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The 17th September 1956

No.LJL.46/56/13.—The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

(Received the assent of the Governor on the 14th September 1956)

ASSAM ACT XIX OF 1956

**THE ASSAM LIQUOR PROHIBITION (SECOND AMENDMENT)
ACT, 1956**

(Passed by the Assembly)

[Published in the *Assam Gazette*, Extraordinary, dated the 20th
September 1956]

An

Act

further to amend the Assam Liquor Prohibition Act, 1952

Preamble.—Whereas it is expedient to amend further the Assam Liquor Prohibition Act, 1952 (Assam Act 1 of 1953), hereinafter called the Principal Act in the manner hereinafter appearing ;

It is hereby enacted in the seventh year of the Republic of India as follows :—

1. Short title, extent and commencement.—

- (1) This Act may be called the Assam Liquor Prohibition (Second Amendment) Act, 1956.
- (2) It shall have the like extent as the Principal Act.
- (3) It shall come into force at once.

2. Amendment of Section 2 of Assam Act 1 of 1953.—The word 'Explanations' and the whole of the explanation (i) under sub-section (3) of Section 2 of the Principal Act as inserted by the Assam Liquor Prohibition (Amendment) Act, 1956 (Assam Act XIII of 1956) shall be deleted and the figure (ii) shall be substituted by the word 'Explanation'.

3. Insertion of new Sections 3A, 3B and 3C after Section 3 of Assam Act I of 1953.—The following new sections shall be inserted after Section 3 of the Principal Act :

"3A. Provisions of the Act not to apply to certain articles.—Nothing in this Act shall be deemed to apply to—

- (1) Any toilet preparation containing alcohol which is unfit for use as intoxicating liquor ;
- (2) Any medicinal preparation containing alcohol which is unfit for use as intoxicating liquor ;
- (3) Any antiseptic preparation or solution containing alcohol which is unfit for use as intoxicating liquor ;
- (4) Any flavouring extract, essence or syrup containing alcohol which is unfit for use as intoxicating liquor.

3B. **Board of Experts.**—(1) For the purpose of determining whether any of the preparations mentioned in Section 3A is fit or likely to be used as intoxicating liquor the State Government shall constitute a Board of Experts.

(2) The Board of Experts constituted under sub-section (1) shall be appointed on such terms and conditions and shall consist of such members as may be prescribed. The members so appointed shall hold office during the pleasure of the Governor of Assam.

(3) It shall be the duty of the Board to advise the State Government on the question of whether any article or preparation containing alcohol is fit for use as intoxicating liquor and on such other matters incidental thereto as may be referred to it by the State Government.

3C. **Restrictions on use of medicinal and toilet preparations.**—On the advice of the Board constituted under Section 3A, the State Government may by notification in the official Gazette declare any such preparation to be liquor within the definition of the Act and thereupon the State Government may, notwithstanding anything contained in any other provision of the Act, impose such restriction and in such manner as may be prescribed.”

J. C. MEDHI,

Secy. to the Govt. of Assam, Leg. & Judl. Depit.