

ACT No. XLI of 1940.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the
3rd December, 1940.)

An Act to amend the Indian Sale of Goods Act, 1930.

III of 1930. **W**HEREAS it is expedient to amend the Indian Sale of Goods Act, 1930, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. This Act may be called the Indian Sale of Goods short title.
(Amendment) Act, 1940.

III of 1930. 2. After section 64 of the Indian Sale of Goods Act, 1930, the following section shall be inserted, namely :— insertion of new section 64A in Act III of 1930.

“64A. In the event of any duty of customs or excise on any goods being imposed, increased, decreased or remitted after the making of any contract for the sale of such goods without stipulation as to the payment of duty where duty was not chargeable at the time of the making of the contract, or for the sale of such goods duty-paid where duty was chargeable at that time,— In contracts of sale amount of increased or decreased duty to be added or deducted.

(a) if such imposition or increase so takes effect that the duty or increased duty, as the case may be, or any part thereof, is paid, the seller may add so much to the contract price as will be equivalent to the amount paid in respect of such duty or increase of duty, and he shall be entitled to be paid and to sue for and recover such addition, and

(b) if such decrease or remission so takes effect that the decreased duty only or no duty, as the case may be, is paid, the buyer may deduct so much from the contract price as will be equivalent to the decrease of duty or remitted duty, and he shall not be liable to pay, or be sued for or in respect of, such deduction.”

3. (1) Section

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Price anna 1 or 1½d.

Indian Sale of Goods [ACT XLi OF 1940.]
(Amendment).

Repeal of
section 10 of
Act XXXII
of 1934.

3. (1) Section 10 of the Indian Tariff Act, 1934, is ^{XXXII of} hereby repealed. 1934.

(2) Nothing in the repeal effected by sub-section (1) shall affect or be deemed to affect—

- (a) any right, title, interest, obligation or liability already acquired, accrued or incurred before the commencement of this Act, or
- (b) any legal proceedings or remedy in respect of any such right, title, interest, obligation or liability, or
- (c) anything done or suffered before the commencement of this Act.