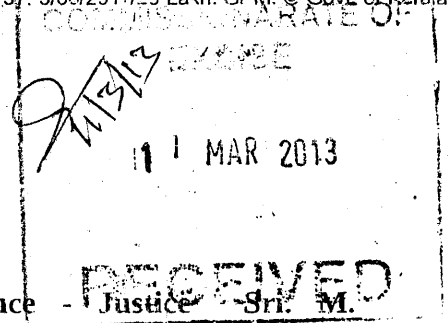


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GOVERNMENT OF KERALA
Abstract

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Taxes Department - Excise - Terms of reference - Justice Sri. M. Ramachandran, Retired Judge High Court of Kerala - One Man Commission appointed for recommending parameters for formulating future Abkari Policy - Approved - Orders issued.

TAXES (G) DEPARTMENT

G.O. (Ms) No.28/2013/TD.

Dated, Thiruvananthapuram, 04-03-2013.

- Read:- 1. Judgment dated 27-07-2012 of the H.C.in W.A.No.470/2012 and connected cases.
2. Interim order dated 19-09-2012 of the Hon'ble Supreme Court of India in SLP (C) No.26241-26243/2012.
3. G.O. (Ms) No.12/2013/TD. Dated 23-01-2013.

ORDER

As per G.O. read 3rd paper above, Government have appointed Justice Sri. M. Ramachandran, Retired Judge, High Court of Kerala, 2/A, Sivam, Layam Road, Kochi -11 as One Man Commission for recommending parameters for formulating future Abkari Policy of the Government. It was also decided that the order prescribing the terms of references of the Commission would be issued separately. Therefore, Government prescribe the terms of reference to the One Man Commission as given below;

1. Measures / criteria / parameters for formulating a comprehensive Abkari Policy, in the background of the decisions of the High Court in W.A No. 470/2012 and connected cases, and the interim order in SLP (C) No. 26241-26243/2012 of the Supreme Court, with the ultimate objective of achieving the target of "Liquor-free Kerala".

2. Suggest measures / means for reducing the consumption and availability of liquor, such as stipulating distance limits for opening liquor outlets in the vicinity of educational institutions, playgrounds, etc between bar hotels, timing of operation of bar hotels.

3. Review of licences already issued under FL Rules, and suggest measures for legal remedies to overcome the difficulties in achieving the objectives in reducing the availability and consumption of liquor, including the crucial "date for consideration of application".

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4. Review of the yardstick / criteria for issue of FL3 license for the promotion of tourism, in the context of the guidelines issued by the Government of India, and the present structure of classification of hotels.

5. Review of the FL3 licences currently in operation without 2 star classifications, and suggest measures for streamlining the procedures for renewal / transfer of licenses / reconstitution of partnership and shifting of these bars.

6. Review of the current Abkari Act / Rules to make it in tune with the objectives of the Abkari Policy.

7. Measures to overcome the present situation of no-takers for toddy shops in certain districts, in the context of the demand for production of 'Neera', from coconut farmers. Examine the present system of group licensing of toddy shops and suggest measures to eliminate the chances of benamy operations in the toddy sector.

8. Suggest measures to introduce liquor with low alcohol content, with the objective of mitigating health hazards.


9. Methodology adopted for the measurement of distance from educational institutions / places of worship, to bars, and definition of place of worship will be examined in the light of Court judgments, and measures suggested to make it realistic.

By order of the Governor,
A. Ajith Kumar,
Secretary to Government.

To

1. Sri. M. Ramachandran, Retired Judge, High Court of Kerala,
2/A, Sivam, Layam Road, Kochi -11.
2. Excise Commissioner, Thiruvananthapuram.
3. The Managing Director, KSBC, Thiruvananthapuram.
4. Accountant General (Audit / A&E) Kerala, Thiruvananthapuram.
5. I & PRD.
6. The GA (SC) Department (Vide Item No.3130 dated 27-02-13).
7. SF / OC.

Forwarded / By Order,


Section Officer.