

2. Definitions i.— In this Act unless the context otherwise requires—

(1) "Person" means any individual, firm, company, association or body of individuals, whether incorporated or not, and includes the Government of India, the Government of a State or of a Union territory, and any local authority or other authority.

(2) "Liquor" means any intoxicating liquid, whether or not it is in the form of a beverage, and includes any preparation containing such liquid.

(3) "Manufacture" includes any process, whether or not it is a chemical process, by which any substance is converted into another substance, and includes the process of distillation, blending or compounding.

(4) "Public place" means any place to which the public has access, and includes any place used for the purpose of a public meeting or assembly.

(5) "Gambling" means any game of chance, and includes any lottery, and any game of chance played for money or for any other valuable consideration.

(6) "Transfer" means any assignment, conveyance, lease, mortgage, charge, or other disposition of property, and includes any assignment of a right or interest in property.

(7) "Loan" means any advance of money or the use of any other valuable thing, and includes any advance of money or the use of any other valuable thing for a specified period of time.

(8) "State Armed Police Force" means any force raised by the Government of a State for the maintenance of law and order, and includes any force raised by the Government of a State for the maintenance of law and order.

(9) "Words and expressions" used but not defined in this Act, shall have the same meanings as are respectively assigned to them in the Eastern Bengal and Assam Excise Act, 1910 (No. 1 of 1910) as extended to Manipur.

CHAPTER—11 This or apparatus whatsoever 'E@pi.ve I(03eéttain articles :—Nothing in this chapter shall apply (a) any toilet: coatuinihg8 alco.böl•r S'diich unfit for use: at, liquor 3 (o) any medical preparation containing: w\$ch is unfit for liquor; (c) any antiseptic preparation;goi' -soluti5a alcohol is unfit use; liquor; (d) any flavouring extract, essence or syrup containing alcohol which. '-is utn"fit use as liquor;: (e) any mixture of "lqâustfial" aicJhoI from industrial b*pi6duct by a dUtn?jiccâced - unit'. éhere such atcoböll IS •to 'oe used for manifiuctUre or iszms etherz_ -than-intoxicaiits or liquor of where Suchi aicoaöl is t 'f gaie outside*the, State of Manipur; Provided corresponds with the and limitations neotioned in secti Provided t uttnesc possession use any toe such atticl\$ m ide •xcept under a- , undet section 15. Explanation 'Section shâ;lt be construed to mean thaw any perscn may preparation solution, containing ereby,, provided. Dersoa shall drink any such ...preparation. -Pr:obibili(i) rpr.ia.c newspaper. • book', any. oertodical or otherwise displayQ gridiëtti:bute. any matter. soliciting; {She any liquor ins ibe 6. Alteraficn spirit : —NO, alter to alter any.. '-Sliiit: by 'dilucioa wi.th water or. by anv method' wliatsoever, wtthctiie.ßsutenti smrit may beyused coa•uaption, mhethéiiaö a Ot. Yiaternaity as a medäclnet oc .vxv •vhatsoey•et; of ' 'have 'in •mossessions a;tydénatured spirit in respe&t of u hicâr hVkuo•ws or has •reason to tha:t or attempt to alter has been made. 7, Alteration spirituous l reparation• person shall— (a) alter Q: denatured spirituous preparation by-diliitton, with water or by any that such preparatlqmy ma'Y be -used. for human' as a or (b) bave in his po;segiione any denatured spiritg.ous prieparation respect of which he or hase reason to believe thegt alteration or attempt has been-made. 8. of prescriptio.".3 far except by P.cgistered• (l) Derson other. .t,h R: 2i?tterc.t Mod-icar tPrac• NTedicöt Piagiit.ioners . •sl'inli' nn y ..i'wt• li nor. , (2). No Registered Medicals Practitioner" Shall prescribe such liquor, , unless he believes in good faith after cnref-tl medital exqminatioo of the persom,for wi.og•e -use sucn : preseaption is made, t:ut •fh. of s.ucn liquor by perspn is nec:ssary and witi afTord selief to hito a a ailmeot. 4 (3) A registered medical practitioner shall state, in e%er.v prescriptioiy éliquurissue&by him, the nameand address of the person to •whom issued, the of issue, directions, fer use,

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may surrender this permit on expiration of one month notice given : by him to the Commissioner, of his intention to surrender the same and on payment of the fee the permit for the whole period for which it would have been granted; (4) No person to whom a permit has been granted under this Act shall have any claim to renewal of, such permit. 21, Right, Title 20 Interest, under Permit- not liable to be sold or attached in violation of anything contained in any law for the time being in force no right, title or interest in, any permit, or pass or authorisation granted under this Act shall be sold, transferred or attached in execution of any process of any civil or any other court. 22; Supervision over manufacture of denatured spirits and preparation.—The Government may, by notification, prohibit, restrict, regulate, transport, or denatured Excise or spirituous liquors or Provided that, may:— 23, Notwithstanding, any class or persons or institutions from any part of the cost of such stock to dispose of— 23, Notwithstanding, any permit, pass or may require the holder or its proprietor, as, may be a denatured spirit preparation, who, does permit, the Government to dispose of the same and the owner shall comply with the provisions of the Act. No direction or order shall be issued by the Commissioner, 24 Prohibition Commissioner—The State may, by notification, appoint and remove any person subject to the provisions of the Act or special directions, as may be made, Such powers and functions as are conferred and intended to be exercised by the Commissioner in the exercise of the provisions of the Act. 25. The Government may, by notification, dissolve or reconstitute any such Council. (2), The Government may, by notification, constitute for a district, or part thereof and for such period as it may deem fit, Prohibition Committees. more officials and non-officials. The Government may also, by like notification, dissolve or reconstitute such Prohibition Committees. (3) For the purpose of this Act the State Government may, by notification in the official Gazette, appoint any member of a Prohibition Committee by virtue of office or otherwise to be Prohibition Officer and the relation of the officer so appointed to the State Prohibition Council shall be such as may be prescribed. (4) The duties to be performed by the State Prohibition Council and Prohibition Committee and the relation between the Council and the Committee shall be as may be prescribed

27. Control of Commissioner and other officers:— In exercise of the powers and in discharge of their duties and functions under this Act the officers of the Police departments shall, subject to the special orders of the State Government, be bound to follow the directions of the Commissioner, from time to time.

28. Delegation of powers: Government may delegate any of the powers exercisable (it is not intended that this Act) to the Commissioner or such other officer as it may deem fit. (2) The Government may, by notification, delegate any of the powers or any other officer appointed or invested may be delegated by him to any of his subordinates,

29. Duty of officers to assist officer of the Government and of a local authority, shall be required to assist any officer or police officer or person authorised in this behalf in carrying out the provisions of this Act. 30.1. The Government may, by notification, require any person to give information to the owner or having the use of any space, vessel used for manufacture or storage of spirits, or to give notice of the fact to a police officer or police officer. immediately on discovery, 31. of officers in charge of police The State Government may invest any officer of the Excise Department not below the rank of Inspector with the powers of an Officer-in-Charge of a Police Station for investigation of offences under this Act. This shall however not be construed as, limiting the power, of police personnel to carry out such investigation. In the official Gazette, special provisions laid down in this Act, or any provision of the Act mentioned in Section 4 shall, be used or disposed of for the purposes of such manufacture under the provisions of this Act otherwise than as an ingredient of the articles authorised to be manufactured therefrom. No more alcohol shall be used in the manufacture of any of the articles mentioned in Section 4 than the quantity necessary for the production of the same, and for the preservation of the articles: Provided, that

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39. Mode of : The provisions of the Code of Criminal Procedure, 1972 (as amended) and the Criminal Procedure Code, 1908, shall apply to the execution of the orders of the Court under this Act.

5 / 9

offence% •with Vimpril;onment ror a -term which may extend to two yeaß• and? Witw Tine: which: may extend to two thousand rupees : Provided that, in tbo absense of specialrand' adequate rasons to the contrary, mentioned? irr •thev judgement Gf the.Court•e such 'jmprisonment shall not be-less tham nieo moãihs and fine shall, not belesS: taban one thousand rupees

50. Penalty for opening etc.of common d' inking house Whcever, being the oqner or occupier or having the use of any house, room space, vessol* vehicle or pJace, knowiDgl> perm its it to Fe used fcr I!' e coa mission, any 14 other person, of an Offence punishable under this Act or tbe tules•made -thereunder, shall be punished with imprksomment for 8 term which may lüonths but not less than one month or fine which may extend to but not less thaöfifty ru;peej or. -with both. 510 Fennlty for piinting or publishing •advertisement imeoninvention of provisions •of act, etc.. in contravention or the Act, or cf any Tule, Orc er niade thereünder, prints, or publishcS:iu. any newspaper, new-sheet'" •Fook. leaflet. bookle+. or any single or periodicalspu.blication or other wise ore, distributes any advertisements or other matter. (a) the use of or qiTecs any liquor, or to; encourage or..incite any individual or class of individUalsy or the puMic generally to commit an offence under this Act, -commit a breach of. or to evade the provisions of, any rule, Or order made thereunder 6r of the conditions of a permit, pæss or authorisation granted thereunder, -shall; on«cooviction, be punished with imprisonment for a term which may extend to *Six months or fine which may extend to five hundred rupees or with both

52. Penalty for inciting or encouraging certain offence etc.in contravention of flhe ptovis:iooseofcstb.is Act. or any rule, regulation or order made thereunder,. (a) Q Of, or oftetsé any liquor, or any individual or pu&NiCi commit an offence Act or to commit a: regulation or order theeunder or conditions of a peimit; passu or , authorisation granted th-reuoder. shall(, diiseéwvigirn, he •punished with imprisonment rot a torm which may extend six aunths ot fine which any extend to oao tbouSand rupees or with both

53. Penalty ror •contravention of provisions of section 18: —Whoever. in cone tra.venlipne: ofr provisions of settioa •\$18, drinks- in a. public place. or an institution to which tbe publico may access', (b): allows the use or consumptione@f anys• quantity of liquor possessed by to any other person, puni,hed for every such, offence: withÆimprisonmeot which Tnofibs or fine which may extend* to two th•usand rupees,oc nvglect to keep measures etc.: —Whoever, io contravention of me, Ible or or order or condition of any permit this Act- pply himselfn with and w.e.ights for measuring any liquor or, Witbinstrumeats for testing the strength 'keep the same in good con dition, or 15 (b) refuses to measure, weigh or test aoy liquor in his posscession or to have. it weigbed,: measuted* pr tested, on conviction, pun.ishedi for eacbi offence with fide which may extend •to :tw.o jhuødrred rupees

55. Penalty for misconducti •by teing the holder of n permit, pass •authowsaCrOm undet thiStAct (or a.person in tba gmproy; of such holder acting, Wilb bis express/ -implied permission on his behalf, (a) fails to pass or authorisation on demand by a prohibitionf officer, or-any other officer duly empowered if such, permit* pass or his, possession or control, or (b) willfully does. in contravention of any rulo, tegulâiiqii or this Act, shall, on conviction}; eacwsueb. or-ence imprisonment for a term whicff may: " five hundred of; a, permit; pass, or autbotisati'omgri'D4ed be; wrestponSible. the aqua: committed! by person with éxpresSédi. drti•mplied permission on his behalf Act as:ii had. committed the same, unless he shalt est-åblfrhu lhktßttidue aud reasonabi were exercised by. bim ptev.eat the of such offence Provided tbatöxna- person? other. than the actual offender be-punished with payment of fine. 57, Penaltifär. attempts orabetmcent •.—Whogygc, or abet.' thø commission • of an often'cöundc%t,. this Act tdâyicti:qg,: be Ounished for uch attempt! orzbetm:ent with the same puniShmegwaBqiWæp?0Yid'edr ror Cho principal offence* AIL 58, Breach" offliceneFys; •sperrilit, etc. In. the event ofl.aoybceach*bj the. hol;deri: or: any granted under this Act or by his. servants or@y any perSode acting his expressed or implied permission on hik behalf öfr.ány;l Of the terms- or pass onavtborisati}on? such hold"". addition to OrsüSpensioa of the pass. or to him, be; rpupis'c4 Oti.;.€ÖÆLYiction with imprisonment. for a AtegtD may ext.end to Or fiöe,rt which may extend to five hundtqd ryne"egz or witb both unless.%it thaf all' due and •reasonable precautions by him to prevent stich; breach. (2) Apy person who commits. any breach sh Ill, whethéc he acts with or Without the' permission of the holder of .the permit, pass or authorisation be liabla t%tbe sâme puniuhmc,nt. 59. - Penalty ror conspiracy or moro pgrs00S>agree,— (a) to commit or cause to be. committed%any offence under :tbis Act, or (b) to commit a breach of a condition of a permit, pass or authorisation, each of such persons, 16 IJ, _ on conviction, be punished with imprisonment for R

61. Penalty for chemist, druggist or apothecary for allowing his premises to be used for purpose of consumption of liquor. — (1) Any chemist, druggist, or apothecary who allows any liquor, which has not been bona fide medicated for medicinal purposes according to the prescription of a registered medical practitioner, to be used by any person, on or for a term exceeding three months, for the purpose of consumption of liquor, shall be deemed to be guilty of an offence under this section.

66. Things liable to, confiscation : 1) whenever any offence punishable under this Act has been committed; (a) any - liquor, utensils or apparatus, in respect of - the or (b) export or transport, any liquor or ibis Act, rule -etvuncor;dicvi61YO of s -permit;- pass oc agiliorisatn net: tik Of i\$e0a'iUre-eds spirit which be—bps trhxspoi,Vs. case -the 'ofl@ndef has in his pesses.givn any liquor, Qthek in respect of which an offence has been committed, the yvhQle Of? such other liquor. 'hail be confiea 'ed' by -the order Ql' the Court. (2) Any -receptacle package or covering in which* anS!ö of nt,hc. articles liable confiscation iandcr sub-section (1) is found and the orthenx cohtgn;ts of such recc.pfaci% or covering and the animals, carts, con-e- used in currying any such article shall be 'by: tåe or' r of the Court

7 / 9

3. Every rule made under this section shall be laid as soon as may be after it is made, before the M
inip'l:r• Awhile it is .in session for a total: period of even days, which' may. be comprised in one session or

in two successive sessions and if, before the expiry of the session in which it is so laid or the sessions immediately following, the Manipur Legislative Assembly decide to make an amendment, modification in the rule or the Manipur Legislative Assembly agree that the rule should not be made, the rule shall thereafter have effect only in such modified form, or be of no effect as the case may be; 80 however that any such modification or annulment shall be without prejudice to the validity of anything previously done under this rule. — Art 77. Officers and persons acting under this act to be public servants. Officers and persons empowered to exercise any power or to perform any functions under this Act shall be deemed to be public servants within the meaning of section 20 of the Indian Penal Code

78. Bar or proceedings :—suit or proceedings shall lie; against the Government or against any person empowered to exercise powers or perform under this for anything in good faith done or purported to be done under this Act. 79. Limitation of prosecutions or suits on contraventions of any Prohibition, Police or other officers, or on any to exercise powers or to perform functions under this Act. and all actions may be lawfully brought against the Government or any officer in respect of any thing done or to be done in pursuance of this Act, shall be instituted four months after the date of the offence complained of and not afterwards, and (a) if the plaintiff does not prove that previously to bringing such action, he has presented all such appeals allowed by this Act, or by any other law for the time being in force, as within the aforesaid period of four months it was possible to present, or (b) in the case of an action for recovery of tender of sufficient amounts shall have been made before the action or if after the institution of the action a sufficient amount is paid into Court with costs, by or on behalf of the defendant. (2) Subject to the provisions of section 192 of the Code of Criminal Procedure, 1973, no Court shall take cognizance of an offence committed or alleged to have been committed by any Prohibition, or other officer or any person empowered to exercise powers or to perform functions under this Act, in regard to anything done under this Act, a sanction granted in accordance with the aforesaid provisions of 197 of the Code of Criminal Procedure, 1973. (3) No suit shall lie against any prohibition, Police or other damages unless the same is instituted within four months from the date the action arose

80. Exemption from operation of the act :—Nothing in this Act shall apply— (1) in respect of any liquor, denatured spirit and their preparations which are the property and in the possession of the Government and 2) in respect of liquor manufactured and used by the Scheduled Castes and Scheduled Tribes of Manipur excluding India made foreign liquor and foreign liquor provided it is used for customary and traditional purposes subject to such conditions and restrictions as may be specified by notification in the official gazette

81. Power to remove difficulties If any difficulty or doubt arises in giving effect to provisions of this Act, the State Government may by order published in the Gazette, make such provisions, not inconsistent with the purpose of this Act appear to it to be necessary or expedient for the removal of the difficulty or doubt; and the order of the State Government in such cases shall be final.