

Bengal Excise Act, 1909

Section 65 - Power to compound offences and to release property liable to confiscation

section 63. he may either order confiscation or give the owner of such thing an option to pay, in lieu of confiscation, such fine as the Magistrate thinks fit : 1919. 'Explanation' renumbered as 'Explanation I' and 'Explanation II' ins. by W.B. Act 50 of 1974. Provided that the Magistrate shall in all cases order confiscation of the intoxicants decided by him to be liable to confiscation under section 63. (2) Whenever anything is liable to confiscation under section 63, and the offender or the person entitled to possession is not known or cannot be found, the case shall be inquired into and determined by the Collector, who may order confiscation : Provided that no such order shall be made until the expiration of 2020. Words subs. for the words "Calcutta Gazette" by the Government of India (Adaptation of Indian Laws) Order, 1937. [two months] from the date of seizing the thing intended to be confiscated, or without 2121. Words subs. by the Government of India (Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950. [giving such person as may, before such expiration, claim any right thereto, an opportunity of being heard and of producing such evidence as he may like to produce] in support of his claim : Provided, further, that if the thing in question is liable to speedy and natural decay, or if the Collector is of opinion that its sale would be for the benefit of its owner, the Collector may at any time direct it to be sold ; and the provisions of this sub-section shall, as nearly as may be practicable, apply to the net proceeds of the sale. 1) 2222. Words subs. for the words "or by the process prescribed" by W.B. Act 34 of 1965. [The Excise Commissioner, the Collector], or any Excise Officer 2323. Word subs. for the words "excisable article" by the Government of India (Adaptation of Indian Laws) Order. 1937. [not below the rank of Inspector of Excise, authorised by the Collector by general or special order in this behalf], (a) may accept from any person whose license, permit or pass is liable to be cancelled or suspended under clause (a), clause (b) or clause (c) of 24(sub-section (1) of