

The Odisha Excise Act, 2005

Section 5 - Appointment, powers and functions of Excise, Commissioner, delegations and withdrawal of powers :-

1) The State Government may, by notification, appoint an Officer as the Excise Commissioner who shall be the chief Controlling Authority for administration of this Act in the State. (2) The powers and functions of the Excise Commissioner shall be (a) to promote legitimate and competitive business in alcoholic beverages so as to protect consumer rights; (b) to regulate, control and monitor manufacture, possession, import, export, transport, sale and consumption of liquor; (c) to issue, suspend or cancel licence and permit with regard to liquor; (d) to curb illegal trade in liquor and illicit distillation; (e) to protect State Excise Revenue and ensure prompt recovery; (f) to submit returns and information as required by the Act or the Rules to the State Government upon all matters concerning excise; (g) to ensure social well-being through education for responsible drinking; (h) to have excise staff properly trained in preventive and detective work; (i) to coordinate with authorities of relevant laws; (j) to introduce e-governance in various aspects of excise administration and to maintain on the national, network information on manufacture, possession, import, export, transport, sale, etc. of liquor; (k) to submit to the State Government annual report on the administration of the Act in the format prescribed; (l) to perform such other functions and to exercise such other powers as may, from time to time, be entrusted or delegated to him, (3) The excise administration and collection of excise revenue within a district shall ordinarily be under the charge of the Collector of the district. (4) The State Government for the whole or any part of the State or in any district may appoint any person or officer to exercise all or any of the power and to perform all or any of the duties, conferred or imposed on a Collector by or under this Act, subject to such control as the State Government may direct. (5) The Excise Commissioner may appoint officers of such classes and with such designation, powers and duties as may be considered necessary subject to sanction of posts by the State Government. (6) The State Government may delegate its powers to the Excise Commissioner subject to such limitations and conditions as may be specified in the order of delegation. (7) The Excise Commissioner and Collector may, by order, delegate their powers under this Act to any Subordinate Officer subject to such limitation and condition as may be specified in the order of delegation. 6 THE ODISHA EXCISE ACT, 2008 (8) The Excise Commissioner or the Collector as the case may be, may by an order, also withdraw from any officer or person any or all the powers to be delegated. (9) The State Government may, by notification, invest in any Government functionary not being an Excise Officer, with powers to perform all or any of the functions of any Excise Officer under the Act, and such person shall, in the exercise of these functions, be deemed to be an Excise Officer.