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**REPORT OF THE SUBJECT COMMITTEE  
ON  
THE ABKARI (AMENDMENT) BILL, 2018  
AND  
THE BILL AS REPORTED BY THE SUBJECT COMMITTEE**

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**SUBJECT COMMITTEE VIII  
(ECONOMIC AFFAIRS)**

(2016-2018)

Composition

*Chairman:*

DR. T. M. Thomas Isaac,  
Minister for Finance and Coir.

*Ex-officio Members:*

Shri T. P. Ramakrishnan,  
Minister for Labour and Excise

Shri G. Sudhakaran,  
Minister for Public Works and Registration.

*Members:*

Shri T. A. Ahammed Kabeer,	MLA
DR. N. Jayaraj,	„
Shri V. K. C. Mammed Koya,	„
Shri D. K. Murali,	„
Shri Thiruvanchoor Radhakrishnan,	„
Shri Mullakkara Retnakaran,	„
Shri V. D. Satheesan,	„
Shri K. Suresh Kurup.	„

*Legislature Secretariat:*

Shri V. K. Babu Prakash, Secretary  
Shri Mathewkutty G., Joint Secretary  
Smt. Lima Francis, Deputy Secretary  
Smt. Deepa R. Krishnan, Under Secretary.

## THE ABKARI (AMENDMENT) BILL, 2018

*(Report of the Subject Committee)*

Subject Committee VIII (Economic Affairs) to which The Abkari (Amendment) Bill, 2018 (Bill No. 141) was referred, considered the Bill and now submit this Report with the Bill as reported by the Subject Committee annexed thereto.

2. The Abkari (Amendment) Bill, 2018 was published as a Gazette Extraordinary dated May 28, 2018. The Bill was introduced in the Assembly on June 11, 2018 and was referred to Subject Committee VIII on the same day.

3. The Committee considered the Bill clause by clause at its meeting held on June 18, 2018 and recommends to adopt the Bill without modifications.

4. The minutes of dissent is appended.

5. All other changes are either verbal or consequential.

Thiruvananthapuram,  
18th June, 2018.

DR. T. M. THOMAS ISAAC,  
*Chairman,*  
*Subject Committee VIII.*

## വിയോഗനക്കുറിപ്പ്

കള്ളിൽ സ്റ്റാർച്ച് കലർത്തി വിൽക്കുന്നത് മദ്യമേഖലയിൽ വ്യാപകമായി നടക്കുന്ന ഒരു കാര്യമാണ്. അത് നിരുത്സാഹപ്പെടുത്തുന്നതിനാണ് അബ്കാരി ആക്ടിലെ 57-ാം വകുപ്പ് (എ) ഖണ്ഡ പ്രകാരം പ്രസ്തുത കുറ്റത്തിന് 5 വർഷം വരെ തടവ് ശിക്ഷ നൽകുന്നതിന് വ്യവസ്ഥ ചെയ്തിരുന്നത്. ഇത് ഭേദഗതി ചെയ്ത് സ്റ്റാർച്ച് മദ്യത്തിൽ കലർത്തുന്നതിനുള്ള ശിക്ഷ ലഘൂകരിക്കുന്നതിനും പ്രസ്തുത കുറ്റം രാജിയാക്കാവുന്ന ഒരു കുറ്റമായി വ്യവസ്ഥ ചെയ്യുന്നതും കള്ളിൽ വ്യാപകമായി മായം ചേർക്കുന്നതിന് ഇടയാക്കും. ആയതിനാൽ ഈ റിപ്പോർട്ടിനോട് വിയോഗിച്ച് രേഖപ്പെടുത്തുന്നു.

ഡോ. എൻ. ജയരാജ്

(ഒപ്പ്)

വി. ഡി. സതീശൻ

(ഒപ്പ്)

# THE ABKARI (AMENDMENT) BILL, 2018

(As reported by the Subject Committee)

A

*BILL*

*further to amend the Abkari Act, 1077.*

*Preamble.*—WHEREAS, it is expedient further to amend the Abkari Act, 1077 (1 of 1077) for the purposes hereinafter appearing;

BE it enacted in the Sixty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Abkari (Amendment) Act, 2018.

(2) It shall be deemed to have come into force on the 21st day of December, 2017.

2. *Amendment of section 15A.*—In the Abkari Act, 1077 (1 of 1077) (hereinafter referred to as the principal Act), in section 15A,—

(a) in the marginal heading, for the figure “21”, the figure “23” shall be substituted;

(b) in the section, for the figure “21”, the figure “23” shall be substituted.

3. *Amendment of section 15B.*—In section 15B of the principal Act,—

(a) in the marginal heading, for the figure “21”, the figure “23” shall be substituted;

(b) in the section, for the words “twenty one”, the words “twenty three” shall be substituted.

4. *Amendment of section 57.*—In section 57 of the principal Act,—

(a) in clause (a), for the words “any ingredient”, the words and symbols “any ingredient, other than starch,” shall be substituted;

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

“(aa) mixes or permits to be mixed with starch in the liquor sold or manufactured by him; or”;

(c) after clause (d), for the words “shall, on conviction before a competent court, be punished for each such offence with imprisonment for a term which may extend to five years or with fine which may extend to fifty thousand rupees, or with both”, the following words, figures, symbols and brackets shall be substituted, namely:—

“shall, on conviction before a competent court, be punished,—

(i) for the offences, other than an offence falling under clause (aa), with imprisonment for a term which may extend to five years or with fine which may extend to fifty thousand rupees or with both;

(ii) for an offence falling under clause (aa), with imprisonment for a term which may extend to six months or with fine which shall not be less than twenty five thousand rupees.”.

5. *Amendment of section 67A.*—In section 67A of the principal Act, in the Table,—

(a) in column (1), for the figure “21” occurring in both the places, the figure “23” shall be substituted;

(b) after the existing entries under columns (1), (2) and (3), the following entries shall, respectively, be inserted, namely:—

“Mixing starch with liquor	57(aa)	25,000.”.
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6. *Repeal and saving.*—(1) The Abkari (Amendment) Ordinance, 2018 (20 of 2018) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Secretariat of the Kerala Legislature,  
Thiruvananthapuram,  
18th June 2018.

V. K. BABU PRAKASH,  
*Secretary.*