

18. The following Clauses shall be substituted for Clauses 46, 47, 48 and 49 of the Scheme, that is to say:—

“46.—(i) The Board shall from time to time determine the proportions (hereafter in the Scheme referred to as ‘the quotas’) of the standard tonnages of each coal mine which may be produced therefrom or which may be supplied by the owner thereof for export supply and inland supply respectively as the case may be.

(ii) If standard tonnages have been determined in respect of any class of coal the Board may, if they think fit, determine separate quotas for such class.

(iii) All quotas shall be so calculated that during no period in respect of which allocations have been fixed by the Central Council shall any of such allocations be exceeded.

(iv) Quotas shall be determined for such period as the Board may decide not exceeding the period of the allocation to which such quotas relate, and shall be notified by the Board to all the owners not later than seven days before the commencement of the period to which they relate.

(v) The quotas and the periods for which they are fixed shall be determined by the Board having regard, among other matters, to the prospective demand for the coal to which those quotas relate.

(vi) Any quota determined shall be the same proportion of the relevant standard tonnage for all coal mines.

(vii) The Board may at any time after the determination of quotas increase any quota, so, however, that the tonnage of coal permitted to be raised or supplied, as the case may be, under any allocation made to the District shall not be exceeded. Any such increase shall be notified to all the owners affected thereby in such manner as the Board may think suitable for informing them thereof without delay, and shall come into operation forthwith or at such time as may be specified in the notice.

47. Every owner shall forward to the Board within seven days after the end of each period for which quotas are determined a statement in writing in such form as the Board may prescribe, giving in respect of such period full particulars of the output of his coal mine, the tonnage of coal supplied for export supply and for inland supply, respectively, and the output or supply, as the case may be, of any class of coal for which a separate quota has been determined. The Board may require such other particulars as, in their opinion, may be necessary for ascertaining whether any quota for the coal mine has been exceeded.

48. No owner shall be entitled in the event of the output of or the supply of coal or any class of coal from his coal mine falling short of the tonnage permitted under the relevant quota in the period for which such quota has been determined, to carry forward the amount of such shortage or any portion thereof as any addition to the tonnage permitted under any quota during any succeeding period.

49.—(i) Arrangements may be made by any two owners whereby the output or export supply or inland supply of coal or any class

of coal from the coal mine of one owner may exceed the quota in respect thereof in any period where the other owner has agreed, whether for valuable consideration or not, to limit the corresponding output of or supply from his coal mine to a tonnage which is less than the quota in respect thereof by a tonnage not less than the tonnage by which such first-mentioned quota is exceeded. If the output of or supply from any coal mine exceeds any limit so agreed, for the purposes of Clauses 75, 75A and 76 of the Scheme the corresponding quota shall be deemed to be exceeded by the amount of the excess over such limit.

(ii) Notice in writing of any arrangement made under this Clause must be given to the Secretary by the parties concerned within two days of the making of such arrangement.”

19. Clause 55 of the Scheme shall have effect as if the words “or undertaking” in paragraph (2) thereof were deleted.

20. Clause 55A of the Scheme shall have effect as if the words “and the rate of remuneration of such Agent or Subsidiary Company” were added at the end of paragraph (a) thereof.

21. Clause 65 of the Scheme shall have effect as if the words “or undertaking” were deleted wherever those words occur.

22. Clause 71 of the Scheme shall have effect as if the words “or undertaking” were deleted wherever those words appear in paragraph (a) thereof.

23. The following Clauses shall be substituted for Clause 75 of the Scheme, that is to say:—

“75.—(1) Any owner who, during any period for which a quota is determined, raises or allows to be raised an output of coal or any class of coal or supplies or allows to be supplied a tonnage of coal or any class of coal for export supply or for inland supply in excess of the corresponding quota (after allowing for any arrangement under Clause 49 of the Scheme whereby a quota may be exceeded) shall pay to the Board on demand a penalty in respect of each ton or part of a ton of such excess of the same amount per ton as is prescribed for the time being under rules made under Clause XI of the Central Scheme for exceeding the corresponding allocation:

Provided that until the coming into force of such rules the penalty shall be 2s. 6d. per ton;

(2) The Board shall before the coming into force of any rules made under Clause XI of the Central Scheme notify each owner of the amount per ton which will be payable in consequence thereof for exceeding any quota.

75A. Where in any period the output of coal or any class of coal or the quantity of coal or any class of coal supplied for inland supply or export supply from any coal mine is in excess of the relevant quota in force during such period, the relevant quota applicable during such succeeding period as the Board may determine may be reduced by the amount of such excess, but without prejudice to any penalty that may be incurred by reason of such excess. In calculating such excess effect shall be given to any relevant adjustments under Clause 49.”