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THE ANDHRA PRADESH GAZETTE

PART IV-A EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 24] 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. 24 of 2024

A BILL FURTHER TO AMEND THE ANDHRA PRADESH PROHIBITION ACT, 1995.

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 Prohibition (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 Prohibition Act, 1995, (hereinafter referred to as the Principal Act), in section 2,- Amendment of Section 2.
(i) in clause (13),- Act No.17 of 1995.
 - (a) the words "an Executive Magistrate" shall be omitted.
 - (b) after the expression "section 6" ,the words "and includes the commissioner of Special Enforcement Bureau or any other officer employed/posted in Special Enforcement Bureau

on invested with powers under the relevant provisions of the Act" shall be omitted.

(c) clause (14-A) shall be omitted.

Amendment of section 11-B.

3. In the Principal Act, in section 11-B, in sub-section (1), after the words "any Prohibition and Excise Officer" the words "or any officer of Special Enforcement Bureau" shall be omitted.

Amendment of section 13.

4. In the Principal Act, in section 13,-
- (i) in sub-sections (1) to(6), after the words "the Deputy Commissioner of Prohibition and Excise" wherever they occur, the words "and/or Deputy Commissioner of Special Enforcement Bureau and /or the Deputy Superintendent of Police or the Executive Magistrate" shall be omitted.

- (ii) In sub-section (5), after the words "the District Magistrate or Commissioner of Prohibition and Excise" the words "and/ or the Commissioner, Special Enforcement Bureau, as the case may be" shall be omitted.

Amendment of section 13-B.

5. In the Principal Act, in section 13-B, after the words "District Prohibition and Excise Officer" the words "or the District Special Enforcement Officer, Special Enforcement Bureau" shall be omitted.

Amendment of section 13-C.

6. In the Principal Act, in section 13-C,-
- (i) for the words "Executive Magistrate or Deputy Commissioner of Special Enforcement Bureau and/ or the Superintendent of Police" the words "the Deputy Commissioner of Prohibition and Excise" shall be substituted.
- (iii) for the words "the District Magistrate or Commissioner of Prohibition and Excise and/ or the Commissioner, Special Enforcement Bureau, as the case may be" the words "Commissioner of Prohibition and Excise" shall be substituted.

7. In the Principal Act, in section 14, 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. Amendment of section 14.
8. In the Principal Act, in section 17, the words "or Executive Magistrate or Special Enforcement Bureau Officer" shall be omitted and the word "or" shall be inserted after the words "any Collector". Amendment of section 17.
9. In the Principal Act, in section 18,- Amendment of section 18.
- (i) after the words "a Collector" the words "Executive Magistrate" shall be omitted.
- (ii) after the words, "in charge of Police Station", the words "or any Special Enforcement Bureau Officer not below the rank of Sub- Inspector" shall be omitted.
10. In the Principal Act, in section 19, for the words "Executive Magistrate, any Prohibition Officer, any Special Enforcement Bureau Officer" the words "any Prohibition and Excise Officer" shall be substituted. Amendment of section 19.
11. In the Principal Act, in section 21, after the words "Any prohibition Officer" the words "any Executive Magistrate, any Special Enforcement Bureau Officer" shall be omitted. Amendment of section 21.
12. In the Principal Act, in section 22, after the words "Any prohibition Officer" the words "any Executive Magistrate, any Special Enforcement Bureau Officer" shall be omitted. Amendment of section 22.
13. In the Principal Act, in section 24,- Amendment of section 24.
- (i) in the marginal heading, after the words "Prohibition and Excise Officer", the words "or Special Enforcement Bureau Officer" shall be omitted.
- (ii) in sub-section (1), after the words "Sub-Inspector", the words "and /or any 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 "and/or Special Enforcement Bureau Officer" shall be omitted.

Amendment of section 28.

14. In the Principal Act, in section 28, for the words " any Prohibition, any Executive Magistrate or Police or Special Enforcement Bureau Officer", the words " any Prohibition Officer/any Police Officer" shall be substituted.

Amendment of section 29,

15. In the Principal Act, in section 29,-
- (i) for the words "Executive Magistrate or Police, Prohibition or Special Enforcement Bureau Officer" the words "Police or any Prohibition & Excise Officer" shall be substituted.
- (ii) after the words "to a Prohibition Officer", the words "to an Executive Magistrate or to a Special Enforcement Bureau Officer" shall be omitted, and after the word "Prohibition" and before the word "Officer" ,the words "and Excise" shall be inserted.

Omission of nomenclature.

16. In the Principal Act, the words "District Special Enforcement Officer, Special Enforcement Bureau" wherever they occur shall be omitted.

Repeal of Ordinance No.5 of 2024.

17. (1) The Andhra Pradesh Prohibition (Amendment) Ordinance, 2024 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.

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 Prohibition Act, 1995 (Act No. 17 of 1995), 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 Prohibition (Amendment) Ordinance, 2024 (A.P. Ordinance No.5 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 Prohibition (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, Exicse.

PRASANNA KUMAR SURYADEVARA,
Secretary-General to State Legislature.