

Punjab Excise (Himachal Pradesh Amendment) Act, 2001**13 of 2001****[22 May 2001]**

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Punjab Excise (Himachal Pradesh Amendment) Act, 2001**13 of 2001****[22 May 2001]**

An Act Further to amend the Punjab Excise Act, 1914 (1 of 1914) as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966); and as applied to the areas which comprised in Himachal Pradesh immediately before the 1st day of November, 1966 vide the Himachal Pradesh (Application of Laws) Order, 1948 and the Bilaspur (Application of Laws) Order, 1949.

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Fifty-second Year of the Republic of India, as follows:-

1. Section 1 :-

This Act may be called the Punjab Excise (Himachal Pradesh) Amendment Act, 2001.

2. Section 2 :-

After section 61 of the Punjab Excise Act, 1914, as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966; and as applied to the areas which comprised in Himachal Pradesh immediately before the 1st day of November, 1966 (hereinafter referred to as principal Act), the following new section shall be inserted, namely:-

"61-A Composition of certain offences:- Notwithstanding anything

contained in sub-section (1) of section 61, any offence whether committed before or after the commencement of the Punjab Excise (Himachal Pradesh) Amendment Act, 2001, relating to the imports, exports, transportation or possession upto 60 litres of lagan or upto 18 bulk litres of liquor may either before or after the institution of the prosecution, be compounded by the Judicial Magistrate of the 1st Class, for an amount which shall not be less than one thousand rupees but shall not exceed twenty five thousand rupees.

(2) Where an offence has been compounded under sub-section (1), the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of such offence: Provided that if a person commits an offence specified in sub-section (1) for more than three times, the same shall not be compounded.

(3) When a case has been compounded under sub-section (1), the Judicial Magistrate of the 1st Class may make such order as he thinks fit for the disposal of the case property."

3. Amendment Of Section 65 :-

In section 65 of the principal Act, for the words, brackets, letters and signs "in case (a) with fine which may extend to two hundred rupees, and in case (b) or in case (c) with fine which may extend to five hundred rupees" the words "with fine which may extend to twenty five thousand rupees but shall not be less than five thousand rupees" shall be substituted.

Footnote:

1. As Assented to by the Governor on 18th May, 2001