



THE RAILWAY STORES (UNLAWFUL POSSESSION) ORDINANCE, 1944



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¹ORDINANCE No. XIX OF 1944

[13th May, 1944]

An Ordinance to make special provision for the punishment of the offence of unlawful possession of railway stores.

WHEREAS an emergency has arisen which renders it necessary to make special provision for the punishment of the offence of unlawful possession of railway stores ;

Now, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935 (26 Geo 5,c.2.), the Governor General is pleased to make and promulgate the following Ordinance:—

1. Short title, extent and commencement.—(1) This Ordinance may be called the Railway Stores (Unlawful Possession) Ordinance, 1944.

²[(2) it extends to the whole of Pakistan].

(3) it shall come into force at once.

2. Definitions. In this Ordinance ³* * * “railway stores” includes any article used or intended to be used in the construction, operation or maintenance of a railway.

3. Unlawful possession of railway Stores. Whoever is found or is proved to have been in possession of any article of railway stores shall, if the Court sees reasonable grounds for believing such article to be or to have been the property of the administration of any ⁴* railway, unless he proves that the article came into his possession lawfully, be punishable with imprisonment for a term which may extend to five years or with fine or with both.

¹The Ordinance has been applied to—
(i) Baluchistan, see *Gazette of India*, 1944, Pt. I, p. 764;
(ii) the Tribal Areas beyond the N.W.F.P., see *ibid*.

²Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for the original sub-section (2), as amended by A. O., 1949.

³The original inverted commas, words and commas “Federal railway” has the meaning assigned to it in the Government of India Act, 1935 and” omitted by A.O. 1961, Art. 2 and Sch. (with effect from the 23rd March, 1956).

⁴The original word “Federal” omitted *ibid*. (with effect from the 23rd March, 1956).

