

***The Economic Offences (Inapplicability Of Limitation) Act, 1974***  
**ACT NO. 12 OF 1974**

**1266**

[27th March, 1974]

An Act to provide for the inapplicability of the provisions of Chapter XXXVI of the Code of Criminal Procedure, 1973 to certain economic offences.

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

**LEGISLATIVE HISTORY ▼**

- Amended by the Interest-tax Act 45 of 1974
- Amended by the Hotel Receipts Tax Act 54 of 1980
- Amended by Economic Offences (Inapplicability of Limitation) Amendment Act 46 of 1981
- Amended by the Copyright (Amendment) Act (65 of 1984)
- Amended by the Expenditure tax Act (35 of 1987).
- Amended by Act 32 of 1994.

**1. Short title, extent and commencement.** (1) This Act may be called the Economic Offences (Inapplicability of Limitation) Act, 1974.

(2) It extends to the territories to which the Code of Criminal Procedure, 1973 (2 of 1974), applies.

(3) It shall come into force on the 1st day of April, 1974.

**Object & Reasons ▼**

Chapter XXXVI of the Code of Criminal Procedure, 1973, which comes into force on 1st April, 1974, provides for limitation for taking cognizance of certain offences under the Acts, like Income-tax Act, Customs Act, Gold (Control Act), Central Excises and Salt Act, etc., by their very nature do not generally come to light as soon as they are committed and are often preceded by long periods of investigation or adjudication. In the process, the period of limitation prescribed by long periods of investigation or adjudication. In the process, the period of limitation prescribed in the aforeside chapter may run out in many case, thus enabling the offenders to escape prosecution under these Acts. Hence, it is proposed to make the provisions of Chapter XXXVI of the Code of Criminal Procedure, 1973, inapplicable to offences under the Acts which are enumerated in the Schedule to the Bill.

The Bill seeks to achieve this objective - S.O.R. - Gazette of India, 19-3-74, Pt. II-S.2, Ext., p.136.

**2. Chapter XXXVI of the Code of Criminal Procedure, 1973 not to apply to certain offences.** Nothing in Chapter XXXVI of the Code of Criminal Procedure, 1973 (2 of 1974) shall apply to-

- (i) any offence punishable under any of the enactments [or provisions, if any, thereof] specified in the Schedule ; or
- (ii) any other offence, which under the provisions of that Code, may be tried along with such offence, and every offence referred to in clause (i) or clause (ii) may be taken cognizance of by the Court having jurisdiction as if the provisions of that Chapter were not enacted.

## **THE SCHEDULE**

(See section 2)

1. The Indian Income-tax Act, 1922 (11 of 1922).  
[1A. Clause (a) of section 63 of Copyright Act, 1957 (14 of 1957).]
2. The Income-tax Act, 1961(43 of 1961)  
[2A.The Interest-tax Act, 1974]  
[2B. The Hotel Receipts Tax Act, 1980]  
[2C. The Expenditure-tax Act, 1987]
3. The Companies (Profits) Surtax Act, 1964 (7 of 1964)
4. The Wealth-tax Act, 1957 (27 of 1957)
5. The Gift-tax Act, 1957 (18 of 1958)
6. The Central Sales Tax Act, 1956 (74 of 1956)
7. The Central Excises and Salt Act, 1944 (1 of 1944)
8. The Medicinal and Toilet Preparations (Excise Duties) Act, 1955 (16 of 1955)
9. The Customs Act, 1962 (52 of 1962)
10. The Gold (Control) Act, 1968 (45 of 1968)
11. The Imports and Exports (Control) Act, 1947 (18 of 1947)
12. The Foreign Exchange Regulation Act, 1947 (7 of 1947)
13. The Foreign Exchange Regulation Act, 1973 (46 of 1973)
14. The Capital Issues (Control) Act, 1947 (29 of 1947)
15. The Indian Stamp Act, 1899 (2 of 1899)
16. The Emergency Risks (Goods) Insurance Act, 1962 (62 of 1962).
17. The Emergency Risks (Factories) Insurance Act, 1962 (63 of 1962)
18. The Emergency Risks (Goods) Insurance Act, 1971 (50 of 1971)
19. The Emergency Risks (Undertakings) Insurance Act, 1971 (51 of 1971)
20. The General Insurance Business (Nationalisation) Act, 1972 (57 of 1972).
- [21. The Industries (Development and Regulation) Act, 1951 (65 of 1951)].