

# **Punjab Intoxicating Spirituous Preparations Import, Export Transport, Possession and Sale Rules, 1952**

HARYANA

India

## **Punjab Intoxicating Spirituous Preparations Import, Export Transport, Possession and Sale Rules, 1952**

### **Rule**

### **PUNJAB-INTOXICATING-SPIRITUOUS-PREPARATIONS-IMPORT-EXPORT of 1952**

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Punjab Intoxicating Spirituous Preparations Import, Export Transport, Possession and Sale Rules, 1952Originally published vide Punjab Notification No. 769 E&T-52/1275 dated 22-3-1952.  
Re-published vide Haryana Government Notification No. GSR 181/PA1/14/s.58/76 dated 30th July 1976A - Definitions

### **1.**

In these Rules, unless there is anything repugnant in the subject or context, -(a)'Act' means the Punjab Excise Act (1 of 1914) as amended.(b)'Civil Surgeon' means the Civil Surgeon or other principal medical officer of the district.(c)'Deputy Excise and Taxation Commissioner' means the officer appointed by Government to discharge the functions and to exercise the powers assigned to him under the Act and includes any officer specially authorised by the Excise and Taxation Commissioner, [Haryana] [Substituted for 'Punjab' by Haryana Adoption of Laws Order, 1968.]to exercise throughout the State or any specified area therein, all or any of the powers of Deputy Excise and Taxation Commissioner under these Rules.(d)'Competent Authority' means the Excise and Taxation Officer or the Assistant Excise and Taxation Officer holding charge of the district in relation to liquor or intoxicating drug under the Act and the rules made thereunder.(e)'Form' means the form appended to these rules,(f)Government means the Government of the State of [Haryana] [Substituted for 'Punjab' by Haryana Adoption of Laws Order, 1968.].(g)the expression 'Import' 'Export' and Transport' have the same meanings as are assigned to them under the Act.(h)'Intoxicating Spirituous Preparation' means the spirituous preparations declared as liquor in the Punjab Government Notification No. 769 E&T-52/1273, dated the 22nd March, 1952, and shall

include all such preparations as the Government may declare as such from time to time.(i)'Licensee' means a person licensed to possess, manufacture or for dispensing or for sale intoxicating spirituous preparations.(j)'Prescription' means a prescription given by a registered medical practitioner to a bona fide patient.(k)'Registered Practitioner' means any person registered under the provisions of the Punjab Medical Registration Act, 1916.

## **2.**

No intoxicating spirituous preparations shall be manufactured or prepared or possessed for retail sale except under the authority and subject to the terms and conditions of a license in from M.C. 12 granted in that behalf by the Deputy Excise and Taxation Commissioner under the rules.C - Possession

## **3.**

No person shall have in his possession any intoxicating spirituous preparations in any quantity except by -(i)a patient on the authority of a prescription issued by a registered practitioner and dispensed either by the registered practitioner himself or, by a licensee.(ii)a registered practitioner, who may keep in his possession at any one time intoxicating spirituous preparations not exceeding [500 millilitres] [Substituted for 'one pound' by Punjab Notification No. PA1/1914/S.58/62, dated 22, Jauary, 1962.] each.(iii)a medical practitioner in managing or supervising charge of a Government, Local Fund and Charitable Hospital or dispensary who may possess intoxicating spirituous preparations not exceeding in requirements of such hospital or dispensary for twelve months.(iv)a licensee, who may possess such quantity of intoxicating spirituous preparations as may be specified in his license or a common carrier as such in the possession of such preparations on behalf of and on account of the licensee.(v)an Excise Officer to the Government acting in his official capacity.D - Import, Export and Transport

## **4.**

A licensee or a registered practitioner may, subject to Rule 3 above, import, export or transport intoxicating spirituous preparation on the authority of a period and a pass granted by a competent authority.

## **5.**

A medical practitioner in a managing or supervising charge of a Government Local Fund or charitable Hospital or dispensary may import and transport such quantity of intoxicating spirituous preparations as may be specified on the indent (not exceeding its requirements for twelve months) signed by the Civil Surgeon or the District Medical Officer of health and in the case of Veterinary Hospital and dispensaries by the Deputy Superintendent of the Civil Veterinary Department. A copy of the indent should be furnished in advance to the Deputy Excise and Taxation Commissioner concerned for record and for such action as he may deem expedient in relation to the indent in

regard to the quantity to be imported or transported.

**6.**

[Omitted by Punjab Notification No. PA1/1914/S.58/62, dated 22, January, 1962.]

**7.**

Every consignment of intoxicating spirituous preparations imported, exported or transported shall be accompanied by a pass issued by the competent authority of the district of the issue.

**8.**

A licensed manufacturer shall issue for transport intoxicating spirituous preparations under a pass on the authority [of a permit, granted by a competent authority to a licensee or a registered practitioner and in the case of a medical practitioner in managing or supervising incharge of a Government Local Fund or charitable hospital or dispensary on the authority of an indent as specified in Rule 5 above.] [8A. Notwithstanding anything in Rules 4, 5 and 8 above the export outside [Haryana] [Notification dated 29.7.1952.] and transport within the same district in [Haryana] [Substituted for 'Punjab' by Haryana Adoption of Laws Order, 1968.] of an intoxicating spirituous preparation shall not require a permit or a no objection certificate as the case may be from a competent authority.] E - Sale

**9.**

A licensed manufacturer shall sell intoxicating spirituous preparation only to licensee a registered practitioner or a medical practitioner in charge of a hospital or dispensary in accordance with these rules.

**10.**

A licensee shall sell intoxicating spirituous preparation only to another licensee or to a registered practitioner or a medical practitioner incharge of a Government Local Fund or charitable hospital or dispensary or on a prescription of a registered practitioner in accordance with the such prescription.

**11.**

A registered medical practitioner shall sell intoxicating spirituous preparations only for dispensing his own prescription or the prescription of another registered practitioner.

## **12.**

Unless the prescription bears an indication by a registered practitioner that it is to be repeated and at what interval of time it is to be repeated and how many times it is to be repeated, the licensee or the registered practitioner shall sell the intoxicating spirituous preparations only once on the prescription. After noting the date on the prescription and the marking an entry in the sale register, the prescription shall be returned to the patient or his representative. If the prescription bears an indication as aforesaid the licensee or the registered practitioner dispensing the prescription shall enter on the prescription the date of sale and shall sign and affix his seal to the prescription and return the prescription to the patient or his representative. Provided that if it appears from the prescription that the sale of [30 millilitres] [Substituted for 'one ounce' by Punjab Notification No. PA1/1914/S.58/62, dated 22, January, 1962.] of intoxicating spirituous preparation mentioned therein has already been made, or that the interval specified in the prescription has elapsed since the prescription was last dispensed, the licensee or the registered practitioner shall not sell the intoxicating spirituous preparations unless the prescription is revalidated.

## **13.**

The maximum quantity of intoxicating spirituous preparations, which shall be sold on the authority of a prescription granted by a registered practitioner, shall be [30 millilitres] [Substituted for 'one ounce' by Punjab Notification No. PA1/1914/S.58/62, dated 22, January, 1962.] only. The sale of intoxicating spirituous preparations exceeding [30 millilitres] [Substituted for 'one ounce' by Punjab Notification No. PA1/1914/S.58/62, dated 22, January, 1962.] shall be deemed to be a wholesale transaction and must be covered by a permit and a pass granted by competent authority. F - Approval, Authorisation, Licences, Passes and Permits

## **14.**

The Deputy Excise and Taxation Commissioner, or any other officer, authorised by him in this behalf, may grant a license in form I. S. P. 1, to any person or firm holding a license under the Drugs Control Act, as a qualified or approved person or having in his employ such a person.

## **15.**

The licence fee shall be annual and as fixed by the Excise and Taxation Commissioner, Punjab, from time to time.

## **16.**

A person desirous of obtaining a license may apply in form I. S. P. 2 to the Deputy Excise and Taxation Commissioner, concerned provided that the Deputy Excise and Taxation Commissioner, may for reasons to be recorded in writing, refuse to grant the licence.

**17.**

The Deputy Excise and Taxation Commissioner is competent to grant a license for the possession and sale of each kind of intoxicating spirituous preparation not exceeding in aggregate [25 litres] [Substituted for 'fifty pound' by Punjab Notification No. PA1/1914/S.58/62, dated 22, January, 1962.] in a year. The Excise and Taxation Commissioner, Punjab is competent to grant a license for the possession and sale of intoxicating spirituous preparations or any class of such preparations in any quantity whatever.

**18.**

The competent authority shall grant permits in form I. S. P. 3 for the import or transport of intoxicating spirituous preparations.

**19.**

The competent authority shall issue export and transport passes in form I. S. P. 4.

**20.**

The licensee shall maintain correct accounts of his daily transactions in form I. S. P. 5 and submit a monthly return in form I. S. P. 6 to the competent authority.

**21.**

The Excise and Taxation Commissioner, [Haryana] [Substituted for 'Punjab' by Haryana Adoption of Laws Order, 1968.] may by special order, authorise any officer of the Excise and Taxation Department to issue export passes for the export of intoxicating spirituous preparations.

**22.**

(i)The licensee shall, in addition to these rules, be bound to observe all the rules under the Act applicable to his licence.(ii)Any infringement of the provisions of these rules would be an offence under Section 61 of the Act.

**23.**

(i)In the matter of duty to be paid on intoxicating spirituous preparations, the Punjab Excise Fiscal Orders, published in the Punjab Government Notification No. 5998, dated the 12th November, 1932, as subsequently amended shall apply mutatis mutandis.(ii)In all other matters not specified in these rules, the [Haryana Liquor License Rules, 1970 as amended from time to time] [Substituted vide Haryana Government Notification No. GSR 17/PA1/14/s. 5, 6, 16, 17, 18, 24, 58/Amd(1)/76 dated 6.2.1976.] shall apply mutatis mutandis except in regard to working hours and close days. Form I.

S.P. 1 License for the sale of the Intoxicating Spirituous Preparations. Number of License \_\_\_\_\_  
Number of the district \_\_\_\_\_

License for the sale of Intoxicating spirituous preparations is granted to Shri| Proprietor|Manager|  
son of Shri \_\_\_\_\_ of M/s. \_\_\_\_\_  
Shop No. \_\_\_\_\_ Ward \_\_\_\_\_ in \_\_\_\_\_ (Town) in the district of  
\_\_\_\_\_ for the period from \_\_\_\_\_ to \_\_\_\_\_ on  
payment of annual license fee of Rs. \_\_\_\_\_ (in words) paid into the  
\_\_\_\_\_ Treasury on the \_\_\_\_\_. This license is granted subject to  
the provisions of the Punjab Intoxicating Spirituous Preparations Import. Export, Transport,  
Possession and Sale Rules, 1952, and to the terms and conditions specified below :- Description of  
Licensed premises \_\_\_\_\_ Deputy Excise and Taxation  
Commissioner.

Dated \_\_\_\_\_ 19 District \_\_\_\_\_

Supplementary conditions -(1)The licensee can possess the following intoxicating spirituous  
preparations up to the quantity mentioned against each preparation,(2)The licensee shall permit the  
Excise Officers of the Excise and Taxation Department to enter the premises and examine the stocks  
and accounts thereof.(3)On the termination or the cancellation of the license, the licensee shall  
surrender the license, stock and account books to the competent authority. The Deputy Excise and  
Taxation Commissioner may direct any licensee to whom the stock is transferred to pay such price  
of the stock, as he may deem fit after enquiry. The stock unfit for human consumption shall be liable  
to destruction at the cost of the licensee whose license is terminated or cancelled.(4)As soon as the  
consignment of the intoxicating spirituous preparations is received by the licensee, he shall inform  
the competent authority who shall depute an officer of the Department to check and verify the  
contents with the pass covering the consignment. The licensee shall then enter the receipt in his  
sales register before making sales of it.(5)The licensee shall maintain all permits, passes and copies  
of prescriptions and produce them before the inspecting officer in order to enable him to check the  
receipts and sales of such preparations.(6)The licensee shall keep the stock of such preparations  
separately at the licensed premises and nowhere else.(7)The licensee shall maintain accounts in the  
prescribed form and shall submit prescribed returns monthly.(8)List of Preparations :-

Name of Preparations :- Quantity allowed to be possessed.

- 1.
- 2.
- 3.
- 4.

Court Fee Stamp Form I. S.P. 2 Form of application for the grant of a license for the sale of  
Intoxicating Spirituous Preparations

**1. Name of applicant** \_\_\_\_\_

**2. Father's Name** \_\_\_\_\_

**3. Resident of** \_\_\_\_\_

(1)House No. \_\_\_\_\_ (2) Yard \_\_\_\_\_ (3)Town or City  
 \_\_\_\_\_ (4)Police Station  
 \_\_\_\_\_

**4. Brief history of the previous business** \_\_\_\_\_

**5. Locality of the premises to be licensed (full particulars to be given)**  
 \_\_\_\_\_

**6. Name of the shop or establishment (whether firm, society, partnership or company)** \_\_\_\_\_

**7. Details of the sales of intoxicating spirituous preparations made during three years prior to application.**

**8. Particulars of the intoxicating spirituous preparations for which a license is required and quantity of each such preparations**  
 \_\_\_\_\_

I do hereby declare that I shall abide by the law in force in respect of the import, export, transport, possession and sale of intoxicating spirituous preparations.

Dated \_\_\_\_\_ 197 Signature of the applicant.

(This application is to be submitted to the Excise and Taxation Officer of the District.)Form I. S.P. 3

Form of permit for the| Importtransport| of intoxicating spirituous preparations

Name of permit \_\_\_\_\_Date of permit

\_\_\_\_\_(Name of licensee or Medical

Practitioner\_\_\_\_\_ licensed to sell intoxicating spirituous preparations  
 at \_\_\_\_\_

in the \_\_\_\_\_ District, is hereby permitted to| Importtransport| the intoxicating  
 spirituous preparations as below from| Manufacturerlicensee

to his vend premises.This permit is valid upto the \_\_\_\_\_ day of

\_\_\_\_\_ 197 Excise and Taxation Officer, \_\_\_\_\_ District,

Name of theintoxicating spirituous  
 preparations

Quantity

Rate of duty to becharged before  
 issued (if any)

Remarks

Form I. S.P. 4

Pass for the | ExportTransport | of intoxicating Spirituous Preparations.

Pass No. \_\_\_\_\_, dated the \_\_\_\_\_ for the | ExportTransport | of  
theIntoxicating Spirituous Preparations from the premises  
of \_\_\_\_\_ at \_\_\_\_\_ to the premises of Messrs.  
\_\_\_\_\_ at \_\_\_\_\_ on the authority of permit No.  
\_\_\_\_\_ dated \_\_\_\_\_, signed by the competent authority of  
District.

S.No.	Name of preparation	Batch No.	Number of containers	Qty.	Strength. contents	Proof *[Litres]	Rate of duty	Amount of duty paid	Remarks
1	2	3	4	5	6	7	8	9	10

Excise and Taxation Officer, \_\_\_\_\_ DistrictThis pass is valid upto the  
\_\_\_\_\_. The licensee shall not open the bulk unless it has been checked  
by an officer of the Excise and Taxation Department. (To be prepared in triplicate - One part will  
accompany the consignment, another will be sent to the Excise and Taxation Officer of the District  
issuing the permit, against which supply is being made, the counterfoil to be kept by the officer  
issuing this pass). \* Substituted for the word "Litre" by Punjab Government, Revenue Department  
Notification No. P.A.1/1914/S. 58/62, dated the 22nd of January, 1962. Form I. S.P. 5Name of  
Licensee \_\_\_\_\_Particulars of the Licensed premises  
\_\_\_\_\_. Number of the License  
\_\_\_\_\_. Register showing the stock of each kind of intoxicating  
spirituous preparations.

Receipts		Issues		Balance in hand	
Date Opening Balance					
-----Qty.-----					
Qty.-----Remarks					
Number and date of the pass		name of the licensee manufacturer from whom purchased		No. and date of pass, if any	
		Particulars of the purchaser		sold Quantity in lic	

Note :- Entries relating to each Intoxicating Spirituous Preparations will be made on a separate  
page. Form I. S.P. 6 (Monthly return to be submitted to the Excise and Taxation Officer of the  
District) Name of the Licensee \_\_\_\_\_Particulars of  
Licensed \_\_\_\_\_

Name of the month	Total of quantityintoxicating spirituous preparations in hand at the close of thepreceding	Total quantity receivedduring the month	Total quantity soldduring the month	Balance in hand at	Remarks
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month

the close  
of the  
month

(Signature of the Licensee) Date \_\_\_\_\_ (To be submitted by the 7th of the following month)