

KARNATAKA PROHIBITION (ISSUE OF DUPLICATE LICENCES AND PERMITS) RULES, 1966

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KARNATAKA PROHIBITION (ISSUE OF DUPLICATE LICENCES AND PERMITS) RULES, 1966

In exercise of the powers conferred by Section 124 of the Karnataka Prohibition Act, 1961 (Karnataka Act 17 of 1962) and in supersession of all rules, notifications and orders on the subject made or issued under any enactment repealed by sub-section (1) of Section 129 of the said Act the Government of Karnataka hereby makes the following rules, the draft of the same having been previously published as required by sub-section (3) of Section 124 of the said Act in Notification No. HD 75 EFL 62, dated 20th August, 1965, published as GSR 670 in Part IV, Section 2-C(i) of the Karnataka Gazette, dated 16th September, 1965, namely

1. Title and extent :-

- (1) These rules may be called the Karnataka Prohibition (Issue of Duplicate Licences and Permits) Rules, 1966.
- (2) They shall extend to all the areas of the State of Karnataka where the Karnataka Prohibition Act, 1961 is in force.
- (3) They shall come into force at once.

2. Definitions :-

In these rules, unless the context otherwise requires. (a) "Act" means, the Karnataka Prohibition Act, 1961; (b) "Licence" means a licence granted under the Act or the rules; (c) "Pass" means, a pass or permit granted under the Act or the rules, and includes an authorisation; (d) "Permit" means, a permit or pass granted under the Act or the rules, and includes an authorisation; (e) "Rules"

means rules framed under the Act and includes regulations, orders and notifications, issued under the Act; (f) "Licensing Authority" means, the State Government or any other officer who is empowered and who had issued the original licence, permit or pass as the case may be.

3. Application for copy :-

(1) When a licence, permit, pass or authorisation granted or issued under the Act or rules or orders made thereunder is lost, misplaced, destroyed, torn, defaced or otherwise becomes illegible, the holder of such licence, permit, pass or authorisation may make an application to the officer or authority who granted such licence, permit, pass or authorisation for the grant of a duplicate licence, permit, pass or authorisation, as the case may be.

(2) Such application shall be accompanied by an affidavit sworn by the applicant explaining the circumstances necessitating the request for a duplicate licence, permit, pass or authorisation.

(3) When the application is made on the ground that the original licence, permit, pass or authorisation is torn, defaced or has become illegible, such original document shall be enclosed to the application.

4. Grant of duplicate :-

(1) On receipt of the application, affidavit and the enclosures, if any, referred to in the ¹ [Rule] 3, the Licensing Authority may after making such enquiries as he deems necessary and if he sees no objection, may grant the duplicate of the licence, permit or authorisation.

(2) When a duplicate licence, permit, pass or authorisation is issued, it shall be clearly stamped "Duplicate" and shall be marked with the date of the issue of the duplicate with that of the original.

(3) The following fee shall be paid for the grant of a duplicate licence, permit, pass or authorisation, namely.-

(a) In cases of permits, licences, passes etc., which authorises consumption by the applicant of any intoxicant an amount equal to the fee paid for the original licence, permit or pass;

(b) In all other cases where fee is charged for grant of the licence, permit or pass or authorisation an amount of five rupees or an

amount equal to five per cent of the fee paid for the original licence, permit, or pass, or authorisation whichever is more;

(c) In cases where no fee is chargeable for the grant of the original licence, permit or pass, or authorisation a fee of five rupees.

1. Read for the word "Section" by GSR 1086, dated 1/4-8-1966

5. Bond to be executed :-

When the duplicate is applied for on the ground that the original licence, permit, pass or authorisation has been lost or misplaced, the licensee shall, before taking delivery of the duplicate licence, permit, pass or authorisation execute a bond on a stamp paper of appropriate value that he or she shall surrender the original lost or misplaced licence, permit, pass or authorisation if and when the same is found or recovered and that the applicant shall not before so surrendering make any use of the same.