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Government of India
LEGISLATIVE DEPARTMENT

The Andaman and Nicobar Islands
Regulation, 1976.

(Regulation III of 1976).

(As Modified up to the 15th May, 1946).

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(2)

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| 19A & 19B, inserted | - Regulation II of 1927. |
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26. substituted for
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27. amended

- Government of India (Adaptation of Indian Laws) Order, 1937 and Regulation VII of 1945.

28-30 omitted

- Regulation VII of 1945.

31. amended

- Government of India (Adaptation of Indian Laws) Order, 1937 and Regulation VII of 1945.

32. amended

- Regulation I of 1930 Government of India (Adaptation of Indian Laws) Order, 1937 and Regulation VII of 1945.

33. amended

- Government of India (Adaptation of Indian Laws) Order, 1937 and Regulation VII of 1945.

34. amended

- Regulation VII of 1945

35. amended

- Regulations I of 1884 and VII of

REGULATION NO. III OF 1876.

(30th June, 1876)

(4)

A Regulation for the Peace and Government of the
Andaman and Nicobar Islands.

(As modified upto the 15th May, 1946)

Preamble - Whereas it is expedient to provide for
the peace and government of the Andaman and Nicobar Islands,
it is enacted as follows:-

Part I - Preliminary.

1. Short-title, extent and commencement - This
Regulation may be called 'The Andaman and Nicobar Islands
Regulation, 1876';

It extends (save in so far as expressly provided
by this Regulation.) -

(a) to the group of islands known as the Great and Little
Andamans with their dependencies (hereinafter called
'the Andamans'); and

(b) to the island of Nancowry, together with all others
commonly known as the Nicobar Islands (that is to say,) the
islands of Car Nicobar and Great Nicobar, with those lying
between them, including Tillanchong (hereinafter called
the Nicobars);

And it shall come into force at once.

2. (Repeal of enactments) Repealed by s 2 and Sch. of Act
I of 1938.

3. Interpretation clause - In this Regulation, unless
there be some thing repugnant in the subject or context -

'section' means a section of this Regulation;

words importing the masculine gender include females;

words in the singular include the plural and vice versa;

'month' means a month reckoned according to the
British calendar;

'vessel' includes any description of boat or ship; and

'master' includes every person having command
or charge of a vessel.

1. Inserted by s 2 of Regulation II of 1915.

2. The words and Little Cocos, were omitted by s 2
of Regulation 1 of 1984.

Part II - (Sections 4-12) - Repealed by s 27 of Regulation III of 1926.

Part III. -Of the Administration of Justice.

13. Code of Criminal Procedure applied with modifications The 'Code of Criminal Procedure 2(Act X of 1882) shall be subject to the following modifications -

(a) All the islands aforesaid shall form one sessions division, and the Chief Commissioner shall be the Sessions Judge in such division.

(b). No appeal shall lie from any order of the Sessions Judge.

3(c) The functions of the High Court under Chapter XXVII of the Code (of the submission of sentences for confirmation) shall be discharged by the 4(Central Government).

5 (Provided that in every case submitted under the said Chapter, the Central Government shall consult, and pass orders only in accordance with the recommendation of three Judges of the High Court at Calcutta nominated in that behalf by the Chief Justice of that High Court).

(d) The functions of the High Court 6(Under Chapter XXXII of the Code(of Reference and Revision) shall be discharged in respect to proceedings of the Court of Session by the 4(Central Govt.) and in respect to proceedings of Courts subordinate to the Court of Session by the Court of Session.

(e) All other functions of the High Court shall be discharged by the Court of Session.

(f) Trials before the Court of Session may, in the discretion of the Sessions Judge, be conducted without the aid either of a jury or assessors.

(g) Whenever the Sessions Judge deems it essential for the maintenance of tranquillity in any settlement that a sentence of death legally passed by him should be executed forthwith, he may order such sentence to be executed without the confirmation of the 7(High Court under Chapter XXVII of the Code).

1. See now Act V of 1898 Regulation I of 1884.

2. Substituted by s 3(a) of 3. Submitted by s 3(b), ibid.

4. Substituted by the Government of India(Adaptation of Indian Laws) Order, 1937.

5. Substituted by s 2 of Regulation VII of 1945.

6. Substituted by s 3(c) of Regulation I of 1884.

7. Substituted by s 3(d), ibid.

Clauses(b), (d) and(e) of this section shall not apply to proceedings against European British subjects or persons jointly charged with European British subjects. (5)

1(14, Code of Civil Procedure applied with modifications. The Code of Civil Procedure 2(Act V of 1908) shall be in force 3(in the Andamans) subject to the following modifications namely:-

(a) for section 2(100) thereof, the following section shall be substituted:-

2(100) Unless when otherwise provided by this Code or by any other law, from all decrees passed in appeal by any Court subordinate to the High Court, reversing or modifying the decision of the Court of original jurisdiction on a point material to the merits of the case, an appeal shall lie to the High Court, if it appears to that High Court, on a perusal of the ground of appeal and of copies of the judgments of the Courts below, that a further consideration of the case is requisite for the ends of justice.

(b) section 2(102) thereof shall be omitted, and

(c) for section 2(~~105~~¹¹⁵) thereof the following section shall be substituted:-

2(115). The High Court may call for the record of any proceedings of a court subordinate to it, and, if it appears that there has been in the proceeding an error material to the merits of the case, may pass such judgment or order thereon as it thinks fit.

4(14 A. Civil justice in the Nicobars). The following provisions shall regulate the administration of civil justice in the Nicobars, namely:-

(1) Any officer of Government or other person empowered in this behalf by the 5(Provincial Govt.) may try and decide any suit or other proceeding of a civil nature arising in the Nicobars, and in doing so shall follow such practice and procedure as the 5(Provincial Government) may, with the previous sanction of the 5(Central Government), prescribe by notification in the 5(Official Gazette).

1. Section 14 was substituted by s 4 of Regulation I of 1884.
2. Substituted by s 2 of Regulation IV of 1908.
3. Inserted by s 23 of Regulation II of 1915.
4. Section 14A was inserted by s 4 ibid.
5. Substituted by the Government of India (Adaptation of Indi-an laws) Order, 1937.

- (2) In deciding any such suit or other proceeding, such officer or other person shall have regard to local custom and to justice, equity and good conscience.
- (2) The Chief Commissioner may revise any decree or other order made in the exercise of the powers conferred by this section.

Part IV - Of the arrival and Departure of Vessels, and the Landing of Passengers and goods.

15. Penalty for Master anchoring his vessel for the purpose of landing of passengers or goods at unauthorised port - The Master of any vessel shall not 1(without the written permission of the 2(Provincial Government) or of some officer duly empowered by 2(it) to grant the permission) land or anchor such vessel for the purpose of landing any person or any goods, or things at any place on the coast of any of the said islands, except at such place as may be declared a port under the provisions of the Act for the time being in force for the regulation of ports and port-dues.

Any Master so offending shall be liable to a fine not exceeding one thousand rupees.

16. Penalty for landing at unauthorised port - No person shall 2(without the written permission of the 2(Provincial Government) or of some officer duly empowered by 2(it) to grant the permission) land from any vessel at any place on the coast of any of the said islands, not within the limit of some port declared under the provisions of such Act.

Any person so offending shall be liable to a fine not exceeding five hundred rupees.

and any goods or things landed from any vessel, 3 (without a written permission as aforesaid) except within such limits, may be seized by any person in the employment of Government and may be confiscated if the 2(provincial Government) or any officer empowered by 2(it) in this behalf, so directs.

17. Exception for provisions of last two sections. The provisions of the last two preceding sections shall not apply to any vessel the property of Her Majesty or used for any public purpose, nor to any person, goods, or thing landed on such vessel nor in any other case when the provisions of same sections have been infringed from stress of weather or other unavoidable circumstances.

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1. Inserted by s 5(1) of Regulation 1 of 1884.
 2. Substituted by the Government of India (Adaptation of Indian Laws) order 1937.
 3. Inserted ^{by} s 5(2) of Regulation 1 of 1884.

17.A. Power for Provincial Government of determine conditions of permission granted under sections 15 and 16 - (1) The (2) (Provincial Government) may, from time to time, determine the conditions upon which permission under section 15 to a Master of a vessel to land or anchor his vessel, or under section 16, to any person to land from a vessel, may be granted. (6)

(2) If the Master of any vessel to whom any permission under section 15, or any person to whom any permission under section 16, has been granted, fails to conform to, or infringes, any of the conditions upon which the permission has been granted, he shall be punished with fine which may extend, in the former case to one thousand and in the latter case to five hundred rupees).

18. Master of vessel entering port to deliver list of crew, etc. and penalty for non-delivery- The Master of any vessel entering the port of Camorta or any port in the Andaman, shall within twenty-four hours from the time of so entering deliver to the Conservator of the Port a list of the crew and passengers on board of such vessel, as well as a manifest of the cargo carried by such vessel.

Any Master failing to deliver such list and manifest within such period, shall be liable to a fine not exceeding five hundred rupees.

19. Penalty for any person landing without license - No person shall land within the limits of (1) (any port in the Nicobars), except under a license granted as herein-after provided, or under the written permission of the Conservator of the Port or of the (2) (Provincial Government) or some officer empowered by (2) (it) to grant such permission.

And any person so landing without such license or permission shall be liable to a fine not exceeding five hundred rupees.

3(19A. Power to prohibit persons from landing (1) The (2) (provincial Government) or any officer empowered by (2) (it) in this behalf may, at any time prohibit any person from landing in the (4) (Andamans) and may order any person to remain in the vessel in which he came and depart in the same vessel or to depart in any vessel sailing for any port in India and, pending such sailing to reside in any such place 5*** as the (2) (Provincial Government) or officer may direct and the (2) (Provincial Government) or officer shall not be bound to assign to such person (2) (its or his) reasons for such order.

4. Sect. on 17A was inserted by s. 6 ibid (1) Substituted by s. 2 of Regulation II of 1927 (2) Substituted by the Govt. of India (Adaptation of Indian Laws) order, 1937. (3) Section 19A and 19B were inserted by s. 3 of Regulation II of 1927 (4) Substituted by s. 2 of Regulation III of 1930 (5) Certain words omitted by s. 3 of Regulation VII of 1945.

(2) Any person acting in contravention of an order given under this section shall be liable to a fine not exceeding five hundred rupees.

19.B. Penalty in certain cases for landing without license in the Andamans - No person who has under this Regulation at any time been prohibited from landing in or been refused permission to land in, or who has been removed therefrom, or to whom the issue or renewal of residential licence under this Regulation has been refused or whose residential licence has been cancelled shall land within the limits of any port in the Andaman Government) or some other officer empowered by 1(it) to grant such licence or permission shall be liable to a fine not exceeding five hundred rupees.

20. Penalty for landing goods without license - No goods or other things shall be landed within the limits of any such port except under the written permission of the Conservator of the Port or other officer appointed in that behalf;

and any goods or things landed without such permission shall be liable to be seized by any person in the employment of Government, and may be confiscated if the 1(Provincial Government), or any ~~other~~ Officer empowered by 1(it) in this behalf, so directs.

21. Master leaving port to deliver list of crew, etc. - Every Master of a vessel shall, within such time before the departure of such vessel from any such port as the 1(Provincial Government) may from time to time by general rules or special orders direct, deliver to all Conservators of such Port a correct list of the crew and other persons about to sail in such vessel specially designating the persons (if any) who have not arrived at the 2(Andaman and Nicobar Islands) in such vessel; and every Master failing to deliver such list, shall be liable to a fine not exceeding one thousand rupees.

If any such Master, after delivering the list herein mentioned, takes or receives on board his vessel any person, not mentioned in such list, for the purpose of taking him from such port, without forthwith informing the Conservator of such Port of the name of such person, he shall be liable to a fine of five hundred rupees for every such person so taken or received on board.

1. Substituted by the Government of India (Adaptation of Indian Laws) Order, 1937.
2. Substituted by s 4 of Regulation VII of 1945.

22. Inspection of vessels and penalty for non-compliance. - Every Master of a vessel anchored in, or about to depart from, any such port shall, on the requisition of the Conservator of the Port or other person acting under the instructions of the Superintendent of the Port or other Officer as aforesaid, permit such Conservator or other persons to inspect such vessel and shall produce before such Conservator or other person any person who may be on board of such vessel.

Any Master failing to comply with any of the provisions of this section shall be liable to a fine not exceeding one thousand rupees.

3(23. Master leaving port to obtain clearance note - Before the departure of any vessel from a port, the Master thereof shall, either himself or through an agent, obtain from the Conservator of the Port or such other officer as may be authorised by the Chief Commissioner in this behalf a clearance note and any Master of a vessel who fails to comply with the provisions of this section shall be liable to a fine not exceeding one thousand rupees.

24. Power to board and search suspected vessels and require them to depart - Whenever the 1 (Provincial Government) or any officer empowered by 1 (it) in this behalf has reasonable and probable cause for believing that any ship within three miles of the coast of any of the said islands is intended to facilitate the 2 (contravention of this Regulation or any rule or order made thereunder) 1 (it or he) may -

- (a) authorize any person to board and inspect such ship, and to require the Master to produce before 1 (it or him) any 2 (person) who may be on board, and to allow the ship to be searched and
- (b) require the Master to take such ship within a reasonable time, not less than twelve hours, to a distance exceeding three miles from the coast of any of the said islands, and not to return without the permission of the 2 (Provincial Government).

3. Substituted by s. 5, ibid.

2. Substituted by the Govt. of India (Adaptation of Indian Laws) Order 1937.

2. Substituted by s. 7, ibid.

Any Master refusing to allow such boarding or inspection or to comply with any requisition under this section or returning without such permission, shall be liable to a fine not exceeding one thousand rupees.

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Magistrate
or any
other officer
empowered
in this
behalf
by the
Chief
Commissioner -
S.M.

3(25). Power to board and search vessels for prohibited articles - whenever the Chief Commissioner or the Deputy Commissioner has reason to believe that, any person on board any vessel within the territorial waters of the Andaman and Nicobar Islands is in possession of any article referred to in section 31 with intent to introduce it into any place within the said Islands in contravention of that section, the Chief Commissioner or the District Magistrate or other officer as aforesaid may by order in writing authorise any police officer not below the rank of Head Constable to board and search the vessel and to seize any such article and to arrest the person in possession thereof.

Any person in possession of any such article on board any vessel within the said territorial waters with intent as aforesaid may on conviction be punished with imprisonment of either description for a term not exceeding six months or with fine not exceeding one thousand rupees, or with both and any such article seized may be confiscated by order of the convicting Magistrate.

Part V - Of Licenses to reside in the Andaman and Nicobar Islands.

2(26). Licenses to reside - (1) Every person of or above the age of eighteen years landing at any port in the Andaman and Nicobar Islands with the intention of residing at any place in the said islands for more than one month or after the departure of the vessel on which he arrived, shall apply in such form as the Chief Commissioner may prescribe for a licence to reside in the said Islands, giving true and complete details of himself and of his dependants, if any accompanying him, and shall, if the said form so requires, affix his finger and thumb impressions of both hands in the space provided for the purpose.

(2) No person shall reside at any place within the Andaman and Nicobar Islands for more than one month or after the departure of the vessel on which he arrived, unless he holds a licence granted by the Chief Commissioner or an officer authorised by the Chief Commissioner in this behalf.

- 3. Substituted by s.7 ibid.
- 1. Substituted by s 8 of Regulation VII of 1945.
- 2. Substituted for sections 26 and 26A by S 9 ibid

(D)

(8) Except where a licence to reside is granted on an application referred to in sub-section(7), the Chief Commissioner shall as soon as may be forward to the Central Government a copy of every order passed by him under sub-section(5) and of his reasons therefor, and the Central Government may, of its own motion or on the application of the person against whom the order was directed, order that a licence to reside shall be issued to such person.

27. Conditions of license to be determined by Central Government - The 1(Central Government) may determine the conditions upon which a license to reside 2(at any place within the Andaman and Nicobar Islands) may be granted.

If the holder of any such license fails to conform to or infringes, any of the conditions therein specified, he shall be liable to a fine not exceeding one thousand rupees.

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Part VI Miscellaneous

28. (Marriages of convicts) Omitted by S 11 of Regulation VII of 1945.

29. Obligation to give information of convicts escape or intention to escape)

30. Power to define limits of settlement).

31. Certain articles not to be introduced, etc. without license. Exception of articles for domestic use or consumption - No person shall, without a license in writing from the 1(Provincial Govt.) or from some Officer empowered by 1(it) to grant such license, introduce into any 4(place within the Andaman and Nicobar Islands,) or manufacture, barter or sell or have in his possession any of the following articles, namely:-

- 1. Substituted by the Govt. of India(Adaptation of Indian Laws) Order, 1937.
- 2. Substituted by s 10 of Regulation VII of 1945.
- 3. Paragraph 3 omitted obid.
- 4. Substituted by s 12 ibid.

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(3) Any person who knowingly^{gives} any false information in his application under sub-section (1) or who resides at any place within the Andaman and Nicobar Islands in contravention of sub-section (2) shall be liable to a fine not exceeding five hundred rupees, and shall be further liable if the Chief Commissioner or any officer authorised by the Chief Commissioner in this behalf so directs, to be shipped and removed from the said islands by any vessel specified in the direction.

(4) The Chief Commissioner may, by notification in the official Gazette exempt any person or class of persons, on such conditions, if any as he may think fit, from the provisions of sub-sections (1) & (2).

(5) The Chief Commissioner may at any time for reasons to be recorded in writing but which he shall not be bound to communicate to the person concerned, by order withdraw an exemption under sub-section (1) or cancel a licence granted under sub-section (2) in respect of any person.

(a) who has been convicted of any offence punishable under this Regulation or any rule made thereunder or under any other law for the time being in force, or

(b) whose activities, conduct or mode of life are in the opinion of the Chief Commissioner prejudicial to the maintenance of good order or the public peace or safety.

(6.) Any person whose licence to reside has been cancelled under sub-section (5) may be required by order of the Chief Commissioner to remove himself from the Andaman and Nicobar Islands within such time as may be specified in the order, and in the event of his failure so to do such person shall for the purposes of sub-section (3) be deemed to be residing within the said Islands in contravention of sub-section (2).

(7) Any person in respect of whom an exemption has been withdrawn under sub-section (5) shall, within forty-eight hours after the receipt by him of the order withdrawing the exemption, make an application under sub-section (1) for a licence to reside, and if he fails so to do, or if on such application being made and refused, he fails to remove himself from the Andaman and Nicobar Islands within such time as the Chief Commissioner may direct, such person shall for the purposes of sub-section (3) be deemed to be residing within the said Islands in contravention of sub-section (2).

1. Substituted by the Government of India (Adaptation of Indian Laws) Order, 1937.

2. Substituted by s 10 of Regulation VII of 1945.

3. Paragraph 3 omitted in *ibid*.

4. Substituted by s. 12, *ibid*.

- (19)
- (a) Beer, wine or other spirituous or fermented liquor
- (b) opium, ganja or other hurtful or intoxicating drug;
- (c) arms or weapons of any description;
- (d) dangerous cutting instruments or cutting instruments the possession of which the 1((Provincial Government), or any officer authorized by (it) in this behalf, may declare to be dangerous to the public safety;
- (e) gunpowder or other explosive or highly inflammable substances.

Nothing in this section applies to the possession by any person of cutting instruments for his own domestic use or for the purposes of his trade or occupation only, the possession of which has not been declared as aforesaid to be dangerous to the public safety, or.

any such quantity of a spirituous liquor or intoxicating drug kept of such persons own use only as the 1(Provincial Government) may from time to time declare to be exempt from the prohibition contained in this section when so kept.

32. Acts punishable - Any person who -

- (a) fells or takes the produce of any trees or collects 2(any other product) without a 3(permit under section 6 of the Andaman and Nicobar Islands (Land Tenure)Regulation, 1926).

4* * * * *

- (c) introduces into 2(any place within the Andaman and Nicobar Islands) manufacture's, barter's, sells or has in his possession, except as provided in section 31, any article of the descriptions mentioned in the said section without a license, or in violation of any condition in his license, or

- (d) attempts to commit any of the above offences, shall be punished with imprisonment of either description for a term not exceeding six months, or with fine not exceeding rupees one thousand, or with both.

33. Power to make rules and provide punishments for breach of them. The 1(Provincial Government) may, with the previous sanction of the 1(Central Government) make subsidiary rules, consistent with this Regulation, for the administration of 5(the Andaman and Nicobar Islands and may, in making any such rules, attach to the breach of it, in addition to any other consequences that would

1. Substituted by the Govt. of India (Adaptation of Indian Laws) Order, 1937.

2. Substituted by s 13 of Regulation VII of 1945.

3. Substituted by s. 2 of Regulation 1 of 1930.

4. Clause (b) omitted by s 13 of Regulation VOO of 1945.

5. Substituted by s 14 ibid.

ensue from such breach, a punishment, on conviction before a Magistrate, of imprisonment of either description for a term not exceeding six months, or of fine not exceeding rupees one thousand, or of both.

All rules made under this section shall on being published in the Gazette of India and in the local Gazette, have the force of law.

34. Power to adjudge forfeiture of property in addition to sentence of Court- When any person is convicted of an offence punishable under section 32, or of a breach of any rule to which a punishment is attached under section 23, the Court may adjudge that in addition to a sentence passed by (it) all or any of the property in respect of which the offence or breach has been committed shall be forfeited to Government.

35. Application of enactments to fines. Recovery of fines in the case of Masters of vessels. The provisions of sections 63 to 70 both inclusive, of the Indian Penal Code (XLV) of 1860² as amended³ by Act VIII of 1882) and of sections 3(386, 387, and 389) of the Code of Criminal Procedure⁴ shall apply to all fines imposed under this Regulation, or under the rules made⁵ thereunder).

In the case of the Master of a vessel, such fine may also be levied by the distress and sale of such vessel and the tackle, apparel and furniture thereof.

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1. Substituted by s 15 of Regulation VII of 1945.
 2. Inserted by s 7 of Regulation I of 1884.
 3. Substituted *ibid*.
 4. Sec. now Act V of 1998.
 5. Substituted by s 16 of Regulation VII of 1945.

(10)
(10)

The Andaman and Nicobar Islands (Amendment)
Regulation, 1984.

No.2 of 1984.

Promulgated by the President in the Thirty-
fifth Year of the Republic of India.

A Regulation further to amend the Andaman
and Nicobar Islands Regulation, 1876.

Whereas by reason of certain liquor not being
manufactured or produced in the Union Territory of the
Andaman and Nicobar Islands, countervailing duty is
not leviable on such liquor which is imported into
that territory.

And Whereas the consumption, except for
medicinal purposes, of such liquor would be injurious
to health and the levy of a special duty on the import-
ation of such liquor into the Union Territory of the
Andaman and Nicobar Islands would be an endeavour to-
wards bringing about prohibition of the consumption as
aforesaid of such liquor;

Now, Therefore in exercise of the powers con-
ferred by article, 240 of the Constitution, the Presi-
dent is pleased to promulgate the following Regulation
made by him:-

Short title and comment. 1. (1) This Regulation may be called the Andaman and Nicobar Islands (Amendment) Regulation, 1984.

2. (2) This section and section 6 shall come into force at once, and the remaining provisions of this Regulation shall be deemed to have come into force on the 24th day of October, 1973.

Substitution of certain expression for certain other expression. 2. Throughout the Andaman and Nicobar Islands Regulation, 1876 (hereinafter referred to as the principal Regulation) for the words 'Chief Commissioner' wherever they occur, the word "Administrator" shall be substituted.

Regulation
III of
1876.

Amendment
of section
3.

3. In section 3 of the principal Regulation, for the definition of the expression "Section" the following definitions shall be substituted, namely -

"Administrator" means the Administrator of the territory appointed under article 239 of the Constitution;

"beer" includes ale, stout, porter and any other fermented liquor usually made from malt;

"country liquor" means liquor manufactured or produced in any part of India, other than foreign liquor.

'duty' means the duty of excise or countervailing duty or as the case may be, special duty;

'foreign liquor' means beer, brandy, whisky, gin, rum, milk punch, wines and such other liquor as may, by notification in the Andaman and Nicobar Islands Gazette, be declared by the Administrator, as foreign liquor for the purposes of this Regulation;

/bringing

'import' means into the territory from any place in India beyond the limits of the territory;

'liquor' includes spirits of wine, methylated or denatured spirits, spirits, wines, toddy, beer, feni and all liquids consisting of, or containing, alcohol, other than medicinal and toilet preparations containing alcohol;

'proof litre' means a litre of a mixture of ethyl alcohol and distilled water which at the temperature of 10.5 degrees Centigrade weighs exactly twelve-thirteenth (12/13) parts of an equal measure of distilled water at the same temperature;

'section' means a section of this Regulation.

'special duty' means a tax on the import of any description of liquor being description of liquor on which countervailing duty as is mentioned in entry 51 of List II in the Seventh Schedule to the Constitution is not imposable on the ground merely that such description of liquor is not being manufactured or produced in the territory.

11

'territory' means the Union Territory of the Andaman and Nicobar Islands ".

Insertion of new section 31 A.

4. After section 31 of the principal Regulation, the following section shall be inserted, namely:-

31.A. There shall be levied and collected in the manner provided by this Regulation and the rules thereunder and at such rates, not exceeding the rates set forth in the Schedule, as the Administrator may, by notification in the Andaman and Nicobar Islands Gazette, specify, a duty of excise or a special duty, as the case may be, on all liquor of the descriptions specified in the Schedule, being liquor manufactured or produced in, or brought into, the territory and such duty shall be payable by the person manufacturing or producing or importing such liquor;

levy and collection of duty.

countervailing duty or a

Provided that no such duty shall be levied on toddy when used for the manufacture of jaggery, vinegar, yeast, neera or when drunk as such.

Explanation - For the removal of doubts, it is hereby declared that in any notification under this section it shall not be necessary to specify separately the rate of countervailing duty or special duty and, unless otherwise provided in such notification expressly any rate specified in such notification as the rate of excise duty in respect of any description of liquor shall be deemed to be also the rate of countervailing duty or special duty, as the case may be, in respect of such description of liquor".

5. After section 35 of the principal Regulation, the following Schedule shall be inserted namely:-

Insertion of Schedule.

THE SCHEDULE.

(See section 31A).

As fixed by ADM
order 18/10/54

S.No.	Description of liquor	Rate Rs. ps.
1	2	3
1.	Foreign liquor, other than milk punch, wines and beer.	- 25.00 per proof litre.
2.	Milk punch and wines	- 6.00 per bulk litre.
3.	Beer	- 3.00 per bulk litre.
4.	Country liquor	- 3.00 per proof litre.
5.	Rectified spirit or absolute alcohol except when used for manufacture of liquor or for medicinal purposes.	- 2.50 per proof litre.
6.	Blended country liquor	- 2.00 per bulk litre in addition to the duty on country liquor.

validation & saving

6. (1) Notwithstanding any judgment, decree or order of any court or other authority, anything or any action done or taken or purported to have been done or taken under the principal Regulation, and the rules thereunder, before the date of promulgation of this Regulation shall be, and shall be deemed always to have been, as valid and effective as if such thing or action had been done or taken under the principal Regulation, as amended by this Regulation, and accordingly -

(a) any duty or fee levied, assessed or collected or purported to have been levied, assessed or collected under the Principal Regulation, and the rules thereunder before the date of promulgation of this Regulation shall be deemed to have been validly levied, assessed or collected in accordance with law;

(b) no suit or other proceeding shall be maintained or continued in any court or before any authority for the refund, and no enforcement shall be made by any court or other authority of any decree or order directing the refund, of any such duty or fee which has been so collected;

(12)

(12)

-5-

(c) recoveries shall be made in accordance with the provisions of the principal Regulation, and the rules thereunder, of all amounts which would have been collected as duties or fees under the principal Regulation by reason of the amendments made in the principal Regulation by this Regulation but which had not been collected.

Explanation - For the removal of doubts, it is hereby declared that no act or omission on the part of any person before the date of promulgation of this Regulation shall be punishable as an offence which would not have been so punishable if this Regulation had not been promulgated.

(2) The amendments made in the principal Regulation by this Regulation, and the provisions of sub-section(1) of this section, shall not apply to or in relation to any case in which under the order of the High Court, refund had been made before the date of promulgation of this Regulation of any duty collected under the principal Regulation and the rules thereunder.

ZAIL SINGH,
President.

R.V.S. Peri Sastri,
Secretary to the Govt. of India.

(2)

ANDAMAN AND NICOBAR ADMINISTRATION,
Chief Commissioner's Secretariat.
.....

NOTIFICATION

Port Blair, dated the 25th February, 1979.

No. 30/79/F.No.24-1/78-Pub. In exercise of the powers conferred by rule 6 of the Andaman Excise Rules, 1934 and in supersession of all the previous notifications on the subject, the Chief Commissioner, Andaman and Nicobar Islands hereby fixes the number and location of shops at which Indian Made Foreign Liquor (Brandy, Whisky, Rum, Dry Gin and the like) shall be sold for consumption off the premises as specified in the schedule below, with effect from the 1st April, 1979:-

SCHEDULE

<u>Sl. No.</u>	<u>Number of shops</u>	<u>Location of Shops</u>
1.	One	Delanipur, Port Blair
2.	One	Rangat, Middle Andaman.
3.	One	Campbell Bay, Great Nicobar

By order and in the name of
Chief Commissioner.

sd/-

(MS Malhotra)
Assistant Secretary (Public)

No. 24-1/78-Pub. Port Blair, dated the 28th Feb, 1979
2.3.79.

Copy to:-

1. The Manager, Govt. Press, Port Blair, with the request that the above notification may kindly be published in an extraordinary issue of the Andaman and Nicobar Gazette forthwith. Ten copies of the Gazette in which the notification is published may kindly be supplied to the Public Section, CC's Secretariat, immediately.
2. The Deputy Commissioner, Andamans District, Port Blair.
3. The Deputy Commissioner, Nicobars District, Car-Nicobar.
4. F.No. 24-2/78-Pub. (5) Spare copy-3.

sd/-

Assistant Secretary (Public)

Andaman and Nicobar Administration Secretariat

Port Blair dated the 18th October, 1984.

NOTIFICATION

No. 547, F. No. 24-17/84 - H & R. - In exercise of the powers conferred by section 31A of the Andaman and Nicobar Islands Regulation, 1876 (Regulation 3 of 1876) as amended by the Andaman and Nicobar Islands (Amendment) Regulation, 1984 (No. 2 of 1984) and in supersession of all previous Notifications, orders on the subject, the Lt. Governor (Administrator), Andaman and Nicobar Islands hereby prescribes the rates of excise duty payable by the person manufacturing in, producing in or importing in to the Union Territory of Andaman and Nicobar Islands, the kinds of liquor described in the schedule given below at the rates specified against each:

SCHEDULE

S. No. 1	Description of Liquor 2	Rate 3
1.	Foreign liquor other than Milk Punch, Wines and Beer	Rs. 15.00 per proof litre
2.	Milk Punch and Wines	Rs. 4.00 per bulk litre
3.	Beer	Re. 1.00 per bulk litre

By Order

Sd/-

(S. M. Chandrasekharan)
Assistant Secretary (H & R)

अण्डमान तथा
ANDAMAN AND



निकोबार राजपत्र
NICOBAR GAZETTE

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Published by Authority

नं० 40, पोर्ट ब्लेयर, सोमवार, मार्च 19, 1990
No. 40, Port Blair, Monday, March 19, 1990

ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT

NOTIFICATION

Port Blair, dated the 19th March, 1990.

No. 39/90 F. No. 24-1/89-H&R.—In exercise of the powers conferred by section 33 of the Andaman and Nicobar Islands Regulation, 1876 (Regulation III of 1876), the Administrator of the Union Territory of the Andaman and Nicobar Islands, with the previous sanction of the Central Government, makes the following rules further to amend the Andaman Excise Rules, 1934, as published with this Administration's Notification No. 38 of 1934 dated the 1st September, 1934, namely:—

Short title and commencement.

1. (1) These rules may be called the Andaman Excise (Amendment) Rules, 1990.
(2) They shall come into force on the date of their publication in the Official Gazette.

Insertion of rule 7A.

2. In the Andaman Excise Rules, 1934 (hereinafter referred to as the 'said rules') after rule 7, the following rule shall be inserted, namely:—

"7 A. Notwithstanding anything contained in these rules, the Administrator may issue a licence to any Corporation or Company, registered under the Companies Act, 1956 or a Govt. Agency or an Autonomous Body, owned or controlled by the Central Govt. or the Administrator, to vend liquor at the sanctioned shops, at such rates as may be prescribed by the Administrator for each of such shops from time to time".

Amendment to rule 12.

3. In rule 12 of the said rule:—
(a) for the sub-rule (1), the following sub-rule shall be substituted namely:—
(1) No person shall transport or keep in his possession and for his own use without a licence more than the following quantities of any liquor at a time:—

Beer	: 12 bottles of 650 ml.
Foreign liquor, other than beer	: 4 bottles of 750 ml.
Country liquor	: 2 bottles of 750 ml.
Toddy	: 6 bottles of 750 ml.

(b) Sub-rule (3) shall be omitted.

Lt. Governor, Andaman & Nicobar Islands.
By order and in the name of Lieutenant Governor. (Administrator),
Andaman & Nicobar Islands,

Sd/
(H.D. BIRCI)
Secretary (Excise)

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F No. 28 ✓

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Published by Authority

नं. 158 पोर्ट ब्लेयर, बुधवार 28 अक्टूबर, 1992.
No. 158, Port Blair, Wednesday October 28, 1992.

ANDAMAN AND NICOBAR ADMINISTRATION,
SECRETARIAT

NOTIFICATION

Port Blair, dated the 28th October, 1992.

No. 152/92/F. No. 24-18/91—H&R—In exercise of the powers conferred by Section 31A of the Andaman and Nicobar Islands Regulation, 1876 (Regulation III of 1876) as amended by the Andaman and Nicobar Islands (Amendment) Regulation 1984 (No. 2 of 1984) and in supersession of this Administration's Notification No. 547-F, No. 24-17/87—H&R dated 19th October, 1984 as published in the Andaman and Nicobar Gazette Extra Ordinary No. 484 dated 13th October, 1984, the Lieutenant Governor (Administrator), Andaman and Nicobar Islands hereby prescribes the rates of excise duty payable by the person manufacturing in, producing in or importing into the Union Territory of Andaman and Nicobar Islands, the kinds of liquor described in the schedule given below at the rates specified against each:—

SCHEDULE

S. No.	Descriptions of liquor	Rate
1.	Foreign liquor other than Milk Punch, Wines and Beer	Rs. 20.00 per proof litre.
2.	Milk Punch and Wines	Rs. 4/- per bulk litre.
3.	Beer	Rs. 2/- per bulk litre.

This Notification shall come into force with effect from 1st November, 1992.

Lieutenant Governor,
Andaman and Nicobar Islands
By order and in the name of the Lt. Governor.

Sd/:-
(N. P. Pillai)
Assistant Secretary (Excise)

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20

Barrels 2. Toddy
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(14)

LOCAL GOVERNMENT
NOTIFICATION

Port Blair, the 1st September, 1934.

No. 30 of 1934. In exercise of the powers conferred by Section 33 of the Andaman and Nicobar Islands Regulation III of 1933 and subsequently amended, the Chief Commissioner with the previous sanction of the Governor General in Council is pleased to make the following rules:-

- A. To regulate the import into the settlement of beer, wines and other spirituous and fermented liquor.
- B. To regulate their sale and possession.
- C. To regulate the manufacture of country liquor in distilleries and its sale there from to retail licensed vendors.

These rules shall be called the Andaman Excise Rules 1934, and shall be applicable to both the Andaman and Nicobar Islands. They shall come into force on September 1st, 1934.

A. Import of beer, wines and other spirituous and fermented liquor.

2. Any person wishing to import into the Settlement either for sale or for his personal use any kind of liquor shall apply to the Deputy Commissioner for a license.

3. The Deputy Commissioner shall issue a license in Form A attached to these rules. The license shall be valid for one year. The fee for a license for import for sale shall be Rs. 5/- A license for import for personal use shall be issued free of charge.

B. Sale and possession of beer, wines and other spirituous and fermented liquor.

4. (1) Any club or institute wishing to vend any kind of liquor to its members shall apply to the Deputy Commissioner for a license.

(2) The Deputy Commissioner shall issue such license in Form B attached to these rules, on a payment of fee not exceeding Rs. 100/- to be fixed by the Chief Commissioner (L.G. Notification no. 31 of 1935 dated the 25th June, 1935.) The license shall be valid for one year.

5. (1) Any person desiring to sell any kind of liquor at a public or private entertainment shall apply to the Deputy Commissioner for a license.

(2) The Deputy Commissioner shall issue such license in Form B attached to these rules, on payment of a fee of Rs. 5/- . The license shall specify the hours between which the sale is permitted.

6. The Chief Commissioner shall fix from time to time the number and location of shops at which the following be sold for a consumption neither on or off the premises:
Foreign wines, spirits and other liquors beer, Indian manufactured rum, country liquor and toddy.

7. The Deputy Commissioner shall ~~once~~ before April every year sell by auction the right to vend at the sanctioned shops the following:-

- (1) Foreign wines, spirits and other liquors, beer and Indian manufactured rum bottle.
- (2) Foreign wines, spirits and other liquors, beer and Indian manufactured rum by dram.
- (3) Country liquor by bottle.
- (4) Country liquor by dram.
- (5) Toddy.

8. Every sanction shall be subject to the sanction of the Chief Commissioner.

9. The Deputy Commissioner shall issue a license Form C attached to these rules to the person in whose shop a shop has been sanctioned by the Chief Commissioner.

10. If a licensee surrenders his license, it shall be void for the remaining period of the year, and the deficiency, if any, shall be recovered from him.

11. The licensee shall keep a Daily register of all sales. The register shall be open at all times to the inspection of any Magistrate or police Officer not below the rank of Sub-Inspector.

12. (1) No person shall keep in his possession and his own use without a license more than the following quantities of liquor:-

Foreign beer	8 gallons or 48 quarter
Foreign wines	6 gallons or 36 quart bottles
Spirits liquor	2/3 gallon or 2 quart bottles
Country liquor	1 gallon or 6 quart bottles.
Toddy	

L.C. Notfn. No. 44 of 1936 D/22-10-1936.

(2) Any person desiring to keep in his possession any quantity of liquor in excess of that prescribed in sub-section (1) shall apply to the Deputy Commissioner for a license. Such license shall be issued in Form D attached to these rules on payment of a fee of Rs. 1/- and be valid for one year.

(3) Talabur Convicts residing in barracks are prohibited from keeping any quantity of liquor in the barracks.
L.C. Notfn. No. 43 of 1943 D.

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(C. Rules to regulate the manufacture of country liquor is distilleries and its sale therefrom to retail licensed vendors.

13. Distilleries shall be situated at such places as may be fixed by the Chief Commissioner.
14. The ~~manufacture~~ manufacture of country liquor in distilleries and to sell it therefrom to the retail licensed vendors shall be sold by the Deputy Commissioner for such period of time and on such conditions as the Chief Commissioner may prescribe.
15. Every action shall be subject to the sanction of the Chief Commissioner.
16. The Deputy Commissioner shall issue a license in form B attached to these rules to the person whose bid has been accepted by the Chief Commissioner.
17. A Distillery Officer shall be appointed by the Chief Commissioner.
18. There shall be in every distillery a Bonded Warehouse. The doors of the warehouse a door the room in which the receiver is kept shall be provided with double locks, the keys of which are not interchangeable. The keys of one set shall remain with the licensee and the keys of the other with the Distillery Officer.
19. The licensee shall distill country liquor from sugar wash of a maximum strength of 40° U.P.
20. The distillation shall be carried out only between sunrise and sunset.
21. No wash shall be used except that prepared in distillery.
22. No licensee shall permit any person except his employees and Government Officers to enter the rooms containing the wash, the still and the receiver.
23. The distilling apparatus shall be so constructed that during the process of distillation the licensee cannot have any access in the liquor.
- 24(i) No liquor shall be removed from the receiver, until it has been tested by the Distillery Officer with a Syles Hydrometer. If it is in excess of 40° U.P, it shall be reduced to that strength by the addition of pure water which shall be obtained from a source approved by the Deputy Commissioner. The Distillery Officer shall measure the liquor by placing it in receptacles containing exactly 4 gallons each which shall be closed and sealed by the licensee. The receptacles shall immediately be removed to the bonded warehouse and lashed up.

(2) If the liquor measured into the last receptacle is less than 4 gallons, it shall be placed in a receptacle specially marked for the purpose and on the occasion which liquor is measured it shall be added to the liquor.

(3) The liquor shall be coloured with a colour approved by the Deputy Commissioner before issue from the Distillery, at the time of licensee withdraws it from the Bonded warehouse in the presence of the Distillery Officer. Notification No. 2 of 1937, D/8-1-1937.

25. No wash shall in any account be removed from the distillery except with the permission of the Distillery Officer.

26. The licensee shall be responsible for the safe custody of the liquor in his possession both before it is issued from the bonded warehouse and after it has been issued.

27. The Distillery Officer shall maintain in the bonded warehouse a Receipt and Issue Register in Form F attached to these rules in which all receipts and issues shall be entered. After each entry the balance in stock shall be carried forward to the next line the date in that line being left blank until the next transaction is entered.

28. The licensee shall keep minimum quantity of liquor in stock in the Bonded warehouse.

29. The licensee shall pay duty on liquor withdrawn from the Bonded warehouse at such rates as the Chief Commissioner may prescribe.

30. The licensee shall be liable to pay duty at the rate on any liquor in his possession that he cannot pay.

31. The licensee shall apply for permission to withdraw liquor from the bonded warehouse to the Revenue Assistant Commissioner in form G attached to these rules. The Revenue Assistant Commissioner, shall issue an order in Form H attached to these rules after licensee has paid to the duty.

32. The licensee shall hand ^{over} the issue order to the Distillery Officer who shall

(1) make the necessary entries in the Receipt and Issue Register.

(2) issue the liquor contained in the sealed receptacle as it is,

(3) enter in the issue order the date of issue.

33. Liquor withdrawn from the Bonded warehouse shall at once be placed in a room set apart by the licensee for use as a bottling and issue godown and shall be entered in the Stock Register in Form I attached to these rules, 33 A. The licensee shall keep a minimum quantity of 8 gallons of liquor in stock in the issue godown.

34. Quart (beer) and pint bottle only shall be used.

35. Six reputed quarts (beer) or 12 reputed pints shall for the purposes of these rules be taken to be equivalent to one gallon.

36. The licensee shall issue liquor to licensed retail vendors daily except Sundays between such hours as the Deputy Commissioner may fix.

37. The amount of liquor to be issued shall be not less than 6 quarts or 12 pints.

38. The licensee shall not issue liquor except on a delivery voucher in form J attached to these rules.

39. Any person who contravene the provisions of these rules or the conditions of a license issued thereunder may, in addition to any other consequences that may ensue from such breach, on conviction before a Magistrate punished with imprisonment of either description of or a term not exceeding six months or with fine not exceeding rupees one thousand, or with both.

J. N. Smyth
Chief Commissioner,
A & N Islands.

- 6 -

FORM A

LICENSE TO IMPORT BEER, WINES AND OTHER SPIRITUOUS
AND FERMENTED LIQUOR.

Under the provisions of Section 31 of the
Andaman and Nicobar Islands Regulation III of 1876
as subsequently amended a license is hereby granted
to.....
import the following.....
for.....

Port Blair, Deputy Commissioner,
the 1961 Andaman and Nicobar Islands.

FORM 'B'

LICENSE TO SELL BEER, WINE AND OTHER SPIRITUOUS
AND FERMENTED LIQUOR.

Under the provisions of Section 31 of the
Andaman and Nicobar Islands Regulation III of 1876
subsequently amended license is hereby granted to
..... to sell the following.....
..... within the period of....
.....

Port Blair, Deputy Commissioner,
the 1961 Andaman and Nicobar Islands.

LICENSE FOR THE RETAIL VEND OF BEER, WINES AND SPIRITUOUS AND FERMENTED LIQUOR.

Under the provisions of section 31 of the Andaman and Nicobar Islands Regulation III of 1876 subsequently amended a license is hereby granted of to vend at from The licensee shall deposit a sum of Rs. 250/- in the Savings Bank as security for the due fulfilment of the license. The licensee shall pay into the treasury a part of Rs. in four equal quarterly instalments in advance.

Conditions of his license.

- 3. The licensee shall keep his stock in a permanent building.
- 4. The licensee shall fix at the entrance of his shop a sign board in English and in Urdu indicating nature of his license and if the license is for the sale of country liquor the at which the liquor is sold.
- 5. The licensee shall not employ any convict, woman or minor in his shop in any capacity.
- 6. The shop will be opened between the hours of 6 A.M. and 7 p.m. only
- 7. The licensee shall not or supply to or for the use of; -
 - (a) Any European, or Indian Non-Commissioned Officer or soldier.
 - (b) Any sailor of the Royal Navy of the Royal Indian Marine.
 - (c) Any member of the police force under the rank of Jemadar or sub-Inspector.
 - (d) Any minor.
 - (e) Any Andamanese or Nicobarese.
- 8. The licensee shall not receive any wearing apparel or other goods in barter.
- 9. The licensee shall make any sales on credit.
- 10. The licensee shall not allow any intoxicated person to enter into or remain in his shop
- 11. The licensee shall produce his license when required to do so by any Magistrate of Police Officer not below the rank of Sub-Inspector.

Port Blair
the 1961

Deputy Commissioner,
Andaman and Nicobar Islands.

FORM 'D'

LICENSE TO POSSESS BEER, WINES AND OTHER SPIRITOUS AND FERMENTED LIQUOR.

Under the provisions of Section 31 of the Andaman and Nicobar Islands Regulation III of 1876 as subsequently amended a license is hereby granted to to keep in his possession the following quantities of.....

Port Blair, the Deputy Commissioner, Andaman and Nicobar Islands.

FORM 'E'

LICENSE TO MANUFACTURE REGIM COUNTRY LIQUOR. Under the provisions of Section 31(a) of the Andaman and Nicobar Islands Regulation III of 1876 as subsequently amended..... is hereby authorised by the Chief Commissioner to manufacture country liquor at..... for the period of..... years beginning from..... for.....

In addition to the payment of duty prescribed in the Rules the licensee shall pay into the Treasury a premium of Rs.....

The licensee shall deposit a sum of Rs. 1,000/- in the Post Office Savings Bank as Security for the due fulfilment of the conditions of his license.

The licensee shall pay Rs..... monthly in advance to the Executive Engineer, Port Blair as rent for the distillery buildings.

The licensee shall sell liquor only to licensed vendors.

The licensee shall not sell country liquor at a rate exceeding Rs..... per quarter (beer) bottle without the previous written permission of the Deputy Commissioner.

The licensee shall not employ convicts, women or minors for any purpose connected with the distillery for the conveyance or sale of liquor.

The licensee shall, if necessary, install his own still, and on the termination or cancellation of license he shall make over his still to the new licensee at a valuation to be determined by the Deputy Commissioner.

Port Blair, the Deputy Commissioner, Andaman and Nicobar Islands.

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ANDAMAN AND



निकोबार राजपत्र
NICOBAR GAZETTE

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सं. 484, पोर्ट ब्लेयर, बुधवार 18 अक्टूबर, 1984
No. 484, Port Blair, Thursday 18 October, 1984

अण्डमान तथा निकोबार प्रशासन, सचिवालय

पोर्ट ब्लेयर, दिनांक 18 अक्टूबर, 1984.

अधिसूचना

सं. 547 / फा. सं. 24-17/84 एच. एच. आर. अण्डमान एण्ड निकोबार आइलैण्ड्स (अ) रेग्युलेशन, 1984 (1984 का सं. 2) द्वारा यथासंशोधित अण्डमान एण्ड निकोबार आइलैण्ड्स रेग्युलेशन, (1876 का विनियम 3) की धारा 31ए द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा विषय से संबंधित अधिसूचनाओं / आदेशों का अधिकरण करते हुए उप राज्यपाल (प्रशासक), अण्डमान तथा निकोबार समूह द्वारा निम्न अधिसूची में वर्णित शराब की किस्मों के लिए प्रत्येक के सामने निर्दिष्ट दरों के अग्र उत्पादशुल्क की दरें निर्धारित करते हैं, जो अण्डमान तथा निकोबार द्वीप समूह के संप्रशासित क्षेत्र में का उत्पादन करने वाले, निर्माण करने वाले या आयात करने वाले व्यक्ति द्वारा देय होगी।

अनुसूची

क्रमांक	शराब का विवरण	दर
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2.	मिल्क पंच और वाइनों	रु. 4.00 प्रति
3.	बीयर	रु. 1.00 प्रति

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(एस. एम. चन्द्रशेखरन)
सहायक सचिव (एच तथा राज)

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FORM I

STOCK REGISTER OF BOTTLING AND ISSUE GOVERNMENT

Date	Opening Balance Gallons	Quantity received Gallons.	Total columns 2 & 3 Gallons.	Quantity issued Gallons.	To whom issued.	Number & date of de- ivery void
------	-------------------------------	----------------------------------	---------------------------------------	--------------------------------	--------------------	---

FORD H.

Issue Order No.

Dated.

To The Distillery Officer, Port Blair.

Please issue to Mr. from the Bonded Warehouse the following quantity of country liquor, duty having been duly paid.

Number of gallons Duty per gallon. Amount.

Issued on (date)

Received in full

Revenue Asst. Commissioner, Distillery Officer, Distiller.

FORD H.

Issue Order No.

Dated.

To THE DISTILLERY OFFICER, PORT BLAIR

Please issue to Mr. from the Bonded Warehouse the following quantity of country liquor, duty having been duly paid.

Number of gallons. Duty per gallon. Amount.

Issued on (date)

Revenue Asst. Commissioner, Distillery Officer, Distiller.

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FORM J.

LICENSEE'S DELIVERY VOUCHER NO.

Delivered.....
gallons of country liquor to....
.....

Date.....signature of licensee.

FORM J.

LICENSEE'S DELIVERY VOUCHER NO.....

I certify that I have
this day received from.....
licensee.....gallons of country
liquor.

Date.....signature of licensee.

REGULATION NO. III of 1876.

(30th June, 1876)

A regulation for the Peace and Government of the Andaman and Nicobar Islands.

(As modified upto the 15th May, 1946)

Preamble- Whereas it is expedient to provide for the peace and government of the Andaman and Nicobar Islands; it is enacted as follows:-

PART I - PRELIMINARY.

1. Short title, extent and commencement.- This Regulation may be called "The Andaman and Nicobar Islands Regulation, 1876";

It extends (Save in so far as expressly provided by this Regulation, 1876";

(a) to the group of islands known as the Great and Little Andamans² * * * with their dependencies hereinafter called 'the Andamans'; and

(b) to the Island of Mancowry, together with all others commonly known as the Nicobar Islands (that is to say the Islands of Car Nicobar and Great Nicobar, with those lying between them, including Tillanchong (hereinafter called the Nicobars);

And it shall come into force at once.

2. [Repeal of enactments] - Repealed by s. 2 and Sch. of Act I of 1938.

3. Interpretation clause- In this Regulation, unless there be some thing repugnant in the subject or context,-

"Section" means a section of this Regulation; words importing the masculine gender include females;

words in the singular include the plural and vice versa;

"month" means a month reckoned according to British calendar;

"vessel" includes any description of boat or ship;

"Master" includes every person having command or charge of a vessel

¹ Inserted by s. 2 of Regulation II of 1915.

² The words "and Little Cocos," were omitted by s. 2 of Regulation I of 1884.

PART II- (SECTIONS 4-12) - Repealed by s. 27 of Regulation I of 1926.

PART III. - OF THE ADMINISTRATION OF JUSTICE.

13. CODE OF CRIMINAL PROCEDURE APPLIED WITH MODIFICATION. The Code of Criminal Procedure (Act X of 1882) shall be subject to the following modifications:

(a) All the islands aforesaid shall form one sessions division, and the Chief Commissioner shall be the Sessions Judge in such division.

(b) No appeal shall lie from any order of the Sessions Judge.

(c) The functions of the High Court under Chapter XXVII of the Code (of the submission of sentences for confirmation) shall be discharged by the (Central Government.)

(5) Provided that in every case submitted under the said Chapter, the Central Government shall consult, and pass orders only in accordance with the recommendations of, three Judges of the High Court at Calcutta nominated in that behalf by the Chief Justice of that High Court.

(d) The functions of the High Court (under chapter XXXII of the Code (of Reference and Revision)) shall be discharged in respect of proceedings of the Court of Session by the (Central Government), and in respect of proceedings of Courts subordinate to the Court of Session by the Court of Session.

(e) All other functions of the High Court shall be discharged by the Court of Session.

(f) Trials before the Court of Session may, in the discretion of the Session Judge, be conducted without the aid either of a jury or assessors.

(g) Whenever the Sessions Judge deems it essential for the maintenance of tranquillity in any settlement that a sentence of death legally passed by him should be executed forthwith, he may order such sentence to be executed without the confirmation of the (High Court under Chapter XXII of code.)

Clauses (b), (d) and (e) of this section shall not apply to proceedings against European British subjects or persons jointly charged with European British subjects.

¹ See now Act V of 1898.

² Substituted by s. 3 (a) of Regulation I of 1884-

³ Substituted by s. 3(b) ibid.

⁴ Substituted by G.O. (Adaptation of Indian Laws) order of 1945.

⁵ Substituted by s. 2 of Regulation VII of 1945.

⁶ Substituted by

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THE ANDAMAN AND NICOBAR ISLANDS
REGULATION, 1876

(REGULATION III of 1876)

(As modified upto the 15th May, 1946)

STATEMENT OF REPEALS AND AMENDMENTS.

SECTIONS.

1, amended	Regulation I of 1884 and II of 1915
2, repealed	Act I of 1938.
4-12, repealed.	Regulation III of 1926
13, amended	Regulation I of 1884, Government of India (Adaptation of Indian Laws) Order, 1937 and Regulation VII of 1945.)
14, substituted	Regulation I of 1884
amended	Regulation IV of 1908 and II of 1915.
14A, inserted..	Regulation III of 1915.
amended	Government of India (Adaptation of Indian Laws) Order, 1937.
15 & 16, amended	Regulation I of 1884 and Govt. of India (Adaptation of Indian Laws) Order, 1937.
17A, inserted	Regulation I of 1884.
amended	GOI (Adaptation of Indian Laws) Order, 1937
19, amended	Regulation II of 1927 and the GOI (adaptation of Indian Laws) Order, 1937.
19A, & 19B, inserted	Regulation II of 1927.
19A, amended	Regulation II of 1930, GOI (Adaptation of Indian Laws) Order, 1937 and Regulation VII of 1945.)
19B & 20, amended	GOI (Adaptation of Indian Laws) Order, 1937.
21, amended	Ibid and Regulation VII of 1945.
23, substituted	Regulation VII of 1945.
24, amended	GOI (Adaptation of Indian Laws) Order, 1937 and Regulation VII of 1945).
25, Substituted	Regulation VII of 1945.
26, Substituted for Sec. 26 & 26A	Ibid.
27, amended	GOI (Adaptation of Indian Laws) Order, 1937 and Regulation VII of 1945.)
28, -30 Omitted	Regulation VII of 1945.
31, amended	GOI (Adaptation of Indian Laws) Order, 1937 and Regulation VII of 1945)
32, amended	-do-
33, amended	-do-
34, amended	Regulation II of 1945.
35, amended	Regulation I of 1884 and VII of 1945.

F. No. 288 ✓

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अण्डमान तथा
ANDAMAN AND



निकोबार राजपत्र
NICOBAR GAZETTE

असाधारण
EXTRAORDINARY

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No. 158, Port Blair, Wednesday October 28, 1992.

ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT

NOTIFICATION

Port Blair, dated the 28th October, 1992.

No. 152/92/F. No. 24-18/91-H&R—In exercise of the powers conferred by Section 31A of the Andaman and Nicobar Islands Regulation, 1876 (Regulation III of 1876) as amended by the Andaman and Nicobar Islands (Amendment) Regulation 1984 (No. 2 of 1984) and in supersession of this Administration's Notification No. 547-F. No. 24-17/87—H&R dated 18th October, 1984 as published in the Andaman and Nicobar Gazette Extra Ordinary No. 484 dated 18th October, 1984, the Lieutenant Governor (Administrator), Andaman and Nicobar Islands hereby prescribes the rates of excise duty payable by the person manufacturing in, producing in or importing into the Union Territory of Andaman and Nicobar Islands, the kinds of liquor described in the schedule given below at the rates specified against each:—

SCHEDULE

No.	Descriptions of liquor	Rate
1.	Foreign liquor other than Milk Punch, Wines and Beer	Rs. 20.00 per proof litre.
2.	Milk Punch and Wines	Rs. 4/- per bulk litre.
3.	Beer	Rs. 2/- per bulk litre.

This Notification shall come into force with effect from 1st November, 1992.

Lieutenant Governor,
Andaman and Nicobar Islands
By order and in the name of the Lt. Governor.

Sd/-

(N. P. Pillai)
Assistant Secretary (Excise)

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