

Punjab Liquor Import, Export, Transport and Possession Order, 1932

PUNJAB

India

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Rule

PUNJAB-LIQUOR-IMPORT-EXPORT-TRANSPORT-AND-POSSESSION- of 1932

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Punjab Liquor Import, Export, Transport and Possession Order, 1932Published vide Punjab Notification No. 5999-ES dated 12th November 1932

1.

Nothing in these orders shall apply to liquor imported, exported, or transported.(a)for private consumption and not for sale, in any quantity not exceeding that prescribed in the Punjab Intoxicants License and Sale Orders, as the maximum quantity, which may sold by retail, or(b)by or on behalf of any officer of Government acting in his official capacity:(omitted)Provided that -(1)Indian made foreign liquor and when imported under clause (a) shall not exceed in quantities one bottle of Indian made foreign liquor of the capacity of 750 millilitres and [3.9 bulk litres of beer or six bottles of beer each of the capacity of 650 mililitres] [Substituted vide Punjab Government Gazette LSP III dated 14.3.1995.](2)the privilege in clause (b) shall be subject to the provisions contained in Order 4 below and will not apply to denatured spirit.

2.

All export of liquor is subject, in addition to the provisions of these orders, to all regulations for its import into the State or Union Territory concerned.

3.

No medicinal or other preparations containing rectified spirit manufactured in India shall be imported into the Punjab from other states or Union Territory in India, except from the Alembic Chemical Works, Baroda, the Tata Oil Mills Company Ltd., Tata Puram, Ernakulam Cochin State distilleries and bonded factories and warehouses in the Holkar State and from the licensed distilleries, bonded warehouses and bonded factories in the Presidencies of Bengal and Bombay and in the State of Sind Delhi the Utter Pradesh and in the Administrative Areas and Railway Lands in Central India.

3A.

No medicinal or other preparations containing rectified spirit manufactured in India on which the prescribed rate of duty has not been paid shall be exported or transported: Provided that such preparations may be exported-in-bond without payment of duty from the bonded warehouse of an approved manufacturer in Punjab to any other State in India: Provided also that such, preparations shall be transported or exported without payment of duty from the premises of approved manufacturers for use in Government and Charitable hospitals and dispensaries approved for the purpose by the Punjab Government.

4.

With reference to section 18 of the Punjab Excise Act no liquor shall be imported, exported or transported, except under a pass issued in accordance with the rules for the time being in force in the Punjab for such import, export and transport, and with reference to the first, proviso to the said section, the Punjab Government (Ministry of Agriculture) is pleased further to direct that such passes shall not be dispensed with in the case of any duty paid foreign liquor whether manufactured in India or imported from overseas : Provided that for the import and export of medicinal or other preparations containing rectified spirit a pass shall be required if the quantity exceeds (455 millilitres); and Provided further that no such preparation shall be issued from the premises of approved manufactures unless it is covered by the necessary pass.

5.

The import of country fermented liquor is prohibited.

6.

Indian made foreign spirit may be imported from any place in India subject to the condition that-(i) Labels of the bottles of Indian made foreign spirit so imported shall carry the legends "For sale in Punjab"; and "use of alcohol is injurious to health," and (ii) the labels of the bottles of beer shall indicate the alcohol content thereof in terms of percentages and their maximum retail price. (The price of beer containing alcoholic contents not exceeding 3.25 per cent shall also be

printed on the crown cork of bottles of beer in figures not less than 5 mm high. The colour of the crown cork shall be silver grey).(iii)different lables and brand names as approved by the Excise Commissioner shall be used in respect of Indian made foreign spirit of different alcoholic strength."(iv)[the seals to be used on various kinds of liquor shall be of such design or pattern and of such colour or combination of colours, as may be approved by the Excise Commissioner from time to time.] [Inserted vide Punjab Notification dated 19.2.1998.]

7.

Country spirit shall not be imported from any place outside Punjab except with the special sanction of Excise Commissioner, Punjab.

8. & 9.

(Omitted)10.Rectified spirit and Denatured spirit shall not be imported from outside, Punjab except with the special sanction of the Excise Commissioner, Punjab.

10A.

Omitted.

11.

No spirit and no medicinal or other preparations containing rectified spirit shall be imported into the Punjab unless the prescribed rate of duty has been paid on it at a rate not lower than that fixed for such spirit or preparation in Punjab.Exceptions. -(1) Rectified spirit may be imported in bond without payment of duty of the licensed premises of approved manufacturers.(2)Medicinal preparations containing rectified spirit required for use in hospitals and dispensaries including veterinary hospitals and dispensaries managed by Government, or by local Bodies or in such other charitable hospitals and dispensaries as have been approved for the purpose by the Punjab Government may be imported without payment of duty from licensed distilleries, bonded warehouses and bonded factories in India.(3)(omitted)(4) (omitted)

12.

(1)No liquor on which the prescribed rate of duty has not been paid shall be exported or transported.Exceptions. -(a) Country spirit, Indian made foreign spirit and rectified spirit may be exported in bond without payment of duty from any licensed distillery in the Punjab to any State or Union Territory in India to which this privilege has been extended by the Punjab Government, subject to any conditions or restrictions which the Government may impose.(b)Rectified spirit may be transported in bond without payment of duty from any licensed distillery in the Punjab to the licensed premises of approved manufacturers.(c)Spirit manufactured in a licensed distillery in the Punjab may be transported in bond without payment of duty to any other distillery so

licensed.(d)Rectified spirit issued from the Punjab distilleries to or imported from outside Punjab by Government, Local Fund Mission, Veterinary or Railway hospitals and dispensaries in the Punjab State, on a certificate signed by the Director, Health Services, Punjab, the Director, Veterinary Services, Punjab or the Division Medical Officers, Northern Railway, Delhi and Ferozepur, may be transported, without payment of duty. Similarly subsidized dispensaries in Punjab, may transport duty free rectified spirit not exceeding 1.50 litres in any financial year, from the Punjab distilleries or from outside Punjab on a certificate signed by the Director, Health Services, Punjab.(e)Rectified spirit may be transported without payment of duty from licensed distilleries in the Punjab (or from outside Punjab) by Educational Institutions allowed to receive such supplies by the Financial Commissioner, Punjab.(f)With the sanction of the Financial Commissioner, Country spirit, Indian made Foreign Spirit, and rectified spirit may be removed from any licensed distillery in Punjab on the deposit of security and on the execution by the distillers of a bond to pay such duty monthly in arrears.(g)Medicinal preparations containing rectified spirit required for use in hospitals and dispensaries including veterinary hospitals and dispensaries managed by Government or by Local Bodies, or in such other charitable hospitals and dispensaries as have been approved for the purpose by the Punjab Government, may be transported or exported from a bonded warehouse in Punjab.(Note deleted).(2)(Omitted).(3)The following procedure shall be observed when spirits and beer are to be exported from the distilleries and breweries licensed in Punjab to countries outside India :-(a)The manager of the exporting distillery or brewery shall be required to execute a bond in form L-37 binding himself to pay double the amount of duty leviable under the Punjab Excise Act, in respect of the consignment of liquor to be despatched and to produce a certificate of shipment at a port in India (and/or a certificate of import in the case of export to Ceylon) to the Collector of the district in which the distillery or brewery is situated.(b)After satisfying himself that the required bond has been executed the Collector shall grant an export-in bond authorisation in form L-36.(c)On receipt of the aforesaid authorisation the distillery or brewery Inspector shall prepare a pass in form D-20 or L-34 (as the case may be). The consignment shall then be securely sealed and immediately despatched to the port to transshipment.(d)The consignment shall travel by such route and to such port as may be specified in the pass. The route and the port shall be previously approved by the Collector.(e)The manager shall within three months from the date of despatch produce before the Collector of the District, the certificate of shipment of the consignment at the port (and/or a certificate of import in the case of export to Ceylon).(i)If the certificate shows that :-(i)The consignment of spirit has been shipped in full with no greater deficiency than the transit wastage permitted under rule 16 of the Punjab Liquor Permit and Past Rules; or(ii)the wastage in the case of beer does not exceed 10 per cent to the quantity as it is issued from the brewery.the Collector shall order that the bond in respect of the consignment has been discharged.(2)If the certificate is not produced within the specified period, unless the omission is satisfactorily explained, the Collector shall call upon the manager to deposit the amount specified in the bond executed by him in respect of the consignment.(3)If the certificate shows a deficiency greater than that allowed under these orders, then unless the deficiency is satisfactorily explained, the Collector shall obtain the Financial Commissioner's order as to the amount of duty to be recovered from the manager of the distillery.(f)Forms L-36, L-37 and L-38 shall be used for an export-in-bond authorisation agreement covering removal in bond and the certificate respectively (*mutatis mutandis*).(g)The procedure stated in clauses (a) to (e) above will apply *mutatis mutandis* to exports of spirits and beer to foreign countries by land subject to the provision that the manager shall furnish a customs clearance

certificate in place of the certificate of shipment.(h)All exports of spirits and beer to countries outside India will be subject to such conditions and restrictions as might be placed by the Government of India from time to time.(4)The following procedure shall be observed when beer is to be transported in bond to another State in India from a brewery or a bonded warehouse licensed in Punjab, namely :-(a)Whenever the manager of the brewery or of a bonded warehouse received a requisition for the export of beer to any other State, he shall obtain from the person importing such beer an import in bond permit signed by the Collector or Chief Excise Authority of the district or State of destination for the supply of such beer.(b)The manager of the brewery or of the bonded warehouse concerned shall executed a bond in form L-37, binding himself in respect of the consignment to the despatched to produce a certificate in form L-38 before the Collector of the district of issue and to pay such duty in respect of the consignment as may be demanded from him by the Collector.(c)After satisfying himself that the required bond has been executed, the Collector shall grant an export in bond authorisation in form L-36.(d)On receipt of the aforesaid authorisation, the brewery inspector or the officer-in-charge of the bonded warehouse, shall prepare a pass in form L-34. The Manager of the brewery or of the bonded warehouse shall act an agent for the supply of such beer and shall consequently be shown as the consigner and an authorised officer of the district or State of destination, as the case may be, as the consignee. The consignment shall be securely sealed and immediately despatched to consignee. A copy of the pass shall be sent simultaneously to the authority granting the import in bond permit.(e)(i)The manager of the brewery of the warehouse within a reasonable time not exceeding two months shall produce before the Collector of the district of issue a certificate in form L-38.(ii)If the Certificate shows that the consignment of beer has been received in full with no greater deficiency than 6 per cent, the Collector shall order that the bond in respect of the consignment has been discharged.(iii)If the certificate is not produced within the specified period, the Collector, shall unless the omission is satisfactorily explained, call upon the manager concerned to deposit the amount specified in the bond executed by him in respect of the consignment.(iv)If the certificate shows a deficiency greater than that allowed above, then unless the deficiency is satisfactory explained, the Collector shall obtain the orders of the Financial Commissioner, as to the amount of duty to be recovered from the manager concerned.(f)Form L-36, L-37 and L-38 shall be used mutatis mutandis for the export in bond authorisation, agreement concerning the removal in bond and the certificate of arrival of consignment at the destination, respectively.

13.

Country fermented liquor shall not be transported except within the district in which it is made.

14.

No person except a licensed vendor may import and no one but a licensed distillery, brewery or vendor may export or transport liquor.Exceptions :-(a) Omitted.(b)Any person holding a permit for the possession of rectified or denatured spirit may import or transport any quantity, not exceeding the amount which under the permit he is permitted to possess.(c)Indian made foreign spirit and country spirit may be imported, exported or transported from any licensed distillery for the use of troops.(d)Any person may import, export or transport medicinal and other preparations containing

rectified spirit.

15.

(i)The import, export or transport of liquor in conformity with these rules is subject to such rules as the Financial Commissioner may by notification made under section 59 of the Punjab Excise Act, 1 of 1914.(ii)Rules and order for the time being in force for the regulation of import, export, transport or possession of Indian made foreign liquor shall apply mutatis mutandis to import, export, transport or possession of "Sweets as defined in the Punjab Sweets (Manufacture) Rules.

16.

The Punjab Government are pleased to prohibit the possession of Lahan except by a person licensed under section 21 of the said Act to work a distillery.

16A.

The import and possession of perfumed or toilet preparations prepared with mythol alcohol or denatured spirit is prohibited in Punjab. Soap manufactured with special denatured spirit under a permit in form L-42-C, referred to in clause (f) of rule 22 of the Punjab Liquor Permit and Possession Rules is exempt from the prohibition.

17.

The Punjab Government are pleased to prohibit the possession of spirit of a strength above 85 degree of London proof except in the case of --(a)imported foreign spirit,(b)rectified spirit,(c)denatured spirit,(d)perfumed spirit,(e)country spirit possessed by the holders of reducing licences in form L-16 authorised by the Punjab Liquor Licence Rules in accordance with the conditions of their licenses;(f)Indian made foreign spirit possessed by holders of licences for wholesale and retail vender of foreign liquor to the trade only and for wholesale and retail vend of foreign liquor to the public in form L-1 and L-2 authorised by the Rules in accordance with the conditions of their licences.

18.

No permit for the possession of liquor in excess of the quantity prescribed in the Punjab Intoxicant Licence and Sale Orders as the maximum quantity which may be sold by retail shall be given except in respect of the kinds of liquor described to column 1 of the scheduled below to the persons described in column 2. to the extent mentioned in column 3, on the occasion mentioned in column 4 and subject to the conditions that the liquor shall be only used for the following purposes :-Country liquor - For Private home consumption.Rectified spirits - For medical, scientific or manufacturing purposes.Denatured spirit - For use by educational institutions, hospitals, dispensaries, research institutions and for manufacturing purposes.

Schedule

1	2	3	4
Ordinary 1 country spirit	Any person	As prescribed in permit	On any special occasion such as marriage
2 Rectified Spirit	Any chemist, medical practitioner or scientific body or superintend of a hospital or educational institution or arsenal of the Ordnance Department or any person	Ditto	At any time
3 Rectified Spirit	Any approved Homoeopathic Chemist or Practitioner	Such quantity as may be prescribed by the F.C.	Ditto
4 Denatured Spirit	Educational institutions, hospitals, dispensaries and research institution for use by them for educational, medical and research purposes, respectively and any chemist, varnish maker or other person engaged in any business who requires large quantities of denatured spirit for the purpose of his business	As prescribed in the permit	Ditto

18A.

Notwithstanding anything contained in the foregoing orders, a permit for the purpose for the foreign spirit exceeding the limit of retail sale prescribed in the Punjab Intoxicants Licence and Sale Orders may be granted by the Collector upto limit of (9 litres or 12 bottles each of the capacity of 750 millilitres) under such conditions and on payment of such fees as the Excise Commissioner may impose and prescribed.

19.

No person shall keep or have in his possession, country spirit or foreign liquor in any quantity on any premises used as a restaurant in any or the places to which the Punjab Restaurant (Consumption of Liquor) Rules applies, unless such premises have been licensed for the consumption of liquor under the Punjab Excise Act, 1914, or rules made thereunder or have been exempted by an order in writing from the operation of this order. This order shall have effect whether the quantity of liquor in the possession of a person is or is not in excess of the quantity declared by the State Government to be the limit of retail sale. Explanation :- For the purpose of this order "Restaurant" shall mean any place to which the public are admitted for the consumption of food or drink for consideration.

20.

Notwithstanding anything contained in the foregoing orders the carrying or transporting by any mode [by any person more than [two bottles of Punjab Medium Liquor of fifty degree or Rum, Gin or Whisky of sixty-five degree or Rum, Gin or Whisky of seventy-five degree or any other combination, two quarts of whisky (including Rum or Gin, one quart of Brandy, beer not exceeding 7.8 bulk-litre in bottles or cans, two bottles of foreign liquor imported from abroad and two bottles of ready to drink beverages not exceeding and 1.5 litres] [Substituted vide Punjab Notification dated 27.3.1998.] or the possession of the country spirit in any quantity by any person travelling by a public service vehicle (as defined in the Motor Vehicles Act, 1988), tonga, bicycle, motor bicycle or on horse back or by any other means of transport including railway, while moving toward municipality, municipal corporation, cantonment or notified area in the State of Punjab within a belt of five miles from the outer limits of such municipality, municipal corporation, cantonment or notified area, is prohibited except under permit granted under the Punjab Excise Act, 1914 [1 of 1914]] [Legislative Supplement Part III dated 27.3.1993.] and the rules made thereunder :[Provided that this privilege shall be subject to the provisions contained in order 4]

21.

Notwithstanding anything contained in the foregoing Orders the members of the Diplomatic staff of the foreign embassy located in the State of Punjab shall be exempt from the provisions of these orders in respect of the import, transport and possession of imported liquor :[Provided that this privilege shall be subject to the provisions contained in Order 4].

22.

Foreign liquor possessed by the Governor of Punjab will be exempt from the provisions of these orders in so far as they related to the import, transport and possession of liquor.

23.

Notwithstanding anything contained in the foregoing orders, the import, transport and possession of intoxicating spirituous preparations declared to be liquor for the purposes of the Punjab Excise Act (1 of 1914) shall be subject to the provisions of the Punjab Intoxicating Spirituous Preparations, Import, Export, Transport Possession and Sale Rules.

23A.

[The possession of liquor to the extent specified below by serving members of the Armed Forces of the Union while passing through the State of Punjab being on leave shall be exempted from the provisions of these Orders in so far as they relate to the import, transport and possession of liquor:-] [Notification the 19th March, 1986, See Gazette Extra Legislative Supplement Part III Date 28.3.86 P. 67-69 No. G.S.R. 17/P.A.I./14/Section 58/Adm.]

Serial No.	Designation of the serving member of the Armed Forces	Kind of liquor	Quantity
(1)	Commissioned Officer	(i) Indian Made Foreign Liquor (ii) Brandy (iii) Beer	(i) Four bottle (ii) One bottle (iii) Twelve Bottles
(2)	Junior Commissioned Officer	(i) Indian made Foreign Liquor (ii) Brandy (iii) Beer	(i) Three bottles (ii) One bottle (iii) Six bottles
(3)	Other Ranks	(i) Indian Made Foreign Liquor (ii) Brandy (iii) Beer	(i) Two bottles (ii) One bottle (iii) Six bottles.

24.

The possession of liquor of any kind by any person is restricted to the extent that it shall not be kept or possessed by or on behalf of such person on the premises of an unlicensed civilian club.