
REPORT OF THE SUBJECT COMMITTEE
ON
THE ABKARI (AMENDMENT) BILL, 2013
AND
THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

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923/2013.

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SUBJECT COMMITTEE VIII

(ECONOMIC AFFAIRS)

(2011-2013)

Composition

Chairman :

Shri K. M. Mani,
Minister for Finance, Law and Housing.

Ex-officio Members :

Shri K. Babu,
Minister for Fisheries, Ports and Excise.

Shri Anoop Jacob,
Minister for Food, Civil Supplies, Consumer Protection and Registration.

Members :

Shri M. P. Abdussamad Samadani

” V. Chenthamarakshan

” Kovoov Kunjumon

” Mullakkara Retnakaran

Prof. C. Raveendranath

Shri V. D. Satheesan

DR. T. M. Thomas Isaac

Shri M. P. Vincent.

Legislature Secretariat :

Shri P. D. Sarangadharan, Secretary

„ K. Udayakumar, Joint Secretary

„ Thomas Chettuparambil, Deputy Secretary

Smt. Shabana Anjum, Under Secretary.

THE ABKARI (AMENDMENT) BILL, 2013

(Report of the Subject Committee)

Subject Committee VIII (Economic Affairs) to which the Abkari (Amendment) Bill, 2013 (Bill No. 229) was referred, considered the Bill and now submit this Report with the Bill as reported by the Subject Committee annexed thereto.

2. The Abkari (Amendment) Bill, 2013 was published as a Gazette Extraordinary dated June 1, 2013. The Bill was introduced in the Assembly on June 10, 2013 and was referred to Subject Committee VIII on the same day.

3. The Committee considered the Bill at its meeting held on June 10, 2013 and recommends to adopt the Bill with the following modification:—

Preamble

In Preamble after the word 'Act' the figure and word '1 of ' shall be deleted.

Thiruvananthapuram,
10th June, 2013.

K. M. MANI,
Chairman,
Subject Committee VIII.

THE ABKARI (AMENDMENT) BILL, 2013

(As reported by the Subject Committee)

[Asterisks indicate the omission suggested by the Committee.]

A

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-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Abkari (Amendment) Act, 2013.

(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 (32 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.

Secretariat of the Kerala Legislature,
Thiruvananthapuram,
10th June, 2013

P. D. SARANGADHARAN,
Secretary.