



The Andhra Pradesh Excise and the Andhra Pradesh (Regulation of Trade in Indian made Foreign Liquor, Foreign Liquor) Acts (Amendment) Act, 2012.

Act 5 of 2012

Keyword(s):

Foreign Liquor, Trade, Excise

Amendment appended: 31 of 2021

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ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 5] HYDERABAD, MONDAY, APRIL 16, 2012.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS ETC.**

The following Act of the Andhra Pradesh Legislature, received the assent of the Governor on the 16th April, 2012 and the said assent is hereby first published on the 16th April, 2012 in the Andhra Pradesh Gazette for general information:-

ACT No. 5 OF 2012.

**AN ACT FURTHER TO AMEND THE ANDHRA PRADESH
EXCISE ACT, 1968 AND THE ANDHRA PRADESH
(REGULATION OF TRADE IN INDIAN MADE FOREIGN
LIQUOR, FOREIGN LIQUOR) ACT, 1993.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the Sixty-third Year of the Republic of India as follows:

[1]

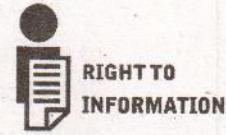
2 ANDHRA PRADESH GAZETTE EXTRAORDINARY [Part IV-B

Short Title and Commencement.	<p>1. (1) This Act may be called the Andhra Pradesh Excise and the Andhra Pradesh (Regulation of Trade in Indian made Foreign Liquor, Foreign Liquor) Acts (Amendment) Act, 2012.</p> <p>(2) It extends to the whole of the State of Andhra Pradesh.</p> <p>(3) (i) clause 2 shall be deemed to have come into force with effect on and from the 21st July, 1993.</p> <p>(ii) clause 3 shall come into force on such date as the State Government may, by notification, appoint;</p>						
Insertion of new Sections 4A, 4B and 4C. Act 15 of 1993.	<p>2. After section 4 of the Andhra Pradesh (Regulation of Trade in Indian made Foreign Liquor, Foreign Liquor) Act, 1993, the following sections shall be inserted, namely:-</p> <table><tr><td>“Levy of Trade margin, Privilege fee etc.</td><td>4- A. The Government shall from time to time, specify the Trade margin, Privilege Fee or any other levy, by whatever name called, to be collected by the Andhra Pradesh Beverages Corporation Limited from the holders of licences.</td></tr><tr><td>Remittance to the Government.</td><td>4.- B. The Amount realized under section 4A, being the income of the Government, shall be remitted by the Andhra Pradesh Beverages Corporation Limited to the Government in the manner specified by the Government.</td></tr><tr><td>Privilege fee etc., under sections 23(1),23-A and 23-B of the A.P Excise Act to be the income of the Government.</td><td>4-C. Notwithstanding anything contained in this Act, the Andhra Pradesh Excise Act, 1968 and the rules made there under or any order issued by the Government or the Commissioner of Prohibition and Excise, all amounts paid by the Corporation from 21-07-1993 to the Commissioner of Prohibition and Excise or the Government as privilege Fee</td></tr></table>	“Levy of Trade margin, Privilege fee etc.	4- A. The Government shall from time to time, specify the Trade margin, Privilege Fee or any other levy, by whatever name called, to be collected by the Andhra Pradesh Beverages Corporation Limited from the holders of licences.	Remittance to the Government.	4.- B. The Amount realized under section 4A, being the income of the Government, shall be remitted by the Andhra Pradesh Beverages Corporation Limited to the Government in the manner specified by the Government.	Privilege fee etc., under sections 23(1),23-A and 23-B of the A.P Excise Act to be the income of the Government.	4-C. Notwithstanding anything contained in this Act, the Andhra Pradesh Excise Act, 1968 and the rules made there under or any order issued by the Government or the Commissioner of Prohibition and Excise, all amounts paid by the Corporation from 21-07-1993 to the Commissioner of Prohibition and Excise or the Government as privilege Fee
“Levy of Trade margin, Privilege fee etc.	4- A. The Government shall from time to time, specify the Trade margin, Privilege Fee or any other levy, by whatever name called, to be collected by the Andhra Pradesh Beverages Corporation Limited from the holders of licences.						
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or Special Privilege Fee or any other fee or cess, by whatever name called, in consideration of the privilege conferred on the Corporation, as per the provisions of sections 23(1), 23-A and 23-B of the Andhra Pradesh Excise Act, 1968 shall be deemed to be and always deemed to have been the income of the Government and due payment for the relevant years in terms of section 4B”.

3. In the Andhra Pradesh Excise Act, 1968, section 23-A and section 23-B shall be omitted. Act 17 of 1968.

A. SHANKAR NARAYANA,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 31] AMARAVATI, WEDNESDAY, 29th DECEMBER, 2021.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 23rd December, 2021 and the said assent is hereby first published on the 29th December, 2021 in the Andhra Pradesh Gazette for general information :

ACT No. 31 of 2021.

**AN ACT FURTHER TO AMEND THE ANDHRA PRADESH (REGULATION
OF TRADE IN INDIAN MADE FOREIGN LIQUOR, FOREIGN
LIQUOR) ACT, 1993.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the seventy second year of the Republic of India as follows,-

1. (1) This Act may be called the Andhra Pradesh (Regulation of Trade in Indian Made Foreign Liquor, Foreign Liquor) (Amendment) Act, 2021.

Short title and
Commencement.

(2) It shall be deemed to have come into force with effect on and from the 3rd September, 2021.

2. In the Andhra Pradesh (Regulation of Trade in Indian Made Foreign Liquor, Foreign Liquor) Act, 1993, at the beginning and before section 1, the following Chapter shall be added, namely,-

Insertion of
Chapter-I.
Act No. 15 of 1993.

“CHAPTER-I”

3. In section 6 of the Act, after sub-section (1), the following proviso shall be added, namely,-

Amendment of
section 6.

“Provided that it shall be competent for the Corporation to inter alia, also undertake implementation of welfare programmes to benefit the members of scheduled castes, scheduled tribes and backward classes, as a part of its main objects, as enabled in Chapter-II of the Act, as hereinafter provide.”

Insertion of
new Chapter- II.

4. After section 6 of the Act, the following Chapter shall be inserted, namely,-

“Chapter- II

6A : In this chapter, unless the context otherwise requires :-

(a) Andhra Pradesh State Beverages Corporation Limited (herein after referred to as “Corporation”), means the Company established under the Companies Act, 2013 bearing CIN No. U15400AP2015SGC097161 to perform and undertake such activities enabled as per its Memorandum of Association (MOA) and Articles of Association, as amended from time to time;

(b) “Backward classes” in relation to the State of Andhra Pradesh shall have the same meaning and inclusive of all classes in the list of Socially and Educationally Backward classes under Articles 15 (4) and 16 (4) of the Constitution of India;

(c) “Government” means the Government of Andhra Pradesh;

(d) “Scheduled Castes” in relation to the State of Andhra Pradesh shall have the same meaning as indicated in the list notified under Article 341 of the Constitution of India;

(e) “Scheduled Tribes” in relation to the State of Andhra Pradesh shall have the same meaning as indicated in the list notified under Article 342 of the Constitution of India ;

(f) “State” means the state of Andhra Pradesh.

6B. Statutory status of the Corporation: The main objectives of the Corporation, shall inter alia include the following, in addition to the existing objectives:

(1) To utilize its income exclusively to promote the interests of the members of scheduled castes, scheduled tribes and backward classes in the State of Andhra Pradesh by implementation of various welfare schemes entrusted to the Corporation under this Act.

(2) In furtherance of the above, to include in its objectives, the activity of the servicing of the debt, if any incurred by the Corporation, from out of its exclusive operations, for the purposes of carrying out its principal objectives, i.e., the monopoly in liquor and the other main object being to implement the welfare programmes, as hereinafter provided for.

Provided that the Corporation shall secure amendments to its Memorandum of Association and Articles of Association, in accordance with the above and shall continue to abide by the provisions of the Companies Act, 2013.

6C. The Government shall from time to time, entrust to the Corporation, the implementation of welfare programmes initiated for the purpose of promoting the

interests of the members of Scheduled Castes, Scheduled Tribes and Backward Classes, in addition to the schemes entrusted under section 6D.

6D. With effect from the date as would be notified by the Government, the Corporation shall be responsible for implementing the welfare programmes named, YSR Cheyutha, YSR Aasara, Jagananna Ammavodi, to the extent of their application to the Schedules Castes, Scheduled Tribes and Backward Classes in the State of Andhra Pradesh exclusively from out of the commercial activities of the Corporation:

For the purposes of this section:

- (a) YSR Cheyutha shall have the same meaning ascribed to it in G.O. Rt. No. 488, PR & RD (RD-I) Department, dated 21st August, 2020 modified from time to time.
- (b) YSR Asara shall have the same meaning ascribed to it in G.O. Rt. No. 654, PR & RD (RD-I) Department, dated 21st August, 2020 modified from time to time.
- (c) Jagananna Ammavodi shall have the same meaning ascribed to it in G.O. Ms. No. 79, School Education (Prog-II) Department, dated 4th November, 2019 modified from time to time.

6E. (1) The Corporation shall maintain books of account and other books in relation to the business and transactions in such form, and in such manner, as prescribed under the Companies Act, 2013.

(2) The accounts of the Corporation shall be audited by an Auditor appointed by the Government, in consultation with the Comptroller and Auditor General of India.

(3) Within six (6) months from the end of the financial year, the Corporation shall send a copy of the accounts audited together with a copy of the report of the Auditor thereon to the Government.

(4) The Government shall cause the accounts of the Corporation together with the audit report thereon forwarded to it under sub-section (3) to be laid before the State Legislature, as far as possible before expiry of the next succeeding year to which the accounts and the report are related.

6F. (1) Notwithstanding anything contained in section 6E, the Government may order that there will be concurrent audit of accounts of the Corporation by such person as it thinks fit. The Government may also direct a special audit to be made by such person as it thinks fit of the accounts of the Corporation relating to any particular transaction or class or series of transactions of a particular period.

(2) When an order is made under sub section (1), the Corporation shall present or cause to be presented for audit all such accounts and shall furnish to the person, for such information as the said person may require for the purpose of audit.”

Insertion of
Chapter-III.

5. After section 6F of the Act as so inserted and before section 7, the following Chapter shall be inserted, namely, -

"Chapter- III"

Repeal and Savings.
Ordinance No. 15 of
2021.

6. (1) The Andhra Pradesh (Regulation of Trade in Indian Made Foreign Liquor, Foreign Liquor) (Amendment) Ordinance, 2021 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

VADDADI SUNITHA,
Secretary to Government (FAC),
Legal and Legislative Affairs & Justice,
Law Department.