



सत्यमेव जयते

# The Gujarat Government Gazette

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Separate paging is given to this part in order that it may be filed as a Separate Compilation.

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## PART IV

**Acts of Gujarat Legislature and Ordinances promulgated and Regulations  
made by the Governor.**

### HOME DEPARTMENT

Sachivalaya, Gandhinagar, Dated the 31<sup>st</sup> July, 2024.

### GUJARAT ORDINANCE NO. 2 OF 2024.

#### AN ORDINANCE

*further to amend the Gujarat Prohibition Act, 1949.*

**WHEREAS** the Legislative Assembly of the State of Gujarat is not in Session;

**AND WHEREAS** the Governor of Gujarat is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Gujarat Prohibition Act, 1949;

**NOW, THEREFORE,** in exercise of the powers conferred on him by clause (1) of article 213 of the Constitution of India, the Governor of Gujarat is hereby pleased to make and promulgate the following Ordinance, namely: -

Bom. XXV  
of 1949.

1. **Short title and commencement.** - (1) This Ordinance may be called the Gujarat Prohibition (Amendment) Ordinance, 2024.  
(2) It shall come into force at once.
2. **Bom. XXV of 1949 to be temporarily amended.** - During the period of operation of this Ordinance, the Gujarat Prohibition Act, 1949 (hereinafter referred to as "the principal Act"), **Bom. XXV of 1949.** shall have effect subject to the amendment specified in sections 3.
3. **Amendment of Section 98 of Bom. XXV of 1949.**- In the principal Act, in section 98, in sub-section (2), for the words "but it shall not be released on bond or surety till the final judgment of the Court where the quantity of the seized liquor is exceeding the quantity as may be prescribed by the rules", the words "and the vehicle so confiscated may be auctioned before the final judgment in the manner as may be prescribed, with the permission of the Court where the quantity of the seized liquor exceeds such quantity as may be prescribed; and in such cases the Deputy Superintendent of Police shall be the competent authority for such auction" shall be substituted.

**STATEMENT**

Existing provision of sub-section (2) of section 98 of the Gujarat Prohibition Act, 1949 provides for the confiscation of things such as animals, carts, vessels or other conveyances carrying any intoxicant, hemp, mhowra flowers, etc. shall not be released on bond or surety till the final judgment of the Court where the quantity of the seized liquor exceeds the quantity as prescribed by rules. In view of this, the vehicles so confiscated cannot be returned to the owners and they remain unused in the police station or in the court compound till the final judgment of the case and in these circumstances, the condition of the vehicles becomes deteriorated. To overcome this situation, it is considered necessary to amend said sub-section (2) so as to dispose of such vehicles by way of auction.

As the Legislative Assembly of State of Gujarat is not in session, the Gujarat Prohibition (Amendment) Ordinance, 2024 is promulgated to amend the Gujarat Prohibition Act, 1949 to achieve the aforesaid object.

Gandhinagar,  
Dated the 26<sup>th</sup> July, 2024.

**ACHARYA DEVVRAT,**  
Governor of Gujarat.

By order and in the name of the Governor of Gujarat,

**A. K. RAKESH,**  
Additional Chief Secretary to Government.

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