

ACT No. XIII OF 1933.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the
16th April, 1933.)

An Act to provide for the imposition of additional duties of customs on imported goods for the purpose of safeguarding industries in British India.

WHEREAS it is expedient to provide for the imposition of additional duties of customs on imported goods for the purpose of safeguarding industries in British India; It is hereby enacted as follows:—

1. (1) This Act may be called the Safeguarding of Industries Act, 1933. Short title, extent and duration.

(2) It extends to the whole of British India except Aden and Perim.

(3) It shall remain in force until the 31st day of March, 1935.

2. (1) If the Governor General in Council is satisfied, after such inquiry as he thinks necessary, that goods, the produce or manufacture of any country outside India, are being sold in or imported into British India, at such abnormally low prices that the existence of an industry established in British India is thereby endangered, he may, by notification in the Gazette of India, impose on any such goods a duty of customs of such amount as he considers necessary to safeguard the interests of the industry affected. Power of Governor General in Council to impose duties of customs.

(2) The duties imposed under sub-section (1) shall be deemed to be duties leviable under the Indian Tariff Act, 1894, and shall be in addition to any duties imposed under that Act or any other law for the time being in force, but shall not be included in the total duty upon which any additional duty imposed by section 4 of the Indian Finance Act, 1931, or section 4 of the Indian Finance (Supplementary and Extending)

VIII of 1894;

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Price 1 anna or 1½d.]

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Extending) Act, 1931, is calculated, or operate so as in any way to affect the amount of any additional duty so imposed.

Notification imposing duty of customs to be approved by Indian Legislature.

3. (1) Every notification issued under sub-section (1) of section 2 shall be laid before both Chambers of the Indian Legislature as soon as may be after it is made, and shall cease to have effect on the expiry of two months from the last date on which it has been so laid before either Chamber unless in the meantime it has been approved by a resolution of each Chamber.

(2) Notwithstanding anything contained in section 21 of the General Clauses Act, 1897, the provisions of sub-section (1) shall not apply to the exercise by the Governor General in Council of his powers under the said section of the said Act to add to, amend, vary or rescind any notification issued under sub-section (1) of section 2 of this Act unless such exercise has the effect of imposing a duty of customs not already imposed or of increasing a duty of customs already imposed by the original notification.

Power of Governor General in Council to make rules.

4. (1) The Governor General in Council may, by notification in the Gazette of India, make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may prescribe the conditions subject to which any goods shall be deemed to be the produce of manufacture of a particular country for the purposes of this Act.