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അസാധാരണം EXTRAORDINARY

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GOVERNMENT OF KERALA Taxes (G) Department NOTIFICATION

G.O. (P) No. 36/2020/TD.

S. R. O. No. 201/2020

Dated, Thiruvananthapuram, 12th March, 2020.

28th Kumbham, 1195.

In exercise of the powers conferred by sections 18 A and 29 of the Abkari Act I of 1077, the Government of Kerala hereby make the following rules further to amend the Kerala Abkari Shops Disposal Rules, 2002 issued by notification under G. O. (P) No. 24/2002/TD



dated 30th March,2002 and published as S.R.O No. 198/2002 in the Kerala Gazette Extraordinary No. 376 dated 30th March 2002, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Abkari Shops Disposal (Amendment) Rules, 2020.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Abkari Shops Disposal Rules, 2002,—

(1) in rule 3, for the 3rd proviso, the following proviso shall be substituted, namely;

“Provided also that if the Government is satisfied that any shop put to such public sale, cannot fetch a purchaser for the annual rental fixed for that shop, it shall be lawful for them to reduce the annual rental fixed for that shop to 50%”.

(2) in rule 4,in sub-rule 3, after the existing proviso, the following provisos shall be inserted namely;

“Provided also that in the case where any shop put to public sale cannot fetch a purchaser for the annual rental fixed for that shop, in the first round of sale, the sale of such shop shall be held on the next working day itself after reducing fifty percentage of the annual rental fixed by the Government for that shop.

Explanation:—“Working day” in this rules means a day which is not declared as holiday by Government or any other authority competent to do so.

Provided further that in the case of reduction of rental to 50 %, the purchaser shall not be eligible for the preference mentioned in clause (a) of sub-rule (1) of rule 5”.

(3) in rule 5,—

in clause (a) of sub-rule (1)—

(a) in the first sentence and second sentence for the figures and symbol “2013-14”, the figures and symbol “2019-20” shall be substituted.

(b) in the second sentence, the words, figures and symbol “and those licensees who could not complete the year 2009-10 on account of closure of shops shall also be given preference” shall be deleted.



(4) Fifth proviso shall be omitted.

(5) Rules 5A to 5M shall be substituted with the following rule namely ;

“5A. Notwithstanding anything contained in these rule the privilege of vending toddy in any of the Toddy Shops that remain unsold for want of eligible purchasers after the first and second round of sale shall be entrusted to the Workers Committee for an annual rental of Rs.500/- by the Deputy Commissioner of Excise of the Division concerned on the next working day after the second round of sale exempting payment of tree tax, advance payment of three moths contribution to the Toddy Workers’ Welfare Fund and advance payment of one month wages to the employee.

Explanation: “Working day” in this rules means a day which is not declared as holiday by Government or any other authority competent to do so.”

(6) in Rule 9, after sub- rule (12) the following rule shall be inserted namely;

“The licensees of the Toddy Shops may sell food in the Toddy shops along with toddy after obtaining necessary license from the competent authority in this regard.”

By order of the Governor,

SATYAJEET RAJAN, IAS,
Additional Chief Secretary.

Explanatory Note

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

As per GO (Ms) No. 22/2020/TD Dated: 27-02-2020, the Government of Kerala announced Abkari Policy for the year 2020-21. In the policy, the Government have decided to sell the toddy shops for three years. It is also decided to give preference in the sale to the licensees who have conducted the shop during the year 2019-20. It is further decided to make rules for the sale of food in the Toddy Shops. For the above purpose Kerala Abkari Disposal Rules, 2002 needs to be amended.

This notification is intended to achieve the above purpose.

