

8

120

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 30th September 1959

G.S.R. 1114.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Delhi the Punjab Excise (Amendment) Act, 1956 (Punjab Act No. 35 of 1956) as at present in force in the State of Punjab, subject to the following modification, namely:—

Modification

In section 2—

for the words “the Punjab Excise Act, 1914” the words “the Punjab Excise Act, 1914 as in force in the Union territory of Delhi” shall be substituted

ANNEXURE

The Punjab Excise (Amendment) Act, 1956 (Punjab Act No. 35 of 1956) as extended to the Union territory of Delhi.

An Act further to amend the Punjab Excise Act (Punjab Act I of 1914)

Be it enacted by the Legislature of the State of Punjab in the Seventh Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Punjab Excise (Amendment) Act, 1956.

2. **Amendment of section 61 of Punjab Act I of 1914.**—In section 61 of the Punjab Excise Act, 1914 as in force in the Union territory of Delhi (hereinafter referred to as the principal Act)—

- (i) in sub-section (1), for the words “or with fine which may extend to two thousand rupees or with both” the words “and with fine up to two thousand rupees and if found in possession of a working still for the manufacture of any intoxicant shall be punishable with the minimum sentence of six months’ imprisonment and fine of two hundred rupees” shall be substituted; and
- (ii) in sub-section (2) for the words “one year or with fine which may extend to two thousand rupees or with both” the words “two years and fine which may extend to two thousand rupees” shall be substituted.

3. **Amendment of section 63 of Punjab Act I of 1914.**—In section 63 of the principal Act, for the words “or with fine which may extend to one thousand rupees or with both” the words “and with fine which may extend to one thousand rupees” shall be substituted.

4. **Amendment of section 64 of Punjab Act I of 1914.**—In section 64 of the principal Act, for the words “or with fine which may extend to five hundred rupees or with both”, the words “and with fine which may extend to five hundred rupees” shall be substituted.

5. **Amendment of section 66 of Punjab Act I of 1914.**—In sub-section (1) of section 66 of the principal Act, for the words “or with fine which may extend to one thousand rupees or with both”, the words “and with fine which may extend to one thousand rupees” shall be substituted.

121

6. Insertion of section 68-A in Punjab Act I of 1914.—After section 68 of the principal Act, the following new section shall be inserted, namely:—

“68-A. Whoever, having been convicted, of an offence under sub-section Enhanced (1) of Section 61 of this Act, shall be guilty punishment for of a similar offence, shall be subject for every certain offences such subsequent offence to twice the sentence after previous of imprisonment and fine awarded on previous conviction, conviction provided that the enhanced punishment does not exceed the imprisonment of three years and a fine of two thousand rupees:

Provided that if on a previous conviction the sentence awarded was that of fine only, the sentence of imprisonment on subsequent conviction shall be in addition to the enhanced penalty of fine:

Provided further that the enhanced punishment would not in any way affect the minimum sentence prescribed for the offence of possession of a working still for the manufacture of any intoxicant.”

7. Amendment of section 72 of Punjab Act I of 1914.—To section 72 of the principal Act, the following proviso shall be added, namely:—

“Provided that the offence of possession of a working still for the manufacture of any intoxicant under section 71(1) shall be non-bailable.”

[No. F.7/11/55-Jud.II(TL)8-8.]

K. R. PRABHU, Dy. Secy.

An Act further to amend the Punjab Excise Act (Punjab Act I of 1914) Be it enacted by the Legislature of the State of Punjab in the Seventh Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Punjab Excise (Amendment) Act 1955.

2. Amendment of section 61 of Punjab Act I of 1914.—In section 61 of the Punjab Excise Act 1914 as in force in the Union territory of Delhi (hereinafter referred to as the principal Act)—

(i) in sub-section (1), for the words “or with fine which may extend to two thousand rupees or with both” the words “and with fine up to two thousand rupees and if found in possession of a working still for the manufacture of any intoxicant shall be punishable with the minimum sentence of six months’ imprisonment and fine of two hundred rupees” shall be substituted; and

(ii) in sub-section (2) for the words “one year or with fine which may extend to two thousand rupees or with both” the words “two years and fine which may extend to two thousand rupees” shall be substituted.

3. Amendment of section 63 of Punjab Act I of 1914.—In section 63 of the principal Act for the words “or with fine which may extend to one thousand rupees or with both” the words “and with fine which may extend to one thousand rupees” shall be substituted.

4. Amendment of section 64 of Punjab Act I of 1914.—In section 64 of the principal Act for the words “or with fine which may extend to five hundred rupees or with both” the words “and with fine which may extend to five hundred rupees” shall be substituted.

5. Amendment of section 66 of Punjab Act I of 1914.—In sub-section (1) of section 66 of the principal Act for the words “or with fine which may extend to five hundred rupees or with both” the words “and with fine which may extend to five hundred rupees” shall be substituted.