

## Offence and Punishment under Abkari Act, I of 1077

Sl.No.	Offence	Section of Law	Punishment	Punishment Section	Compoundable or not
<b>Bailable Offences</b>					
<b>a. <u>Common Offences</u></b>					
1	<b><u>Transport</u></b> : Transporting of liquor or indoxicating drug, exceeding such quantity notified by the Government, without a trasport permit.	10	Fine which may extend to five thousand rupees or with imprisonment for a term which may extend to two years or with both.	63	Compounding Fee - Rs.5,000/-
2	<b><u>Possession</u></b> : Possession of liquor or intoxicating drugs, in excess of the quantity prescribed.	13	Fine which may extend to five thousand rupees or with imprisonment for a term which may extend to two years or with both.	63	Compounding Fee - Rs.5,000/-
3	<b><u>Consumption by Minors</u></b> :Consumption or use of liquor by persons under the age of 23 years	15A	Fine which may extend to five thousand rupees or with imprisonment for a term which may extend to two years or with both.	63	Compounding Fee - Rs.5,000/-
4	<b><u>Sale to Minors</u></b> : Sale of liquor to persons under the age of 23 years	15B	Fine which may extend to five thousand rupees or with imprisonment for a term which may extend to two years or with both.	63	Compounding Fee - Rs.5,000/-
5	<b><u>Consumption in public places</u></b> : Consumption of liquor in public places, unless permitted under a licence.	15C	Fine which may extend to five thousand rupees or with imprisonment for a term which may extend to two years or with both.	63	Compounding Fee - Rs.5,000/-
6	<b><u>Taps toddy</u></b> : Taps or causes to be tapped any toddy producing tree, in contravention of the Act or of any rules or order made under the Act.	55(d)	Imprisonment for a term which may extend to one year or with fine which may extend to ten thousand rupees or with both.	55(2)	Compounding Fee - Rs.10,000/-

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7	<b>Draws toddy</b> : Draws or causes to be drawn toddy from any tree, in contravention of the Act or of any rules or order made under the Act.	55(e)	Imprisonment for a term which may extend to one year or with fine which may extend to ten thousand rupees or with both.	55(2)	Compounding Fee - Rs.10,000/-
8	<b>Unlawful advertisement</b> : Prints, publishes or gives any advertisement soliciting use of or offering any liquor or intoxicating drug.	55H	Imprisonment for a term which may extend to six months or with fine which may extend to twenty five thousand rupees or with both.	55H	
9	<b>Exhibition without warning</b> : Picturising and exhibiting scene of cinema, containing use or consumption or exhibition of liquor in theatre without statutory warning.	55I(1)	Simple imprisonment for a term which may extend to six months or with fine which may extend to ten thousand rupees or with both.	55I(2)	
10	<b>Consumption of preperations</b> : Consumption of preperations containing liquor or intoxicating drug other than bonafide medicinal preperations in the business, manufacturing or stocking premises.	56A(2)	Fine which may extend to five thousand rupees.	56A(2)	Compounding Fee - Rs.5,000/-
11	<b>Vexatious delay</b> : Vexatiously delays forwarding any person arrested, or any articles seized under the Act, to an Abkari Inspector, as required by section 40.	60	Fine which may extend to ten thousand rupees or with imprisonment for a term which may extend to one year or with both.	60	
12	<b>Other Offences</b> : Guilty of any act or intentional omission in contravention of any of the provisions of the Act, or of any rule or order made under the Act, and not otherwise provided for in the Act	63	Fine which may extend to five thousand rupees or with imprisonment for a term which may extend to two years or with both.	63	
13	<b>Allowing land, building, room etc.</b> : Permits to use the land, building, room, space or enclosure for manufacture, sale or storing for sale of liquor or intoxicating drug.	64A	Fine which shall not less than twenty five thousand rupees.	64A	

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<b>b. <u>Offences in relation to the licensees</u></b>					
1	<b>Misconduct by Licensee</b> etc : The holder of a licence or permit granted under the Act, or being in the employ of such holder and acting on his behalf-	56	Imprisonment for a term which may extend to six months or with fine which may extend to twenty five thousand rupees or with both.	56	Compounding Fee - Rs.25,000/-
	(a). Fail to produce licence or permit on the demand of any Abkari Officer or of any other empowered officer.	56(a)			
	(b). Wilfully does or omits to do anything in breach of any of the conditions of his license or permit.	56(b)			
	(d). Permits drunkenness, riot or gaming in any place in which any liquor or intoxicating drug is sold or manufactured.	56(d)			
	(e). Permits persons of notoriously bad character to meet or remain in any place in which any liquor or intoxicating drug is sold or manufactured.	56(e)			
2	<b>Mixing starch</b> : Mixes or permits to be mixed with starch in the liquor or intoxicating drug, by the holder of a license.	57(aa)	Imprisonment for a term which may extend to six months or with fine which shall no be les than twenty five thousand rupees.	57(ii)	Compounding Fee - Rs.25,000/-

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<b>Non-bailable Offences</b>					
<b>a. <u>Common Offences</u></b>					
1	<b>Arrack</b> : Manufacture, import, export, transport, possess, store, distribute, bottle or sell arrack in any form.	8(1)	Imprisonment for a term which may extend to ten years and with fine which shall not be less than rupees one lakh.	8(2)	Not
2	<b>Counterfeiting security sticker</b> : Counterfeiting, selling, etc. of label or security sticker.	12C	Imprisonment for a term which may extend to five years or with a fine which may extend to rupees one lakh or with both.	55C	
3	<b>Imports, exports, etc.</b> :Imports, exports, transports, transists or possesses liquor or any intoxicating drug, in contravention of the Act or of any rules or order made under the Act.	55(a)	Imprisonment for a term which may extend to ten years and with fine which shall not be less than rupees one lakh.	55(1)	
4	<b>Manufacture</b> : Manufactures liquor or any intoxicating drus, in contravention of the Act or of any rules or order made under the Act.	55(b)	Imprisonment for a term which may extend to ten years and with fine which shall not be less than rupees one lakh.	55(1)	
5	<b>Construct manufactory</b> : Construct or works any distillery, brewery, winery or other manufactory in which liquor is manufactured, in contravention of the Act or of any rules or order made under the Act.	55(f)	Imprisonment for a term which may extend to ten years and with fine which shall not be less than rupees one lakh.	55(1)	
6	<b>Materials, still, utensil, implement or apparatus</b> : Uses, keeps, or has in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing liquor other than toddy or any intoxicating drug, in contravention of the Act or of any rules or order made under the Act.	55(g)	Imprisonment for a term which may extend to ten years and with fine which shall not be less than rupees one lakh.	55(1)	
7	<b>Bottles liquor</b> : Bottles any liquor for purpose of sale, in contravention of the Act or of any rules or order made under the Act.	55(h)	Imprisonment for a term which may extend to ten years and with fine which shall not be less than rupees one lakh.	55(1)	

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8	<b><u>Sells or stores for sale</u></b> : Sells or stores for sale liquor or any intoxicating drug, in contravention of the Act or of any rules or order made under the Act.	55(i)	Imprisonment for a term which may extend to ten years and with fine which shall not be less than rupees one lakh.	55(1)	
9	<b><u>Rendering denatured spirit</u></b> : Rendering or attempting to render denatured spirit fit for human consumption.	55B	Imprisonment for a term which may extend to five years and with fine which shall not be less than twenty five thousand rupees or both.	55B	
10	<b><u>Criminal Conspiracy</u></b> : Agrees to do or causes to be done an illegal act under the Act, and does such an illegal act in pursuance of such agreement, by any one or more of the parties.	55D	Same punishment provided for the offence committed (for each person of the criminal conspiracy)		
11	<b><u>False marking of property</u></b> : False marking of property or use of false property mark, on any case, package, or other receptacle or any vehicle or goods or other moveable property containing liquor or drug, or removes or alter or destroys the original or genuine mark.	55E	Imprisonment for a term which may extend to three years or with fine which may extend to one lakh rupees or with both.	55E	
12	<b><u>Possession of false maked property</u></b> : Possession and control of things described in section 55E, uses or intended to be used for traffic of liquor or intoxicating drug.	55F	Imprisonment for a term which may extend to three years or with fine which may extend to one lakh rupees or with both.	55F	
13	<b><u>Making or using false document</u></b> : Dishonestly or fraudulently or without lawful authority makes any document or alters the content of any document, intending to manufacture, store, sell or to transport any liquor or intoxicating drug.	55G	Imprisonment for a term which may extend to three years or with fine which may extend to one lakh rupees or with both.	55G	
14	<b><u>Allowing consumption of Preperations</u></b> : Allowing consumption of any preperation containing liquor or intoxicating drug in business premises, otherwise than for the bonafide treatment, mitigation or prevention of any disease.	56A(1)(a)	Imprisonment for a term which may extend to five years and with fine which	56A(1)	

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15	<b>Manufactures or stocks preparations</b> : Manufactures or stocks or causes to be manufactured or stocked any preparation containing liquor or intoxicating drug, other than a bonafide medical preparations, within the business premises.	56A(1)(b)	shall not be less than fifty thousand rupees.	56A(1)	
16	<b>Adulteration with noxious substances</b> : Mixes or permits to be mixed any noxious substance or any substance which is likely to endanger human life or to cause grievous hurt to human being, with any liquor or intoxicating drug.	57A(1)			
	(i) if grievous hurt is caused to any person	57A(1)(i)	Imprisonment for a term which shall not be less than two years but which may extend to imprisonment for life, and with fine which may extend to fifty thousand rupees.	57A(1)(i)	
	(ii) if death is caused to any person	57A(1)(ii)	Death or imprisonment for a term which shall not be less than three years but which may extend to imprisonment for life, and with fine which may extend to fifty thousand rupees.	57A(1)(ii)	
	(iii) in other cases	57A(1)(iii)	Imprisonment for a term which shall not be less than one year, but which may extend to ten years, and with fine which may extend to twenty five thousand rupees.	57A(1)(iii)	
17	<b>Omission to take reasonable precautions</b> : Omits to take reasonable precautions to prevent the mixing of any noxious substance or any substance which is likely to endanger human life or to cause grievous hurt to human being, with any liquor or intoxicating drug.	57A(2)			
	(i) if grievous hurt is caused to any person	57A(2)(i)	Imprisonment for a term which shall not be less than two years but which may extend to imprisonment for life, and with fine which may extend to fifty thousand rupees.	57A(2)(i)	

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	(ii) if death is caused to any person	57A(2)(ii)	Imprisonment for a term which shall not be less than three years but which may extend to imprisonment for life, and with fine which may extend to fifty thousand rupees.	57A(2)(ii)	
	(iii) in other cases	57A(2)(iii)	Imprisonment for a term which shall not be less than one year, but which may extend to ten years, and with fine which may extend to twenty five thousand rupees.	57A(2)(iii)	
18	<b><u>Possession of liquor mixed with noxious substance</u></b> : Possesses any liquor or intoxicating drug, with knowledge that it is mixed with any noxious substance or any substance which is likely to endanger human life or to cause grievous hurt to human being,	57A(3)	Imprisonment for a term which shall not be less than one year, but which may extend to ten years, and with fine which may extend to twenty five thousand rupees.	57A(3)	
19	<b><u>Possession of illicit liquor</u></b> : Possession of any quantity of liquor or of any intoxicating drug, knowing the same to have been unlawfully imported, transported or manufactured, or knowing the duty etc. not to have been paid.	58	Imprisonment for a term which may extend to ten years and with fine which shall not be less than rupees one lakh.	58	
20	<b><u>Sale of certain preparations</u></b> : Sells any preparation which he knows or has reason to believe is intended to serve as a substitute for alcohol or intoxicating drug.	58A	Imprisonment for a term which may extend to five years or with a fine which may extend to fifty thousand rupees or with both.	58A	
21	<b><u>Manufacture of certain preparations</u></b> : Manufactures any preparations which can be used as a substitute for alcohol.	58B(1)(a)			
22	<b><u>Adds intoxicating substance to alcoholic preparation</u></b> : Adds any substance, which produces intoxication, drowsiness, sleep, stupification or insensibility, to any alcoholic preparation	58B(1)(b)	Imprisonment for a term which may extend to three years and with fine which may extend to twenty five thousand rupees.	58B(1)	
23	<b><u>Imports, exports, etc.</u></b> : Imports, exports, transports, possesses or sells any alcoholic preparation containing ingredients not approved by the Commissioner.	58B(1)(c)			

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24	<b><u>Vexatious search or arrest</u></b> : Enters or searches or causes to be searched any closed place without reasonable ground of suspicion, or vexatiously seizes the property of any person, or vexatiously detains, searches or arrests any person, or vexatiously exceeds lawful powers.	59	Imprisonment for a term which may extend to three years or with fine which may extend to twenty five thousand rupees or with both.	59	
25	<b><u>Abetment of escape of persons arrested</u></b> : Unlawfully releases or abets the escape of any person arrested, or abet the commission of any offence, etc.	61	Fine which may extend to twenty five thousand rupees or with imprisonment for a term which may extend to three years or with both.	61	
<b><u>b. Offences in relation to the licensees</u></b>					
1	<b><u>Adulteration</u></b> : Mixes or permits to be mixed with the liquor or intoxicating drug, by the holder of a license, any non-noxious drug or any ingredient other than starch, or any non-noxious prohibited articles.	57(a)	Imprisonment for a term which may extend to five years or with fine which may extend to fifty thousand rupees or with both.	57(i)	