



**KERALA GAZETTE**

കേരള ഗസറ്റ്

**EXTRAORDINARY**

അസാധാരണ

**PUBLISHED BY AUTHORITY**

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol. LVII	Thiruvananthapuram,	18th April 2012	No.	783
പാലു 57	Wednesday	2012 ഏപ്രിൽ 18	നമ്പർ	
	തിരുവനന്തപുരം,	29th Chaitra 1934	നമ്പർ	
	ബുധൻ	1934 ചൈത്രം 29		

**GOVERNMENT OF KERALA**

**Taxes (G) Department**

**NOTIFICATION**

G. O. (P) No. 72/2012/ID. Dated, Thiruvananthapuram, 18th April, 2012.

S. R. O. No. 258/2012.—In exercise of the powers conferred by sections 24 and 29 of the Abkari Act, 1 of 1077, the Government of Kerala hereby make the following rules further to amend the Foreign Liquor Rules issued under notification No. SR 4-1859/52/RD., dated 17th January, 1953 and published in the Travancore-Cochin Gazette Extraordinary No. 2 dated 17th January, 1953, namely:—

**RULES**

1. *Short title and commencement.*—(1) These rules may be called the Foreign Liquor (6th Amendment) Rules, 2012.
- (2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Foreign Liquor Rules,—

(1) in rule 13, in the opening paragraph of sub-rule (3),—  
 (a) in the second sentence, for the words "or burial ground," the words, "burial ground and scheduled caste/scheduled tribe colony" shall be substituted;

(b) the fourth sentence, beginning with the words "In the case of hotels" and ending with the words "scheduled tribe colony," shall be omitted;

(2) in rule 19, for the second proviso, the following proviso shall be substituted, namely:—

"Provided further that the constitution/re-constitution of a partnership or Director Board of a company of a hotel which does not have two star classification will be allowed on payment of ₹ 2,00,000 (Rupees two lakhs) for each partner/director opted out of the partnership or Director Board of the company and on payment of ₹ 20,00,000 (Rupees twenty lakhs) for each partner/director inducted into the partnership or Director Board of the company, as the case may be.";

(3) for rule 28, the following rule shall be substituted, namely:—

"28. (1) FL-3 Hotels (Restaurants) functioning within a Panchayat or Municipality shall not be kept open before 8'O clock in the morning and after 11'O clock in the night. FL-3 Hotels (Restaurants) functioning within Corporation limits shall not be kept open before 9'O clock in the morning and after 12'O clock in the night. No FL-1 shop shall be kept open before 9'O clock in the morning and after 11'O clock in the night.

(2) The Deputy Commissioner of Excise shall be competent to fix the working hours of FL1 shops in each area subject to the conditions that the total working hours shall not exceed 12 hours in a day and no such shop shall be kept open beyond the time limit specified in this rule.

Provided that on special occasions like fairs and festivals, the Deputy Commissioner of Excise may relax the above conditions.

*Note:*—The words "Panchayat", "Municipality" and "Corporation" used in this rule shall have the same meaning as in the Kerala Panchayat Raj Act, 1994 (13 of 1994) and the Kerala Municipality Act, 1994 (20 of 1994).";

(4) in Form FL3,—

(a) in condition number 13, for the proviso, the following proviso shall be substituted, namely:—

"Provided that the constitution/re-constitution of partnership/Director Board of a company, of a hotel which does not have two star classification will be allowed on payment of ₹ 2,00,000 (Rupees two lakhs) for each partner/Director opted out of the partnership or Director Board of the company and on payment of ₹ 20,00,000 (Rupees twenty lakhs) for each partner/director inducted into the partnership or Director Board of the company, as the case may be.";

(b) for condition Number 20, the following condition shall be substituted, namely:—

"20. FL-3 Hotels (Restaurants) functioning within a Panchayat or Municipality shall not be kept open before 8'O clock in the morning and after 11'O clock in the night. FL-3 Hotels (Restaurants) functioning within Corporation limits shall not be kept open before 9'O clock in the morning and after 12'O clock in the night."

By order of the Governor,

A. ALITH KUMAR,

Secretary to Government.

**Explanatory Note**

(This does not form part of the notification, but is intended to indicate its general purport.)

In the revised Abkari Policy declared for the year 2011-12, vide G.O. (Ms.) No. 107/2011/TD., dated 17th August, 2011, the Government have decided to allow reconstitution of partnership/Director Board of hotels having no two star classification by remitting rupees two lakhs for each partner/director opted out of partnership/Director board and rupees twenty lakhs for each partner/director inducted into the partnership/Director Board. The Government have also intend to limit the working hours of the FL-3 Hotels (Restaurants) and FL-1 shops. Therefore, the Government have decided to amend the rules.

The notification is intended to achieve the above object.