

KARNATAKA PROHIBITION (TRADE AND IMPORT AND RETAIL LICENCES) RULES, 1966

CONTENTS

1. Title, extent and commencement
2. Definitions
3. Number of licences to be fixed in a place or area
4. Disqualification for Holding a Licence
5. Manner of selection of applicants for grant of licences

KARNATAKA PROHIBITION (TRADE AND IMPORT AND RETAIL LICENCES) RULES, 1966

Whereas, the Government of Karnataka considers that the Karnataka Prohibition (Trade and Import and Retail Licences) Rules, 1966 should be brought into force at once; Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) read with the proviso to sub-section (3) of Section 124 of the Karnataka Prohibition Act, 1961 (Karnataka Act 17 of 1962) the Government of Karnataka hereby makes the following rules, namely.

1. Title, extent and commencement :-

(1) These rules may be called the Karnataka Prohibition (Trade and Import and Retail Licences) Rules, 1966.

(2) They shall extend to all the areas of the State of Karnataka, where the Karnataka Prohibition Act, 1961 is for the time being, in force.

(3) They shall come into force at once.

2. Definitions :-

In these rules unless the context otherwise requires.

(1) "Act" means the Karnataka Prohibition Act, 1961 ;

(2) "Section" means section of the Act;

(3) "Retailer's licence" means a licence granted under Section 28 OF THE Karnataka Prohibition Act, 1961 readwith the rules in Part II of Karnataka Prohibition (Liquor) Rules, 1965 ;

(4) "Trade and Import licence" means a licence granted under Section 27 OF THE Karnataka Prohibition Act, 1961 readwith the rules in Part I of Karnataka Prohibition (Liquor) Rules, 1965 .

3. Number of licences to be fixed in a place or area :-

(1) The maximum number of Trade and Import licences and retailers licences to be granted in an area shall be determined by the Commissioner with the previous approval of Government.

(2) The number of retailers licences to be granted in a Taluk for the year commencing on the First day of April, 1966 shall be determined with reference to the population of such Taluk and the probable demand for liquor by casual visitors and tourists in such Taluk except in areas of tourist interest, not more than one retailer's licence shall be granted for a Taluk having an urban population not exceeding 25,000 or a rural population not exceeding 1,00,000 as per the 1961 census.

(3) The taluks having an urban population exceeding 25,000 or a rural population exceeding 1,00,000 as per the 1961 census, one additional retail licence may be allowed for each 25,000 of the urban population or 1,00,000 of the rural population. The maximum number of licences determined on the basis of the population of a Taluk shall be rounded off to the nearest whole number.

(4) The number of trade and import licences shall be so determined that there shall be one holder of a trade and import licence for five holders of retail licences. In the event of there being applicants, one trade and import licence shall be granted for each District, even if the number of retailer's licences in the District, is less than five.

4. Disqualification for Holding a Licence :-

An applicant shall be disqualified for holding any licence or permit except permits under R.60 of the Karnataka Prohibition (Liquor) Rules, 1965, R.61 of the Karnataka Prohibition (Liquor) Rules, 1965, R.62 of the Karnataka Prohibition (Liquor) Rules, 1965, R.63 of the Karnataka Prohibition (Liquor) Rules, 1965, R.64 of the Karnataka Prohibition (Liquor) Rules, 1965, R.65 of the Karnataka Prohibition (Liquor) Rules, 1965 and R.66 of the Karnataka Prohibition (Liquor) Rules, 1965 if he suffers from any one of the following disabilities viz.,

(a) that he has been convicted for an offence under the Customs Act, 1962 , or the Indian Tariff Act, 1934, or under S.55 OF THE KARNATAKA EXCISE ACT, 1901 and S.55A OF THE Karnataka Excise Act, 1901 (Act 5 of 1901), or under S.31 OF THE HYDERABAD ABKARI ACT, 1360 or S.34A OF THE Hyderabad Abkari Act, 1360 (Hyderabad Act 1 of 1360 Fasli);

(b) that the applicant is in arrears of excise revenue or revenue accruing under the Karnataka Prohibition Act, 1961 to Government.

5. Manner of selection of applicants for grant of licences :-

After eliminating all the applicants who are disqualified under the foregoing provisions, the licensing authority shall select applicants equal in number to the licences permissible in the area for grant of such licences having regard to the suitability of the applicant to hold a licence, in view of his financial status, standing in society, background and previous history.