

Abkari (Amendment) Act, 1973

14 of 1973

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An Act further to amend the Abkari Act, I of 1077. WHEREAS it is expedient further to amend the Abkari Act, I of 1077, for the purpose hereinafter appearing; Be it enacted in the Twenty-fourth Year of the Republic of India as follows;-

1. Short Title And Commencement :-

- (1) This Act may be called the Abkari (Amendment) Act, 1973.
- (2) It shall come into force on such date as the Govern→ment may, by notification in the Gazette, appoint.

2. Insertion Of New Section 55A :-

In the Abkari Act, I of 1077, section 55A shall be re-lettered as section 55B and before that section, the following section shall be inserted, namely:-

"55A. Magistrates of second class to have power to impose minimum penalties for certain first offences.- Notwith→standing anything contained in section 32 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), it shall be lawful for a Magistrate of the second class to pass the minimum sentence mentioned in paragraph (i) of the proviso to clause (1) of section 55, for a first offence referred to in that para→graph, in excess of his powers under section 32 of the said Code."