

THE ABKARI (AMENDMENT) BILL, 2018

(As Passed by the Assembly)

A

BILL

further to amend the Abkari Act, 1077.

Preamble.—WHEREAS, it is expedient further to amend the Abkari Act, 1077 (1 of 1077) for the purposes hereinafter appearing;

BE it enacted in the Sixty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Abkari (Amendment) Act, 2018.

(2) It shall be deemed to have come into force on the 21st day of December, 2017.

2. *Amendment of section 15A.*—In the Abkari Act, 1077 (1 of 1077) (hereinafter referred to as the principal Act), in section 15A,—

(a) in the marginal heading, for the figure “21”, the figure “23” shall be substituted;

(b) in the section, for the figure “21”, the figure “23” shall be substituted.

3. *Amendment of section 15B.*—In section 15B of the principal Act,—

(a) in the marginal heading, for the figure “21”, the figure “23” shall be substituted;

(b) in the section, for the words “twenty one”, the words “twenty three” shall be substituted.

4. *Amendment of section 57.*—In section 57 of the principal Act,—

(a) in clause (a), for the words “any ingredient”, the words and symbols “any ingredient, other than starch,” shall be substituted;

(b) after clause (a), the following clause shall be inserted, namely:—

“(aa) mixes or permits to be mixed with starch in the liquor sold or manufactured by him; or”;

(c) after clause (d), for the words “shall, on conviction before a competent court, be punished for each such offence with imprisonment for a term which may extend to five years or with fine which may extend to fifty thousand rupees, or with both”, the following words, figures, symbols and brackets shall be substituted, namely:—

“shall, on conviction before a competent court, be punished,—

(i) for the offences, other than an offence falling under clause (aa), with imprisonment for a term which may extend to five years or with fine which may extend to fifty thousand rupees or with both;

(ii) for an offence falling under clause (aa), with imprisonment for a term which may extend to six months or with fine which shall not be less than twenty five thousand rupees.”

5. *Amendment of section 67A.*—In section 67A of the principal Act, in the Table,—

(a) in column (1), for the figure “21” occurring in both the places, the figure “23” shall be substituted;

(b) after the existing entries under columns (1), (2) and (3), the following entries shall, respectively, be inserted, namely:—

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| “Mixing starch with liquor | 57(aa) | 25,000.”. |
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6. *Repeal and saving.*—(1) The Abkari (Amendment) Ordinance, 2018 (20 of 2018) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.