

BIHAR PROHIBITION & EXCISE (AMENDMENT) RULES, 2023

120 2021 12 I HET, I a-ft 10 05 2 31 2023 a-ft 15 31 2023 11 / 3671 348 (3) The 31st May 2023 No. 11/Utpad Niti-01-03/2021/ 3671--In exercise of the powers conferred under Section-95 of Bihar Prohibition and Excise Act, 2016 the Government of Bihar is pleased to make the following amendments to the Bihar Prohibition & Excise Rules, 2021 as further amended vide notification no. No. 11/Utpad Niti 01-03/2021-2458, dated-05th April, 2022: 1

2. Short title, extent and commencement: - (1) These rules may be called The Bihar Prohibition & Excise (Amendment) Rules, 2023.(2) These rules shall come into force on the date of their publication in the official gazette. (3) It shall extend to the whole of the State of Bihar and shall apply to all pending cases. Substitution of sub-rule (2) of Rule 12A (Release of Vehicles, Conveyance etc on Payment of Penalty) of Bihar Prohibition and Excise Rules, 2021: - The sub-rule (2) of Rule 12A (Release of Vehicles, Conveyance etc on Payment of Penalty) of Bihar Prohibition and Excise Rules, 2021 shall be substituted with the following: "(2) The amount of penalty shall be as decided by the Collector or the Officer authorized by him. While imposing the penalty, he shall have due regard to the quantity of intoxicant recovered, involvement of the vehicle owner and the latest insurance value of the vehicle. In no case, the penalty should be less than 10% of the insured value of the vehicle and more than Rs. 5 lakhs. The insured value is the value of the vehicle as assessed by the 31 2023 insurance company. Where, the insured value is not available or the Collector or the Officer authorized by him has reason to believe that the vehicle is undervalued, he shall get the valuation done by the District Transport Officer. In any case, the Collector shall not wait beyond 15 days from the date of seizure and if during this period, the accused/ owner does not pay up the penalty, he shall proceed with the confiscation/ auction." By the order of Governor, Bihar, K.K Pathak, Additional Chief Secretary to the Government. 449-571+500-101 Website: <http://eeazette.bih.nic.in> 3