

## **ANDHRA PRADESH EXCISE (INTIMATION OF UNWILLINGNESS TO TAP THE EXCISE TREES) RULES, 1974**

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## **ANDHRA PRADESH EXCISE (INTIMATION OF UNWILLINGNESS TO TAP THE EXCISE TREES) RULES, 1974**

In exercise of the powers conferred by Section 72 read with Section 24 of the Andhra Pradesh Excise Act, 1968 (Act 17 of 1968), the Governor of Andhra Pradesh hereby makes the following rules, the draft of the same having been previously published at pages 1 to 3 of Rules Supplement to Part II of Andhra Pradesh Gazette, dated the 29th April, 1974 as required by sub-section (1) of Section 72 of the said Act.

### **1. Short title and commencement :-**

- (1) These rules may be called the Andhra Pradesh Excise (Intimation of Unwillingness to Tap the Excise Trees) Rules, 1974.
- (2) They shall be deemed to have come into force with effect from the 5th March, 1974.

### **2. Definitions :-**

- (1) In these rules, unless the context otherwise requires :
  - (i) "act" means the Andhra Pradesh Excise Act, 1968;
  - (ii) "excise year" means the year commencing with the 1st October and ending with 30th September;
- (2) the words and expressions used but not

### **3. Form of intimation :-**

(1) Every intimation by the owner or other person in possession of excise trees who is unwilling to have his excise trees tapped during the ensuring excise year shall be presented not later than the date notified by the Excise Superintendent in the form of a petition and shall be written in concise and intelligible language and shall be signed or marked by the person giving the intimation.

(2) The intimation shall contain the following particulars namely :

(a) the name, father's name, occupation and permanent address of the petitioner;

(b) total number of his excise tress which he is unwilling to be tapped or to allow drawal of toddy therefrom;

(c) the survey number or numbers and the number of trees standing in each S.No. with details of the excise trees namely :

(i) Sendhi (Date)

(ii) Date Palm (Khajoor)

(iii) Palmyrah (Toddy)

(iv) Sago

(v) Coconut

(d) name of the village and taluk in which the S.No. or S.Nos. are situated;

(e) Whether the above trees were excluded from being tapped previously and if so, the years during which they were so excluded;

(f) the reason or reasons for his unwillingness to allow the excise trees to be

nominated by him in this regard.

**5. Factors for approving intimation :-**

The intimation which mentions one or more of the following reasons shall be taken into consideration for according approval namely :

(a) that the trees are situated in the residential quarters or within the premises of places of worship or schools;

(b) that the trees situated inside a place which is a prohibited place, within the meaning of Section 2 of the Official Secrets Act, 1923, (Central Act 19 of 1923).

**6. Disposal of the Application :-**

(1) On receipt of the intimation, the Excise Superintendent shall send a copy of the intimation along with his report to the concerned Deputy Commissioner of Excise to approve or withhold such approval.

(2) After making such enquiry as may be considered necessary and after satisfying himself that the reasons given in the intimation are found to be genuine and correct and are in accordance with the factors provided in Rule 5, the Deputy Commissioner of Excise may accord such approval.

(3) If the intimation does not comply with any of the requirements of these rules, it shall be rejected].

**7. Communication of the orders :-**

A copy of every order passed under these rules shall be communicated to the petitioner and must contain reasons therefor.

**8. . :-**