



The Uttar Pradesh Settlement of Country Liquor Licence (Tender-Cum-Auction) Rules (Amendment) Act, 1991
Act 29 of 1991

Keyword(s):
Bid-Money, Licence fee, Issue Price

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No. 1535(2)/XVII-V-1-1(KA)-8-1991

Dated Lucknow, August 22, 1991

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Deshi Sharab Licence Ka Vyavasthapan (Tender Evam Nilami) Niyamavali (Sanshodhan) Adhiniyam, 1991 (Uttar Pradesh Adhiniyam Sankhya 29 of 1991) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 22, 1991.

THE UTTAR PRADESH SETTLEMENT OF COUNTRY LIQUOR
LICENCE (TENDER-CUM-AUCTION) RULES (AMENDMENT)
ACT, 1991

(U. P. ACT No. 29 OF 1991)

[As passed by the Uttar Pradesh Legislature]

AN
ACT

further to amend the Uttar Pradesh Settlement of Country Liquor Licence
(Tender-cum-Auction) Rules, 1985.

IT IS HEREBY enacted in the Forty-second Year of the Republic of India as follows :—

1. (1) This Act may be called the Uttar Pradesh Settlement of Country Liquor Licence (Tender-cum-Auction) Rules (Amendment) Act, 1991. Short title and commencement

(2) Sections 2 and 3 shall be deemed to have come into force on April 1, 1990 and the remaining provisions shall come into force at once.

2. In rule 2 of the Uttar Pradesh Settlement of Country Liquor Licence (Tender-cum-Auction) Rules, 1985 made by the Excise Commissioner and Published with notification no. 15795 Licence-3, dated March 22, 1985 hereinafter referred to as the said rules, Amendment of rule 2 of the Uttar Pradesh Settlement of Country Liquor Licence (Tender-cum-Auction) Rules, 1985

(a) after clause (c), the following clause shall be inserted, namely :—

“(cc) ‘bid-money’ means the consideration of the grant of licence under section 24 of the Act for the exclusive privilege of selling by retail any country liquor in the shop or group of shops for which the auction or tender is made, payable by the auction purchaser under section 30 of the Act, in two parts, comprising the licence fee and the issue price ;”

(b) for clause (e), the following clause shall be substituted, namely :—

“(e) ‘licence fee’ means that part of bid-money which is payable on acceptance of the bid or tender in accordance with rule 5, other than the part of bid-money described as issue price ;”

(c) for clause (g), the following clause shall be substituted, namely :—

“(g) ‘issue price’ means that part of bid-money which is payable by the auction purchaser in accordance with rule 8, calculated on the entire minimum guaranteed quantity at the rate notified by the Excise Commissioner from time to time.”

Power to amend 3. The rule modified by this Act shall continue in force until amended or recinded by the appropriate authority in exercise of its power under the relevant section of the U. P. Excise Act, 1910 read with section 21 of the Uttar Pradesh General Clauses Act, 1904.

Repeal and saving

4. (1) The Uttar Pradesh Settlement of Country Liquor Licence (Tender-cum-Auction) Rules (Amendment) (Third) Ordinance, 1991, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Rules as amended by the Ordinance referred to in sub-section (1) or by the Uttar Pradesh Settlement of Country Liquor Licence (Tender-cum-Auction) Rules (Amendment) Ordinance, 1991 or by the Uttar Pradesh Settlement of Country Liquor Licence (Tender-cum-Auction) Rules (Amendment) (Second) Ordinance, 1991, shall be deemed to have been done or taken under the corresponding Provisions of the said Rules as amended by this Act, as if the provisions of this Act were in force at all material times.

U. P.
Ordinance
no. 21 of
1991

U. P.
Ordinance
no. 3 of
1991

U. P.
Ordinance
no. 16 of
1991

By order,
NARAYAN DAS,
Sachiv.