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PART I - Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
DEPARTMENT OF EXCISE

No. 1385-EX

Kolkata, the 9th December, 2003

NOTIFICATION

In exercise of the power conferred by sections 85 and 86, read with sections 30, 31, 36, 37 and 37A of the Bengal Excise Act, 1909 (Ben. Act V of 1909), the Governor is pleased hereby to make with immediate effect, the following amendments in the West Bengal Excise (selection of New Sites and Grant of License for Retail Sale of Liquor and Certain Other Intoxicants) Rules, 2003, published under notification No. 800-EX dated the 29.07.2003 (hereinafter referred to as the said rules):-

Amendments

In the said rules,-

(1) in rule 8,-

add the following proviso to sub-rule (2) of rule 8:-

"Provided that this sub-rule will not apply to a local area, within which the Headquarters of a Block or a Sub -Division or a Police Station is located";

(2) in rule 9,-

(i) substitute sub-rule (1) by-

"(1) Subject to such instructions as may be issued by the State Government or Excise Commissioner from time to time, if the Collector is of the opinion having regard to the trend of consumption of liquor and other intoxicants as specified in sub-rule (1) of rule 2 in a local area or its adjoining areas , that it is necessary to grant license(s) of any number and any category referred to in clauses (a) , (b) ,and (d) to (o) of rule 4 at certain new sites within a local area in order to meet the demand of such area or adjoining areas, he shall, for the purpose of selections of new sites by the 'State Government under section 30,

prepare a preliminary list of such local areas within which, in his opinion, license of any category should be granted.",

(ii) in sub-rule (5) insert the words "and number" between the words "local areas for categories" and "off licenses";

(3) in rule 11,-

(i) in clause (a), substitute "and" with "or".,

(ii) insert the following provision before *Explanation* –

"Provided that the applicant shall be eligible as per the eligibility criteria on the date of application:

Provided further that if it is detected at any stage, after filling of the application by the applicant, that the applicant was not eligible on the date of application, his candidature / license (if issued) will be cancelled";

(4) in rule 14,-

(i) in sub-rule (1), *insert* the words "including application fee for renewal" between the words "fees" and "or" in the penultimate line of the sub-rule,

(ii) insert the following in sub-rule (1) -

Application fee for renewal of all categories of retail license will be 50% of the application fee for each category.

By order of the Governor

B. P. BARAT

Dy. Secy. to the Govt. of West Bengal