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THE ANDHRA PRADESH GAZETTE
PART IV-A EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 22] AMARAVATI, TUESDAY, 19th NOVEMBER, 2024.

ANDHRA PRADESH BILLS
ANDHRA PRADESH LEGISLATIVE ASSEMBLY

The following Bill was introduced in the Andhra Pradesh Legislative Assembly on 19th November, 2024.

L. A. Bill No. 22 of 2024

A BILL FURTHER TO AMEND THE ANDHRA PRADESH EXCISE ACT, 1968.

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

1. (1) This Act may be called the Andhra Pradesh Excise (Amendment) Act, 2024. Short title and commencement,
(2) It shall be deemed to have come into force on and from the 26th September, 2024.
2. In the Andhra Pradesh Excise Act, 1968, (hereinafter referred to as the Principal Act), in section 2, clauses (16-A),(28-B) and (28-C) shall be omitted. Amendment of Section 2.
Act No.17 of 1968.
3. In the Principal Act, in section 46,- Amendment of Section 46.
 - (i) in sub-sections (1),(2),(3) and (4), after the words "the Deputy Commissioner of Prohibition and Excise" the words

“and/or the Deputy Commissioner of Special Enforcement Bureau and/or the Superintendent of Police/ or the Executive Magistrate shall be omitted.

(ii) in sub-section(5),-

(a) after the words “the Deputy Commissioner of Prohibition and Excise” the words “and/or the Deputy Commissioner of Special Enforcement Bureau and/or the Superintendent of Police/or the Executive Magistrate shall be omitted.

(b) after the words “the Commissioner of Prohibition and Excise” the words “and/or to the Commissioner, Special Enforcement Bureau and/or District Magistrate as the case may be” shall be omitted.

(iii) in sub-section (6), for the words “District Magistrate/ Deputy Commissioner of Prohibition and Excise and/or the Deputy Commissioner of Special Enforcement Bureau and / or the Superintendent of Police/or the Executive Magistrate” the words “Deputy Commissioner of Prohibition and Excise” shall be substituted.

Amendment of section 46-B.

4. In the Principal Act, in section 46-B, after the words “the District Prohibition and Excise Officer” the words “and/or the District Special Enforcement Officer, Special Enforcement Bureau and /or the Executive Magistrate” shall be omitted.

Amendment of section 46-C.

5. In the Principal Act, in section 46-C,-

(i) after the words “ Deputy Commissioner of Prohibition and Excise” the words “and/or the Deputy Commissioner of Special Enforcement Bureau and /or the Superintendent of Police/ or the Executive Magistrate” shall be omitted; and

(ii) after the words “the Commissioner of Prohibition and Excise” the words “or the Commissioner, Special Enforcement Bureau or District Magistrate as the case may be” shall be omitted.

Amendment of section 47.

6. In the Principal Act, in section 47, in the third proviso, the words “or officer of Special Enforcement Bureau” shall be omitted.

7. In the Principal Act, in section 48, for the words "Executive Magistrate or Prohibition and Excise Officer, Special Enforcement Bureau Officer" the words "Prohibition and Excise Officer" shall be substituted. Amendment of section 48.
8. In the Principal Act, in section 50-A, for the words "Executive Magistrate or Prohibition and Excise Officer or Special Enforcement Bureau Officer" occurred in both places, the words "Prohibition and Excise Officer" shall be substituted. Amendment of section 50-A.
9. In the Principal Act, in section 51,- Amendment of section 51.
- (i) in sub-section 1), in sub-clause (iii) of clause (b),-
- (a) after the words "building is situate", the words "or the Grama/Ward Mahila Samrakshana Karyadarshi employed in Village/Ward Secretariat or Grama/Ward Volunteers employed in Village/Ward Secretariat" shall be omitted.
- (b) for the words "Executive Magistrate or Special Enforcement Bureau", the words "Revenue Department" shall be substituted,
- (ii) In sub-section (2),-
- (a) after the words "Every Prohibition and Excise Officer" the words "and Special Enforcement Bureau Officer" shall be omitted.
- (b) after the words "a Prohibition and Excise Inspector" the words "or to Inspector of Special Enforcement Bureau or to Executive Magistrate" shall be omitted.
- (c) in sub-section (3), in clause (b), the words, "and/or the Commissioner, Special Enforcement Bureau/or an Executive Magistrate" shall be omitted.
10. In the Principal Act, in section 53, for the words "Executive Magistrate or Special Enforcement bureau" the words "Revenue Department" shall be substituted. Amendment of section 53.

- Amendment of section 53-A.
- 11.** In the Principal Act, in section 53-A, -
- (i) after the words "Police and Revenue" the words "and Department of Grama Volunteers/Ward Volunteers and Village Secretariats /Ward Secretariats" shall be omitted.
 - (ii) for the words "an Executive Magistrate or a Prohibition and Excise Officer or a Special Enforcement Bureau Officer" the words "a Prohibition and Excise Officer" shall be substituted.
- Amendment of section 55.
- 12.** In the Principal Act, in section 55,-
- (i) the words "or Executive Magistrate" shall be omitted.
 - (ii) after the words "Prohibition and Excise Sub-Inspector" the words "or any Special Enforcement Bureau Officer not below the rank of Sub- Inspector" shall be omitted.
- Amendment of section 56.
- 13.** In the Principal act, in section 56,-
- (i) in the marginal heading, the words "and Special Enforcement Bureau officer" shall be omitted.
 - (ii) in sub-section (1), after the words "Excise Sub-Inspector" the words "or Special Enforcement Bureau Officer not below the rank of Sub-Inspector" shall be omitted.
 - (iii) in sub-section (2), after the words "Prohibition and Excise Officer" the words "or a Special Enforcement Bureau Officer" shall be omitted.
- Amendment of section 57.
- 14.** In the Principal Act, in section 57, after the words "Prohibition and Excise Sub-Inspector" the words "or a Special Enforcement Bureau Officer not below the rank of Sub-Inspector" shall be omitted.
- Amendment of section 58.
- 15.** In the Principal Act, in section 58,-
- (i) in the marginal heading, the words "or Special Enforcement Bureau Officer" shall be omitted.
 - (ii) after the words "Prohibition and Excise Sub-Inspector" the words "or Special Enforcement Bureau Officer, not below the rank of Sub-Inspector" shall be omitted.

16. In the Principal Act, in section 60,-
- Amendment of
section 60.
- (i) in sub-section(1), for the words "Executive Magistrate or Prohibition and Excise Officer and /or Special Enforcement bureau officer" the words "Prohibition and Excise Officer" shall be substituted.
- (ii) in sub-section (2),in clause (a), the words "or Special Enforcement Bureau officer" shall be omitted.
17. in the Principal Act, in section 61,-
- Amendment of
section 61.
- (i) in the marginal heading, the words "or to Special Enforcement Bureau" shall be omitted.
- (ii) in sub-section(1),-
- (a) in clause (a),the words "Executive Magistrate or" shall be omitted.
- (b) In clause (b),the words "or Special Enforcement Bureau officer" shall be omitted.
18. In the Principal Act, the words "District Special Enforcement Officer, Special Enforcement Bureau" wherever they occur shall be omitted.
- Omission of
nomenclature.
19. (1) The Andhra Pradesh Excise (Amendment) Ordinance, 2024 is hereby repealed.
- Repeal of
Ordinance No,4
of 2024.
- (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.

STATEMENT OF OBJECTS AND REASONS

The intention of the Government is to overhaul the Excise Department and policies to implement transparent Excise Administration, ensure quality liquor, adopt best practices, improve governance, to increase efficiency and to eliminate flawed policies and rectify the wrongs in the period of 2019-24.

The restructuring of the Prohibition and Excise Department during the period of 2019-2024 has failed and the corruption was rampant right from the grass root level to the highest places and the Prohibition & Excise Department has almost become defunct leading to a surge in illegal activities, revenue loss, and public health risks, it has become an imperative need for restructuring the Prohibition and Excise Department.

An Internal Committee was constituted to evaluate the Prohibition and Excise Department restructuring efforts from 2019 to 2024. The committee found that the 2020 restructuring was counterproductive and recommended reverting to the structure existing before 2019 that had a single line of control and yielded desired absolute results.

Accordingly, the Government accepted above recommendations of the Committee and decided to amend the Andhra Pradesh Excise Act, 1968 (Act No. 17 of 1968), suitably.

As the Legislature was not then in session, having been prorogued, and it was decided to give effect to the above decision immediately, accordingly the Andhra Pradesh Excise (Amendment) Ordinance, 2024 (A.P. Ordinance No.4 of 2024) was promulgated by the Governor on the 25th September, 2024.

The Bills seeks to replace the said Ordinance and to give effect to the above decision.

KOLLU RAVINDRA,
Minister for Mines & Geology, Excise.

**MEMORANDUM UNDER RULE 95 OF THE RULES OF PROCEDURE
AND CONDUCT OF BUSINESS IN THE ANDHRA PRADESH
LEGISLATIVE ASSEMBLY.**

The Andhra Pradesh Excise (Amendment) Bill, 2024, after it is passed by the Legislature of the State may be submitted to the Governor for his assent under article 200 of the Constitution of India.

KOLLU RAVINDRA,
Minister for Mines & Geology, Excise.

PRASANNA KUMAR SURYADEVARA,
Secretary-General to State Legislature.