

The Meghalaya Excise (Amendment) Act, 1995

MEGHALAYA

India

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Act 10 of 1995

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The Meghalaya Excise (Amendment) Act, 1995 Meghalaya Act No. 10 of 1995 Last Updated 19th February, 2020 An Act further to amend the Meghalaya Excise Act (Assam Act 1 of 1910 as adapted by the Meghalaya). Be it enacted by the Legislature of the State of Meghalaya in the Forty-sixth year of the Republic of India as follows:-

1. Short title and commencement.

(1) This Act may be called the Meghalaya Excise (Amendment) Act, 1995. (2) It shall come into force at once.

2. Amendment of Section 58 of Act 1 of 1910.

- In Section 58 of the Meghalaya Excise Act (Assam Act 1 of 1910 as adapted by Meghalaya) (hereinafter referred to as the Principal Act), for the words "shall be punished in case of (a) with fine which may extend to fifty rupees, and in case (b) with fine which may extend to five hundred rupees" occurring at the end, the following shall be substituted, namely:-"shall, for offences referred to in clause (a), be punishable with, in the case of-(i) an out-still licensee or vendor of country spirit, with a fine which shall not be less than Rs. 500.00 but which may extend upto Rs. 1,000.00 ;(ii) a retailer of IMFL or denatured or rectified spirit, with a fine which shall not be less than Rs. 1,000.00 but which may extend upto Rs. 2,500.00 ;(iii) a wholesale licensee or bonded warehouse licensee of IMFL, with a fine which shall not be less than Rs. 1,500.00 but which may extend upto Rs. 5,000.00 ; and"for offences referred to in clause (b), be punishable with, in the case of-(i) an out-still licensee, with a fine which shall not be less than Rs. 1,000.00 but which may extend upto Rs. 5,000.00 ;(ii) a vendor of country spirit, with a fine which shall not be less than Rs. 2,000.00 but which may extend upto Rs. 10,000.00 ;(iii) a retailer of IMFL or denatured or rectified spirit, with a fine which shall not be less than Rs. 4,000.00 but which may extend upto Rs. 25,000.00 ;(iv) a wholesale licensee or a bonded warehouse licensee of IMFL, with a fine which shall not be less than Rs. 5,000.00 but which may extend upto Rs. 50,000.00."

3. Amendment of Section 70 of Act 1 of 1910.

- In Section 70 of the principal Act-(i)for sub-section (1) the following shall be substituted, namely:-"when any licensee, permit or pass is liable to be cancelled or suspended under clause (a) or clause (b) of sub-section (1) of Section 29 or when any person is reasonably suspected of having committed an offence under this Act other than as offence under Section 61, the Excise Commissioner or a Collector may, instead of enforcing such cancellation or suspension or instituting prosecution compound the offence on receiving, in the case of-(a)an out-still licensee, a sum of money which shall not be less than Rs. 1,000.00 but which may extend upto Rs. 5,000.00;(b)a vendor of country spirit, a sum of money which shall not be less than Rs. 3,000.00 but which may extend up to Rs. 10,000.00;(c)a retailer of IMFL, or denatured or rectified spirit a sum of money which shall not be less than Rs. 5,000.00 but which may extend upto Rs. 25,000;(d)a wholesale licensee or a bonded warehouse licensee of IMFL, a sum of money which shall not be less than Rs. 10,000.00 but which extend upto Rs. 50,000.00,and thereupon no further action shall be taken against the person in respect of the offence and any prosecution, if it has been instituted, shall be terminated and any property seized for confiscation shall be returned to him";(ii)sub-section (2) shall be omitted.