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GOVERNMENT OF MIZORAM

PART V

Acts of Parliament and Ordinances promulgated by the President;
Bills introduced in the Parliament of India.

Bills published before introduction in the Parliament, and
Reports of Selection Committees presented or to be presented in
the Parliament.

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THE INDIAN TARIFF (AMENDMENT) Act 1972

An

Act

further to amend the Indian Tariff Act, 1934.

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Tariff (Amendment) Act, 1972.

(2) It shall come into force on the 1st day of January, 1973.

2. In the First Schedule to the Indian Tariff Act, 1934,—

32 of 1934.

(a) in Item No. 28 (35),—

(i) in the second column headed "Name of article", for the figure and word "2-amino-anthraquinone", the figure, words and brackets "2-amino-anthraquinone (Beta-amino-anthraquinone)" shall be substituted;

(ii) in the last column headed "Duration of protective rates of duty", for the figures "1972", wherever they occur, the figures "1974" shall be substituted;

(b) in Items Nos. 28 (36) and 28 (37),—

(i) in the third column headed "Nature of duty", for the word "Protective", wherever it occurs, the word "Revenue" shall be substituted;

Short
title and
commence-
ment,
Amend-
ment of
First
Schedule

1	2	3	4	5	6	7
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- (4) 1: 5 di amino-anthraquinone,
- (5) Schaeffers acid
(2-naphthol-6-sulphonic acid),
- (6) M-chloro aniline,
- (7) 2:5 dichloro aniline,
- (8) 4-chloro-2-anisidine,
- (9) 4 chloro 2-nitro anisole,
- (10) O-nitro aniline,
- (11) Para toluidine meta sulphonic acid,
- (12) O-amino azo toluene
(2,3' dimethyl-4-amino-azo-benzene or 4-ortho-toluylozo-ortho-toluidine).
- (13) R. salt (2-naphthol-3,6-disulphonic acid, Sodium salt),
- (14) Benzoyl J-acid
(2-Benzoyl amino 5-naphthol-7-sulphonic acid),
- (15) P-nitrosophenol
(1-hydroxy-4-nitro benzene),
- (16) Dinitrostilbene disulphonic acid
(4,4'-dinitrostilbene-2,2'-disulphonic acid),

(17) Beta naphthalene
thioglycolic acid
(2-naphthyl thiogly-
colic acid),

(18) 4-chloro-o-toluidine,

(19) 1-Amino-6-nitro-2-
naphthol-4-sulphonic

(20) Para nitro toluene
sulphonic acid or
para-nitro toluene-
ortho-sulphonic acid
(toluene-4-nitro-2-
sulphonic acid or
benzene-1-methyl 4-
nitro-2-sulphonic
acid)—

(a) of British manufacture ;	Protective	50 per cent <i>ad valorem.</i>	December 31st, 1974.
(b) not of British manufacture.	Protective	60 per cent <i>ad valorem.</i>	December 31st, 1974.

28(40A) The following dye-inter-
mediates, namely,—

(1) Metanilic acid,

(2) Quinizarine
(1,4-dihydroxy-
anthraquinone)—

(a) of British manufacture,	Protective	90 per cent <i>ad valorem.</i>	December 31st 1974.
(b) not of British manufacture,	Protective	100 per cent <i>ad valorem.</i>	December 31st 1974.

1	2	3	4	5	6	7
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28 (40B) The following dye-intermediates, namely:—

- (1) 1-amino-anthraquinone.
- (2) 2:6 diamino-anthraquinone,
- (3) O-chloro aniline,
- (4) P-chloro aniline.
- (5) O-nitro anisole,
- (6) P-nitro anisole,
- (7) 5-chloro-o-toluidine,
- (8) 1:4 diamino anthraquinone,
- (9) 1-chloro anthraquinone,
- (10) Peri. acid,
- (11) 2:5 dimethyl-4-chloro-phenyl thioglycolic acid,
- (12) Amino Iso G-acid.
- (13) Anthraquinone-1-sulphonic acid sodium salt—
 - (a) of British manufacture; Revenue 50 per cent
ad valorem.
 - (b) not of British manufacture. Revenue 60 per cent
ad valorem.

1	2	3	4	5	6	7
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28 (41) The following dye-intermediates, namely. —

- (1) Chicago acid
- (2) G-Salt,
- (3) Gamma acid,
- (4) H. Acid,
- (5) J-Acid urea,
- (6) Meta-toluylene diamine,
- (7) Meta-phenylene diamine,
- (8) Neville Winther acid.
- (9) Para Nitro aniline,
- (10) Rhoduline acid,
- (11) Sulphanilic acid,
- (12) Sodium naphthionate/
naphthionic acid,
- (13) 2:5-dichloro nitro benzene,
- (14) Dimethyl sulphate,
- (15) Beta Naphthol,
- (16) Aceto acetic ester
(ethyl/methyl),
- (17) Trichloro benzene,
- (18) Benzidine sulphate/
Benzidine dihydro chloridie,

1	2	3	4	5	6	7
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(19) Dimethylaniline—

(a) of British manufacture ;	Protective	50 percent <i>ad volorem.</i>	December 31st, 1974.
(b) not of British manufacture	Protective	60 percent <i>ad volorem</i>	December 31st, 1974.”

**THE CAPITAL OF PUNJAB (DEVELOPMENT AND
(REGULATION) (CHANDIGARH AMENDMENT) Act, 1973**

An
Act

further to amend the Capital of Punjab (Development and Regulation) Act 1952 as in force in the Union territory of Chandigarh.

BE it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows :—

1. (1) This Act may be called the Capital of Punjab (Development and Regulation) (Chandigarh Amendment) Act, 1973.

(2) It shall be deemed to have come into force on the 1st day of November, 1966 except section 7 which shall come into force at once.

short
title and
com-
mence-
ment.

Punjab Act XXVII of 1952

2. In section 3 of the Capital of Punjab (Development and Regulation) Act, 1952, as in force in the Union territory of Chandigarh (hereinafter referred to as the principal Act),—

Amend-
ment of
section 3.

(i) in sub-section (1), for the words "The Central Government may," the words "Subject to the provisions of this section, the Central Government may," shall be substituted;

(ii) for sub-section (3), the following sub-section shall be substituted, namely :—

"(3) Notwithstanding anything contained in any other law for the time being in force, until the entire consideration money together with interest or any other amount, if any, due to the Central Government on account of the transfer of any site or building, or both, under sub-section (1) is paid, such site or building, or both, as the case may be, shall continue to belong to the Central Government."

3. For section 8 of the principal Act the following sections shall be substituted, namely :—

Substitu-
tion of
new sec-
tions for
section 8.

imposition of penalty and mode of recovery of arrears.

"8. (1) Where any transferee makes any default in the payment of any rent due in respect of any lease of any site or building, or both, as the case may be, under section 3, or where any transferee or occupier makes any default in the payment of any fee or tax levied under section 7, the Estate Officer may direct that in addition to the amount of arrears, a sum not exceeding that amount shall be recovered from the transferee or occupier, as the case may be, by way of penalty:

Provided that no such direction shall be made unless the person affected thereby has been given a reasonable opportunity of being heard in the matter.

(2) Where any person makes any default in the payment of any amount, being the arrears and penalty directed to be paid under subsection (1), such amount may be recovered from the transferee or occupier, as the case may be, in the same manner as an arrear of land revenue.

Resumption and forfeiture for breach of conditions of transfer.

8A. (1) If any transferee has failed to pay the consideration money or any instalment thereof on account of the sale of any site or building, or both, under section 3, or has committed a breach of any other conditions of such sale, the Estate Officer may, by notice in writing, call upon the transferee to show cause why an order of resumption of the site or building, or both, as the case may be, and forfeiture of the whole or any part of the money, if any, paid in respect thereof (which in no case shall exceed ten per cent, of the total amount of the consideration money, interest and other dues payable in respect of the sale of the site or building, or both) should not be made.

(2) After considering the cause, if any, shown by the transferee in pursuance of a notice under subsection (1) and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard in the matter, the Estate Officer may, for reasons to be recorded in writing, make an order resuming the site or building, or both as the case may be, so sold and directing the forfeiture as provided in subsection (1) of the whole or any part of the money paid in respect of such sale".

Omission of section 9.

4. Section 9 of the principal Act shall be omitted.

Amend-
ment of
section 10.

5. In sub-section (1) of section 10 of the principal Act, for the words and figures "sections 8 and 9", the words, figures and letter "section 8 or section 8A" shall be substituted.

Substitu-
tion of
new sec-
tion for
section 19.

6. For section 19 of the principal Act, the following section shall be substituted, namely:—

Part of
jurisdic-
tion

"19. No court shall have jurisdiction to entertain any suit or proceeding in respect of the recovery of any arrears or penalty under section 8 or in respect of the resumption of any site or building, or both, as the case may be, under section 8A or the forfeiture of any money under that section, or in respect of any order made by the Central Government or any other authority in the exercise of any power conferred by or under this Act."

7. Notwithstanding any judgment, decree or order of any court, anything done or any action taken (including any notice issued, any order made for resumption of any site or building, or both, as the case may be, or any such resumption effected, or any order made for the forfeiture of any money or any money forfeited, or any order made for the recovery of any arrears or any arrears recovered, or any penalty imposed or recovered) or purported to have been done or taken under the principal Act shall, in so far as it is consistent with the provisions of the principal Act as amended by this Act, be deemed to be as valid and effective as if such thing or action was done taken under the principal Act as amended by this Act, and accordingly no suit or other legal proceeding shall be maintained or continued in any court,—

Valida-
tion.

- (i) for the recovery of any site or building; or both, as the case may be, which has or have been resumed; or
- (ii) for the cancellation of any order made for the resumption of any site or building, or both, as the case may be; or

- (iii) for the recovery of any money forfeited; or
 - (iv) for the cancellation of any order made for the forfeiture of any money; or
 - (v) for the refund of any arrears recovered; or
 - (vi) for the cancellation of any order made for the recovery of any arrears; or
 - (vii) for the refund of any penalty recovered; or
 - (viii) for the cancellation of any order imposing any penalty.
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**THE SEAWARD ARTILLERY PRACTICE (AMENDMENT)
ACT, 1973**

An
Act

further to amend Seaward Artillery Practice Act, 1949.

BE it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Seaward Artillery Practice (Amendment) Act, 1973,

Short
title and
commen-
cement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. For section 3 of the Seaward Artillery Practice Act, 1949 (hereinafter referred to as the principal Act), the following sections shall be substituted, namely:—

8 of 1949.

Substitu-
tion of
new sec-
tions for
section 3.

3. (1) The Central Government may, by notification in the Official Gazette, authorise the carrying out of seaward artillery practice over such area and during such period or periods as may be specified in the notification:

Power of
Central
Govern-
ment to
authorise
seaward
artillery
practice.

Provided that there shall be an interval of at least fourteen days between the date of publication of such notification in the Official Gazette and the date of carrying out of seaward artillery practice.

(2) The Central Government shall, as soon as may be, after the publication of a notification under sub-section (1), cause the substance thereof to be published—

(a) in some newspaper circulating in, and in the language commonly understood in, the area specified in the notification; and

(b) in such other manner as may be prescribed.

(3) If any question arises whether the substance of a notification under sub-section (1) was published as required by sub-section (2), a certificate by the Collector of the district in which the notified area is situate that the substance of the notification was so published, shall be conclusive.

Power to
delegate

3A The Central Government may, by notification in the Official Gazette, direct that the power to issue notifications under section 3 shall, subject to such conditions, if any, as may be specified in the notification, be exercisable also by such State Government as may be specified therein.”

Substitu-
tion of
new sec-
tion for
section 9.

3. For section 9 of the principal Act, the following section shall be substituted, namely :—

Power to
make rules.

“9. (1) The Central Government may, by notification in the Official Gazette, make rules for giving effect to the provisions of this Act and different rules may be made for different States or for different areas thereof.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters namely :—

(a) the manner in which the substance of a notifications under section 3 may be published;

(b) regulating the use under this Act of the notified area for seaward artillery practice in such manner as to secure the public against danger, and to enable the practice to be carried out with the minimum inconvenience to the inhabitants of the area affected;

(c) the minimum rates at the which compensation shall be payable under sub-section (3) of section 6, and generally regarding the making of claims for compensation, the procedure to be followed by the authorities granting the compensation, the expeditious settlement of claims and the filing of appeals from original awards of compensation :

(d) the principles to be followed in assessing the amount of compensation to be awarded under this Act;

(e) any other matter which is required to be, or may be prescribed.

(3) Every rule made under this section shall be laid as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modifications in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.
