
ANDHRA PRADESH EXCISE (REGULATION OF DRAWAL AND SALES OF NEERA) RULES, 1969

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ANDHRA PRADESH EXCISE (REGULATION OF DRAWAL AND SALES OF NEERA) RULES, 1969

In exercise of the powers conferred by sub-clause (iv) of clause (d) of sub-section (2) of Section 72 of the Andhra Pradesh Excise Act, 1968 (Andhra Pradesh Act 17 of 1968), the Governor of Andhra Pradesh hereby makes the following rules, a draft of the same having been previously published as required by sub-section (1) of the said Section 72 of the said Act.

1. Short title, extent and commencement :-

(1) These rules may be called the Andhra Pradesh Excise (Regulation of Drawal and Sales of Neera) Rules, 1969.

(2) They shall extend to all the areas where the Andhra Pradesh Excise Act, 1968 is in force.

(3) They shall come into force at once.

2. Application :-

They shall apply to all licences granted under the Andhra Pradesh Excise Act, 1968 for drawal of neera.

3. Definitions :-

In these rules, unless the context otherwise requires :

(a) 'Act' means the Andhra Pradesh Excise Act, 1968 (Andhra Pradesh Act 17 of 1968);

(b) 'Licence' means a licence granted under these rules for tapping an excise tree and drawing neera therefrom.

(c) 'Neera' means the juice known as sweet toddy drawn from excise trees into receptacles and treated so as to prevent fermentation.

4. Drawal of Neera under licence :-

(1) No excise tree shall be tapped for drawing neera without a licence and no person shall possess or undertake any process for its conversion into any other form of intoxicant without such licence.

(2) Every application for the grant of a licence for tapping of excise trees for drawing neera by individuals or constituent members of the co-operative palm jaggery society shall be in Form No.3 and affixed with a court fee stamp of Rs.2 (Rupees two only).

(3) The licence for tapping of excise trees for drawing neera shall be in Form No.2.

5. Sale of neera :-

(1) Neera may be sold for the purposes specified and in the manner provided in Rule 6.

(2) Neera may also be sold to the Industries set up by the Andhra Pradesh Khadi and Village Industries Board in co-operative sector for the purpose of use as a raw material for the preparation of beverages.

(3) Neera may also be sold as a soft drink in retail by licensee at the counters permitted by the Commissioner of Excise.

6. Manufacture of palm jaggery or palm sugar :-

(1) Any Co-operative Palm Jaggery Society or any Palm Sugar Factory set up by the Andhra Pradesh Khadi and Village Industries Board may apply for permission for the manufacture of palm

jaggery or palm with Sugar from neera to the Excise Superintendent who may with prior approval of the Commissioner of Excise grant such permission.

(2) Every application for the grant of permission referred to in sub-rule (1) shall be in Form No.1 and affixed with a proper court fee stamp of Rs.2 (Rupees two only).

7. Grant of licence under medical prescription :-

(1) A licence for the drawal, possession and consumption of neera may be granted by the Excise Superintendent in the Form No.4 in favour of individuals under medical prescription by a Registered Medical Practitioner on payment of a fee of rupee ten.

(2) Not more than three trees shall be permitted to be tapped at one time on a licence granted under sub-rule (1).

8. Tapping on behalf of the licensees :-

(1) No person shall tap an excise tree on behalf of a licensee except under the authority of a Nowkarnama in Form No. 7 granted by the Inspector of Excise on payment of a fee Rs.2/-. An application for the grant of Nowkarnama shall be made after affixing a Court fee label of Re.1/- and enclosing a treasury challan for Rs. 2.

(2) The Nowkarnama granted under sub-rule (1) shall be carried by the person who actually taps on behalf of the licensee and shall be available for inspection by the inspecting officer at the tope.

9. Reservation and allotment of trees for tapping :-

(1) The Commissioner or any officer authorised by him in this behalf may notify the blocks or topes of excise trees set apart for drawal of neera by the licensees each year.

(2) Each Co-operative Palm Jaggery Society holding permission for the drawal of neera shall be attached to tap from such number of trees as the Commissioner deems necessary out of the blocks or topes referred to in sub-rule (1). The allotment of trees in respect of each such society shall be fixed with reference to the members in each society, the production and marketing of palm jaggery and its annual turnover. Excise trees to any such society may, as far as possible be allotted in the area lying in its close proximity.

10. Unauthorised tapping of Excise trees prohibited :-

(1) No tapping of excise trees in excess of the trees allotted or in a block or tope not earmarked for the society or in the topes earmarked for toddy shops or outside the allotted block or tope village shall be permissible. For any break of this rule, the licence is liable for cancellation and the licensee shall also be liable to pay a sum equal to the tree owners rent together with a compounding fee of rupees fifteen for each tree unauthorisedly tapped or prepared for tapping.

(2) If it is found that any person has tapped any excise tree without a valid licence or permit for drawal of neera or has made preparation therefor a sum equal to the tree owners rent shall be recoverable from him for each tree so tapped, apart from any penalty to which he shall be liable under the provisions of the Act and the rules made thereunder.

11. Conditions for tapping excise tree for drawing neera :-

(1) All pots or other receptacles used for the manufacture of neera shall be fully, coated internally with lime and such coating shall be renewed every time they are emptied and reattached to the trees, so as not to allow any fermentation.

(2) Neera shall not be drawn except between 5-00 a.m. and 2-00 p.m. and it shall not be kept any time other than the hours fixed in respect of each block or tope.

(3) Neera shall not be kept by a tapper after 2-00 p.m. without being manufactured into palm jaggery or sugar.

(4) The tapping licence shall be carried by the tapper on his person while tapping the trees and shall be produced for inspection on demand by any Excise Officer duly authorised in this behalf. Tapping of any excise tree without a valid licence on the person of tapper or failure to produce the same on demand while tapping shall constitute an offence under the Act.

(5)

(i) A date tree shall not be tapped oftener than in alternative years or for more than four months from the date of marking.

(ii) The incision of a date tree shall not be made at any point within 120 centimeters from the ground, or 45 centimeters from the top of any other incision.

(iii) The depth of the incision shall not be greater than one half of the diameter of the date tree. In making the incisions, the tapper shall see that vertical ridge in the shape of a nose is left in the middle of each incision.

(iv) The tapper shall leave not less than 8 leaves on the top of the tree, in addition to the central whorls springing from the head of the tree.

(v) The licensee shall not be entitled to compensation in respect of any excise tree withdrawn or taken over for public purposes or for any trees standing on the banks or beds of irrigation works under the control of the PWD which that Department may require to cut down or strip off their leaves or branches.

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12. Transport of neera only under a permit :-

Neera shall be transported only under a permit in Form No.6 from the excise tree to the place of manufacture of palm jaggery or palm sugar.

13. Preparation of paths for approach :-

On a requisition by an Excise Officer duly authorised in this behalf the licensee shall cut path through the blocks or topes to afford ready access and shall prepare the barks of the trees, so that they may easily be marked, failing which no marking of the trees shall be done until its compliance.

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15. Breach of rules and orders entails suspension or cancellation of licence :-

(1)The licence is liable for suspension or cancellation in the event of breach of conditions or the rules or the commission of any offence under the Act either by the licensee or any other person in his employment or working on his behalf and the licensee or such other person shall also be liable for prosecution under the Act.

(2) A licensee or any person who taps or causes to be tapped fermented toddy from an excise tree marked for Neera shall be liable for cancellation besides prosecution under the Act.

(3) Any other person, committing breach of sub-rule (2) shall also

be liable debarred from licence for tapping neera for a period of one year from the date of such breach.

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