

PUNJAB VIDHAN SABHA

Bill No. 19-PLA-2017

THE PUNJAB EXCISE (AMENDMENT) BILL, 2017

(Bill as passed by the Punjab Vidhan Sabha)

The following Bill was passed by the Punjab Vidhan Sabha :—

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BILL

further to amend the Punjab Excise Act, 1914.

BE it enacted by the Legislature of the State of Punjab in the Sixty-eighth Year of the Republic of India as follows :—

1. (1) This Act may be called the Punjab Excise (Amendment) Act, 2017. Short title and commencement

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Excise Act, 1914 (hereinafter referred to as the principal Act), in section 3,— Amendment of section 3 of Punjab Act 1 of 1914.

(i) after clause (2), the following clause shall be inserted, namely :—

“(2-a) “club” means any person or body of persons providing services, facilities or advantages, primarily to its members, for a subscription or any other amount;”;

(ii) after clause (11), the following clause shall be inserted, namely :—

“(11-a) “hotel” includes a building or part of a building where residential accommodation is, by way of business, provided for a monetary consideration;”;

(iii) after clause (14), the following clause shall be inserted, namely:—

“(14-a) “liquor vends” shall mean retail shops that are licensed to sell liquor and shall not include any hotels, clubs or restaurants or any notified place;”;

(iv) after clause (16-a), the following clause shall be inserted, namely:—

“(16-b) “notified place” means any building or part of a building and the premises appurtenant thereto and any specifically demarcated land wherein the supply of liquor in terms of a licence is permitted for consumption within such notified place;”;

(v) after clause (18), the following clause shall be inserted, namely:—

“(18-a) “sale of liquor” means the transfer of liquor for consideration by a liquor vend for consumption by the purchaser at a place other than the premises of the liquor vend;”; and

(vi) after clause (19), the following clause shall be inserted, namely:—

“(19-a) “supply of liquor” means the provision of liquor for consideration at clubs, hotels, restaurants and any other notified place on the basis of a licence that is issued on the condition that such liquor shall be consumed within the premises of such hotel, club, restaurant or other notified place;”.

Substitution of
section 26-A in
Punjab Act 1 of
1914

3. In the principal Act, for section 26-A, the following section shall be substituted, namely:—

“26-A (1) The sale of liquor shall be permitted only through licensed liquor vends which shall not be located within motorable or walking distance of 500 meters from the outer range of the National or State Highway or by a service lane along such highway and such liquor vends shall neither be directly visible nor accessible from such National or State Highway.

- (2) Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or authority, every club, hotel, restaurant or any notified place having a licence shall be entitled to engage in the supply of liquor to members, guests or other persons for consumption of such liquor within the premises of such club, hotel, restaurant or notified place, irrespective of whether such club, hotel, restaurant or notified place, is located on or near any National or State Highway :

Provided that, if any person obtains permit for serving of liquor at a private place, then such place shall be considered as notified place for the purpose of this section.

- (3) Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority, any licence issued to any club, hotel, restaurant or other notified place for the sale of liquor shall be deemed to have been and always be deemed to have been issued for the supply of liquor and all relevant provisions of this Act and the rules made thereunder shall continue to apply as they did for sale of liquor.

Explanation.— For the removal of doubt, it is hereby clarified that all taxes, duties, cess or other levies as applicable to sale of liquor shall apply to supply of liquor unless otherwise specified in this or any other Act, rule or notification made thereunder.”.

CHANDIGARH :
The 5th July, 2017.

SHASHI LAKHANPAL MISHRA,
Secretary.