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THE ANDHRA PRADESH GAZETTE

PART IV-B EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 4] AMARAVATI, FRIDAY, 3rd JANUARY, 2020.ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 2nd January, 2020 and the said assent is hereby first published on the 3rd January, 2020 in the Andhra Pradesh Gazette for general information :

ACT No. 4 of 2020.

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH EXCISE ACT, 1968.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventieth year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra Pradesh Excise (Second Amendment) Act, 2019. Short title and commencement.
 (2) It shall come into force on such date as the State Government may, by notification, appoint.
2. In the Andhra Pradesh Excise Act, 1968, (hereinafter referred to as the Principal Act), in section 34, for sub-clauses (1) and (2), the following shall be substituted, namely,- Amendment of section 34.

“(1) in case of an offence falling under clauses (a), (d), (e), (f), (h) and (i) with imprisonment for a term which shall not be less than six months but which may extend upto five years and with fine which shall not be less than rupees two lakhs for the first offence and which shall not be less than rupees five lakhs for the second offence; and Act No. 17 of 1968.

(2) In the case of an offence other than an offences falling under clauses (a), (d), (e), (f), (h) and (i) with imprisonment for a term which shall not be less than six months and which may extend upto one year and with fine which may extend upto rupees ten thousand.”

Amendment
of section 36.

3. In the Principal Act, in section 36, in sub-section (1), in clause (h), in sub-clause (i) at the end, after the words "one thousand rupees", the words "and in respect of holder of a bar license, the fine shall not be less than two times of the license fee" shall be added.

Amendment
of section 37.

4. In the Principal Act, in section 37, in clause (e),-

- (i) in sub-clause (i) at the end, after the words "rupees thirty thousand", the words "and in respect of holder of a bar license, the fine shall not be less than two times of the license fee" shall be added.

- (ii) in sub-clause (ii) at the end, after the words "rupees one lakh", the words "and in respect of holder of a bar license, the fine shall not be less than two times of the license fee" shall be added.

Amendment
of section 47.

5. In the Principal Act, in section 47, in sub-section (1), after the existing proviso, the following proviso shall be added, namely,-

"Provided further that in the case of an offence committed by the holder of a bar license for the first time, such offence may be compounded for a sum equal to two times of the license fee along with a warning. In the case of an offence committed for the second time by the Bar licensee, the bar license shall be cancelled."

Amendment
of section 60.

6. In the Principal Act, in section 60, for sub-section (5), the following shall be substituted, namely,-

"(5) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 no court shall grant any bail to any person accused of an offence under Clause (h) of Section 34 or Section 40-A or Section 50 or Section 50-A of this Act, unless the prosecuting officer is given an opportunity to oppose the application, and the court record reasons while granting the bail."

Central Act 2 of
1974.

Substitution of
section 60-A.

7. In the Principal Act, for section 60-A, the following shall be substituted, namely, -

"60-A. Non-bailable offences :- The offences punishable under sub-clause (1) of Section 34 or Section 37 or Section 37-A shall be non-bailable and the provisions of the Code of Criminal Procedure, 1973 with respect to non-bailable offences shall apply to those offences."

GONTU MANOHARA REDDY,

Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.