

1878. Of Ac.ts 1070, in its applicaiifli iO Assam for the purpose, hercinafter appearing : It is enac.te:~! as Short title bc I As.som Opiurn 1. This Act (AmendmenÖ Act, I j'33. of 2. In section 1) of after refcnetl as Che prin€ . \ I d7U (herei•t• Amettdnv:nt of section 9 of Act 1 or (i) (iii) nrviotion bc!02e a 1878. for i be wotzi convicting Mat Magisida(c" ail' I c.onv;ction rcspeccively, "the Court" shall for the ' 'for a h vn:my extend 'vvliich may to onc c ru; tees. or with i)stituied the itie h may extend to two years, or wilti line 01 with botlC nd words "onc Cor lite words "six veaÜ shall Be , Insertion of fr!~!ov.~• 3. section 9 ncw sections ing new section shAil IVhoevec having convictedcl cf an 90. and cc punishable under secuon i) is again guiliy an 9F. Enhanced ofTence under that sh•ll sal;jcel every punishment such subsequent oliö;nee co i ntprijsonnacent wilie,h may previ- extend to lour years or to ous convic tion. 9.B. (I) Whencver any is convicted of an Security for oliénce punishable under section 9 and 'the Court abstaining from commis• convicting of opilion it is necessary to Sion of cer- require such Perscn to e..xg.~•cntc a bond for abstaining tain offences. from commission of such ofrence, the Court may, at the time of passing setitence Oil such person, order him to execute a bond Cur Stan proponionalc to his means, with or without surctics ror abstaining from the commission of such oifences Cluj ing such period, not exceedmg three years, as it Illink3 fit Lo fix. *For Statements of and Rca~.xous. .tec Assam Ga:cttf i 932, Part page 59, for Repot-t Select Comtuittce sce Assam Ga.:cttte

1932. Part Y, 73—76, Lr Proccedings in Council. 1932, Part VI 803-025-836, 1122, 1933, Part VI, Page 72 Punish- for r tent a I lowing premises to be used for the com- mission or au offcncc. Import, exp o r transport, manufac - ture, sale or posses- Sion by on person one account of another. ASSAM OPIUM (AMMENDMENT) ACT [Assau Act, 2. The bond shall be in the



form contained in Act V the schedule and the provisions of the Code of Criminal Procedure, 1898, shall, in so far as they are applicable, apply to all matters connected with such bond and the non-execution thereof as if it were a bond to keep the peace ordered to be executed under Act V section 106 of that Code.

(3) If the conviction is set aside on appeal or otherwise, the bond so executed shall become void. 14) An order under this section may also be made by an Appellate Court, or by the High Court when exercising its

powers of revision. 9C. Whoever, being the owner or occupier or having the use of any house, room, enclosure, space vessel, vehicle or place, knowingly permits it to be used for the commission by any other person of an offence punishable under section 9 shall be liable to the punishment provided in that section

9D. (1) When any opium has been imported, exported, transported or sold or is possessed by any person on account of any other person, and such other person knows or has reasons to believe that such import,

export, transport or sale was, or that such possession is on his account, that opium shall, for the purpose of this Act, be deemed to have been imported, exported, transported or sold by, or to be in possession of such other person. (2) Nothing in sub-section (1) shall absolve any person who imports, exports, transports,

sells or has possession of opium on account of another person from liability to any punishment under this Act for unlawful import, export, transports, sale or possession of opium. or of 9E. Whoever attempts to commit

an offence and in abetments such attempt does any act towards the commission of the offence punishable under section 9 or section 9C shall be liable to punishment provided for the offence. 9F. Whoever abets an

offence punishable under Act XLV this Act shall, whether such offence be or be not committed in consequence of such abetment, and notwithstanding anything contained in section 116 of the Indian

Penal Code, be punished with the punishment provided for the offence. Amendment of section 14 of

Act I of 1870

4. In section 14 of the principal Act- (i) for the words "between sunrise and sunset" there shall be substituted the word "whether by day or by night", and -4 1993) Eastern Bengal and Assam Act 1910. Act 11 of 1930. Eastern Bengal and Assam Act I 1910. Act 11 of 1930. Assam OPIUM (AMENDMENT) Act (it) in clause (c) after the word "opium" where it occurs for the second time the following words shall be added, namely :— "and any document or other article which he has reason to believe may furnish evidence of the commission of an offence punishable under this Act or under the Eastern Bengal and Assam Excise Act, 1910 or under the Dangerous Drugs Act, 1930. In section 15 of the principal Act— 5. Amendment of section 15 (i) after the word "opium" at the end of clause of Act I of 1887. (a) there shall be added the following words, namely "and any document or other article which he has reason to believe may furnish evidence of the commission of an offence punishable under this Act, or under the Eastern Bengal and Assam Excise Act, 1910, or under the Dangerous Drugs Act, 1930 and (ii) in clause (d) for the words "if such person has opium in his possession" the words "if the search confirms such belief" shall be substituted

6. After section 20 of the principal Act the following new section shall be inserted, namely : 20A. (1) The [State may invest Power to invest Ex- any officer of the Excise Department, not below the rank of Sub-Inspector or any class of such officer, with all the powers of an officer in charge of a police station or for the investigation of offences under this Act, in-charge of a police station. (2) Any confession made to or whilst in the custody of any officer invested under sub-section (1) with the power of an officer in-charge of a police station shall be deemed to be a confession made to or whilst in the custody of a police officer.

7. At the end of the principal Act the following schedule shall be inserted, namely : — i Substituted by the A. O. 1950 for Provincial Government which was substituted by the A. O. 1937 for "L.G" 74 Assam OPIUM (AMENDMENT) Act SCHEDULE [ASSAM Act BOND TO ABSTAIN FROM THE COMMISSION OF OFFENCES UNDER THE Assam OPIUM (AMENDMENT) ACT, 1932 (See Section 9B) WHEREAS I inhabitant of (name (place) have been called upon to enter into a bond to abstain from the commission of an offence under section 9 of the Indian Opium Act, 1878, for the term of I hereby bind myself not to commit any such offence during the said term and, in case of my making default therein: I hereby bind myself to forfeit to [Government] the sum of rupees Dated this day of 19 (Signature) (Where a bond with securities is to be executed, add—) We do hereby declare ourselves sureties for the abovenamed that he will abstain from the commission of an offence under section 9 of the Indian Opium Act, 1878, during the said term; and, in case of his making default, therein, we bind ourselves, jointly and

severally, to f irrcit to (Government] the sum of rupees Daled this day (Signature) " 19 I Subtituted by the
A. O. 1950 for 'Hi' Majesty the king, Emperor of Iudja'.

