

The Rajasthan Excise (Amendment) Act, 2007

Section 16 - Amendment of section 69, Rajasthan Act.II of 1950,

(1) In section 69 of the principal Act, - (i) in the proviso to sub-section (2), for the existing punctuation mark "." , appearing at the end, the punctuation mark ":" shall be substituted and after the existing proviso, so amended, the following new proviso shall be added, namely: - "Provided further that, if the excisable articles seized in connection with an offence under this Act are such as cannot be legally sold in Rajasthan in the form they were seized, such excisable articles may be ordered to be confiscated by the District Excise Officer concerned, whether or not the offence is compounded."; and (ii) after the existing sub-section (2) and before the existing sub-section (3) the following new sub-sections shall be inserted, namely :- "(2A) Where the District Excise Officer, after passing an order of confiscation under sub-section (2) is of the opinion that it is expedient in the public interest to do so, order the confiscated excisable articles or any part thereof to be sold by public auction or to be destroyed or disposed of departmentally in accordance with the rules made by the State Government in this behalf. (2B) Whenever any excisable article is seized under sub-section. (1), the District Excise Officer shall have, and, notwithstanding anything contained in any other law for the time being in force, any court, tribunal or other authority shall not have, jurisdiction to make order with regard to the possession, delivery, disposal and release of such property." Rajasthan State Acts