

Punjab Liquor Prohibition Rules, 1955

PUNJAB

India

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Rule PUNJAB-LIQUOR-PROHIBITION-RULES-1955 of 1955

- Published on 14 October 1955
- Commenced on 14 October 1955
- [This is the version of this document from 14 October 1955.]
- [Note: The original publication document is not available and this content could not be verified.]

Punjab Liquor Prohibition Rules, 1955Published vide Punjab Notification No. 6222-E&T-55/3226 dated 14th October 1955These rules may be cited as the Punjab Liquor Prohibition Rules, 1955 and shall come into force at once.A - Definitions

1.

In these rules, unless there is anything repugnant in the subject or context :-(a)"Prohibition area" means the territorial limits of any civil district or a part thereof where under Sections 17 and 24(4) of the Act, the State Government has by notification prohibited the possession for sale or otherwise and the import or transport of any kind of liquor save under the provisions made in these rules.(b)"Act" means the Punjab Excise Act I of 1914.(c)"Brandy" means and includes any foreign liquor obtained after distillation of grapes or sophisticated by the addition of essences of brandy whether imported from abroad or made in India.(d)Chief Medical Officer means "the Chief Medical Officer or other principal medical officer of the district.(e)"Government" means the Government of the State of Punjab.(f)the expressions "Import", "transport" and "sale" have the same meanings as are assigned to them under the Act.(g)"Medical Certificate" means a certificate given by a Registered Medical Practitioner to a person, certifying the quantity of brandy to be possessed by the latter for his bona fide household medical use ; and(h)"Registered Medical Practitioner" means any person registered under the provisions of the Punjab Medical Registration Act, 1916.B - Possession

2.

Save as herein provided, no person shall possess for sale or otherwise and import or transport any kind of liquor in the prohibition area :-(a)Denatured Spirit.(b)Rectified Spirit in the possession of licenced vendors, registered medical practitioners or other persons in whose favour a special permit has been issued.(c)Liquor meant for army personal serving in prohibition area.(d)Liquor up to the limit of private possession, as indicated below in the possession of any foreigner residing in the prohibition area:-

(i) Foreign liquor whether imported or made in India.	Three liters 4 bottles each of the capacity of 750 milliliters or upto 12 such bottles on payment of permit fees according to the following graduated scale for a financial year or a part thereof.
Quantity	Permit Fees
Exceeding three liters of 3 each of the capacity of 750 milliliters but not exceeding six liters or 8 bottles each of the capacity of 750 milliliters.	Ten rupees.
Exceeding six liters or 8 bottles each of the capacity of 750 milliliters but not exceeding 9 liters or 12 bottles each of the capacity of 750 milliliters.	Twenty rupees.
(ii) Beer whether imported or made in India	Nine liters or 12 bottles each of the capacity of 650 milliliters
(iii) Cider (Liquor manufactured by fermentation of the juice of any fruit) whether imported or made in India.	Nine liters or 12 bottles each of the capacity of 700 milliliters.
(e) Liquor covered by necessary passes while in transit in the prohibition area transported for other areas. (f) Liquor possessed by any excise officer of Government acting in his official capacity. (g) Medicinal and other preparations containing rectified spirit and such preparations which have been or may be declared from time to time to be liquor for the purpose of the Act whose import, export, transport, possession and sale is regulated by the Punjab Intoxicating Spirituous Preparations, Import, Export, Transport, Possession and Sale Rules, 1932. (h) Liquor upto the limit of retail sale in the possession of bona fide passengers passing through the prohibition area, while on the way to a place outside the prohibition area. (i) Foreign tourists who have been issued a liquor permit by the competent authority of any State on Centrally administered area or Visa Issuing Officers of India, Missions overseas or a Director or Assistant Director of Government of India Tourist office overseas, or the Director or Assistant Director of the Government of India Tourist office in Bombay Calcutta, New Delhi or Madras upto the quantities covered by that 'permit.'	

3.

Notwithstanding anything contained in rule 2 preceding - (i) Any person on application may obtain brandy up to sixty milliliters on the authority of a permit in Form Pn. 3 granted by the Collector for his bona fide household medicinal use. A person may also obtain brandy in a similar manner up to one hundred and twenty milliliters on the production of a medical certificate in form Pn. 4 issued by a registered medical practitioner. (ii) a registered medical practitioner, may also keep in his possession on any time, brandy not exceeding one hundred and twenty milliliters for bona fide use in practice, under a permit in form Pn 5 granted by the Collector. (iii) a medical practitioner in managing and supervising charge of a Government, Local Fund, Railway or charitable hospital or dispensary, may possess brandy not exceeding the requirements of such hospital or dispensary for twelve months on the authority of an indent signed by the Chief Medical Officer of the district in

respect of Government, Local Fund or charitable hospitals and dispensaries and by the Divisional Medical Officer, Northern Railway, Delhi or Ferozepur, in case of Railway hospitals and dispensaries as the case may be.(iv)a licenced vendor holding licence in form Pn. 1 may possess such quantity of brandy as may be specified in his licence.C - Import and Transport of brandy

4.

A licenced vendor in form Pn. 1 may import or transport brandy on the authority of a permit and a pass, as the case may be, granted by the Collector. A person or a medical practitioner holding permits in forms Pn. 3 and Pn. 5, respectively, shall obtain his supplies from the licensee.

5.

A medical practitioner in managing or supervising charge of a Government Local Fund, Railway, or charitable hospital or dispensary may import or transport such quantity of brandy as may be specified in the indent signed by the Chief Medical Officer of the district or the Divisional Medical Officer, Northern Railway, Delhi/Ferozepur, as the case may be. A copy of the indent shall be furnished in advance to the Collector concerned for record and for such action as he may deem it expedient in relation to the indent in regard to the quantity to be imported or transported.D - Sale of Brandy

6.

A licensee shall sell brandy -(i)to a person holding a permit in Form Pn. 3 for his bona fide household medicinal use, granted by the Collector.(ii)to a registered medical practitioner holding a permit in form Pn. 5 for use in his practice.

7.

The Financial Commissioner shall grant a licence in form Pn. 1 for retail vend of brandy.

8.

A person desirous of obtaining a licence in from Pn. 1 shall apply to the Collector through the Excise and Taxation Officer of the district in form Pn. 2 for the orders of the Financial Commissioner. The Financial Commissioner may, for reasons to be recorded in writing, refuse to grant the licence.E - Maintenance of Accounts

9.

A register in form Pn. 6 showing the particulars of the persons granted permits in forms Pn. 3 and Pn. 5 shall be maintained in the District Excise and Taxation Officer.

10.

The licence shall maintain regular amounts of this daily transactions in form Pn. 7 and shall submit a monthly return thereof in form Pn. 8 by the 5th day of the next month to the Excise and Taxation Officer of the district.

11.

The licensee shall, in addition to these rules, be bound to observe all the rules under the Act, which may be applicable to his licence.

12.

(1)The fee for the licence in form Pn. 1 will be assessed as in the case of licence in Form L-12-C appended to these rules and shall be recovered in the following manner:-If the total assessed fee does not exceed Rs. 200 it shall be payable as soon as assessed. If it exceeds Rs. 200 one-half of it shall be recovered in the month of April, one-fourth before the end of June and the remaining one fourth before the end of September in each financial year; Provided that the annual licence fee assessed in accordance with the provisions made in the Punjab Liquor License Rules, 1955, and recovered as outlined above, shall be adjusted four times, viz:-(i)at the end of the first three quarters against that arrived at on the basis of actual sales of brandy during that quarter, and(ii)by the 7th of the month of March on the basis of the average sales during the first three quarters, which shall be finally adjusted on the basis of actual sales at the end of the fourth quarter.(2)In all matters not specified in these rules the Punjab Liquor License Rules, 1955, and the Punjab Permit and Pass Rules, 1932 shall apply mutadis mutandis.