

Rajasthan Excise (Amending And Extending) Act, 1957

38 of 1957

[30 November 1957]

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An Act further to amend the Rajasthan Excise Act, 1950 and to extend the provisions thereof to the Ajmer and Sunel areas. Whereas it is expedient further to amend the Rajasthan Excise Act, 1950 (Rajasthan Act II 1950) for the purpose of extending its provisions to the Ajmer and Sunel areas of the new State of Rajasthan as formed by section 10 of the States Recorganisation Act, 1956 (Central Act 37 of 1956) and for other purposes hereinafter appearing; Be it enacted by the Rajasthan State

Legislature in the Eighth Year of the Republic of India as follows- 1.
Published in Raj. Gaz., Ex.o-1 ordinance Part V-A 1, dated. the 5.1
1 1957

1. Short Title And Commencement :-

(1) This Act may be called the Rajasthan Excise (Amending and Extending) Act, 1957.

(2) It shall come into force on 1[such date] as the State Government may, by notification in the Official Gazette, appoint.

1. The Raj. Act No. 38 of 1957 came into force from 1.12.1958 vide Excise & Taxation Notification No. F 1(78) E & T 56 dated 21.2.1958 Pub. in Raj. Gaz. Pt. IV-C dated. 30.1.1958.

2. Definitions :-

In this Act, unless the subject or context otherwise requires-

(i) Abu area means the territory comprised in the Abu Road taluka of Banaskantha district in the State of Bombay as it existed immediately before the first day of November, 1956;

(ii) ajmer area means the territory of the State of Ajmer as it existed immediately before the first day of November, 1956;

(iii) pre-reorganisation, used with reference to the State of Rajasthan, means the State of Rajasthan as it existed in pursuance of the Covenant or under the Constitution immediately before the first day of November, 1956;

(iv) State or State of Rajasthan means the new State of Rajasthan as formed by Section 10 of the State Reorganisation Act, 1956 (Central Act 37 of 1956); and

(v) Sunel area means the territory comprised in the Sunel tappa of Bhanpura tehsil of Mandsaur district in the State of Madhya Bharat as it existed immediately before the first day of November, 1956.

3. Extension Of Rajasthan Act Ii Of 1950 :-

On and from the date this Act comes into force, the Rajasthan Excise Act, 1950 (Rajasthan Excise Act II of 1950), hereinafter referred to as the principal Act, shall be amended in the manner indicated in section 4 to 18 of this Act and shall, as so amended, extend to the whole of the State of Rajasthan except the Abu area.

4. Section 4 :-

Section 4 to 9 - Repealed

1[Section 4,5,6, 7, 8 & 9 Repealed]

1. Repealed by 1st, Schedule to Act No. 21 of 1962, Pub. in Raj. Gaz. Pt. Iv-A, Ex. Ordinance dated. 15.12.62

5. Section 5 :-

6. Section 6 :-

7. Section 7 :-

8. Section 8 :-

9. Section 9 :-

10. Amendment Of Section 13, Rajasthan Act Ii Of 1950 :-

I n clause (a) of section 13 of the principal Act, for the words "Rajasthan or any part thereof" the words "the territories to which this Act extends or any part thereof" shall be substituted.

11. Amendment Of Section 14, Rajasthan Act Ii Of 1950 :-

I n section 14 of the principal Act for the word "the whole of Rajasthan" the words "all the territories of the State of Rajasthan to which this Act extends" shall be substituted.

12. Amendment Of Section 34, Rajasthan Act Ii Of 1950 :-

In section 34 of the Principal Act-

(i) in clause (d) of sub-section (I)-

(a) for the words and figures "the Rajasthan Dangerous Drugs Ordinance, 1953" the words, figures and brackets "the Dangerous Drugs Act, 1930 (Central Act II of 1930)" shall be substituted, and

(b) the words "as adopted to Rajasthan" shall be omitted, and

(ii) in sub-section (2), for the words "the Rajasthan Opium Ordinance, 1949" the words, figures and brackets "the Opium Act, 1878 (Central Act I of 1878)" shall be substituted.

13. Amendment Of Section 44, Rajasthan Act Ii Of 1950 :-

In sub-section (2) of section 44 of the principal Act, the words "as adapted to Rajasthan" shall be omitted.

14. Amendment Of Section 48, Rajasthan Act Ii Of 1950 :-

I n section 48 of the principal Act, the words "as adopted to

Rajasthan" shall be omitted.

15. Amendment Of Section 49, Rajasthan Act Ii Of 1950 :-

In section 49 of the principal Act, the words "as adapted to Rajasthan" shall be omitted.

16. Amendment Of Section 66, Rajasthan Act Ii. Of 1950 :-

In section 66 of the principal Act, the words "as adapted to Rajasthan" shall be omitted.

17. Amendment Of Section 71, Rajasthan Act Ii Of 1950 :-

In sub-section (2) section 71, for the words "throughout Rajasthan" the words "throughout the territories to which this Act extends" shall be substituted.

18. Omission Of Section 75, Rajasthan Act Ii Of 1950 :-

Section 75 of the principal Act shall be omitted.

19. Application Of Rules, Etc. Under Rajasthan Act Ii Of 1950 :-

On and from the date this Act comes into force, the rules, regulations, orders and notifications made and issued under the principal Act by a competent authority and force at the commencement of this Act shall, subject to the modification specified in section of this Act, extend and apply to the whole of the State of Rajasthan except the Abu area.

20. Repeal And Supersession :-

On and form the date this Act comes into force,-

(a) the enactments specified in the Schedule together with all laws amending the said enactments shall stand repealed to the extent specified in column 3 thereof, and

(b) the rules, regulations, orders and notifications made and issued under the enactments so repealed shall stand superseded.

21. Interpretation :-

The provisions of the Rajasthan General Clauses Act, 1955 (Rajasthan Act 8 of 1955) shall, as far as may be, apply mutatis

mutandis to this Act and to principal Act.