

ACT No. XVIII OF 1896.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 1st October, 1896.)

An Act to amend the Punjab Municipal Act, 1891.

WHEREAS it is expedient to amend the Punjab Municipal Act, 1891 (hereinafter called "the said Act"); It is hereby enacted as follows:—

Addition to section 137, Act XX, 1891.

1. In section 137, sub-section (1), of the said Act, after clause (d) the following clauses shall be added, namely:—

- “(e) prohibit the sale of milk and butter by persons not licensed by the committee;
- (f) prohibit the import into the municipality for sale of milk and butter by persons not licensed by the committee;
- (g) fix the conditions on which licenses under this section are to be granted and may be revoked.”

Addition of new section after section 137, Act XX, 1891.

Penalty for selling food or drink not of the nature, substance or quality of the articles demanded by the purchaser.

2. After section 137 of the said Act the following section shall be added, namely:—

“137A. (1) Whoever sells, to the prejudice of any purchaser, any article of food or drink which is not of the nature, substance or quality of the article demanded by such purchaser, shall be punishable with fine which may extend to one hundred rupees:

Provided that an offence shall not be deemed to be committed under this section in the following cases, that is to say:—

- (a) where any matter or ingredient not injurious to

to health has been added to food or drink in order to the production or preparation of the same as an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight or measure or conceal the inferior quality thereof;

- (b) where food or drink is unavoidably mixed with some extraneous matter in the process of collection or preparation.

(2) In any prosecution under this section it shall be no defence to allege that the vendor was ignorant of the nature, substance or quality of the article sold by him, or that the purchaser, having bought such article only for analysis, was not prejudiced by the sale:

Provided that an offence shall not be deemed to be committed under this section, if the vendor proves to the satisfaction of the Court that he had purchased the article sold by him as the same in nature, substance and quality as that demanded by the purchaser, and with a written warranty to that effect, that he had no reason to believe at the time when he sold it that the article was otherwise, and that he sold it in the same state as when he purchased it.

(3) This section shall not take effect in any municipality until it has been specially extended thereto by the Local Government at the request of the committee."

3. In section 144, clause (c), of the said Act the words "within bazars" are repealed.

Partial repeal
of section
144, clause
(c), Act XX,
1891.