

Karnataka Excise (Amendment) Act, 2001

15 of 2001

[18 April 2001]

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An Act further to amend the Karnataka Excise Act, 1965. Whereas it is expedient further to amend the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966); Be it enacted by the Karnataka State Legislature in the Fifty second year of the Republic of India as follows:-

1. Short Title And Commencement :-

- (1) This Act may be called the Karnataka Excise (Amendment) Act, 2001
- (2) It shall come into force at once.

2. Insertion Of New Section 15A :-

After section 15 of the Karnataka Excise Act, 1965, (hereinafter referred as the principal Act), the following section shall be inserted, namely:-

"15A: Consumption or allowing consumption of Liquor in unlicensed Public Places.-No person being the owner or incharge of the management or control of any public place shall allow consumption of liquor or no person shall consume liquor in any public place unless consumption of liquor in such place is permitted under a licence granted by the Excise Commissioner or the Deputy

Commissioner.

Explanation 1: - For the purposes of this section and section 32 "public place" means any public office or any place of public amusement or resort, recreation centre or on board, any passenger boat or vessel or any public passenger vehicle or a dining or refreshment room in a restaurant or hotel where different individuals or groups of persons consume food, but shall not include any private residential room or private residential house.

Explanation 2: For the purposes of Explanation 1, "public passenger vehicle" means a vehicle used for carrying passengers for hire or reward other than a vehicle which carries passengers for hire or reward under a contract, express or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum."

3. Insertion Of New Section 24A :-

After section 24 of the principal Act, the following section shall be inserted, namely:-

"24A. Grant of Exclusive or other privilege in respect of foreign liquor.-

(1) The Excise Commissioner or Deputy Commissioner may subject to such rules as may be prescribed grant to any person a licence for the exclusive or other privilege for the entire State or for any specified area,-

(a) for importing directly from outside the country or from outside the State any foreign liquor manufactured outside India, or

(b) for supplying by wholesale or by retail or for selling by Wholesale or retail any foreign liquor manufactured outside India and imported into the State.

(2) The licence to import foreign liquor under sub-section (1) shall be granted only to a person who has got the authority to import foreign liquor under the licence or authority granted by the Government of India.

(3) For grant of the licence under sub-section(1), the State Government may levy such licence fee, privilege fee, vend fee or any other form of fee as consideration.

4. Amendment Of Section 32 :-

In section 32 of the principal Act, after sub section (2) the following sub section shall be inserted, namely:-

"(3) Whoever, being the owner or incharge of management or control of any public place allows consumption of liquor or whoever

consumes liquor in any public place in which consumption of liquor is not permitted under a licence granted by the Excise Commissioner or the Deputy Commissioner, in contravention of the provisions of section 15A, shall on conviction be punished with fine which shall not be less than rupees two hundred but which may extend to one thousand rupees.

5. Amendment Of Section 45 :-

In sub Section (1) of Section 45 of the principal Act, after the words "twenty five thousand rupees" the words, figures and brackets " and in case of a person who is reasonably suspected of having committed an offence under sub section (3) of Section 32 a sum of money not less than two hundred rupees but which may extend to one thousand rupees" shall be inserted.