

TRIPURA GAZETTE

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**PART-I— Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.**

GOVERNMENT OF TRIPURA
FINANCE DEPARTMENT
(Excise & Taxation)

No. F. II-2(5)-EX/2017

Dated, 22/09/2017.

NOTIFICATION

WHEREAS, the Hon'ble Supreme Court of India vide its Judgement dated 15-12-2016 in Civil Appeal Nos.12164-12166 of 2016(Arising out of SLP(C) Nos. 14911-14913 of 2013) directed that no shop for the sale of liquor shall be situated within a distance of 500 meters of the outer edge of the national or state highways or of a service lane along the highway and accordingly the direction was incorporated in the Tripura Excise Rules through its 11th amendment vide Notification No. F. II-2(5)-EX/2017 dated 08-02-2017,

AND WHEREAS, the Hon'ble Supreme Court of India vide its Judgement dated 31-03-2017 in aforesaid case, has further directed that in the case of areas comprised in local bodies with a population of 20,000 people or less, the distance of 500 metres shall stand reduced to 220 metres.

AND WHEREAS, the first proviso to Rule 26 of the Tripura Excise Rules, 1990, says that "Provided that no shop for the sale of liquor shall be (i) visible from a national or state highway; (ii) directly accessible from a national or state highway and (iii) situated within a distance of 500 meters of the outer edge of the national or state highway or of a service lane along the highway.";

AND WHEREAS, to comply with the direction dated 31-03-2017 of the Hon'ble Supreme Court of India, the Rule 26 of Tripura Excise Rules, 1990 need to be amended so that it shall be inserted in first proviso to Rule 26 of the Tripura Excise Rules, 1990 after conclusion of its first sentence;

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NOW THEREFORE, in exercise of the powers conferred by sub-section(1) of Section 88 of the Tripura Excise Act,1987(Tripura Act No.12 of 1987), the Governor hereby makes the following rules, further to amend the Tripura Excise Rules, 1990, namely:-

1. Short title and commencement:-

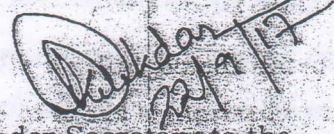
- (i). These Rules may be called the "Tripura Excise (Twelfth Amendment) Rules, 2017";
- (ii). They shall come into force on the date of their publication in the Tripura Gazette.

2. Amendment of the first proviso to Rule 26:-

In the Tripura Excise Rules, 1990, clause (iii) of the first proviso to Rule 26, as was incorporated by the Tripura Excise (Eleventh Amendment) Rules, 2017, notified in the Tripura Gazette vide No. F.II-2(5)-EX/2017 dated 08-02-2017, is hereby substituted with the following:-

"(iii) Situated within a distance of 220 meters in case of areas comprised in local bodies with a population not exceeding twenty thousand people and 500 meters in case of all other areas, from the outer edge of the National or State Highway or of a service lane along the Highway;"

By order of the Governor,



Under Secretary to the
Government of Tripura