Karnataka Excise Act, 1965(Karnataka)

Chapter V - Excise Duty and Countervailing Duty

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(1) An excise duty at such rate or rates as the State Government may prescribe, shall be levied on any excisable article manufactured or produced in the State under any licence or permit granted under this Act.

(2) A countervailing duty at such rate or rates as the State Government, may prescribe shall be levied on any excisable article manufactured or produced in India outside the State and imported into the State under a licence or permit granted under this Act.

(3) The rates prescribed under sub-sections (1) and (2) may be different for different kinds of excisable articles and may also be different when levied in the different ways specified in section 23.

Section 23 - Ways of levying such duties

Subject to such rules regulating the time, place and manner, as may be prescribed, excise duty and countervailing duty under section 22 shall be levied in one or more of the following ways as may be prescribed, namely :-

(a) rateably on the quantity of any excisable article produced or manufactured in or issued from a distillery, brewery, manufactory or warehouse, or imported into the State;

1[(aa) by fees (called litre fees) on the quantity of excisable article imported by any person or received by any person when issued form a distillery, brewery, manufactory or warehouse, as the case may be;

Explanation.--In this clause, 'warehouse' includes a place where liquor is kept by a person selling liquor by wholesale.]

2[(aaa) in the form of duty or additional duty on the value or cost price of the excisable articles produced or manufactured in, or issued from, a Distillery, Brewery, Winery or Manufactory or Warehouse or in the form of contervailing duty or additional contervailing duty on the value, cost or price of the liquor imported into the State, at such rate or rates or at such stage or stages and in such manner as may be prescribed.]

(b) in the case of spirit or other liquor produced in any distillery established or any distillery, brewery or manufactory licensed under this Act, in accordance with its quality or strength, or in accordance with such scale of equivalents calculated on the quantity of materials used, or by the degree of attenuation of the wash or wort, as the case may be, as may be prescribed;

(c) in the case of toddy, by tax on each tree from which toddy is drawn;

(d) by fees on licences in respect of the manufacture or sale of any excisable article.

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1. Inserted by Act 1of 1971 w.e.f. 30-9-1967.

2. Inserted by Act 21 of 2000 w.e.f. 11-1-2001 by notification.

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Section 24 - Payment of fees for grant of lease

1 **[24.Payment of fees for grant of lease.--**

Insteadof or in addition to any excise duty or countervailing duty leviable undersections 22 and 23 , the State Government may, accept payment of a sum or levysuch licence fee or privilege fee as may be prescribed, in consideration ofgrant of a lease or licence or both, by or under this Act.]

1.Substituted by Act 2 of 1994 w.e.f. 30-9-1967.

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Section 24A - Grant of Exclusive or other privilege in respect of foreign liquor

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1 [24A.Grant of Exclusive or other privilege in respect of foreign liquor.--

(1)The Excise Commissioner or Deputy Commissioner may subject to such rules as maybe prescribed grant to any person a licence for the exclusive or other privilegefor the entire State or for any specified area,-

(a)for importing directly from outside the country or from outside the State anyforeign liquor manufactured outside India, or

(b)for supplying by wholesale or by retail or for selling by Wholesale or retailany foreign liquor manufactured outside India and imported into the State.

(2)The licence to import foreign liquor under sub-section (1) shall be granted onlyto a person who has got the authority to import foreign liquor under the licenceor authority granted by the Government of India.

(3)For grant of the licence under sub-section (1), the State Government may levysuch licence fee, privilege fee, vend fee or any other form of fee asconsideration.]

1.Inserted by Act 15 of 2001 w.e.f. 19.4.2001

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1.Inserted by Act 15 of 2001 w.e.f. 19.4.2001

Section 25 - Tax for tapping trees from whom leviable

When duty is levied by way of tax on[1][excise trees] under section 23 and[1][excise trees] are tapped without licence, the tax due shall be recoverable primarily from the tapper or in default by him, from the occupier, if any, of the land, or if the trees do not belong to the occupier of the land, or if the land is not occupied, from the person, if any, who owns or is in possession of the trees, unless he proves that the trees were tapped without his consent.

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1. Substituted by Act 1 of 1971 w.e.f. 7-8-1970.

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