

## ASSAM ACT XV OF 1952

## ASSAM EXCISE (AMENDMENT) ACT, 1952

(Passed by the Assembly)

(Received the assent of the Governor on the 8th October 1952)

Published in the *Assam Gazette*, dated 15th October 1952An  
Actfurther to amend the *Eastern Bengal and Assam Excise Act, 1910*

Preamble.

Whereas it is expedient further to amend the Eastern Bengal and Assam Excise Act, 1910, hereinafter referred to as the principal Act, in the manner hereinafter appearing ;

Eastern Bengal and Assam Excise Act, of 1910.

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Assam Excise (Amendment) Act, 1952.

(2) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint in this behalf.

(3) It shall have the like extent as the principal Act.

Amendment of Section 17.

2. In sub-section (3) of Section 17 of the principal Act between the words "local area" and "comprised therein", the words "place or class of places" shall be inserted.

Amendment of section 53

3. For section 53 of the principal Act the following new section shall be substituted, namely:—

"53. (1) Whoever, in contravention of this Act or of any rule, notification or order made or issued under this Act, or of any license, permit or pass granted under this Act,—

- (a) imports, exports, transports, manufactures, possesses or sells any intoxicant other than tari and pachwai ; or
- (b) cultivates, collects, or sells the hemp plant (*Cannabis Sativa*) ; or
- (c) constructs or works, any distillery or brewery ; or
- (d) uses, keeps or has in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any intoxicant other than tari and pachwai ; or
- (e) bottles any liquor other than tari and pachwai for purposes of sale,

shall be punished with imprisonment which may extend to two years and with fine and the convicting magistrate shall direct the offender to be imprisoned in default of payment of fine for a term which may extend to one year, and such imprisonment shall be in addition to any other imprisonment to which he may have been sentenced.

(2) Whoever as aforesaid—

- (a) taps or draws tari from any tari producing tree ; or
- (b) bottles any tari or pachwai for purposes of sale ; or
- (c) imports, exports, transports, manufactures, possesses or sells any tari or pachwai ;

shall be punished with imprisonment which may extend to six months or with fine or with both.”

## ASSAM ACT XVI OF 1952

### THE ASSAM *ADHIARS* PROTECTION AND REGULATION (AMENDMENT) ACT, 1952

(Passed by the Assembly)

(Received the assent of the Governor on the 17th October, 1952)

[Published in the *Assam Gazette*, dated the 29th October 1952]

An

Act to amend the Assam *Adhiars* Protection and Regulation Act, 1948

**Preamble.** Whereas it is expedient to amend the Assam *Adhiars* Assam Act Protection and Regulation Act, 1948, hereinafter called the XII of 1948. Principal Act, in the manner hereinafter appearing ;

It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Assam *Adhiars* Protection and Regulation (Amendment) Act, 1952.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Substitution of sub-section (1) of section 3 of Assam Act XII of 1948.

2. In section 3 of the principal Act—  
(a) for sub-section (1) the following sub-section shall be substituted, namely—

“(1) Notwithstanding anything to the contrary contained in any law for the time being in force or any contract or agreement, express or implied, any person who during the preceding agricultural year cultivates any land as *adhiar* shall have a right to remain in occupation and cultivate the land for subsequent years until he either voluntarily relinquishes the land or is ordered by a Revenue Officer under section 5 to cease to cultivate and vacate the land or is evicted therefrom in execution of a valid order of the Revenue Officer.” ;