforced*

## ORDINANCE No. XX of 1949

(Published in the Gazette of India Extraordinary, dated the 23rd August, 1949.)

### An Ordinance to amend the Administration of Evacuee Property (Chief Commissioners' Provinces) Ordinance, 1949

**W**HEREAS in pursuance of section 103 of the Government of India Act, 1935 (26 Geo. 5, c. 2), resolutions have been passed by all the Chambers of the Provincial Legislatures of Madras and the United Provinces to the effect that certain matters relating to the administration of evacuee property in the said Provinces, in so far as they are covered by any of the matters enumerated in the Provincial Legislative List, should be regulated by Act of the Dominion Legislature;

**AND WHEREAS** an emergency has arisen which makes it necessary to amend the Administration of Evacuee Property (Chief Commissioners' Provinces) Ordinance, 1949 (XII of 1949), for the purpose of making its provisions applicable to the said Provinces;

Now, **THEREFORE**, in exercise of the powers conferred by section 42 of the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance:—

**1. Short title and commencement.**—(1) This Ordinance may be called the Administration of Evacuee Property (Chief Commissioners' Provinces) Amendment Ordinance, 1949.

(2) It shall come into force at once.

**2. Amendment of long title and preamble, Ordinance XII of 1949.**—In the long title of, and preamble to, the Administration of Evacuee Property (Chief Commissioners' Provinces) Ordinance, 1949 (hereinafter referred to as the said Ordinance), the words "in the Chief Commissioners' Provinces" shall be omitted.

**3. Substitution of "appropriate Government" for "Central Government" in Ordinance XII of 1949.**—In the said Ordinance, for the words "Central Government", wherever they occur, the words "appropriate Government" shall be substituted.

**4. Amendment of section 1, Ordinance XII of 1949.**—In section 1 of the said Ordinance,—

(a) in sub-section (1), the brackets and words "(Chief Commissioners' Provinces)" shall be omitted;

(b) in sub-section (2), after the word "Provinces" the words "the Province of Madras and the United Provinces" shall be inserted; and

(c) in sub-section (3), after the word "Delhi" the words and figures "in the Province of Madras and the United Provinces on the 23rd day of August, 1949," shall be inserted.

**5. Amendment of section 2, Ordinance XII of 1949.**—In section 2 of the said Ordinance, after clause (a), the following clause shall be inserted, namely:—

(aa) "appropriate Government" means, in relation to a Chief Commissioner's Province, the Central Government and, in relation to a Governor's Province, the Provincial Government;

**6. Amendment of section 6, Ordinance XII of 1949.**—In sub-section (1) of section 6 of the said Ordinance, for the words "Gazette of India" the words "official Gazette" shall be substituted.

7. Amendment of section 14, Ordinance XII of 1949.—In sub-section (1) of section 14 of the said Ordinance, for the words "such evacuee" the words "evacuee" shall be substituted.

8. Addition of new section 41 in Ordinance XII of 1949.—After section 40 of the said Ordinance, the following section shall be added, namely:—

"41. *Provision relating to expiry of U.P. Ordinance I of 1949.* Notwithstanding the expiry of the United Provinces Administration of Evacuee Property Ordinance, 1949 (U.P. Ordinance I of 1949) immediately before the commencement of the Evacuee Property (Chief Commissioners' Provinces) Amendment Ordinance, 1949, anything done or action taken in the exercise of any power conferred by the first-named Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by this Ordinance as amended by the second-named Ordinance, and any penalty incurred or proceeding commenced under the first-named Ordinance shall be deemed to be a penalty incurred or proceeding commenced under this Ordinance, as if this Ordinance as so amended were in force on the day on which such thing was done, action taken, penalty incurred or proceeding commenced."

C. RAJAGOPALACHARI  
*Governor-General*