

GOVERNMENT OF KERALA

Abstract

Taxes Department - Excise- Abkari Policy for the year 2008 - 2009 – orders issued.

Taxes (G) Department

GO(Ms) No. 38/2008/TD.

Dated, Thiruvananthapuram, 29-02-2008.

Read :-1.GO(Ms) No.34/2007/TD dated, 01/03/2007.

2.GO(Ms) No.40/2007/TD dated, 08/03/2007

3.GO(Ms) No.58/2007/TD dated, 21/03/2007

4.GO(Ms) No.84/2007/TD dated, 04/04/2007

ORDER

Government have formulated the Abkari Policy for the year 2008-09 with the objective of protecting the toddy sector, which is a traditional and job oriented sector. It also envisages to curb the menace of the illicit liquor effectively.

2.It is also Government's policy to totally eradicate illicit distillation, transportation, possession and sale of illicit liquor.

3. Government reiterate its commitments to pursue its efforts to educate the people about the harmful effects of liquor. In this regard the Government would utilise the Co-operation of political Parties, Trade Union organisations, Kudumbasree, Voluntary organisations etc.

4.The Government had already constituted an expert committee to study the various aspects of Abkari Sector and to suggest the amendments to be made in the abkari laws. Government is committed to strengthen the Excise Department by recruiting more personnel and modernise it by providing weapons, mobile phones, wireless set etc. in a phased manner. An amnesty scheme will be introduced to speed up recovery of Abkari dues.

Toddy Sector

1. Toddy shops will be sold in groups consisting of 5-7 shops through licensing system. No person will be allowed to purchase more than

2 groups of toddy shops. The unsold toddy shops will be sold in Range wise/Taluk wise.

2. Minimum facilities will be ensured in all the licensed toddy shops.
3. Toddy shops which were functioning in 2007-08 will be allowed to function in 2008-09 also.
4. Toddy shops which were granted relaxation in distance rule will continue to enjoy the benefit during 2008-09 also, including those toddy shops newly sanctioned and functioning in 2007-2008.
5. The Government will take effective steps for avoiding benamy transaction from the toddy sector. Persons who intend to participate in the sale of toddy shops will be required to declare their source of fund. Licensees will be jointly and separately held responsible for commission of offence, breach of licence condition, omissions etc. Maximum age limit for granting licence will be fixed. Ration card and income certificate will be insisted for participating in the sale of toddy shops. The system of affixing photographs on the licence with the attestation of AEC will be introduced. It will be made compulsory to exhibit the licence in the toddy shops.
6. Toddy shop licence fee will be reduced by 20% to the previous year.
7. Government will encourage co-operative societies in the toddy sector. Toddy shops run by co-operative societies in the districts of Kasargode, Kannur, Kozhikode and Ernakulam in 2007-08 will be allotted to them in 2008-09 also.
8. The rental of toddy shops ear marked for co-operative societies will be allowed to be remitted in 12 equal instalments, of which the first two shall be paid along with the application for the grant of privilege and the balance 10 monthly instalments to be paid on or before 10th of every month starting from May 2008.

9. As declared in the Abkari Policy for the year 2007-08, an Apex Co-operative Society will be formed.
10. Production of sweet toddy in the Co-operative sector will be considered.
11. Preference will be given to those person who were running toddy shops during the preceding 3 years. Preference will be limited to one group. Persons charged with Abkari offences other than under section 56 will not be granted licence.
12. The number of trees to be tapped for each toddy shop will be same as in the year 2007-08 which is as follows:

Coconut	50
Palmyrah	100
Chocndappana	25
13. Interdivision permit for transport of toddy will be issued only on the basis of tree tax paid. In order to ensure that interdivision permits are not misused, new check posts will be established at selected points.
14. Government will sanction toddy parlours with modern facilities in tourist centres.
15. Government will fix and notify the composition of toddy. In order to distinguish between pure toddy and illicit toddy, facilities will be provided in the Chief Chemical Examiners Labs Kozhikode, Kochi and Thiruvananthapuram with the co-operation of Home Department.
16. The Government propose to revive the ailing Chittor Co-operative Sugars (Chicops), Chittor and Travancore Sugars and Chemicals (TSCL) Thiruvalla and bring them under the administrative control of Excise Department. These companies will be made the manufacturing arm of KSBC to produce low priced IMFL. The IMFL produced in these companies will be sold through KSBC outlets.

Foreign Liquor

17. Government will insist minimum facility and hygienic conditions in all the 418 bar hotels which do not have 2 star status, which were regularized during 2007-08.
18. Abkari offences will be categorised as 'minor' and 'major' and 'minor' offences will be allowed to be compounded.
19. As per Rule 16 of FL rule, prior sanction of Excise Commissioner is necessary for making any alteration/modification of licenced premises. But several violations are noticed in this regard. The Government therefore propose to impose a fine of Rs. 25,000/- for such violations.
20. Foreign made Foreign Liquor (FMFL) will be sold through selected KSBC outlets.
21. FL6 Special occasion licence issued by the Excise Commissioner will be limited to meetings of professional bodies and national and international conference. The fee for this licence will be enhanced from the present to Rs. 25,000/-
22. Specification of strength of alcoholic content in the wine will be that of the specification specified by Bureau of Indian Standard from 8% to 15.5% V/V.

Distillery (Brewery)

23. Distilleries outside the state are bottling their own brands in the distilleries in Kerala by registering their brands and labels with the Excise Commissioner. A fee of Rs. 1 lakh will be prescribed for brand registration.
24. The fine imposed for violation of licence condition is Rs. 5,000/-. This will be enhanced to Rs. 10,000/-.
25. The wastage of ENA allowed in distilleries is 1% at present. This will be reduced to half percent.

26. Use of non-recyclable and non-biodegradable plastic bottles will be discontinued in a phased manner and environment friendly, reusable glass bottles will be put in their place. To begin with, plastic bottles of 750 ML will be discontinued from 1.4.2009.
27. Aranmula in Pathanamthitta district will be included in the list of tourist centers where FL 11 beer/wine parlour can be sanctioned.
28. Excise Duty as well as the fee as per distillery and warehouse rules will remain the same as that of the previous year.

All other orders and notification issued unless or otherwise modified will remain in force.

By order of the Governor,
P.MARA PANDIYAN
Secretary to Government

To

The Excise Commissioner, Thiruvananthapuram.

The Managing Director, Kerala State Beverages Corporation,
Thiruvananthapuram.

The General Administration (SC) Dept(vide item No.2011 of the
proceedings dated 27/2/2008

The Taxes (A) & (F) Department .

The Director of Public Relations Department (For giving publicity)

The Accountant General (A&E/Audit), Kerala, Thiruvananthapuram.

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Forwarded/By Order,



Section Officer.