

ORISSA ACT XL OF 1951
THE ORISSA OPIUM SMOKING (AMENDMENT)
ACT, 1951

[*Received the assent of the President on the 6th December 1951, first published in the Orissa Gazette, dated the 4th January 1952*]

AN ACT TO AMEND THE ORISSA OPIUM SMOKING ACT, 1947

WHEREAS it is expedient to amend the Orissa Opium Smoking Act, 1947, in the manner hereinafter appearing ; Orissa Act, XVI of 1947

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Orissa Opium Smoking (Amendment) Act, 1951.

(2) It shall come into force at once.

Amendment of section 7, Orissa Act XVI of 1947.

2. In section 7 of the Orissa Opium Smoking Act, 1947 Orissa Act XVI of 1947. (hereinafter referred to as the said Act) for the words "punishable with simple imprisonment for a term which may extend to three months or with fine which may extend to one hundred rupees or with both" the words "punishable with imprisonment which may extend to one year or with fine which may extend to one thousand rupees or with both" shall be substituted.

Amendment of section 8, Orissa Act XVI of 1947.

3. For sub-section (2) of section 8 of the said Act, the following sub-section shall be substituted, namely :—

"(2) Any person who commits an offence under sub-section (1) shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both ; and any person who abets such offences shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both."

Amendment of section 9, Orissa Act XVI of 1947.

4. In section 9 of the said Act, for the words "punishable with imprisonment which may extend to six months or with fine which may extend to two hundred rupees or with both" the words "punishable with imprisonment which may extend to one year or with fine which may extend to one thousand rupees or with both" shall be substituted.

Amendment of section 10, Orissa Act XVI of 1947.

5. In section 10 of the said Act, for the words "punished with imprisonment for a term which may extend to one year or with fine which may extend to five hundred rupees or with both" the words "punished with imprisonment for a term which may extend to two years or with fine which may extend to one thousand rupees or with both" shall be substituted.

Amendment of section 12, Orissa Act XVI of 1947. 6. For section 12 of the said Act the following section shall be substituted, namely :—

“ 12. When fine is imposed under section 7, 9 or 10, the convicting Magistrate shall direct the offender to be imprisoned in default of payment of fine. Payment of fine for a term which may extend to six months and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced. ”