

অসম



ৰাজপত্ৰ

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT : : : LEGISLATIVE BRANCH

NOTIFICATION

The 18th January, 2005

No. LGL.121/2003/9.-- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. II OF 2005

(Received the assent of the Governor on 13th January, 2005)

THE ASSAM EXCISE (AMENDMENT) ACT, 2004.

AN

ACT

further to amend the Assam Excise Act, 1910.

Preamble

Whereas it is expedient further to amend the Assam Excise Act, 1910, hereinafter referred to as the principal Act, in the manner hereinafter appearing ;

Assam Act I of 1910.

It is hereby enacted in the Fifty-fifth Year of the Republic of India as follows :-

Short title, extent and commencement.

1. (1) This Act may be called the Assam Excise (Amendment) Act, 2004.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Amendment of section 70.

2. In the principal Act, in section 70, for sub-section (1), (2) and (3), the following shall be substituted, namely :-

“70. Power to compound offences (1) when any licence, permit or pass is liable to be cancelled or suspended under clause (a) or (b) of sub-section (1) of section 29 or when any person is reasonably suspected of having committed an offence under this Act other than an offence under section 61, the Excise Commissioner or a Collector, instead of enforcing such cancellation or suspension or instituting a prosecution in respect of such offence, may realise from the holder of such licence, permit or pass or from such person such sum of money not less than rupees one thousand but maximum of which shall not exceed rupees five thousand, depending upon the merits of the case.

- (2) The Excise Commissioner or the Collector may also after institution against any person of a prosecution in respect of any offence under this Act other than offence under section 61, compound the offence on payment by such person a sum of money not less than rupees one thousand but maximum of which shall not exceed rupees five thousand depending upon the merits of the case.
- (3) Notwithstanding anything contained in this section, an Excise Officer not below the rank of Superintendent of Excise in the District Head Quarter and Deputy Superintendent of Excise in the Sub-Divisional Head Quarter may, at any time, compound an offence under this Act in respect of manufacture and possession of pachwai exceeding the quantity that may be exempted under section 73 but not exceeding five kilograms and manufacture or possession of illicit liquor, on payment by the person manufacturing or possessing such pachwai liquor a sum of money not less than rupees one thousand but maximum of which shall not exceed rupees five thousand, depending upon the merits of the case."

M. K. DEKA,
Commissioner & Secy. to the Govt. of Assam,
Legislative Department, Dispur.