

Goa

DEPARTMENT OF EXCISE
PANAJI
Inward No. 183
Date: 5/4/2017

No. 1/9/2016 - Fin (R&C)(c) / 2054
Government of Goa,
Finance (Revenue & Control) Deptt.,
Secretariat, Porvorim - Goa.

Date: 05/04/2017.

Read: Order No. No. 1/9/2016 - Fin (R&C)(c) dated 27/03/2017.

ORDER

WHEREAS, the Hon'ble Supreme Court of India vide its Orders dated 31/03/2017 in IA Nos. 4-6, 7-9, 10-12, 13-15, 16-18, 19-21, 22-24, 25-27, 28-30, 31-33, 34-36, 37-39, 40-42 in Civil Appeal Nos. 12164-12166 of 2016 has further clarified and issued revised directions in respect of the judgment dated 15.12.2016 in Civil Appeal Nos. 12164-12166 of 2016 issued certain directions under Article 142 of the Constitution of India, mainly to prohibit sale of liquor along the national and state highways w.e.f. 01st April, 2017;

AND WHEREAS, vide Order dated 27.03.2017 read above, certain directions were given by the Government in order to modify the coverage of the Plan of Action No. 1/9/2016 - Fin (R&C)(b) dated 07/02/2017 as prepared by the Committee headed by the Chief Secretary and approved by the Government, as follows: —

1. In regards to advertisement / signages indicating availability of liquor, the same need to be removed within 500 meters from the edge of the highways or service lanes, as the case may be. Further, in rest of the area of State, the Goa Excise Duty Act, 1964 prohibits alcohol advertisement and the same be enforced;
2. In regards to wholesale license, as they are not permitted to sell to a consumer and only stock material for purpose of sale to another licensee, they do not fall within the purview of the decision, provided they do not display any advertisement / signage;
3. In regards to bars & restaurants and taverns, in view of the legal advice tendered, the same are not covered by the judgment and therefore their licenses be renewed. However, the renewal is subject to any further directives of the Apex Court; and
4. All shops / vends, i.e. retail sale of liquor in packed / sealed bottles, however being explicitly covered under Supreme Court decision, within distance of 500 meters radius; cannot be permitted and therefore license shall not be renewed.;

NOW, THEREFORE, in view of the Orders of the Hon'ble Supreme Court dated 31.03.2017, which clarifies that the judgment dated 15.12.2016 covers retail sale of

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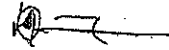
liquor for the purpose of consumption on the premises i.e. in bars & restaurants, directions at serial number (3) above, shall stand deleted.

FURTHER, in view of the revised orders of the Supreme Court, viz. —

"In the case of areas comprised in local bodies with a population of 20,000 people or less, the distance of 500 metres shall stand reduced to 220 metres";

the Commissioner (Excise) shall proceed to renew the licenses of the retail sale of liquor to the licensees located beyond 220 metres from the outer edge of the state and national highways, except in the areas comprising the census towns of Curchorem, Margao, Mormugao, Panaji, Mapusa & Ponda and Village Panchayats of Taleigao, Sancoale and Curti-Khandepar having a population of over 20,000.

*By Order and in the name of the
Governor of Goa*



(Daulat Hawaldar, IAS)
Finance Secretary

To

1. Director General of Police, Panaji – Goa.
- ✓ 2. Commissioner of Excise, Panaji – Goa.
3. Principal Chief Engineer, Public Works Department, Panaji – Goa.
4. Director, Directorate of Settlement and Land Records, Panaji – Goa.
5. District Collector, North Goa District, Panaji – Goa.
6. District Collector, South Goa District, Margao – Goa.
7. Superintendent of Police, North Goa District, Porvorim – Goa.
8. Superintendent of Police, South Goa District, Margao – Goa.
9. Director of Municipal Administration, Panaji – Goa.
10. Director of Panchayats, Panaji – Goa.

Copy to,

1. Chief Secretary, Secretariat, Porvorim – Goa.
2. O.S.D. to Hon'ble Chief Minister, Ministers Block, Secretariat, Porvorim – Goa.