

TRIPURA



GAZETTE

*Published by Authority***EXTRAORDINARY ISSUE**

 Agartala, Friday, January 30, 2015 A. D., Magha 10, 1936 S. E.

PART--II-- Advertisements, Notices
 GOVERNMENT OF TRIPURA
 FINANCE DEPARTMENT
 (Excise & Taxation)

No.F.IV-5(3)-EX/2014(HC)

Dated, 30 / 01 / 2015.

NOTIFICATION

In exercise of the powers conferred by sub-section(1) of Section 88 of the Tripura Excise Act, 1987 (Tripura Act No.12 of 1987), the Governor is hereby makes the following rules, further to amend the Tripura Excise Rules, 1990, namely:-

1. Short title and commencement:-

- (i). These Rules may be called the Tripura Excise (Ninth Amendment) Rules, 2014.
- (ii). They shall come into force on the date of their publication in the Tripura Gazette.

2. Amendment of Rule 26:-

In the principal Rules, for the existing Rules 26, the following shall be substituted, namely:-

(1). No retail vend of Foreign Liquor and Country Liquor shop shall be located within 100(one hundred) meters from the following, namely:-

- (a). Recognized Educational Institutions;
- (b). Religious places of public worship, bathing ghat;
- (c). Hospitals;
- (d). Factories;
- (e). Office(s) of the recognised political parties;

Provided that while in case of settlement of shop(s) through tender or auction method, no site can be proposed by the tenderer or the bidder whose location exceeds a distance of one hundred meters from the existing shop(s).

~~Provided further that the aforesaid conditions shall have the prospective effect.~~

Provided also that if any Recognized Educational Institutions, Religious places of public worship, Bathing ghat, Hospitals, Factories

and Offices of recognised Political Parties comes into existence subsequent to the establishment of retail vend of Foreign Liquor or Country Liquor, the aforesaid distance restrictions shall not apply.

Explanation I – For the purpose of clause (a) above, recognized educational institution would mean an educational institution recognised by the State Government or Central Government, or any College or institution affiliated to any University affiliated by UGC.

Explanation II – For the purpose of clause (b) above, a religious place would imply a religious place having a pucca/semi pucca structure with a covered area having more than four hundred square feet and has been in existence for a period of at least twenty years. [For the purpose of this rules, religious places of public worship means a place of public worship that has been recorded and recognized by the State Government].

Explanation III- The measurement of distance shall be the shortest traversable distance, from the midpoint of the actual main entrance/door of the premises proposed for licence to midpoint of the actual main door/entrance of the building of the places mentioned in clause (a), (b), (c), (d) and (e) above.

Explanation IV- For the purpose of clause (e) above, recognised Political Parties would imply a State /National political party as recognised by the Election Commission of India.

(2) The licensee shall not carry on any business connected with his licence, or store any liquor to be sold or otherwise dealt with under his licence, except in the premises specified in his licence, hereinafter called the 'licensed premises'. The Excise Commissioner, may however, grant in an exceptional case, permission to store liquor at a place other than the licensed premises. This permission shall be granted on payment of extra fees as prescribed and only in cases where it is impracticable to store the required stock in the licensed premises. Before the grant of permission, the Excise Commissioner shall satisfy himself that the proposed place is adequately guarded and that there is no means of access to it by the public.

(3) No licensed premises for the sale and storage of liquor shall be used for any other business. Retail licences for consumption "off" the

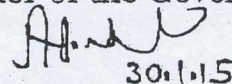
premises shall be permitted at sites or premises, located in a pucca/semi pucca building, the land use of which is commercially approved and shall conform to the orders and instructions issued by the Excise Commissioner from time to time. The minimum floor area of the liquor shop should be hundred square feet.

(4) The licensed premises of all kinds of licenses shall have adequate storage facility having fully equipped fire safety measures and shall be duly insured against fire and other natural hazard. The licensee shall keep the premises thoroughly clean and dry and shall comply with the orders issued by the Collector of Excise for the removal of defects in the building.

(5) No advertising hoarding, banner, posters should be used around the premises in such a manner e.g. occupying whole side of a public square so as to obtrude itself on the attention of the public.

(6) The licence premises should not be obstructed by any artificial structure or any other means that would hinder easy supervision of persons entering or leaving the shop.

By order of the Governor,



30.1.15

(Ashutosh Jindal)

Secretary to the

Government of Tripura.