

Rep. by Act.....19.....of 19 88, s. 2 & sch. I

THE SMUGGLERS AND FOREIGN EXCHANGE MANIPULATORS (FORFEITURE OF PROPERTY) AMENDMENT ACT, 1980

No. 55 OF 1980

[9th December, 1980.]

An Act to amend the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976.

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

1. (1) This Act may be called the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Amendment Act, 1980.

Short title and commencement.

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

2. In section 12 of the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 (hereinafter referred to as the principal Act),—

Amendment of section 12 of Act 13 of 1976.

(a) after sub-section (6), the following sub-section shall be inserted, namely:—

“(6A) Notwithstanding anything contained in sub-section (6), where the Chairman considers it necessary so to do for the expeditious disposal of appeals under this section, he may constitute a Bench of two members and a Bench so constituted

363

1/ 1.7.1981 : vide Notifu. No. S.O. 526 (E), dt. 1.7.1981  
Gaz. of India, Exty., Pt. II, S. 3 (ii), p. 86

**REPEALED**

may exercise and discharge the powers and functions of the Appellate Tribunal:

Provided that if the members of a Bench so constituted differ on any point or points, they shall state the point or points on which they differ and refer the same to a third member (to be specified by the Chairman) for hearing on such point or points and such point or points shall be decided according to the opinion of that member.”;

(b) after sub-section (7), the following sub-section shall be inserted, namely:—

“(8) On application to the Appellate Tribunal and on payment of the prescribed fee, the Tribunal may allow a party to any appeal or any person authorised in this behalf by such party to inspect at any time during office hours, any relevant records and registers of the Tribunal and obtain a certified copy of any part thereof.”.

Amend.  
ment of  
section  
26.

3. In section 26 of the principal Act, in sub-section (2), after clause (a), the following clause shall be inserted, namely:—

“(aa) the fees which shall be paid for the inspection of the records and registers of the Appellate Tribunal or for obtaining a certified copy of any part thereof under sub-section (8) of section 12;”.