



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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GOVERNMENT OF KERALA

Taxes (G) Department

NOTIFICATION

G. O. (P) No. 54/2022/TD.

Dated, Thiruvananthapuram, 18th May, 2022

S. R. O. No. 530/2022

4th Idavam, 1197.

In exercise of the powers conferred by sections 24 and 29 of the Abkari Act I of 1077, the Government of Kerala hereby make the following rules further to amend the Foreign Liquor Rules issued under Notification No. SR-4-1859/52/RD dated 17th January, 1953 and published in the Travancore-Cochin Gazette Extraordinary No. 2 dated 17th January, 1953, namely:—

RULES

1. These rules may be called the Foreign Liquor (Amendment) Rules, 2022

(2) They shall come into force at once

2. In the Foreign Liquor Rules,—

(1) for the rule 12A, the following rule shall be substituted namely:—

“12A Revalidation of Permits. In case the permit which remains unexecuted or became time barred while on transit/transport, the same may be revalidated on the following grounds.—

(i) The request for revalidation of permit shall be submitted to the permit issuing authority within thirty days from the date of expiry of the permit;

(ii) A revalidation fee of Rs. 10,000 (Rupees ten thousand only) shall be remitted in favour of the permit issuing authority;

(iii) The reasons for the non-execution of the permit shall be to the satisfaction of the permit issuing authority.

If the conditions above are not complied with, the permit shall be cancelled by the issuing authority, and the Import fee, Excise duty and all other fees already paid in respect of the issued permit shall be forfeited to Government:

Provided that the permit which is in transit or arrived in the destination after the expiry of the permit may be revalidated with minimum required period for realising the consignment for sale, subject to the remittance of Import fee, Excise duty and all other fees afresh, if the conditions above are not complied with.

“(1) The revalidation period shall not exceed the period initially granted for the transport/import/export/transit of the liquor;”

“(2) In case of non execution/cancellation of permit, the reason for non execution/cancellation of permit shall be intimated to the applicant in writing by the Permit Issuing Authority.”

(2) after rule 12 A, the following rule shall be inserted, namely:—

12B. Regularisation of Liquor consignments —In case of irregularities if any, found in liquor consignment arrived as against the transport/import permits, its regularisation is allowed on the following grounds only,

“(i) The consignment shall be frozen by the Circle Inspector of Excise of the concerned F19 warehouse in the case of any irregularities found in the consignment;

(ii) The request for regularisation along with the verification report of the Circle Inspector of Excise of the concerned FL9 warehouse shall be submitted to the Deputy Excise Commissioner of the concerned Division by the authorised person of the Kerala State Beverages Corporation.

(iii) On verification of the application, the Deputy Excise Commissioner of the concerned Division may regularise the consignment subject to sub-clause (iv) and (v):

(iv) In case of excess liquor found in consignment than the permitted quantity, Excise Duty, Import Fee, any other fee, as the case may be at prevailing rate on the excess quantity shall be remitted to the Government;

(v) For regularisation of the consignment by the Deputy Excise Commissioner of the concerned Division, a regularisation fee of Rs. 30,000 (Rupees thirty thousand only) for each permit shall be remitted in favour of the Deputy Excise Commissioner of the concerned Division:

Provided that notwithstanding anything contained in this rule, excess supply/short supply of liquor below one case than the permitted quantity in each consignment can be regularised by the Circle Inspector of Excise of the concerned FL9 warehouse, and may be released for sale subject to sub-clause (iv)."

By order of the Governor,

K. R. JYOTHILAL,
Principal Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The revalidation and regularisation of permits are now done in the Excise Commissionerate. In order to reduce the compliance burden and to introduce ease of doing business, it has been decided to delegate the power to the permit issuing authority and the Deputy Commissioner of Excise of the Division respectively. Moreover at present there is no specific rule for the regularisation of permits. Now the Government have decided to amend Foreign Liquor Rules, 1953 suitably for the above said purpose.

The notification is intended to achieve the above object.