

THE ABKARI (AMENDMENT) BILL, 2013

(As passed by the Assembly)

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*BILL*

*further to amend the Abkari Act, 1077.*

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

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

1. *Short title and commencement.*—(1) This Act may be called the Abkari (Amendment) Act, 2014.

(2) Clause (a) of section 6 shall be deemed to have come into force on the 26th day of April, 2013 and the remaining sections shall be deemed to have come into force on the 27th day of February, 2013.

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

(a) in the marginal heading, for the figure “18”, the figure “21” shall be substituted;

(b) in the section, for the figure “18”, the figure “21” shall be substituted.

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

(a) in the marginal heading, for the figure “18”, the figure “21” shall be substituted;

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

4. *Amendment of section 18.*—In section 18 of the principal Act, in sub-section (4), for clause (b) and the entries against it, the following clause and entries shall, respectively, be substituted, namely:—

“(b) when levied in the form of gallonage fee for foreign liquor (Indian made)	Rs. 30 (Rupees thirty) per bulk litre.”.
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5. *Insertion of new section 55 I.*—After section 55H of the principal Act, the following section shall be inserted, namely:—

“55 I. *Penalty for showing scene of liquor or consumption or exhibition of liquor in cinemas exhibited in theatres without warning.*—(1) No scene containing use or consumption or exhibition of liquor in cinema shall be picturised and exhibited in theatres without the warning “CONSUMPTION OF ALCOHOL IS INJURIOUS TO HEALTH/മദ്യപാനം ആരോഗ്യത്തിന് ഹാനികരം” in such scene in contrasting colours clearly visible and having a size covering 1/10th of the total size of the scene.

(2) Whoever exhibits or causes to exhibit any cinema having a scene in contravention of the provisions of sub-section (1) in any theatre shall, on conviction, be punished with simple imprisonment for a term which may extend to six months or with fine which may extend to ten thousand rupees or with both.”.

6. *Amendment of section 67.*—In section 67 of the principal Act,—

(a) in sub-section (2), for the letters, figures, words and brackets “Rs. 25,000 (Rupees Twenty five thousand only)”, the letters, figures, words and brackets “Rs. 3,00,000 (Rupees three lakhs)” shall be substituted;

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Where a partnership firm or a company having a hotel (restaurant) holding a licence under this Act has, without the previous permission of the Commissioner, re-constituted, altered or modified any deed constituting such partnership or Board of Directors of the company, on the strength of which such licence is granted, the Commissioner may, on payment of the fine imposed under sub-section (2) and on an application from such licensee and subject to the other provisions of this Act and the rules made thereunder, regularise such re-constitution, alteration or modification after accepting such fee as may be prescribed by rules.”.

7. *Amendment of section 67A.*—In section 67 A of the principal Act, in column (1) of the Table under sub-section (1), for the figure “18” occurring in both the places, the figure “21” shall be substituted.

8. *Repeal and saving.*—(1) The Abkari (Amendment) Ordinance, 2013 (40 of 2013) 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.