

Bihar Excise (Amending & Validating) Act, 1981

17 of 1982

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PREAMBLE

An Act to amend the Bihar and Orissa Excise Act, 1915.

Be it enacted by the Legislature of the State of Bihar in the Thirty-second year of the Republic of India, as follows:-

1. Published in Bihar Gazette (ex.ord) dated 23.1.1982.

1. Short title and commencement :-

(1) This Act may be called the Bihar Excise (Amendment & Validation) Act, 1981.

(2) It shall come into force at once.

2. Substitution of new section for Section 22 of B. & O. Act II of 1915 :-

Incorporated in the text of the Act.

3. Validation of levy of certain fees :-

Notwithstanding anything to the contrary contained in any decree,

judgement or order of any Court, the fee fixed; levied and realised under sub-section (7) of Section 98 of the Act read with Section 22 of the Bihar and Orissa Excise Act, 1915, (Bihar and Orissa Act II of 1915), shall be deemed to have been validly fixed, levied and realised as if this Ordinance were in force on the day on which such fee was fixed, levied and realised or purported to be fixed, levied and realised and shall not be called in question merely on the ground that such fee was excessive or disproportionate or unrelated to services rendered, and all licences granted therefor shall be deemed to be exclusive privilege within the meaning of Section 22 of the said Act.

4. Repeal and Saving :-

(1) The Bihar Excise (Amendment and Validation) Third Ordinance, 1981 (Bihar Ordinance No. 141 of 1981) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under the said ordinance shall be deemed to have been done or taken in the exercise of powers conferred by or under this Act as if this Act was in force on the day on which such thing or action was done or taken.