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## **Uttar Pradesh Excise Rules (Amendment) Act, 1989**

**20 of 1989**

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## **Uttar Pradesh Excise Rules (Amendment) Act, 1989**

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An Act further to amend the U.P. Excise Rules published with the Board of Revenue. U.P. notification No. 423/-294-B, dated September 26, 1910 It is hereby enacted in the Fortieth Year of the Republic of India as follows : -- 1. Received the assent of the Governor on October 6, 1989 and published in the U.P. Gazette, Extra., Part-1, Section (ka), dated 6th October, 1989, pp. 2-3.

### **1. Short Title :-**

This Act may be called the Uttar Pradesh Excise Rules (Amendment) Act, 1989.

### **2. Amendment Of Rule 6 Of The Rules Under The Heading "Fees" Of The U.P. Excise Rules :-**

In the U.P. Excise Rules, published with the Board of Revenue, U P. notification No. 423/V-294-B, dated September 26, 1910 in the rules under the heading "Fees" as substituted by the Uttar Pradesh Excise (First Amendment) Rules, 1984, in Rule 6, after sub-rule (15), the following sub-rule shall be inserted and shall be deemed to have been inserted on February 23, 1989, namely : --

"(16) Notwithstanding anything contained in this rule, where the Excise auction for the financial year 1989-90 purported to have been made under these rules (under the heading "Fees"), --

(a) has been finally accepted by the Excise Commissioner before August 5, 1989, and a person in whose favour the auction was

made has paid an amount equivalent to the security required under this rule, whether in cash or by Bank draft or in the form of fixed deposit receipt from any Scheduled Bank duly pledged to the Collector or in the form of Bank guarantee, on or before June 30, 1989 such payment shall be deemed to be valid security for due performance of the contract paid within the time specified in this rule, as if such manner and time for payment of security were prescribed in sub-rules (8) and (9) at all material times ;

(b) has not been so accepted by the Excise Commissioner the provisions of clause (b) of sub-rule (8) of Rule 7 shall not apply to the person in whose favour the auction was made, on the ground that he had committed any default relating to such auction."

### **3. Power To Amend Or Rescind :-**

The Rules modified by this Act shall continue in force until amended or rescinded by the appropriate authority in exercise of its power under the relevant section of the U.P. Excise Act, 1910 read with Section 21 of the Uttar Pradesh General Clauses Act, 1904.

### **4. Repeal And Saving :-**

(1) The Uttar Pradesh Excise Rules(Amendment) Ordinance, 1989 (U.P. Ordinance No. 15 of 1989), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the Rules, referred to in Section 2, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the said Rules, as amended by this Act, as if the provisions of this Act were in force at all material times.