

Repealed by Act 48 of 1952

Act No. XXVI of 1949

[PASSED BY THE DOMINION LEGISLATURE]

(Received the assent of the Governor-General on the 22nd April, 1949.)

An Act further to amend the Indian Tea Control Act, 1938

WHEREAS it is expedient further to amend the Indian Tea Control Act, 1938 (VIII of 1938), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title.**—This Act may be called the Indian Tea Control (Amendment) Act, 1949.

2. **Amendment of section 2, Act VIII of 1938.**—For clause (e) of section 2 of the Indian Tea Control Act, 1938 (hereinafter referred to as the said Act), the following clause shall be substituted, namely:—

“(e) ‘owner’—

(i) with reference to a tea estate or garden, or a sub-division thereof, the possession of which has been transferred by lease, mortgage or otherwise, means the transferee so long as his right to possession subsists, and

(ii) with reference to a tea estate or garden, or a sub-division thereof, for which an agent is employed, means the agent if, and in so far as, he has been duly authorized by the owner in that behalf.”

3. **Amendment of section 26, Act VIII of 1938.**—In section 26 of the said Act,—

(i) in the first paragraph, for the words “save in pursuance of a written permission granted by or on behalf of the Committee”, the words “unless permission has been granted in writing by or on behalf of the Committee and such permission was in force on the date aforesaid or was granted after that date” shall be substituted;

(ii) in clause (a) of the proviso, for the words and figures “on or before the 31st day of March” in the three places where they occur, the words “on the 31st day of March” shall be substituted;

(iii) in clause (b) of the proviso, the words “which are worn out on or before the 31st day of March 1948” shall be omitted, and for the words “on or before the 31st day of March” occurring later, the words “on the 31st day of March” shall be substituted.

4. **Amendment of section 29, Act VIII of 1938.**—In section 29 of the said Act,—

(i) in sub-section (1), clause (c) shall be relettered as clause (d), and the following shall be inserted as clause (c), namely:—

“(c) has since been transferred to the Central or a Provincial Government or to a local authority and no longer carries tea, or”

(ii) in the proviso to sub-section (2), for the words “or compulsorily acquired” the words “compulsorily acquired, transferred, or resumed” shall be substituted.

Price anna 1 or 1½d.