

the quota and to the output permissible under the District Allocation.

(2) If separate standard tonnages have been determined by the Board for any class or classes of coal, the Board may, if they think fit, determine a separate quota for any or all of such classes of coal.

(3) Any quota so determined shall cover a period not exceeding the period of allocation determined by the Central Council from time to time and shall be notified by the Board to all Owners not less than fourteen days before the commencement of the period to which such quota relates:

Provided always that with a view to facilitating the making of contracts for the sale of coal, the Board shall, whenever the period of allocation is less than twelve months, fix on the basis of any provisional District Allocation made by the Central Council and intimate to each Owner, a figure of output below which his quota will not be reduced.

(4) Any quota so determined shall be the same proportion of the standard tonnage of coal or class of coal, for all coal mines or undertakings.

(5) All quotas shall be so calculated that during any period for which the District Allocation has been fixed that Allocation shall not be exceeded.

(6) The Board may, at any time during the course of the period for which any quota has been determined, increase the quota applicable to coal or any class of coal and such increase shall apply for any unexpired remainder of the period for which the quota was determined or for such part thereof as the Board may prescribe. The notice required under sub-clause (3) of this Clause shall not apply to such increase, but the increase shall be notified to all the Owners 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.

34. The total output of each coal mine or undertaking shall be ascertained at the end of each period for which a quota is determined, and for that purpose every Owner shall forward to the Secretary within fourteen days after the end of each such period a statement in writing in such form as the Board may prescribe, giving full particulars of the output of his coal mine or undertaking during the period in question together with such other particulars as may be necessary for ascertaining any excess of output over the quota during the period. If in any case the output has exceeded the tonnage permitted by the quota (after allowing for any transfer of quota effected under Clause 36 of the Scheme), the Owner of the coal mine or undertaking shall be liable in respect of such excess to the penalties prescribed in Clauses 63 and 64 of the Scheme.

35. No Owner shall be entitled, in the event of the output of his coal mine or undertaking in any period for which a quota is determined falling short of the tonnage permitted by the quota for that period, to carry forward the amount of the shortage or any portion thereof as an addition to the tonnage permissible under the quota during the next or any succeeding period.

36. An Owner may exceed the quota for any period by arranging with another Owner, for such consideration (if any) as may be agreed between them, that the output of the coal mine or undertaking of that other Owner permissible under the quota for the same period shall be reduced by an agreed number of tons, to which number any such excess shall be limited:

Provided that if the excess is in respect of any particular class of coal for which a separate quota has been determined, the reduction in the output of such other Owner must be in respect of the quota determined for the same class of coal and any failure of such other Owner to reduce his permissible output by the agreed number of tons shall render him liable in respect of such failure to the penalties prescribed in Clauses 63 and 64 of the Scheme.

37. Notice in writing of any arrangement to exceed and reduce quotas under the last preceding Clause must be given to the Secretary by the Parties within twenty-four hours of the making of the arrangement.

Determination of Prices.

38. The Board shall as soon as possible after its constitution, call for returns from each Owner in such form as the Board may prescribe, setting forth the prices actually obtained by him during the preceding twelve months for the various classes of coal sold or supplied by him, together with such further information as the Board may deem necessary, and thereupon the Board shall proceed to fix a minimum price per ton of twenty cwts. for each class of coal produced in the District below which price coal of that class (exclusive of coal supplied free or at reduced rates for the use of persons who are or have been employed in or about any coal mine and the dependants of persons who have been so employed) shall not be sold or supplied by Owners.

39. The minimum prices fixed shall in the case of coal sold or destined for shipment be f.o.b. at the customary place or places of shipment and in all other cases shall be as fixed by the Board, having regard to all the circumstances of the case:

Provided that there shall be only one minimum price for each class of coal as defined in the Scheme.

40. The minimum prices fixed in the first instance shall remain in force for such period as the Board may deem desirable, but the Board may revise the minimum prices from time to time and shall alter the same when alteration appears to the Board to be necessary, and in particular on the application of any Owner for the revision of the price so fixed for any particular class of coal produced by him, the Board shall forthwith consider such application and make such alteration of price (if any) as is in their opinion necessary.

41. The minimum price fixed from time to time for each class of coal shall forthwith be communicated to all the Owners.

42. If any Owner is dissatisfied with any price fixed for the time being under the Scheme in respect of any coal or class of coal produced by him, he may give notice of objection to the Board at any time within fourteen days after such communication of the price as aforesaid, and the Board shall thereupon