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Separate paging is given to this Part in order that it
may be filed as a Separate Compilation.

PART - IV

Acts of the Gujarat Legislature and Ordinances promulgated
and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented
to by the Governor on the 4th April, 2003 is hereby published for general
information.

V. M. KOTHARE,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 21 OF 2003.

(First published, after having received the assent of the Governor in
the "Gujarat Government Gazette", on the 5th April, 2003).

AN ACT

further to amend the Bombay prohibition Act, 1949.

It is hereby enacted in the Fifty-fourth Year of the Republic of India
as follows :-

1. (1) This Act may be called the Bombay Prohibition (Gujarat
Amendment) Act, 2003.

Short title and
commencement.

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

Insertion of new
section 92 in Bom.
XXV of 1949

2. In the Bombay Prohibition Act, 1949 (hereinafter referred to as "the principal Act"), after section 91, the following section shall be inserted, namely :-

Bom.
XXV
of
1949.

Rendering
community
service in lieu
of
imprisonment.

"92. (1) Where the court, on conviction for the first offence under clause (b) of sub-section (1) of section 66 for consumption of an intoxicant, or sub-section (1) of section 85 or both sentences a person to simple imprisonment for certain term, it shall, in lieu of such imprisonment, require such person to execute a bond with sureties containing such conditions in such form as may be prescribed, for rendering such community service and subjecting himself to such medical treatment for getting freed from addiction of intoxicant as may be prescribed for the term of such imprisonment.

(2) On execution of the bond under sub-section (1), the sentence shall stand suspended and the person shall be released :

Provided that if the person commits breach of any condition of the bond, the suspension of sentence shall stand cancelled and the sentence shall revive and the person shall be arrested by any police officer without warrant and remanded to undergo the unexpired portion of the sentence.

Explanation. - Nothing in this section shall be deemed as granting of probation to the offender."

Amendment of
section 143 of Bom.
XXV of 1949.

3. In the principal Act, in section 143, in sub-section (2), after clause (uu), the following clause shall be inserted, namely :-

"(uum) prescribing the form of the bond, nature of the community service; and the terms and conditions subject to which such service shall be rendered and medical treatment to which person shall be subject under sub-section (1) of section 92;"

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