

**GOVERNMENT OF RAJASTHAN
FINANCE (EXCISE) DEPARTMENT**

No. F.4(6)FD/Excise/2017

Dated: 8th March, 2017

NOTIFICATION

In exercise of the powers conferred by the section 41 of the Rajasthan Excise Act, 1950 (Act No. II of 1950), the State Government hereby makes the following rules further to amend the Rajasthan Excise Rules, 1956 and orders with reference to the proviso to sub-section (3) of the said section that, the previous publication of these amendment rules is dispensed with as the State Government considers it necessary that they should be brought into force at once, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Excise (Amendment) Rules, 2017.

(2) They shall come into force at once.

2. Amendment of rule 67-I.- In sub-rule (2) of rule 67-I of the Rajasthan Excise Rules, 1956, hereinafter referred to as the said rules, after the existing clause (d) and before the existing clause (e), the following new clause (dd) shall be inserted, namely:-

"(dd) By inviting applications; and"

3. Insertion of rule 67-KKK.- After the existing rule 67-KK and before the existing rule 67-L the following new rule 67-KKK, shall be inserted, namely:-

"67-KKK. Procedure for invitation of applications.- (1) Subject to such general or special directions as may be issued by the Excise Commissioner, from time to time, licences under rule 67-I may be granted for any area by inviting applications.

(2) In such case, applications shall be invited by the Excise Commissioner for the grant of licence on the specified sum payable for the exclusive privilege instead of or in addition to excise duty as may be decided by the Excise Commissioner.

(3) A notice for invitation of application shall be issued by the Excise Commissioner at least fifteen days before the date fixed in the notice for receipt of applications. The time upto which applications shall be received on the fixed day shall be indicated in the notice. The applications shall be submitted in the manner and in the form as may be specified by the Excise Commissioner. Applications received after the time and date fixed for receipt of application shall not be taken into consideration.

(4) The Excise Commissioner shall specify the amount payable for grant of exclusive privilege for sale of country liquor from shop or shops specified by the Excise Commissioner in an area.

(5) Application or bunch of applications shall be accompanied by such earnest money as may be specified by the Excise Commissioner with the prior approval of the State Government.

(6) Applications shall be received by the District Excise Officer concerned. All applications received shall be recorded in a register in the form specified by the Excise Commissioner. The District Excise Officer concerned shall scrutinize the applications so received for specified shop or shops and the District Excise Officer concerned shall be the authority competent to accept or reject any application. In case of rejection reasons shall be recorded.

(7) After the scrutiny of the applications so received and if number of acceptable applications is more than one, then the District Excise Officer concerned shall submit the list of accepted applications and slips for draw of lot before the committee headed by the Collector of the District concerned.

(8) The committee headed by the District Collector shall conduct the draw of lots for selection of successful applicant for grant of licence for shop or shops specified by the Excise Commissioner in an area.

(9) Acceptance of an application shall be communicated to successful applicant in the form specified by the Excise Commissioner and successful applicant shall be required to deposit due security and other required amount in state exchequer within the time indicated in such communication.

(10) If the required security and other required amount is not deposited within the time indicated, acceptance of the application may be revoked by the District Excise Officer concerned and the Earnest money deposited with the application and any other amount deposited by the applicant shall in the event of such revocation be forfeited to the State.

(11) An application for licence shall be liable to be rejected,-

- (a) if it has not been signed by the competent person or is incomplete;
- (b) if there are arrears of excise dues outstanding against him;
- (c) if applicant is below the age of 18 years;
- (d) if applicant is in the employment of the Central Government, State Government, Enterprises of Government of India or State Government, Corporation and Companies of Government of India or State Government; and
- (e) if applicant is convicted of any offence punishable under the Rajasthan Excise Act, 1950 or any other law for the time being in force relating to revenue or of any cognizable and non-bailable offence or any offence punishable under the Narcotic Drugs and psychotropic Substances Act 1985 or any law relating to merchandise marks or of any offence punishable under section 482 to 489 (both inclusive) of the Indian Penal Code, 1860."

By order of the Governor,


09/2016-17


(Hardyesh Kumar Juneja)

Joint Secretary to the Government

Copy forwarded to the following for information & necessary action:

1. Superintendent, Government Central Press, Jaipur for publication of this notification in part 4(c) Part II of extraordinary Gazette. 15 copies of the Gazette may please be sent to Excise Commissioner, Rajasthan, Udaipur with the bill and 5 copies of Gazette may please be sent to this department.
2. Accountant General, Rajasthan, Jaipur.
3. Commissioner, Excise Department, Rajasthan, Udaipur.
4. PS to Principal Secretary, Finance Department.
5. PS to Secretary, Finance (Revenue) Department.
6. Additional Director, Computer Cell, Finance Department, Secretariat, Jaipur.
7. Guard file.


Joint Secretary to the Government