

Rajasthan Excise (Amending & Extending) Act, 1957

RAJASTHAN

India

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Act 38 of 1957

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Rajasthan Excise (Amending & Extending) Act, 1957(Act No. 38 of 1957)RJ68An Act further to amend the Rajasthan Excise Act, 1950 and to extend the provisions thereof to the Ajmer and Sunel areasWhereas it is expedient further to amend the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950) for the purpose of extending its provisions to the Ajmer & Sunel areas of the new State of Rajasthan as formed by Section 10 of the State Reorganization 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. 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 such date [Came into force w.e.f. 1.2.1958 vide Excise Taxation Deptt. Notification No. F.1(78) E & T/ 56 dated 21.2.1958 (Published in the Rajasthan gazette Part 4-A, dated 30.1.1958)] as the State Government may, by notification in the Official Gazette, appoint.

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 convent or under the Constitution immediately before the first day of Nov., 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 2 of 1950.

- On and from the date, this Act comes into force, the Rajasthan Excise Act, 1950 (Rajasthan Act 2 of 1950), hereinafter referred to as the principal Act, shall be amended in the manner indicated in Sections 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. to 9.

[Sections 4, 5, 6, 7, 8 & 9 Repealed]

10. Amendment of Section 13, Rajasthan Act 2 of 1950.

- In 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" shall be substituted.

11. Amendment of Section 14, Rajasthan Act 2 of 1950.

- In section 14 of the principal Act, for the words "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 2 of 1950.

- In Section 34 of the principal Act -(i)in clause (d) of sub-section (1) -(a)for the words and figures "the Rajasthan Dangerous Drugs Ordinance, 1953" the words, figures and brackets "the Dangerous Drugs Act, 1930 (Central Act 2 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 1 of 1878)" shall be substituted.

13. Amendment of Section 44, Rajasthan Act 2 of 1950.

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

14. Amendment of Section 48, Rajasthan Act 2 of 1950.

- In sub-section 48 of the principal Act, the words "as adopted to Rajasthan" shall be omitted.

15. Amendment of Section 49, Rajasthan Act 2 of 1950.

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

16. Amendment of Section 66, Rajasthan Act 2 of 1950.

- In Section 66 of the principal Act, the words "as adopted to Rajasthan" shall be omitted.

17. Amendment of Section 71, Rajasthan Act 2 of 1950.

- In sub-section (2) of Section 71 of the principal Act, 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 2 of 1950.

- In Section 75 of the principal Act shall be omitted.

19. Application of rules etc. under Rajasthan Act 2 of 1950.

- On and from the date this Act comes into force, the rules, regulations, orders & notifications made and issued under the principal Act by a competent authority and in force at the and issued under the principal Act by a competent authority and in force at the commencement of this Act shall, subject to the modifications specified in Section 4 of this Act, extend and apply to the whole of the State of Rajasthan except the Abu area

20. Repeal and supersession.

- On and from the date this Act come 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, 1995 (Rajasthan Act 8 of 1955) shall as far as may be, apply mutatis mutandis to this Act and to the principal Act.

Schedule

(See Section 20)List of Enactments Repealed

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| 1. | The Excise Regulations, 1915 (Central Regulations 1 of 1915) | in so far as it applies to the Ajmer area |
| 2. | The Madhya Bharat Excise Act Samvat 2001 (Madhya Bharat Act 14 of 1952) | in so far as it applied to the Sunel area. |

[Appendix B][First published in Rajasthan Rajpatra, Part IV-A, Extraordinary, dated 24.11.1964]