

2. The first proviso to rule 3 (1) of the Kerala Abkari Shops Disposal Rules, 2002 provide that it shall be lawful for the Government to extend by notification in the official Gazette, the period of privilege sold under sub-rule (1) for any further period, subject to such conditions as the Government may impose. Hence the period of the existing Toddy Shops can be extended further from 01/05/2012, subject to the result of the W.P.(C) No.7945/12.

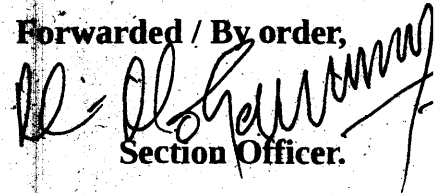
3. Government have examined the matter in detail, and are pleased to grant permission to extend the licence period of the existing functional Toddy Shops, for a further period of three months w.e.f. 01/05/2012, on realisation of proportionate rental, tree tax, enhanced rate of KTWWF contribution, etc., subject to the result of W.P.(C) No.7945/2012.

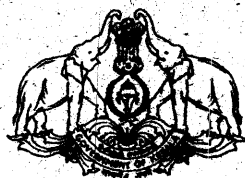
By order of the Governor,  
A. Ajith Kumar,  
Secretary to Government.

To

1. The Excise Commissioner, Thiruvananthapuram.
2. The Accountant General (A&E/Audit) Kerala, Thiruvananthapuram.
3. The Advocate General, Ernakulam (with C/L)
4. The Director, Information & Public Relations Department.
5. Stock File / Office Copy.

Forwarded / By order,

  
Section Officer.



GOVERNMENT OF KERALA

Abstract

Taxes Department - Excise-Abkari Policy, 2012-13 - Sale of Toddy Shops postponed - Permission given to the existing licensees of functional toddy shops to run them for a specified period - Extension granted - Orders issued.

TAXES (G) DEPARTMENT

G.O.(Ms.)No. 77/2012/TD. Dated, Thiruvananthapuram, 28/04/2012.

- Read:-
1. G.O.(Ms)No.107/2011/TD dated 17/08/2011.
  2. G.O.(Ms)No.46/2012/TD dated 26/03/2012.
  3. Interim order dated 29/03/2012 of the Hon'ble High Court of Kerala, in W.P.(C)No.7945/2012.
  4. Letters No. XA1-1000/12 dated 12/04/2012 and 17/04/2012 from the Excise Commissioner, Thiruvananthapuram.

ORDER

As per the provisions of the Kerala Abkari Shops Disposal Rules, 2002, and the Abkari Policy of the Government, the sale of Toddy Shops has to be conducted in the first half of the month of March every year, so as to complete all process before 1st April of the year. But the sale of Toddy Shops could not be conducted within the time limit as the Abkari Policy for the year 2012-2013 was not declared in time. Accordingly, Government accorded permission to the Excise Commissioner, to entrust the Toddy Shops to the existing licencees, for a period of one month w.e.f 01/04/2012, by collecting proportionate rental, tree tax etc.- vide the G.O. read as 2<sup>nd</sup> paper above. The Excise Commissioner, in his letters read as 4<sup>th</sup> paper above, reported that the permission thus granted will expire on 30/04/2012, and hence requested to extend the period w.e.f. 01/05/2012, so as to avoid closure of the Toddy Shops in the State. In the meanwhile, the Hon'ble High Court, in the interim order dated 29/03/2012 in W.P.(C)No.7945/2012 filed by Sri.S. Premji and others, ordered that the arrangement for conduct of Toddy Shops, if any, made after 01/04/2012, will be subject to the result of the above Writ Petition.

28/4/2012  
DEC (12)