



ఆంధ్రప్రదేశ్ రాజపత్రము
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No.5] AMARAVATI, WEDNESDAY, 19th APRIL, 2023.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 13th April, 2023 and the said assent is hereby first published on the 19th April, 2023 in the Andhra Pradesh Gazette for general information :

ACT No. 5 of 2023

**AN ACT FURTHER TO AMEND THE ANDHRA PRADESH PROHIBITION
ACT, 1995.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventy-fourth Year of the Republic of India as follows: -

1. (1) This Act may be called the Andhra Pradesh Prohibition (Amendment) Act, 2023. Short Title and Commencement.
(2) It shall be deemed come into force on and 16-05-2020.
2. In the Andhra Pradesh Prohibition Act, 1995, (hereinafter referred to as the Principal Act), in section 8, in clause (b), for sub-clauses (i) and (ii), the following shall be substituted, namely, - Amendment of section 8.
Act No. 17 of 1995.
“(i) where the liquor involved in the offence committed for first time is non-duty/non-tax paid and is less than such quantity as may be notified in this behalf from time to time, with imprisonment for a term which shall not be less than six months but which may extend upto three years and with fine which shall not less than five times the value of such intoxicant :

Provided that where the liquor involved in the offence committed for first time is duty/tax paid and is less than such quantity as may be notified in this behalf from time to time, with imprisonment for a term which shall not be less than six months but which may extend upto three years and with fine which shall not less than three times the value of such intoxicant :

Provided further that in case of subsequent offences falling under clause (i), with imprisonment for a term which shall not be less than one year but which may extend upto eight years and with fine which shall not be less than rupees two lakhs.

(ii) where the intoxicant involved in the offence is more than the quantity notified as aforesaid, with imprisonment for a term which shall not be less than one year but which may extend upto eight 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 any subsequent offence thereafter.

(iii) Where the commission of any offence either under sub-clause (i) or sub-clause(ii) is abetted, the abettor shall be liable for punishment with imprisonment of either description and with fine as provided therein."

Amendment of
section 11-B.

3.

In the principal Act, in section 11-B for sub-section (1), the following shall be substituted, namely,-

"(1) The Collector or any Prohibition and Excise Officer or any officer of Special Enforcement Bureau specially empowered in that behalf may accept from any person who is reasonably suspected of having committed an offence for first time during the period as mentioned in the Schedule in the Rules falling under sub-clause (i) of Clause (b) of Section 8 or under Clause (a) of Section 8 or Section 9, a sum of money equal to the maximum fine leviable under the said clause (i), by way of compensation for the offence which may have been committed and in all cases in which any property has been seized as liable for confiscation under this Act, may release any property seized, which is liable to confiscation under this Act, in all such cases on payment of the value thereof as estimated by such officer;"

Substitution of
nomenclature.

4.

In the principal Act, for the words "Prohibition and Excise Superintendent" the words "District Prohibition and Excise Officer"

and for the words "Assistant Commissioner of Special Enforcement Bureau" the words "District Special Enforcement Officer, Special Enforcement Bureau" wherever they occur, shall be substituted.

ARAVIND RAMANI,
Secretary to Government (I/C),
Legal and Legislative Affairs & Justice,
Law Department.