

## **KARNATAKA EXCISE (LEASE OF THE RIGHT OF RETAIL VEND OF WINE) RULES, 1985**

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## **KARNATAKA EXCISE (LEASE OF THE RIGHT OF RETAIL VEND OF WINE) RULES, 1985**

Whereas the draft of the karnataka Excise (Lease of the Right of Retail Vend of Wine) Rules, 1985, and in supersession of Notification No. HD 13 PES 82 dated the 1st December, 1984 published in Karnataka Gazette, (Extraordinary), dated the 5th December, 1984, which the Government of Karnataka purpose to make in exercise of the powers conferred by sub-section (1) of Section 71 of the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966) is published, as required by sub-section (1) of Section 71 of the, said Act, inviting objections and suggestions from all persons likely to be affected thereby on or after 6th June, 1985 vide Notification No. HD 13 PES 82 dated 6th May, 1985. And whereas the said Gazette was made available to the public on 6th May, 1985. And whereas no objections or suggestions have been received on the said draft rules; Now, therefore, in exercise of powers conferred by Section 71 of Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966), the Government of Karnataka hereby makes the following rules namely:

### **1. Title and commencement :-**

(1) These rules may be called the Karnataka Excise (Lease of the Right of Retail Vend of Wine) Rules, 1985.

(2) They shall be deemed to have come into force on the 5th day of

December, 1984.

## **2. Definitions :-**

In these rules unless the context otherwise required,

- (a) "Act" means the Karnataka Excise Act, 1965 (Karnataka Act 21 of 1966),
- (b) "Form" means a form appended to these rules;
- (c) "Lease" means the lease of the right of the retail vend of wine granted under these rules;
- (d) "Licence" means a licence issued under these rules,
- (e) "Wine" means the fermented juice of grapes or other fruits with or without the addition of sugar or jaggery containing self generated alcohol and include fortified wine.
- (f) "Year" means the year commencing on the first day of July and ending with the 30th day of June of the next calendar year.

## **3. Application for grant of lease :-**

Any person for grant of lease under these rules, may make an application to the Deputy Commissioner of the District in Form LW-I accompanied by a treasury challan for having credited to the prescribed lease amount.

## **4. Grant of lease :-**

On receipt of the application under Rule 3, the Deputy Commissioner after such enquiry as he deems fit, and if he is satisfied may with the previous approval of the Excise Commissioner, grant the lease in Form LW-II.

## **5. Lease amount :-**

The amount for grant of lease shall be rupees <sup>1</sup> [four thousand] per shop per annum or part thereof.

1. Substituted for the words "five hundred", by GSR 33, dated 11-2-1992, w.e.f. 1-7-1990.

## **6. Security :-**

The lessee shall before grant of licence furnish a sum of rupees one thousand by way of security either in cash or securities approved by the Government for the fulfillment of the conditions of the licence.

## **7. Licence :-**

(1) The Deputy Commissioner after the grant of lease under Rule 4 and on furnishing of security under Rule 6 shall issue a licence to the lessee in Form LW-III.

(2) The licence granted under sub-rule (1), shall be subject to the conditions specified therein and valid for the year or where the licence obtained on any date after the first day of July until the 30th day of June of the next calendar year.

**8. Renewal of lease :-**

(1) the lessee shall apply for renewal of lease in Form LW-I to the Deputy Commissioner thirty days before the expiry of lease granted under Rule 4, accompanied by a treasury challan for having credited the prescribed lease amount.

(2) On receipt of the application under Rule 8, the Deputy Commissioner may renew the lease for a period of one year.

**9. Renewal of licence :-**

On the renewal of lease under Rule 8, the Deputy Commissioner shall renew the licence in Form LW-II.